repeatedly called for an independent inquiry into those widespread fish and shellfish deaths and the algal bloom. We believe such an investigation is necessary to properly assess the cause, evaluate the government's response and rebuild public confidence.

An inquiry would allow for rigorous arm's-length scrutiny of the science, the response mechanisms and the sufficiency of the current environmental protections, and would also ensure the concerns of affected communities that at this point in time continue to be left in the dark. The public has a right to understand the state of our waters, and commercial fishers and the aquaculture industry have a right to know if the ecosystems that they depend on are under threat.

This motion simply seeks to release testing data and reports from the start of 2025 that pertain to plankton counts, as well as any follow-up investigations triggered by calls to the Fishwatch hotline, including those related to marine and non-marine species deaths. It also covers data on plankton counts and water quality at known fish kill locations. It is not about finger pointing, it is simply about facts. We need to understand what is being collected, what the government knows and what assessments have been made. This will allow the parliament and the public to draw informed conclusions and hold government agencies to account, where appropriate. Our coastal ecosystems are too important to be treated with indifference and our seafood industry too valuable to be put at risk by complacency. I commend the motion to the council.

The Hon. T.A. FRANKS (19:54): I thank those who have made a contribution tonight: the Hon. Nicola Centofanti, the Hon. Ian Hunter and the Hon. Connie Bonaros. I note that the Hon. Connie Bonaros has moved an amendment, which restricts the information with regard to the SA Shellfish Quality Assurance Program to that referencing plankton counts. Certainly I am open to that and supportive of that amendment—it was a compromise reached between the opposition, the government, myself and the Hon. Connie Bonaros earlier today in a discussion, understanding the sensitivities around commercial protections for those in the industry.

The intent of this motion tonight is pretty much what the Hon. Nicola Centofanti just said: to assess what has been collected, what we know and then to inform what we can do from the broadest possible scope. I do know that there has been frustration, for example, from GPs, who did not have access to public health information in a way that they would have preferred earlier on as we address what is somewhat of an unprecedented issue with the current toxic algal bloom and the impact that it is having right across South Australia's shores.

I note and remind members of this council as well that this is not something, in calling for this information, that is out of the ordinary in other jurisdictions. I refer members of the council to the *Tasmanian Biotoxin News*, which comes out every week. I look at the summary of results for the week commencing Monday 26 March 2025, published by the Department of Natural Resources and Environment Tasmania as part of the Shellfish Market Access Program. In that, it notes that:

> Boomer Bay, Maria Zone, Little Taylors Bay, and Adventure Bay PST levels have been above the regulatory limit of 0.8 mg/kg in recent weeks (see results in red below). Based on the toxin profiles and available phytoplankton data, we believe that all these exceedances have been caused by *Gymnodinium catenatum* blooms.

Very helpfully, those amounts that do exceed the limits are in red in this document. This comes out every week in Tasmania. Similar documents come out in New South Wales; similar documents come out right across the world. The thing is, when you create a system where information is released more regularly, hopefully that will lead to a situation where conspiracy theories do not abound and good science is able to be practised, particularly because good science by its very nature should not be secretive, and that is the point of this motion. I commend it to the council.

Amendment carried; motion as amended carried.

LOCAL GOVERNMENT, HARASSMENT

Adjourned debate on motion of Hon. C Bonaros:

1. That this council calls on the Attorney-General, within three months of the passing of this motion, to instigate an independent inquiry by the equal opportunity commissioner into the prevalence of harassment, including sexual harassment, in the local government sector in South Australia and to report to the parliament on the following matters:

(a) The adequacy of existing laws, policies, structures, and complaint mechanisms relating to harassment, including sexual harassment;

(b) Improvements that may be made to existing laws, policies, structures, and complaint mechanisms relating to harassment, including sexual harassment; and

(c) any other relevant matters.

2. That the equal opportunity commissioner is appropriately resourced to undertake such an inquiry.

(Continued from 4 June 2025.)

The Hon. C. BONAROS (19:58): I rise today to conclude my remarks in relation to this motion, which members will recall deals with the request to have the equal opportunity commissioner inquire into local government. I am glad I took that opportunity to seek leave to conclude my remarks, because it has certainly given rise to a lot of important public discussion and context to many of the issues that I attempted to summarise in the previous session.

I note in particular, of course, the opinion piece in InDaily by Mayor Robert Bria. I did speak to Mayor Bria and said to him, 'Gee, I hope you don't mind, Robert, but it was you I was referring to when I talked about things never being as toxic as they are.' He said, 'I am glad you did.' I also said, 'I may have also mentioned your name in those conversations,' and he was more than pleased to hear that, so I am really pleased that he has come out and made the comments that he has made. I think it is worth reflecting on his opinion piece around the dream of serving the community, which he sees, as many others have seen, has truly turned into a nightmare across so many councils. He says:

Whatever your thoughts are about local government, the recent spate of resignations by mayors and councillors should alarm us all.

It certainly has alarmed us all. He goes on to say:

It is tragic that over time, the dream of serving your community turned into a nightmare.

For those of us who remain, if the biggest challenge facing councils in South Australia is financial sustainability, then elected member behaviour comes in as a photo-finish second place.

He also says that it is alarming that:

In the…three years since the 2022…elections, there have been enough examples of elected members behaving badly to fill a heavy coffee table book.

I think he is mindful of the fact that he may be critical of other councils when things may not be perfect in his own council, but I certainly think the point that Mayor Bria tried to make in that article is that the increasing number of allegations about bullying and harassment against elected members and, in some cases, against staff has been the worst that he has seen, certainly during his 20 years as mayor, and that the majority of the alleged victims of that behaviour are women and, in many cases, women holding the office of mayor. He noted, quite importantly, that over the last 12 months he had actually attended, along with many others:

…several forums for mayors where the issue of bullying and harassment has dominated the discussion, only to leave deeply unsettled, having watched fellow mayors become distressed and in tears as they talk about the lack of respect and toxic atmosphere at council meetings.

He says:

The reality is that bullying and harassment in councils is a scourge that is impacting the reputation of our sector as a trusted level of government, undermining community confidence in decision-making, our ability to deliver services and infrastructure, and costing ratepayers millions of dollars in legal fees.

Equally alarming is that it is also posing a serious threat to gender equity in local government by potentially putting off talented women from serving on council and thereby creating a leadership vacuum that communities cannot afford.

In terms of how widespread the problem is, I agree with Mayor Bria that:

It is no longer acceptable to brush off this behaviour as the wayward antics of a few ego-driven rebels looking for a cause.

A quiet 'fireside chat' over a cup of tea to smooth things over doesn’t cut it.

> People's personal lives and professional reputations are being destroyed [while we take those approaches].

He talks about the need to look at the environment:

> …which appears to embolden perpetrators of bullying and harassment, intimidates victims, and demoralises council staff.

He also talks about the fact that the Behavioural Standards Panel has not been the panacea that some thought and hoped it would be. I guess all that points to even more reason—and is in fact the precise reason—why I say the equal opportunity commissioner should actually step into this realm. He goes on to talk about the issue of sanctions against those people who are in breach being like:

> …a wet lettuce leaf, leaving victims frustrated and losing faith in a system supposedly designed to protect them…

I have to say that in some respects he is somewhat critical, I think, in a very respectful way, of the ways that we have tried to address this issue. He mentioned that the Local Government Association:

> …needs to step up to the plate and make its voice heard that it not only realises that this is a serious problem, but it is also doing something about it.

That is not to say that there are not people who are trying to do something about it. Indeed, I will go on now to just canvas very quickly the work of ALGWA in this space. I am sure many members in this place would have received correspondence from the president of ALGWA, who has taken the time to send correspondence outlining what attempts have been made.

We know there has been a taskforce established. We know there are draft guidelines. A lot of people have invested a lot of work into this and certainly when Ms Lewis stood for president I think one of her main drivers was to ensure—and this is, I think, made clear to all of us—that she did not want any other person to go through what she had gone through when she served as an elected member of Alexandrina Council.

In spite of the mental health toll, physical toll and financial toll this has taken on a lot of individuals, I see a lot of brave people putting their names to a piece of paper and saying that they would like to see this issue addressed. I was joined earlier this evening by a number of mayors and councillors—Mayor Bria could not be here this evening—who are very keen to see this go through: Mayor Wisdom, Mayor Monceaux, Mayor Holmes-Ross, Councillor Hoffmann, former Councillor Pascale and of course Ms Lewis from ALGWA, and I think that is just a demonstration. There is a letter that I think has been circulated to members that is also signed by those mayors and a number of others as well to show that this is a real issue that needs to be addressed.

In closing, I would like to take the opportunity to thank all of them for speaking up. I know it has taken us a while to get here, but certainly what I have seen between February and now is strength in numbers, if you like, and when one person breaks that ice it makes it a lot easier for others to come forward and do the same. My genuine hope is that the equal opportunity commissioner undertaking this inquiry will be able to multiply that effect by many times over what we have seen already.

Before closing, I would like to take the opportunity to read just one letter onto the record that I received and the reason I chose this letter is because it is from the very first person who raised this issue with me. I think she is somebody who is known in these corridors in terms of the roles that she has held in other places as well. It was really a discussion with Ms Louise Pascale earlier in the year that prompted all of this and I think a lot of work on Louise's part was in terms of getting people to be more vocal around the extent of the problem and things that people were not necessarily comfortable talking about either publicly or indeed amongst themselves, so I do thank Louise for doing that.

Even though she starts by thanking me for championing an investigation into the experience of women in local government, before I read this letter I would like to thank her for putting this on our radar as strongly and as passionately as she did and bringing everyone along with her on that journey, which I think is an amazing thing. That letter reads:

> Thank you for championing an investigation into the experiences of women in Local Government in the Upper House. It is long overdue. As you know I have now resigned from Adelaide Hills Council because I believe my community can no longer be served adequately by a Council which chooses to spend $400,000 of ratepayers' money on lawyers charged with managing internal complaints with Councillors.

My community of Woodforde is in desperate need of footpaths, maintenance of open spaces, traffic management and lighting. Due to the Hamilton Hill development which has seen 400 new residential dwellings in just 5 years we have grown exponentially and need attention.

When I first raised my behavioural complaints against the conduct of another Elected Member they were dismissed. What followed were 8 countercomplaints against me over 18 months. I cannot tell you what they were for because Adelaide Hills Council have kept them all confidential, but I can confidently say they weren't serious enough to pay lawyers $50,000 to investigate them.

In one case a LinkedIn Post was sent out for investigation at the cost of $10,000.

I requested mediation with the male Councillor who was sending in all these complaints as I wanted the excessive spend of ratepayers money stopped. My first request directly to him was declined, my multiple requests after that through my lawyer to Adelaide Hills Council were never responded to.

This Councillor who raised behavioural complaints against me used the behavioural standards policy in a way that felt punitive and I believe leveraged it in a manner that contributed to a hostile environment.

I had to engage a lawyer to help me manage the barrage of emails I would get from Adelaide Hills Council lawyers or staff on a Friday afternoon around 5pm—just before the weekend.

The personal toll this took on me meant I had to take stress leave twice, the second time I made it clear that these complaints were taking a toll on my wellbeing and safety and presented the Council with a medical certificate.

However the CEO said he could not recognise the certificate, nor halt the investigations while I was on stress leave, this was up to the Councillors who were in charge of the investigations, (because by now the Mayor had been stripped of all her powers under the same policy)—so in essence I could take stress leave but not leave from the thing that was causing my distress in the first place.

It is worth noting that under new provisions of the Work Health and Safety Act, the CEO is actually charged with mitigating risk of psychosocial safety in Councils.

Being an Elected Member in Local Government is not my full time job. It is what I juggled in my life because I have a genuine passion for representing my community through a boundary realignment which is causing conflict and stress with residents—my neighbours.

I'm also a single mother, running my own business to pay my mortgage and raise my son.

It was not uncommon for me to be driving home from Council meetings down the freeway in deep distress—so upset I would just pray I make it home alive to kiss my son good night. I know that sounds dramatic, but Adelaide Hills Council is a half hour drive from my home and I would often drive home either down the freeway or through unlit hills roads home late at night.

I stopped feeling safe in meetings or around the CEO and this male Councillor. I struggled with a constant sense of fear and discomfort.

I could not have dinner with my colleagues prior to meetings because I did not feel safe, I could not socialise with them at the pub after meetings and workshops because of how ostracising this had become.

I was told twice by an Elected Member that the Stirling Pub after council meetings and workshops was where Councillors would gather to bond and workshop ideas. I found out at one of those drinking sessions after an Ordinary Council Meeting a colleague sat with a group of Councillors and the CEO and remarked how well I handled a difficult debate that evening. For which the male Councillor who was lodging complaints against me told his colleagues—including the CEO—the steps you can take through the Behavioural Standard policy to make sure I am kept silent and behaving…

In order to be an Elected Member in the Adelaide Hills Council I had to make a personal safety plan and take blood pressure medication in order to show up and do my job. When I raised with the Acting Mayor all this, my letter was sent out to lawyers—once again. And all I was offered was for him to chaperone me at meetings.

This is a political environment and I acknowledge we will not always get along but I took steps under the Local Government Act to try and resolve issues with the complainant. Instead what prevailed was tens of thousands of ratepayers dollars being spent on lawyers and staff resources being taken away from the community. And with nothing resolved.

Unfortunately even after resigning the Adelaide Hills Council is still spending money on lawyers to send me threatening correspondence and staff resources are being used to canvas journalists against me.

Here is what my mother wrote on the weekend:

'Are you OK? I have just read the Sunday Mail and seen another article on the Adelaide Hills Council. Is there any way this can stop now that you are out? It is really starting to concern me at where this is going to end. Please look after yourself'—and of course, lots of kisses, because it is from mum—'and I am here if you need me.'

Louise does end that by saying:

When does this stop Connie?

And I do not blame her for what she said. It is a story that many of us have heard too often. There is not one part that should not concern any of us that Louise has not covered in her letter. If you do not necessarily buy into the whole—and I am sorry to say it this crassly, but if you do not buy into the whole bullying and harassment thing, $10,000 to investigate a LinkedIn post; $400,000 at one council; if that is not enough to get our support for this then I do not know what is.

It is not hard to see the toll that this takes on people, and I do not think we should underestimate that toll. We have firsthand experience at dealing with that in this place, and the legal profession certainly has firsthand experience at dealing with it in its place and many other workplaces do. But as I said when I first spoke on this issue, this is our third tier of government. And quite rightly, as Louise said in her letter and as Mayor Bria has said in his article, people serve on local council out of the goodness of their hearts. They do not do it because they have to; they do it because they want to give back to their communities, and they want to see their communities thrive.

But this is not what people sign up for. This is not the sort of environment people sign up for, it is not the sort of toxicity people sign up for, and whichever way you look at it and whichever way you spin it, it is just not acceptable.

We have an opportunity here tonight. I am quietly confident—I think I am very confident, but I will remain quietly confident—that the chamber will support this motion. As I said at the outset when I spoke on this issue, there is nothing for the LGA or anyone else to fear here. This is not coming in and pointing the finger at anybody and telling them that they have done the wrong thing. This is about ripping that band-aid off, lifting the lid, looking underneath, identifying the problems and identifying the mechanisms to help local government address what has become, as Mayor Bria said, a very, very toxic workplace.

We should not tolerate that. We do not tolerate it here. I know we always have our ups and downs and there are always issues. Parliamentarians, judges and members of councils have for reasons that go back in time, which we did discuss this evening, historically been held to a different standard, but the bottom line is we do set the standards as well. So I think this is a critical role not just for us in here, not just for the judiciary, which we have already seen well underway in terms of being addressed, but also for the good people who do put up their hands in local government to continue to serve their local communities.

At the end of the day, as Louise said, that is where people want to see their councillors spend their energy and time, and that is where they want council to spend their resources. With those words, I commend this motion to the chamber and look forward to contributions by other members.

The Hon. R.A. SIMMS (20:18): I rise to speak in favour of the motion. In so doing, I reflect on the fact that I think I am one of three members of this chamber that have had experience on a local council. I know the Hon. Justin Hanson has and the Hon. Tung Ngo. I am certainly a key—and yourself, Mr President, apologies. I am certainly a fan of local councils, and I recognise the important role that they play. I see local government as being the level of government that is most closely connected to the community, and it plays a really important role in terms of representing the voice of the local community. So I am sorry to hear about the experiences that the Hon. Connie Bonaros has shared in the chamber and sorry to hear about the loss of good people from the local government sector.

I thought it might be useful for me to reflect a little bit on my observations from my brief time on the Adelaide City Council. I was on the council between 2014 and 2015. I went into federal parliament and then returned between 2018 and 2021, before I had the privilege of coming into this place. It was really interesting to me to observe the significant change that happened in local government within those four years, and I have wondered over the last few years what has driven that.

I think it is fair to say there has been a significant shift in global politics over the last decade. I hate to say the T word, but I do think Trumpism and the coarseness that has been brought to politics has not helped. I think that local government is particularly vulnerable to the effects of that because it does not have the conventions and the processes in place to manage conflict that we have here in a chamber like ours, which is set up as a very adversarial environment. We have conventions and

processes that help us manage that conflict. I often worry that local government does not have those same traditions in place.

I saw in particular that change happen in Town Hall. During my first period on council, between 2014 and 2015, I thought the council was very collegial and effective, but the latter council, which was controlled by the Team Adelaide factional grouping, really seemed to lead to a huge amount of acrimony and dysfunction. Whilst within the parliament we operate on a political party system, and we have our structures and processes in place to manage that, local councils do not. I do think we need to think a little bit about what we can do to better equip councils to manage some of those conflicts at a time when conflict in politics is becoming more prevalent and our constituency is becoming more fractured.

I think there are a few issues here, and I support the investigation that the honourable member has proposed, but there are a few structural problems with local government that I would encourage the state government to consider. We need to look at remuneration for local councillors, which is significantly below par in terms of the expectations and what we ask of our elected members, particularly with some suburban councils where people are required to do a huge amount of work and do not get much reimbursement. I think that significantly reduces the number of people who are able to put themselves forward to represent their community, particularly when you are looking at people who might have child care or family obligations and the like, or younger people who might be working as well and struggling to make being on council financially viable.

As part of that there needs to be a discussion around sitting times. We have talked a lot within this chamber about the effect of having late-night sittings on behaviour and temperament. I do think it is a problem that local councillors are expected to finish a full working day, in many cases, and go well into the night debating complex matters that impact on their community. That might have suited 30 or 40 years ago when councillors may have been more likely to be people who were retired from the workforce—and I do not say that with any disrespect—but over time the profile and the make-up of council has changed and councillors are more likely to be juggling other work priorities, so I do not think it is fair to expect councillors to go along at the end of a full workday and go to a meeting that is late in the night; that is not conducive for good behaviour.

I wonder also whether the low turnout in local government elections is contributing to some of the factional and personality-based problems that we have at a local level, because when you have so few people voting and participating in local councils there can be a propensity for a small group of individuals or a clique to get control of a council in a way that we do not see happen within our broader parliament.

I have been on a long journey around compulsory voting for local councils. I was against it for many years because I did not want to see strong, independent community voices being shut out of council, but I have started to think in recent years that maybe we need to have a discussion around compulsory voting within our local council sector because that may be a way of weeding out particularly problematic personalities. We know also that the political party system itself applies a level of probity sometimes to candidate selection, which might also play a role in terms of weeding out some difficult personalities, not to say that you cannot be a difficult person and still come from a political party. I just make the point that there are a few other layers that might be in place.

I do support the Hon. Connie Bonaros' referral to the commission. I note that the government have an amendment. I am not sure what value that adds, but I am open minded in that regard and I will listen to the debate. If there is a good reason to support it, I am open to it, but I am not sure what that really adds at this level.

My final point would be that I think the previous Liberal government, under the leadership of Vickie Chapman, did do quite a bit of work on this area in terms of trying to set up a standards panel and look at how we manage behaviour. Clearly, those changes have not satisfied community expectations in terms of delivering the kind of outcomes that we want. I think it is time for us to have a bigger debate around the structure of local government and the expectations of local government within our democracy.

I see it as being a really vital sector. It should be resourced appropriately and elected representatives at that level should be respected for the work that they do. As part of this referral to

the equal opportunity commissioner, I hope the government also considers some of the other structural barriers that might be contributing to some of the behavioural problems that have been observed, particularly within the local government sector.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (20:26): I rise to contribute to the debate on the motion moved by the Hon. Connie Bonaros. This motion calls for an independent inquiry into the prevalence and handling of harassment, including sexual harassment, in South Australia's local government sector. That is a serious issue and one that warrants proper attention and action, so the opposition will be supporting this motion.

The adequacy of current laws, policies and complaints processes and whether improvements can be made are legitimate and necessary questions. We support the involvement of the equal opportunity commissioner in leading this inquiry and reporting back to the parliament. However, we do take serious issue with the government's proposed amendment, which I believe is going to be moved by the Hon. Russell Wortley, who wants the local government sector to provide appropriate resourcing to the equal opportunity commissioner to undertake such an inquiry.

We believe that proposal is somewhat outrageous, given the fact that the equal opportunity commissioner is a statutory office holder funded by the state government. This is proposed to be a state-led inquiry into matters of serious public interest, triggered by concerns raised in this parliament and endorsed certainly by a number of its members. For the government to now shift the cost of that inquiry onto councils is an abdication of responsibility, we believe.

I suspect many people in the local government sector would feel rightly insulted and somewhat let down by the government's amendment, because I think it also undermines the spirit of the motion. It sends a message that the government is willing to be seen to act but not carry the responsibility for it. While the opposition supports the motion, I do want to make it abundantly clear that we do not support the amendment that shifts the cost of a government inquiry onto local councils.

We firmly believe that the government should fund this inquiry through the normal mechanisms that support the Equal Opportunity Commission and that would preserve its independence, protect its credibility and ensure that victims of harassment and the community more broadly can have confidence in the process. I commend the motion in its original form.

The Hon. J.S. LEE (20:29): I rise in full support of this motion and I thank the Hon. Connie Bonaros for moving this motion which calls for an independent inquiry into the prevalence of harassment, including sexual harassment, in South Australia's local government sector.

This motion builds on the precedent set by this Legislative Council in 2020, when we passed a motion that led to a comprehensive inquiry into harassment in the legal profession. That inquiry was a turning point. It uncovered systemic issues, gave voice to those who had long been silenced, and laid the foundation for reform.

The recommendations from that inquiry have been captured in the Statutes Amendment (Legal Profession Review Recommendations) Bill 2025. I believe that important reforms can be achieved when we listen, investigate and act. Now we must extend the same commitment to make an inquiry into local government.

In March, *The Advertiser* reported that several councillors, many female elected members, raised concerns about behavioural policies being misused to silence dissent and to intimidate. This is not just poor governance, it is a matter of workplace safety and democratic integrity. We only have to look to recent events in the City of Burnside to understand the urgency of this motion.

As reported by InDaily in February 2025, internal disputes within the council have escalated to what was described as ridiculous proportions. Council meetings have become entangled in personal grievances, procedural gamesmanship and a culture of hostility that undermines not only good governance but also public trust. It also derails the roles of wise decision-making for constituents at the local government level.

This is not an issue confined to smaller or regional councils. Even in the Adelaide City Council, the Lord Mayor recently issued a formal reminder to councillors about acceptable standards of behaviour. As reported in *The Advertiser*, this followed a series of tense and disruptive meetings

that raised serious questions about professionalism and respect within the chamber. Unfortunately, these are not isolated incidents. As the mover and other members have mentioned, they reflect a broader cultural problem across the sector.

At this point I want to acknowledge Bronwyn Lewis, the President of the Australian Local Government Women's Association South Australia for sending me a letter in support of this inquiry. I also note that in her remarks, she outlined that in March, ALGWA SA hosted a session for mayors and elected members, which clearly demonstrates the scale and seriousness of the issues being faced. These include a sharp rise in resignations and departure of capable, community-focused elected members due to the weaponisation of the compliance process and its impact on their mental health. The letter also mentioned that the associations invested significant effort into increasing female representation in local government, aiming for gender parity.

While progress has been made, this fragile momentum is at risk. The current climate also jeopardises efforts to engage candidates from diverse backgrounds, which would be a loss for democratic representation and community leadership across South Australia. I totally agree with those sentiments.

Local government is where many South Australians first engage with public life, yet we continue to hear reports of bullying, harassment, and unsafe workplace cultures. While mechanisms exist through the Ombudsman, the Office for Public Integrity and the Local Government Act, they are largely reactive. They address harm after it has occurred. What this motion proposes is a proactive, systematic approach, an independent inquiry led by the equal opportunity commissioner to assess the adequacy of our current laws and structures and to recommend improvements.

This is not about casting blame or pointing fingers: it is about creating safer, more respectful workplaces where people are able to contribute meaningfully. It is about ensuring that every council worker, every elected member and every community volunteer can participate in public life without the fear of harassment, intimidation or bullying. We have seen what is possible: the legal profession inquiry led to legislative reform. Let us apply the same model to local government. I will not be supporting the government's amendments. I am wholeheartedly supporting this motion in its original form.

The Hon. R.P. WORTLEY (20:35): I would like to move an amendment to this motion:

Leave out paragraph 2 and insert new paragraph as follows:

2. That the local government sector provide appropriate resourcing to the equal opportunity commissioner to undertake such an inquiry.

I rise to speak on behalf of the government in relation to the Hon. Connie Bonaros's motion for an independent inquiry into harassment in the South Australian local government sector. Any form of harassment, particularly sexual harassment, is unacceptable in a workplace environment and, to be quite honest, unacceptable in any environment. South Australians also have a right to expect high standards of behaviour from their elected officials, whether they are state members, federal parliamentarians or local councils.

It is for these reasons that the government supports the intent of the honourable member's motion. The motion particularly seeks to have the Commissioner for Equal Opportunity undertake the review. This follows a similar inquiry into harassment in the legal profession undertaken by the commissioner in 2021. That 2021 inquiry was preceded by a motion from the Hon. Connie Bonaros. More recently, the Attorney-General commissioned the equal opportunity commissioner to undertake a further review of harassment in the legal profession, the report of which was published in February this year, three years on from the 2021 review.

This 2024 report was received by the government in December last year and published publicly in January. Recommendation 1 of that review was that the courts' Respectful Behaviours Working Group be reconvened and adequately resourced to do so. The Attorney-General's Department recently provided $100,000 in funding to the Courts Administration Authority to facilitate this recommendation. The government continues to work closely with the courts and with legal sector stakeholders in working through the report's recommendations.

The issue of harassment in the local government sector is an important one that the sector itself must bear some responsibility for addressing. It is therefore proposed that the local government sector provide support for such a review to be held. Of course, the state already provides significant resourcing to the Commissioner for Equal Opportunity and her office, which would also support such a review. In the event the motion is successful today, I understand the Attorney-General intends to work with the commissioner and the local government sector, as well as with relevant unions and other stakeholders, on how such a review might operate.

I note also that the Local Government Act 1999 provides an existing framework for managing council member conduct. Council members are required to comply with the Behavioural Standards for Council Members and any behavioural support policies adopted by the council. Councils have the primary responsibility for managing complaints about breaches of these standards. This reflects the longstanding approach that councils are best placed to deal with these matters.

Where a council member's behaviour is alleged to be a repeated or serious behaviour, complaints may be referred to the Behavioural Standards Panel by the mayor, by a resolution of the council, by three elected members or, in specific circumstances, by the chief executive officer. Complaints of alleged breaches of the integrity provisions under the act, such as alleged breaches of conflict-of-interest requirements or disclosure of confidential information, are dealt with by the Ombudsman.

In closing, I wish to thank the Hon. Ms Bonaros for bringing this important motion to the council. I commend my amendments to the members.

The Hon. T.A. FRANKS (20:39): I rise to support this motion. I indicate I will be supporting the government amendment and thank them for explaining it, which is what I had hoped to happen before I made my contribution. I start my speech to this motion with some words that have been sent to me, urging me to support this motion, from a female mayor who states to me:

> For nearly two years my life has been an ongoing nightmare due to bullying, harassment, misinformation, disinformation, allegations and counter allegations. Every agency I have liaised with to report this behaviour has either failed me or not had the jurisdiction to help me. These include, among others, my own Council, the Local Government Association, Local Government Risk Services, SafeWork SA, legal firms, and State Government agencies.
>
> I have had to spend $75,000 of my personal income on legal fees to put my position and seek to defend my reputation, and further expenditure on associated mental and physical health issues. This is more than my yearly income. No democratically elected member—Mayors or Councillors—should have to resort to expending such monies against Councils or other Councillors who use ratepayers money to fund their factional agendas.
>
> This is not sustainable for the sector or the communities they serve who face increased rates as a result.
>
> Despite efforts for reform the current Behavioural Complaints system is broken, open to abuse and weaponisation. I have done my best to support other Elected Members across the sector but everyone has their limits as the spate of recent resignations indicates. I too have almost reached my limit.
>
> Please support Connie Bonaros's motion to start the process of recovery.
>
> This is workplace violence against both women and men, but affecting women disproportionately. It is also an assault on local democracy. As the Mayor of Norwood recently said: 'The dream of serving our communities has turned into a nightmare'.

I also reflect on the contribution made by the Hon. Frank Pangallo in this place in question time yesterday, who raised the issue of the Whyalla situation where a Facebook post attracted the ire of a mayor of that council when it was posted by the deputy mayor of that council. I thank the Hon. Frank Pangallo for tabling those documents, because I have availed myself of the supposedly offending Facebook post today and the response from the Mayor of Whyalla. That Facebook post reads:

> This is a very uncertain time for our community and although as an elected member I don't have the authority to make changes to private industries, I can be available to listen to the struggles our community are facing and be a voice/advocate wherever possible.
>
> If anyone would like to talk about their current experiences or even just send me an email with your personal account of any issues, then I am here to listen and advocate for you.
>
> I am also connected to a lot of community groups that can help people if they need support. Please reach out either by email—

giving her email address—

or phone—

giving her phone number. It continues:

> I am also happy to meet with people 1:1 or as a group.
>
> We are all in this together and as an individual I am passionate about helping and fighting for our community.

That Facebook post saw a response from the mayor that, 'I need to raise an urgent matter.' The response reads, in part:

> Your Facebook Post uploaded earlier today, and which has been shared on various community Facebook pages has been brought to the attention of both myself and the Council Executive as potentially breaching Council policy and procedures. That concern will be addressed next week.
>
> Under the heading of a Councillor, you have been answering questions and making comments that may contradict and/or be in conflict with current or future Council decisions and/or positions. You have expressed opinions that, while they may be your personal view, have been made as an Elected Member and may, therefore, similarly contradict the official view of the Mayor (as spokesperson) and/or Whyalla City Council.
>
> The nature of the comments on the Facebook pages have, as to be expected, received a range of strong, negative comments directed at Council, which can not and should not be answered.

I ask you how a Facebook post from a deputy mayor to a city in crisis, offering to listen to her community, can attract such a response? Welcome to councils in 2025.

As Norwood Mayor Robert Bria has very articulately put in his recent InDaily article, there are serious issues here that need to be addressed, and I commend the Hon. Connie Bonaros for bringing this motion before this place to move forward with this issue. The equal opportunity commissioner is an appropriate person to address it and, as she says, rip the bandaid off, take a look and hopefully start the healing.

Mayor Bria has stated that during his nearly 20 years as mayor he has never seen things so bad. He writes in InDaily:

> Disturbingly, but not surprisingly, it appears the majority of alleged victims of this poor behaviour are women and, in many cases, women holding the office of mayor.
>
> Over the past 12 months, I have attended several forums for mayors where the issue of bullying and harassment has dominated the discussion, only to leave deeply unsettled, having watched fellow mayors become distressed and in tears as they talk about the lack of respect and toxic atmosphere at council meetings.
>
> The reality is that bullying and harassment in councils is a scourge that is impacting the reputation of our sector as a trusted level of government, undermining community confidence in decision-making, our ability to deliver services and infrastructure, and costing ratepayers millions of dollars in legal fees.

That is why I do believe that the government's amendment is actually appropriate. I think it is quite appropriate that the equal opportunity commissioner, as a respected independent body here, takes on this job, but it is also the responsibility of the Local Government Association to ensure that it is paid for.

The reality is these small issues such as Facebook posts have seen, and certainly in the Adelaide Hills Council there is a situation of a LinkedIn post, some $10,000 in council fees expended. The LinkedIn post was about women's participation in politics. The LinkedIn post itself, which breached no community standards according to LinkedIn or any other social media platform but certainly raised the concern of other councillors as somehow offending what they saw as the standards that should be upheld, was then also the subject of complaints to the media that, when the author of that LinkedIn post made an apology, she did not do so in a forum in a way, at a time and in a manner that they approved of. She did so at a council meeting when she was requested to do so. They did not like the timing of her apology, so they pursued that in the media as well.

I ask you, in that particular case, about the merit of spending $10,000 on a LinkedIn post, no doubt possibly some tens of thousands of dollars to come on Facebook posts for the Whyalla council unless this sort of behaviour is somehow addressed in a much more productive way than it is currently being done.

I have spoken to many people involved in local council about the current situation of how, if you like, in some ways the thought police—the processes that are meant to protect democracy are

I would like to take a moment to highlight the contributions of Mr Mostak Ahmed Chowdhury, who served for more than 12 years as a principal of the Bangladeshi Community School and still offers his guidance and wisdom to the school community. In Mr Chowdhury's words:

> The benefits of exposing children and community members to their own and other languages are twofold—they are learning, maintaining and thriving in their own cultures, and at the same time they are appreciating, respecting and learning wider Australian cultures too. Our activities stimulate the young community members to grow as globally and socially responsible Australian citizens.

This commitment to embracing and enhancing our multicultural community and building bridges between generations and cultures is something that is deeply embedded in everything that SABCA does. I am always impressed and inspired by the Bangladeshi community's selfless contributions to our society and their positive approach to life.

Once again, I express my sincere thanks to everyone involved in SABCA for their many achievements and wonderful contributions to enrich our vibrant multicultural state over the past 20 years. Congratulations to all the committee for their wonderful leadership. On the celebration of their 20th anniversary I wish the South Australian Bangladeshi community continued success and growth into the future. With those remarks, I commend the motion.

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

UNMET NEEDS REPORT

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Recognises the final report commissioned by the Office of the Chief Psychiatrist on 'Unmet mental health service need in South Australia that could be met by the NGO sector' (Unmet Needs report), dated February 2023.

2. Acknowledges the findings and recommendations of the Unmet Needs report, including:

   (a) 19,000 South Australians with severe mental illness require psychosocial support services each year but are not having their needs met;

   (b) an estimated $125 million per annum is required to address the shortfall; and

   (c) addressing the unmet needs in the South Australian mental health system would significantly reduce the demand for hospital-based emergency services related to mental distress and lead to reduced ramping and wait times.

3. Recognises the 19,000 South Australians identified in the Unmet Needs report represent a substantial increase compared to the Productivity Commission's estimated 11,000 South Australians in 2020, highlighting the results of years of mental health policy failure from successive governments.

4. Notes the 2023-24 state budget provided no additional investment in psychosocial support, with the state government indicating it was awaiting the findings of the Unmet Needs report before making any decisions.

5. Notes the 2024-25 state budget similarly did not provide the necessary increase in funding towards psychosocial support.

6. Notes there has been no formal state government response to the findings and recommendations of the Unmet Needs report.

7. Calls on the Malinauskas Labor government to provide a formal response to the findings and recommendations of the Unmet Needs report by no later than 1 September 2024.

(Continued from 19 June 2024.)

The Hon. J.S. LEE (21:49): I rise today in strong support of this motion, which acknowledges the findings of the 2023 Unmet Needs report commissioned by the Office of the Chief Psychiatrist. The report confirmed what many of us already know: our mental health system is under pressure, and too many South Australians are slipping through the cracks. This report conservatively estimated that 26,000 people with severe mental illness required psychosocial support in 2021-22, yet only 3,200 were supported through the NDIS and 4,489 through other programs, leaving nearly

19,000 people without services. That was 75 per cent of those in need back in 2021-22. How many more have slipped through the cracks in the three years that have passed since then?

As I highlighted in my matter of interest speech relating to the Mental Health Coalition in August 2023, psychosocial supports are not just about clinical care, they are about helping people live. They help individuals manage daily tasks, connect with their communities and avoid crisis care. They are essential to recovery and wellbeing. However, the rollout of the NDIS has unintentionally created a dangerous gap. Many programs lost funding under the assumption that the NDIS would cover all needs.

It is clear from the report that a significant proportion of people with severe and persistent mental illness are not eligible for the NDIS, yet they still require ongoing psychosocial support. The current system does not adequately meet their needs. Without targeted investment, these individuals will continue to fall through the cracks. This is not just a policy oversight, it is a systemic failure, and it is one that continues today. Despite the clear evidence and urgent recommendations, the 2025-26 state budget has failed to deliver the necessary investment.

In 2023, the government stated that they were waiting for the findings of this report before making decisions. The report was released over two years ago. There has been no meaningful increase in funding for community-based mental health services, no dedicated strategy to empower NGOs and no plan to address the tens of thousands of South Australians left in limbo. The report called for $125 million per year to close the gap. I recognise that this funding obligation is not just for the state but is also a federal responsibility, but that was three years ago. What has the Malinauskas government done since then?

While I welcome the recognition that psychosocial support is a shared responsibility between state and federal governments, I am deeply disappointed that the Malinauskas government has once again failed to provide necessary funding in the recently released 2025-26 state budget. The amendments proposed by the Hon. Tung Ngo remove key references to the scale of unmet need, the $125 million funding shortfall and the lack of state action to date. These omissions risk downplaying the urgency of the crisis and the responsibility of this government to act.

South Australians living with severe mental illness cannot wait for another round of national negotiations. They need support now. As we consider who is most impacted by these gaps, we must not overlook the unique challenges faced by culturally and linguistically diverse communities. As highlighted by Embrace Multicultural Mental Health, barriers such as stigma, language and a lack of culturally appropriate care continue to prevent many from accessing the support they need.

Any investment in psychosocial services must include a commitment to culturally responsive care, ensuring that all South Australians, regardless of background, can access services that respect and reflect their lived experience. The government cannot continue to ignore this. They must act on the recommendations. These services that keep people well and out of crisis need urgent funding. Earlier today, when I was speaking to another motion, I spoke about the drought and also the impact of viruses on primary producers and farmers. The impacts of mental health also need to be addressed in regional South Australia.

We need services that meet vulnerable members of society where they are at, in their homes and in their communities. It is up to us here in this place to ensure that no-one is left behind simply because they do not fit neatly into the funding model. I commend the motion and I thank the Hon. Connie Bonaros for her leadership in bringing this motion to the Legislative Council.

The Hon. J.M.A. LENSINK (21:54): I rise to speak in support of this motion, which calls for recognition of the findings contained in the unmet needs report commissioned by the Office of the Chief Psychiatrist and finalised in February 2023. The facts, as stated in the report, are that 19,000 South Australians who live with severe mental illness are going without the psychosocial supports they need to live safely and with dignity and stability in their communities.

These are not abstract figures; they are individuals who face daily challenges without community-based care, rehabilitation services, care supports or home-based programs, which are the building blocks of a functioning mental health system. They are often the first to be neglected when governments fail to act.

The report estimates that $125 million per year is needed to close this service gap, based on a fifty-fifty cost share with the commonwealth. Yet despite repeated promises to consider the findings, the Malinauskas Labor government has failed to deliver any meaningful funding response in either the 2023-24 or 2024-25 state budgets. In fact, the government's record to date amounts to tokenistic investment in narrow initiatives while thousands of people remain without the support they need.

On this side of the chamber, we remember why this report was commissioned. It came from the former Liberal government's commitment to evidence-based reform and follows national findings by the Productivity Commission that exposed systemic gaps in psychosocial services and gaps that fall outside the scope of the NDIS, which are growing year by year.

Since that time, peak bodies such as the Mental Health Coalition of South Australia have amplified the call for funding, even resorting to public campaigns to draw attention to the silence from this government. We have joined every state and territory in calling for bilateral action, yet no formal response has been issued. No timeline has been given.

Mental health care does not end in the hospitals, and nor should it. Acute beds are necessary but they are not sufficient. Without psychosocial support, patients cycle in and out of emergency departments and put growing pressure on our hospitals, ambulance services and community. This motion is timely and grounded in evidence. We support it and we will be opposing the government's amendments. I commend the motion to the house.

The Hon. T.T. NGO (21:57): I move the following amendments, as tabled and circulated:

Paragraph 1:

Leave out 'dated February 2023' and insert 'publicly released on 25 July 2024'

Paragraph 2:

Leave out 'including'

Leave out subparagraphs (a), (b) and (c)

Leave out paragraphs 3 to 7 and insert new paragraphs as follows:

3. Recognises the commonwealth 'Analysis of unmet need for psychosocial supports outside of the NDIS' released on 16 August 2024 which highlighted this as a national concern;

4. Acknowledges that the provision of psychosocial supports is a shared responsibility between the commonwealth and state and territory governments;

5. Recognises that state, territory and commonwealth ministers have agreed that addressing unmet psychosocial needs will be one of the central priorities in consideration of the next National Mental Health and Suicide Prevention Agreement; and

6. Recognises that state, territory and commonwealth ministers have agreed to consult with lived experience and sector representatives in their jurisdiction, to inform negotiations of the next National Agreement, and report back at the next Health and Mental Health Ministers meeting, to determine shared priorities and investment plans.

Mental health funding was sharply reduced under the former Liberal government. This unmet needs report was commissioned by the former Liberal government, basically to assess their own cuts. From 2018-19 to 2020-21, the funding for psychosocial services delivered by NGOs fell by 19.2 per cent. Once inflation is considered, this cut is even deeper.

The Malinauskas Labor government has reversed this course with a generational reinvestment. Since taking office, this government has lifted state-commissioned psychosocial funding by 24 per cent from 2021-22 to 2024-25 and through the 2023-24 Mid-Year Budget Review. This added a further $6 million over four years, increasing funding to an extra $2 million a year. This boost in funding, along with redesigned NGO contracts, will enable more than 1,000 extra South Australians each year to receive one-to-one psychosocial support.

The South Australian Unmet Needs report aligns with the commonwealth's national report released on 16 August 2024, confirming that unmet psychosocial need is a national issue. In response to these findings, the federal government has set up a cross-jurisdictional working group to identify service gaps not covered by the NDIS and to help guide future funding decisions. At last

week's meeting for state, territory and commonwealth health ministers, on 30 June 2024, all ministers committed to the following:

- reaffirmed their shared responsibility for psychosocial care;
- made unmet need a central priority for the next National Mental Health and Suicide Prevention Agreement;
- pledged to maintain at least current psychosocial funding to safeguard service continuity; and
- guaranteed to consult people with lived experience and sector experts before finalising joint priorities and investments.

Running alongside these commitments is a new Foundational Supports Strategy and a key NDIS review recommendation. This aims to create additional psychosocial services that are jointly commissioned by the commonwealth and the states. These services will be delivered through existing systems and phased in over time.

This report highlights that when NGO psychosocial services are properly funded they can step in early, keeping people connected to work, school and family, which in turn reduces homelessness, hospital stays and run-ins with the justice system. The state government is committed to the delivery of short-term, one-to-one NGO psychosocial services so we can better support South Australians in distress. The Labor government supports the amended form of this motion.

The Hon. T.A. FRANKS (22:01): I rise to support this motion, which calls on better South Australian government action on the unmet needs with regard to mental ill-health in this state. I have to reflect as well that the Hon. Tung Ngo's contribution just ascribed the commissioning of this report by the former health minister, Stephen Wade, as somehow done, and I quote him, 'basically to assess their own cuts under the Liberal government'. I would reject that assertion. This Unmet Needs study was done at the behest of the sector, asking governments, of whatever colour, to assess the unmet needs when it comes to mental health. What then happened under the Malinauskas government and this current minister was for years they kept the report hidden from South Australians.

Back then in 2020, there was an estimated—the Hon. Tung Ngo, you should not look so encouragingly at me as I say this—110,000 people affected by this unmet needs gap in our mental health and psychosocial services that should be there for all South Australians when they are in need, and now over 190,000 South Australians fall into that gap. We have to stop passing the buck to Canberra and start acting to ensure that we address the gap and we give South Australians the good mental health they need they need to live well and live well in recovery or not fall into acute need.

It is now the two-year anniversary of the final, eventual report. After great public campaigning, particularly by groups such as the Mental Health Coalition of South Australia, calling for this report to actually be released to the public, we are now about to see the two-year anniversary of that report and still there is no actual addressing of the needs, no putting money where it is needed. While sadly this will probably be a massive election issue politically, particularly for those who advocate for good mental health supports in this state for those who need it, for it to be given to them when they need it and accessed by them in the way that keeps them well and living a good life, it should actually be something that is cross-party and not politicised. But that is going to be through the failure of this government to act, even to address the problem by releasing the report in the first place and then to actually respond to the report once they were forced to release it. To somehow play politics and blame Stephen Wade, as the former minister, as somehow responsible for this is extraordinary and I reject it, as I reject the government amendments to this motion.

The Hon. C. BONAROS (22:05): I start by thanking the Hon. Jing Lee, the Hon. Michelle Lensink, the Hon. Tung Ngo and the Hon. Tammy Franks for their contributions. It should come as no surprise that I will not be supporting—and I am grateful to hear that other honourable members will not be supporting—the amendments to this motion. I thank the Hon. Tammy Franks for that summary in relation to how this report came about and how it unfolded, and in so doing I also acknowledge and thank the persistence and work of the Mental Health Coalition in this.

It has been nearly two years, as we have heard, that we have been waiting for a response to this. As the Hon. Tammy Franks has articulated, we want to know what South Australia is doing in relation to this. It is now four years since the Productivity Commission inquiry into mental health recommended addressing unmet needs, 30 years since the Burdekin report, 30 years since this was an important issue to address in mental health reform and 40 years since it was formally recognised in the Richmond report.

In this year's budget, the state budget continued with unsustainable health investment. We saw an extra $2 billion, but mostly focused on crisis points and business as usual. This does not deal with crisis; this is all about being proactive and preventing crisis in the first place. A key part of the solution in terms of addressing the unsustainable approach to mental health is addressing the unmet needs for psychosocial supports. We know what the cost is: it is $125 million to enable those 190,000 South Australians with severe mental illness to get the support they need to live better lives and reduce their reliance on an already overstretched crisis and emergency system. It is nearly two years since the report was released and so far we have allocated something like 2 per cent of what is required to address this gap.

The communiqué the Hon. Tung Ngo refers to is important. It was issued on 13 June and it is important given that I think it is this Friday that the mental health ministers' meeting is happening, the new Mental Health and Suicide Prevention Agreement and bilateral agreement are currently being negotiated, and of course, as we have mentioned now about four times this evening, we have an election coming up next year.

The Hon. E.S. Bourke interjecting:

The Hon. C. BONAROS: Next year. Is it next year? I think last week I may have referred to this year as 2026 because I got a bit ahead of myself, but now I am firmly placed in 2025. That communiqué from 13 June says:

> Psychosocial Supports
>
> Ministers reaffirmed Commonwealth, state and territory governments' shared responsibility and acknowledged the importance of investing in and delivering psychosocial supports to better meet need in the community.
>
> Ministers agreed that addressing unmet psychosocial needs will be one of the central priorities in consideration of the next National Mental Health and Suicide Prevention Agreement. Ministers also agreed to at least maintain—

at least maintain—

> …funding for psychosocial support services delivered through the Commonwealth and State and Territory governments—

at a state level, that is 2 per cent that we got in additional money in the budget announcements that just occurred—

> to ensure service continuity for the community
>
> All Ministers agree to consult with lived experience and sector representatives in their Jurisdiction, to inform negotiations of the next National Agreement, and report back at the next Health and Mental Health Ministers meeting, to determine shared priorities and investment plans.

I read that out because it is important in this context. What we have had now is a cost-shifting exercise between the states and the feds, and we are not going to budge here—that is what we hear from this government—until the feds budge, and the feds are saying, 'Well, you need to do your bit as well.'

We just keep passing this baton back and forth between state and federal and in the meantime the 190,000 South Australians suffering from mental health are going to increase. It is not going to do anything to improve our health crisis. It is not useful pointing to the figure that we have put in because that is money that is going towards crisis services. This is about being proactive, not reactive, and getting in before a person gets to that crisis point. That was the point of the report insofar as addressing the needs and what we need to do and what it will take to address that unmet need. We have all those answers now. The Chief Psychiatrist has given us the answers we need. We just need to get on and do it.

I am disappointed that the government has sought to rip the guts out of this because we know that those figures are not figures any of us in here came up with or any parliamentary inquiry came up with. They are fact and they are the facts we have to come to terms with and we have to address. We cannot go to this next meeting and pat each other on the back and say, 'We are committed to at least doing what we have been doing up until now,' because what we have been doing up until now simply is not working and it has failed us. We need to do more.

In closing, I thank honourable members for their support. I thank in particular the Mental Health Coalition for its ongoing advocacy in this area. I hope that we will see the light.

Amendments negatived; motion carried.

Bills

RESIDENTIAL TENANCIES (RENT FREEZE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 4 June 2025.)

The Hon. J.S. LEE (22:11): I rise to speak on the Residential Tenancies (Rent Freeze) Amendment Bill 2024. While the bill by the Hon. Robert Simms is well intentioned, aiming to provide relief to renters facing escalating costs, I indicate that I will not be supporting the bill.

My opposition comes from a deep concern for the long-term consequences that this bill may have on our housing market and the broader economy. I spent a lot of time meeting with members of our community. Many of these community members are renters, and I have heard countless stories from renters struggling to make ends meet and I empathise with all of them. I recognise that this bill is born out of genuine concern by the Hon. Robert Simms for renters, and rightly so. The cost of living is rising and many are struggling. However, it is uncertain whether or not the proposed solutions are sustainable and will inadvertently exacerbate the problem.

The bill proposes a two-year rent freeze followed by annual caps based on CPI. The proposed rent freeze, while offering short-term relief, poses significant risks that could undermine our housing market and hurt renters in the long run. Experts warn that such measures can reduce rental supply, discourage investment and lead to underinvestment in property maintenance. As economist Brendan Coates of the Grattan Institute puts it:

> Rent control has a seductive, intuitive appeal…but it also potentially has some big costs in the long run. If you do have rent control in place, then you are limiting the ability of the market to tell investors, developers, everyone else that we need more housing…and you can have a situation where basically the existing housing stock isn't maintained very well.

This insight underscores the danger of well-meaning policies that fail to account for long-term market dynamics. It has been documented that rent freezes can discourage investment in rental properties, leading landlords to exit the market or convert properties to owner-occupied dwellings. This reduction in rental supply can tighten availability and make it even harder for new renters to find housing. We must consider the long-term implications of such policies and ensure that our housing stock remains well maintained and liveable.

Rent controls can distort market signals, reducing housing mobility and entrenching inequality between existing and prospective tenants. We have seen this play out before in Berlin and New York and the results were far from ideal. Rent controls in these cities have shown that rent freezes can lead to black market rentals and reduced turnover, ultimately worsening housing outcomes. While this approach aims to provide stability, it fails to address the underlying issues of housing supply and affordability.

Even without intervention, we are already seeing signs of market correction. Data released by PropTrack in January showed that rents had begun to decline in over 100 South Australian suburbs. Considering this, market forces may very well be recalibrating without any legislative intervention.

We must pay attention to all the factors and consider alternative solutions that address the root causes of the housing crisis. While this bill attempts to address a real and urgent issue and may offer temporary relief, its approach may be economically risky and potentially counterproductive.

I believe that we can take on all the arguments presented for this bill tonight and use them to call on both state and federal governments to pursue more targeted and sustainable solutions, such as expanding rental assistance, increasing investment in social and affordable housing, and reforming planning laws. With those remarks, I indicate that I will not be supporting the bill.

The Hon. R.P. WORTLEY (22:15): I rise to give the government's position on the Residential Tenancies (Rent Freeze) Amendment Bill 2024, and it is with deep regret that I must inform the mover, the Hon. Mr Simms, that the government will be opposing his bill.

The Hon. R.A. Simms: Here we go again!

The PRESIDENT: The Hon. Mr Simms, that's enough.

The Hon. R.P. WORTLEY: On 3 August 2022, Minister Michaels hosted a Residential Tenancies Act review forum to hear firsthand the issues impacting the residential tenancy sector. In attendance at the forum were key interested parties and stakeholders. Following the forum, CBS engaged in discussions with other state and territorial residential tenancy authorities to consider the practicalities of implementing the proposed reforms before developing a discussion paper that was then released as part of public consultation.

Initiatives put forward were directly influenced by the public consultation, with feedback received from more than 5,500 participants, a significant number of which were written submissions received from stakeholder groups. The intent of these proposed initiatives was to strike the right balance between protecting both tenant and landlord interests while addressing issues of rent affordability.

On 29 November 2023, the Parliament of South Australia passed the most significant updates to residential tenancy laws in almost 30 years through changes detailed in the Residential Tenancies (Miscellaneous) Amendment Act 2023. On 1 May 2024, the Hon. Robert Simms MLC introduced the Residential Tenancies (Rent Freeze) Amendment Bill 2024 to the Legislative Council, proposing a range of measures to amend the Residential Tenancies Act 1995.

The bill included proposed changes that would freeze the maximum amount of rent payable for a premises under a residential tenancy agreement for a period of two years. It then makes further proposals to:

- limit rental increases to the consumer price index perpetually, once the rent freeze period ends;
- mandate the maximum rent payable for residential premises and rooming houses accommodation by backdating to the amount indicated in a residential tenancy or rooming house agreement as of 1 January 2024;
- prohibit landlords and proprietors and their agents from offering premises or accepting payment greater than the maximum rent payable under the agreement, noting that premises under the residential tenancy agreement on or after 1 January 2024 will be prohibited from entering short-term letting arrangements to overcome the maximum rent secured;
- require the Commissioner for Consumer Affairs to keep a register of rents under an agreement and publish the median rent amount for comparable residential and rooming house premises by postcode; and
- empower the South Australian Civil and Administrative Tribunal (SACAT) to determine and order the maximum rent payable for premises, including any increases under the agreement for tenants, landlords and proprietors.

During the forum held for residential tenancies sector stakeholders, it was the overall view of the parties in attendance that rent control measures were not a viable solution to rental affordability

issues and may, in fact, cause an upsurge in rental prices. Economists have long argued that rent control disadvantages both landlords and tenants, exacerbating housing shortages and inequality. For landlords and investors, incentives to build or invest in real estate in South Australia are drastically reduced if there is the likelihood they will receive a lower return for an investment than they would elsewhere.

Restrictions also risk encouraging landlords to sell, to earn market price for their property, or take dwellings off the long-term private market and, instead, enter the short-term rental market, e.g. Airbnb, which is currently less restricted. The potential impact of this scenario would mean the availability of rentals in high-demand areas, e.g. the inner city, particularly those close to public transport, and with significant tourism appeal, would be greatly reduced. This then forces displaced tenants to re-enter an increasingly competitive rental market where the current supply does not meet the demand and increases the risk of homelessness.

Further, restrictions on rent are likely to lead to disrepair of rental housing stock. If they are unable to recoup their costs through associated increases, landlords may be less inclined to invest in discretionary maintenance of their properties or, in some instances, maintenance that meets the minimum legislative standards. Deterioration directly disadvantages tenants who then risk finding themselves in rental properties that are not safe and/or fit for purpose. They would have limited options to move elsewhere, and therefore remain in housing that is not suited to them.

Tenants remaining in housing that is not suitable for them also exacerbates the mismatch between housing size and household size; for example, the space and/or bedrooms required in comparison to the number of people living in the property. Reduced rental housing turnover due to limited supply can mean larger families, for example with multiple children, are not able to access a property that appropriately houses all members because single or double occupancy households may remain in larger properties due to the inability and reluctance to source a tenancy in a more suitably sized property elsewhere.

The proposed bill also looks to require the commissioner to keep and maintain an up-to-date register of rents for all residential tenancies, with failure to comply resulting in a penalty to the landlord or agent. This proposal would require a substantial increase in resources within CBS, particularly at the time where the proposed rent freeze ends, when many landlords would presumably look to increase the rent amounts and would then need to do so via a formal notification of the commissioner. Likely bond increases and the enforcement of any proposed penalties would also create further resourcing pressures.

An inconsistency might also arise between the proposed legislation and the recently released reforms if a landlord were to apply to SACAT and have an order granted increasing the maximum rent payable—whether during the rent freeze period afterwards—if the rent had previously been increased within the last 12 months, with the recently commenced provisions preventing that from occurring.

The proposed bill does not acknowledge that the act currently allows tenants who believe that an increase to their rent is excessive to apply to SACAT for a decision about whether their rent should be reduced for a fixed period. The factors that SACAT must have regard to in deciding if the rent is excessive already include things like the general level of rents for comparable premises in the same or similar localities, and the state of repair and general condition of the premises. Once the new rental laws commence later this year, changes to this section of the act will require SACAT to also consider if a rent increase was disproportionate, considering the amount of rent payable.

The Real Estate Institute of South Australia have expressed their strong opposition to the freezing of rents in any shape or form, labelling the issue of rental affordability as one of supply, combined with the fact that more people are renting due to high interest rates. Further concern was expressed that the freezing of rents would simply drive landlords out of the market and artificially create an unfair ecosystem of property management. The Real Estate Institute of South Australia conveyed their confidence that the reforms already introduced by the government, and those soon to commence, will address many of the fundamental issues of tenant longevity in properties and reinforce that rent increases must be proportionate to the current rent.

Taking into consideration discussions at the forum, economic implications and the potential risk to both tenants and landlords, it is the government's view that the bill should be opposed. While freezing rents would appear to be a simple method to increase rental housing affordability, the unintended consequences of any such move would likely have a long-term negative impact on the total availability of rental housing stock in South Australia and drastically reduce its quality. In consideration of this, and the current vacancy rate of less than 1 per cent, the risks associated with the Greens proposed bill are deemed too great. So, I would just like to re-inform the Hon. Mr Simms that the government will oppose your bill.

The Hon. J.M.A. LENSINK (22:25): I rise to speak to the Residential Tenancies (Rent Freeze) Amendment Bill 2024 and also indicate that we will not be supporting this piece of legislation. I think everybody recognises the serious rental affordability challenges in South Australia, with rents in Adelaide surging by over 50 per cent since 2020. However, this bill is not actually the solution. What is being proposed is well intentioned but, as a number of other speakers have also similarly stated, is actually counterproductive. The bill proposes a two-year rent freeze, followed by a permanent cap on future rent increases at CPI. It imposes a new rent register, gives the tribunal authority to determine maximum rents and restricts initial rent levels on new tenancies based on historical formulas. It is actually a comprehensive regime of rent control which is unprecedented for South Australia.

These measures do not address the real problem, which is the lack of housing supply. Instead, they threaten to make that problem worse. Freezing rents and capping increases deters new investment and current investment, which is the way that we will get ourselves out of this issue. This bill would reduce rental stock and disincentivise the construction of new homes that we desperately all need.

There is an abundance of evidence from jurisdictions that have tried similar schemes which demonstrate that rent control leads to housing shortages. Investors who would otherwise produce new stock flee the market and there is an actual deterioration in housing quality, which is not something I think anybody would support.

The Reserve Bank Governor has warned that the only long-term solution is to build more homes, yet this bill would do the opposite. A range of stakeholders with vast experience in this space, including the Real Estate Institute of South Australia, have very strong objections. Landlords, particularly smaller investors, face rising costs and they may be forced to reduce spending on maintenance or exit the market altogether, which would result in fewer rentals, while those that would remain in the system would likely deteriorate in quality. According to REISA, investor sentiment in South Australia is already fragile, and something such as this bill would drive more landlords out of the sector which would be a devastating outcome for renters in the long run.

This bill also creates a dangerous precedence of state interference in private contracts and property rights, although the Labor Party has done a bit of that itself. It treats all renters the same, regardless of income or need, and places the entire burden of the housing crisis on landlords, many of whom are not wealthy but rely on rental income for their own stability or to build their nest eggs. Particularly, it asks mum and dad investors to foot the bill for existing problems with our housing market.

We have already seen the consequences of poorly designed rent controls in other jurisdictions, such as the favourite jurisdiction of the mover of the bill, the state of Victoria, where the introduction of rent caps has coincided—is that a bit too pejorative or is it true (sorry, I apologise, I should withdraw that)—with a decline in private rental listings and a contraction in supply. Internationally, measures in Berlin and San Francisco have led to housing market distortions, black market leasing and worsening rental access for those who need it most.

The Liberal Party supports genuine action which will assist in supplying the market, but we believe in evidence-based solutions which are sustainable, such as through bond support, targeted subsidies and planning reform, which will assist us to get out of this housing crisis that we find ourselves in. As I have already stated, we are unable to support this bill.

The Hon. R.A. SIMMS (22:30): I thank honourable members for their contribution: the Hon. Jing Lee, the Hon. Russell Wortley and the Hon. Michelle Lensink. It does not appear as if the

numbers are in my favour tonight, although I would like to call a division, so if someone wants to come in and provide me with a second voice, now is the opportunity.

It is disappointing to me that this parliament seems reluctant to take action on rent prices. I want to acknowledge the leadership of the Malinauskas government on rental reform, and the Hon. Russell Wortley is right to acknowledge the work of the minister in that regard. The Malinauskas government has embarked on the most significant changes to the Residential Tenancies Act in 25 years. The Greens were very proud to work with the government to secure some really important amendments that have strengthened the rights of renters in our state. But the one area where we could not get agreement was on rent prices, and consequently rents have continued to soar in South Australia. They have continue to skyrocket, and we do need to take some action on that.

I must take issue with some of the comments that have been made by the Hon. Michelle Lensink and the Hon. Russell Wortley, where they seem to imply that such a scheme is without precedent. Let's not forget that the Menzies government implemented rent controls. The Curtin government implemented rent controls and, indeed, the radical left-wing government, the Marshall government, during the COVID years implemented a moratorium on rent increases, which the Greens supported and we worked with the then Attorney-General Vickie Chapman to extend.

We are in the middle of an economic crisis, we are in the middle of the worst housing crisis in generations, so surely now is the time to provide some relief to renters who are struggling. All this bill would do is freeze rent prices for two years, and it would cap future increases in line with inflation. Over in the ACT, for many years they have had a model where rent prices are capped in line with inflation. It seems to me to be a pretty sensible proposition, at a time when some landlords have been able to rake in massive profits, that there should be some limit placed on the profits that landlords can make.

We have to move beyond this approach to housing where we regard it simply as a commodity, where some people are able to make a huge amount of money and meanwhile we have other South Australians who are struggling, who are sleeping on the street, who are sleeping in tents and who are sleeping in caravans. I urge members of this place to turn their attention to those vulnerable South Australians. If they are not going to support this bill then it is incumbent on members of this place to come to the parliament armed with alternatives, because no political party, other than the Greens, has been talking about what we can do to deal with rent prices.

I think the time has come for our state to take some action on this. We could not get the Malinauskas government over the line when we were dealing with the rental reforms a few years ago. We got some good changes in place and we made some positive progress, but we could not deal with the issue of rent prices. But the people of South Australia want this parliament to take action.

It is very easy for members of this place to come into the chamber and say, 'The Greens don't know what they are talking about,' and, 'This isn't the answer,' and yet none of them have come with their own proposals to deal with this crisis, other than the capitulation to developers, which we know is not going to deliver real change for South Australians who are struggling. With that, I conclude my remarks.

Second reading negatived.

ROAD TRAFFIC (PENALTIES FOR CERTAIN OFFENCES WITH CHILD IN VEHICLE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 October 2024.)

The Hon. J.S. LEE (22:35): I rise today to support the Road Traffic (Penalties for Certain Offences with Child in Vehicle) Amendment Bill 2024. This bill aims to address a critical issue affecting the safety of children: the proposed amendment to the Road Traffic Act to increase penalties for offences committed with a child under the age of 16 in the vehicle. I thank the Hon. Frank Pangallo for introducing this bill.

The safety of children should be a focus of our society. We have a responsibility to protect our young people from harm under all circumstances, whether they are at home, at school, in the playground, including when they are passengers in vehicles. All too often, drivers are making decisions on our roads that put children and young people at risk. The proposed amendments to the Road Traffic Act respond to alarming statistics: close to 500 incidents have been before the courts since January 2022 involving drug or drink driving with a child under 16 present. Almost half of these were for drink driving.

We all know the effects of alcohol on decision-making and response time. Alcohol interferes with the brain's ability to process information and make sound judgments. It lowers inhibitions, leading individuals to take more risks. Additionally, response times can be up to 25 per cent slower when a driver is under the influence. Similarly, driving under the influence of illicit drugs poses significant risks. The effects of drugs on driving ability varied, but it is well documented that both drugs and alcohol impair driver ability. Cannabis can slow reaction times and alter perception, amphetamines can decrease impulse control and coordination, and drugs like MDMA can impair information processing and increase risk taking.

In addition to these offences, this bill also seeks to increase penalties for excessive speeding and reckless and dangerous driving when a child under 16 is present. These activities are already illegal, with existing penalties including fines, demerit points and incarceration. What this bill seeks to do is to give the courts the ability to impose even higher penalties when it is clear that the driver's actions have purposefully increased the risk of harm or death to a young person by having them in the vehicle.

Passing these amendments will help demonstrate our commitment to road safety and, more importantly, ensure the safety and protection of children and young people. It is crucial that we continue to prioritise and act swiftly on all matters concerning child protection, acting in the best interest of a child in all circumstances. Children are precious cargo in vehicles and we have a duty of care to ensure that those who commit the offence will have higher penalties. With those remarks, I support the bill.

The Hon. R.P. WORTLEY (22:39): I stand to give the government's position on the Road Traffic (Penalties for Certain Offences with Child in Vehicle) Amendment Bill 2024, introduced by the Hon. Frank Pangallo MLC. The government's position is that it does not support the Road Traffic (Penalties for Certain Offences with Child in Vehicle) Amendment Bill 2024. Currently, there are several specific drink and drug driving offences that attract an additional penalty if they occur with a child in the vehicle. A range of factors are taken into account when setting the penalties for specific traffic offences, including the road safety risk, the risk to passengers and parity with other penalties in South Australia and other jurisdictions.

The bill seeks to increase the monetary penalties and imprisonment terms for those who engage in reckless and dangerous driving behaviour on the roads with a child under 16 present in or on the vehicle. While the intent of the bill is well-guided, a more considered and holistic approach is required to road safety, taking into account the existing legislative framework and penalty structure applying to road traffic offences.

While research shows that a multifaceted approach around the composition of appropriate penalties to create effective deterrence is beneficial, the optimal mix of penalties is not known. From a road safety perspective, it is unclear whether the slight increase in penalties proposed in the bill would change a driver's behaviour and make them less likely to commit the offence in the first place. For these reasons, it is proposed that the government does not support the bill.

The Hon. B.R. HOOD (22:40): I rise as the lead speaker on this amendment bill and indicate that the opposition will be supporting the Hon. Frank Pangallo. This bill introduces a series of amendments to the Road Traffic Act to increase penalties for certain driving offences when committed with a child under the age of 16 in the vehicle. It specifically targets excessive speeding, reckless or dangerous driving, and driving under the influence of alcohol or drugs.

This bill is based on a principle that these behaviours pose an elevated risk to the child passenger and therefore should attract stronger penalties and act as a deterrent. From January 2022 to July 2024, SAPOL and the Attorney-General's Department finalised 449 cases involving drink or

drug driving where a child was present in the vehicle. Of those cases, 46 per cent involved alcohol, 28 per cent involved methamphetamine and 15 per cent involved cannabis. That equates to nearly 200 alcohol-related cases and more than 125 cases involving illicit drugs, all with children present in a vehicle at the time of the offence.

This bill proposes to amend sections 45A, 46, 47, 47B and 47BA of the Road Traffic Act to increase penalties in cases where the child is under the age of 16 and is a passenger. Under section 45A, the maximum penalty for excessive speed increases from two years' to three years' imprisonment where the child is present. Under section 46, a similar increase applies to reckless and dangerous driving.

Section 47 introduces a fine range from $1,900 to $2,900 for driving under the influence, with a maximum prison term of six months. Section 47B introduces fines between $1,500 and $2,900 for prescribed alcohol concentration offences, and section 47BA establishes fines between $1,500 and $2,200 for drug-impaired driving.

The bill also introduces the presence of a child under 16 in the vehicle as a legislated aggravated factor. This ensures that the courts are required to consider the heightened risk of child passengers when sentencing. It is consistent with how other aggravated factors, such as proximity to school or prior offences, are treated under the existing law.

There have been recent incidents that demonstrate the real-world implications of the behaviours that this bill seeks to deter. In Glenelg, a driver recorded a blood alcohol content of 0.282 while driving with a child. In Murray Bridge, a driver with a blood alcohol reading of 0.148 was involved in a crash with two children as passengers requiring hospitalisation. In Mitcham, a driver recorded a BAC of 0.333, six times over the legal limit, with two unrestrained children in the vehicle.

These are not hypothetical risks. They are documented incidents that put children in direct danger. This is a narrow but focused amendment to the existing law. It does not create new offences or powers, but adjusts the penalty framework in recognition of the increased risks to child passengers. It is a proportionate response to a clearly demonstrated issue, and the opposition supports the bill.

The Hon. F. PANGALLO (22:44): I would like to thank the honourable members who have contributed to this debate: the Hon. Jing Lee, the Hon. Russell Wortley and also the Hon. Ben Hood. I must say I am just totally flabbergasted that Labor would oppose this bill that seeks to protect the interests of children when they are travelling in cars being driven by reckless adults. It is extraordinary, particularly when you see the statistics the Hon. Jing Lee has pointed out tonight, showing that it is clearly a problem out in our community.

I think the Malinauskas government's attitude here is just totally disingenuous. This is a party that keeps telling everybody it is tough on crime. Well, it should also be tough on road safety, and that is what this bill is really all about. It is about protecting the interests of children when they are in the care of adults—and adults who behave recklessly behind the wheel, endangering the life of those kids and also others on the road. To oppose a measure like this totally defies belief, and I think Labor and the Premier should hang their heads in shame that they have opted to oppose this and have come up with arguments that really just do not stack up. With that, I commend the bill to the chamber.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. F. PANGALLO (22:47): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

SOUTH AUSTRALIAN JUSTICE SYSTEM

Adjourned debate on motion of Hon. F. Pangallo:

That this council—

1. Recognises the role the South Australian justice system plays in upholding law and order in this state by providing a system whereby those that break the law are suitably punished by legislation/laws set by this parliament;

2. Acknowledges the South Australian justice system has failings and injustices have, and continue, to occur;

3. Recognises the nature of our justice system enshrines a burden of proof on the prosecution of either beyond reasonable doubt or on the balance of probabilities that has the potential to result in miscarriages of justice;

4. Acknowledges there have been cases where these thresholds were thought to be satisfied, but later found to have been doubtful at best and unsound at worst; and

5. Calls on the establishment of an Independent Criminal Case Commissioner, to be appointed by the state government, where individuals who believe they have been victims of an injustice within the South Australian justice system can request their case be reviewed (or where a miscarriage of justice is demonstrated by a reasonable doubt of a sound verdict being delivered in the case).

(Continued from 4 June 2025.)

The Hon. F. PANGALLO (22:48): I thank all the members who have stayed on tonight. I do not want to keep you all long, but this is an important issue. In continuing my speech on this motion, I would like to now draw attention to a matter that has been canvassed in this chamber and by a parliamentary committee as well as in the media.

It deals with a fraud committed by a publicly listed company with the knowledge of the South Australian government, which provides this company with funding without proper due diligence and then the abject failure of various agencies within the government, including SAPOL, the Ombudsman, ICAC and the Auditor-General to investigate and correct the egregious reputational harm and financial losses caused to the victim, a bright and entrepreneurial game designer by the name of Justin Daley, even when police had acknowledged that a fraud had been committed. However, what is most puzzling and disturbing about this is that not one entity wants to accept what took place nor make those responsible accountable, from the granting of the dubious government funding through to the lies and cover-ups at the highest levels.

Mr Daley, as late as last month, continued to bring his fraud to the attention of the Department of State Development's Head of Commercial and Governance, the Department for Infrastructure and Transport Minister Tom Koutsantonis, the Premier, Minister Andrea Michaels and Paul Featherstone, the police officer who had been leading the investigation and believed there was fraud, only to mysteriously drop it because he is alleged to have told Justin he was pressured from above. Interesting. Justin has not had one response, bar one from Featherstone, who said it would be interesting to see where his latest complaint went. This is an unacceptable cover up of corruption in government. It is a hornet's nest, a scandal, one that I had hoped would be followed up by inquisitive investigative media reporters.

The company at the centre of this scandal is Mighty Kingdom, and it has a notorious corporate governance history. At the heart of this disturbing white collar crime is Mr Daley, a young man who refused to give up his quest to correct the injustice he endured and which has cost him a considerable amount of money through the company's dishonest conduct, estimated to be more than $600,000 in lost game revenues, and his own expenses in seeking justice.

Anyone else trying to fight government and corporate corruption would have given up a long time ago, but not Justin, and all credit to his resilient perseverance. Members in this chamber, the Hon. Dennis Hood, the Acting President, and the Hon Tammy Franks, know Justin, and we have all advocated on his behalf, seeking answers over several years, only to be met with the usual bureaucratic and government stonewalls of resistance.

Justin has been refused access to all documentation he was seeking through freedom of information from the Department of State Development. They were counting on the weight of government power to intimidate him and that nobody would take his claims seriously and he would go away. He is not going anywhere until his fight is finally settled. He is getting closer. He now has all the documentary evidence to support what he has been pleading over the past seven years. I am highly impressed by his excellent investigative skills and I admire his perseverance and courage.

Let's go to the start of this saga in February 2018. Mighty Kingdom had a close association with the Weatherill Labor government and the Department of State Development. The company commits fraud by wilfully deceiving the government, claiming they owned something they did not to receive a government grant—taxpayers' money of $480,000. It was to be used to further develop and bring to market a clever game app developed by Mr Daley called Kitty Keeper.

January 2019—and all this is documented—the government is notified of that deception. The government requests the grant recipient, Mighty Kingdom, prove with evidence their ownership, but the recipient does not, and the government does not bother to follow up the request. Again, this is documented. June 2020—documented again—the government is notified again of the fraud, this time by another government agency, SASBC, which has bothered to look into the matter. The government requests evidence of their Mighty Kingdom ownership a second time, but the recipient deceptively withholds the evidence the government has asked for.

This is also documented: the government, DSD, knowing the recipient is withholding evidence, does not bother to follow up that either. Instead, the government drop the matter and say it is impossible and inappropriate for them to look into the alleged fraud, the government having to investigate itself. It begs the question: why, with all the knowledge the DSD possessed about the fraud, was this matter not referred to SAPOL? It was reported in *The Advertiser* that DSD have a protocol for this very situation, and I quote:

> In cases where potentially fraudulent applications are identified, those matters are referred to SA Police for further investigation and potential prosecution.

It is documentation that now shows Mighty Kingdom lied about their ownership of the intellectual property in the Kitty Keeper game to secure a $480,000 grant. Documents also show the department that awarded the grant should have known that Mighty Kingdom had been untruthful. Mr Daley contends that the media and the Small Business Commissioner were misled in the process to minimise any media reporting on the matter.

This from ABC media in 2021: there was a statement quoting a state government spokesperson as saying that the investigation by the department concluded all aspects of the contract had been complied with and no further action was required. That was false. Firstly, there are still missing reports. Secondly, the matter was not investigated, as acknowledged in DSD Chief Executive Officer Adam Reid's letter to Mr Daley on 28 September 2020, stating it was 'not possible or appropriate' for him to adjudicate on the matter.

ABC media, again in 2021, reported that Minister David Pisoni had referred Mr Daley's concerns to the department for investigation. Mr Daley had taken this matter to every department, written to every politician and sought help from anyone he could reach out to over the past seven years. Why had this not been investigated you might ask. Supposedly, it had.

SAPOL investigated the fraud allegations after the Hon. Tammy Franks requested they do so in 2022. SAPOL said they could see fraud, but the matter would be referred to the Ombudsman and ICAC for further investigation since it seemed the government was involved. Neither bothered to respond. Then earlier this year, when the new evidence became available, Mr Daley returned to SAPOL hoping they would reopen the matter.

It was explained to Mr Daley that the victim in this matter was the South Australian government and that the government would be 'uncooperative'. Mr Daley asked, 'Wouldn't you proceed with the investigation based on the evidence and see how it progressed rather than assuming they would be uncooperative?' According to Mr Daley, the SAPOL detective who investigated the fraud for six months responded with:

> Well no because the very first thing is to secure a victim's statement. The Govt would NOT comply as it is bad for their reputation. Can you imagine the government admitting that they didn't even attempt to do their due diligence on a significant grant and that it was a total waste of tax-payers money? If any investigation was attempted, it would be a non-event in the first week.

That was from a SAPOL detective. Let that sink in. *The Advertiser* recently reported on a grant fraud that was picked up by the Department of State Development. The matter was immediately reported to SAPOL for further investigation as per the department's protocol. SAPOL went on to prosecute a South Australian woman over a $16,000 grant fraud, yet Mr Daley had reported the $480,000 Kitty Keeper grant fraud to the Department of State Development. First, in 2019, they did nothing. In September 2020, Mr Reid contacted Mr Daley to tell him that:

> I do not consider it appropriate for me to adjudicate on what appears to be a genuine dispute between you and Mighty Kingdom as to the ownership of the intellectual property in the game.

They did nothing again. In fact, totally missing the point. In a statement provided to me, Mr Daley says:

> The department has again been looking at this matter since October last year. Still nothing.
>
> The department and Mr Reid knew there are contracts showing Mr Daleys ownership of the Kitty Keeper Game.
>
> Contracts Mighty Kingdom had but refused to present to the department when requested in the grant breach notice they received in 2020.
>
> The department knows there are two sets of financial reports for the Kitty Keeper game, with a difference between the two of approximately $1.4 million. The department has not followed protocol and referred documented fraud to SAPOL.
>
> SAPOL has acknowledged the evidence of a $480,000 grant fraud, but it will not do anything because it will, at best, make the government look bad and at worst proves maladministration and the cover-up of the grant fraud by the Department for State Development.
>
> SAPOL have alluded that the current Attorney-General is also the minister who signed off on the $480,000 grant to Mighty Kingdom, and that alone would present a problem to the investigation.
>
> SAPOL have a duty to investigate the fraud Mighty Kingdom perpetrated against the Department for State Development and South Australian taxpayers. If there is a greater fraud uncovered, it should then be referred to another agency for further investigation.
>
> SAPOL should act without fear or favour, but clearly they are not.
>
> Premier Malinauskas and Minister Koutsantonis are aware of this new information but will not respond to the dozens of emails sent.

That statement was sent to me by Justin Daley. Mr Daley took Mighty Kingdom to the Magistrates Court in March this year because they had stolen revenue from the Kitty Keeper game. Judgement was made in his favour when Mighty Kingdom failed to show up. This victory in court also proved his ownership of the Kitty Keeper game at a time Mighty Kingdom were telling the government they owned it. Mr Daley has written to the Auditor-General seeking they investigate the matter, given the court's decision. They are yet to respond.

Mr Daley has just filed another matter with the court against Mighty Kingdom, seeking the return of his game as per the contracted agreement and damages. He maintains Mighty Kingdom remains in breach of the agreement they had with him for the return of the game. He says Mighty Kingdom is also in breach of the financial conditions for the Kitty Keeper grant. Mighty Kingdom has been continually disingenuous and deceptive towards Mr Daley and show no interest in fulfilling their contracted obligations.

Their most recent ex-chair, Duncan Gordon, a disgraced company director, tried to coerce Mr Daley by offering the return of the game if he dropped all legal matters and did a media statement around an amicable conclusion. He acknowledged Justin had been wronged. This is supported by a series of emails and text messages, which I will seek to table later on. The return of the game is contracted and unconditional. Duncan Gordon is just the most recent in a long line of board chairs and members at Mighty Kingdom that, while having been fully briefed and aware of the lack of the game ownership, have failed to correct the associated crimes and perform their fiduciary duty, which is paramount for a publicly owned and listed company.

Gordon remains as a director on the board, even though he was recently disgraced. In February this year, the Federal Court granted a default judgement of almost $1 million to the liquidators of AE Charter and Rossair against Mr Gordon, who was a director of those companies, finding that he either was aware or should have been aware that the companies were trading insolvently. There has been a litany of departures at board level—11 in less than two years, which is quite concerning. Among them, former ABC head Michelle Guthrie, who resigned soon after telling a meeting of shareholders that Mighty Kingdom had burned through almost $30 million of investors' money, but had nothing to show for it.

No games developed to market because the gaming industry in South Australia, long-touted by the Weatherill government as being part of his GigCity digital economy revolution, has all but collapsed and with it, tens of millions of dollars in investments and government grants. Mighty Kingdom has benefited from overly generous state and federal digital offset tax claims of up to 40 per cent. It continues to make share offers, further diluting the shareholding of investors, but for what? It actually has nothing to show for it.

Where has all the money gone? What is really going on with this public company? Why is Mighty Kingdom not under investigation by financial regulators as well as integrity agencies? Is it any wonder nobody in government wants to lift the lid and peer under it for fear of what may be found? This matter demands to be investigated fully, without fear or favour. I also have a large bundle of indexed documents and emails in support of Mr Daley's search and research for the truth and for justice, which I have referenced in this address. They provide the necessary and accurate information to justify the need for an investigation, and I seek leave to table them.

Leave granted.

The Hon. F. PANGALLO: I now conclude my remarks.

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

Bills

EMERGENCY MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (23:07): I move:

That this bill be now read a second time.

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

Leave granted.

I am very pleased to introduce the *Emergency Management (Miscellaneous) Amendment Bill 2024*. This important Bill proposes amendments to the *Emergency Management Act 2004* to implement the recommendations of the 2024 Independent Review of the Emergency Management Act 2004.

The Review identified opportunities to improve the Act to ensure it remains fit for purpose to meet evolving challenges in emergency management. The Final Report of the Review made 28 recommendations, which the Government accepted or accepted in principle.

This Bill gives effect to the Review's recommendations for changes to the Emergency Management Act.

The proposed amendments strengthen the Emergency Management Act. The amendments clarify and strengthen roles and responsibilities for emergency management in South Australia and introduce legislative provisions to support the response to and recovery from future emergencies and natural disasters.

The Emergency Management Act was promulgated 21 years ago, superseding the *State of Disaster Act 1980*. The Act sets out South Australia's legislative framework for emergency management. It establishes the framework and principles for the State's emergency management arrangements, assigns key roles, responsibilities and accountabilities for emergency management, and empowers response and recovery operations.

Over the last two decades the EM Act has provided a solid foundation for South Australia's emergency planning, mitigation, preparedness, response, relief and recovery activities.

This is the first full-scale review of the EM Act in 21 years. Previous amendments to the Act included updates to provisions for the State Emergency Management Committee and the State Emergency Management Plan. The Act was also amended after the state-wide blackout in 2016 to enable an effective response to significant electricity supply emergencies. Most recently, the Act was amended in response to the COVID-19 pandemic.

In recent years, South Australia has experienced some of the most devastating emergencies and natural disasters in its history: the 2019-20 Black Summer bushfires, the COVID-19 pandemic, and the 2022-23 River Murray Flood.

The COVI0-19 pandemic tested the operation of the EM Act and its interaction with other legislation like no other emergency before it. There have been only 10 declarations under the EM Act since it came into operation. Three of these declarations were made in the last five years alone. The Major Emergency declaration in response to the COVID-19 pandemic was in place for a record 793 days and extended 25 times between March 2020 and May 2022. The emergency declaration in response to the 2022-23 River Murray Flood was in place for 118 days.

Before COVID, the longest declaration was in place for only four days and were most commonly for bushfire events.

These amendments are, therefore, timely to ensure that the legislative framework empowers South Australia to prepare for, respond to, and recover from emerging risks and hazards such as cyber terrorism and the unique challenges presented by climate change, driving increasingly complex, prolonged, concurrent and compounding natural disasters.

The Bill proposes two significant amendments worth highlighting.

The first substantial change is the introduction of a declaration of a State of Alert. This new category of emergency declaration is modelled on the mechanisms employed in Tasmania and the Australian Capital Territory. It allows the State Co-ordinator to use their powers under the EM Act to scale up or scale down activities, including public messaging, before or after a major emergency or disaster.

The State of Alert would allow for a more flexible coordinated response to a prolonged and complex emergency such as the COVID-19 pandemic. The COVID-19 emergency had several peaks and troughs instead of a linear trajectory through the four emergency management phases of response, relief, and recovery. In such circumstances, a State of Alert would enable scaling up and down emergency public messaging.

The second significant change is the establishment of a separate and permanent State Recovery Co-ordinator with clearly defined responsibilities and powers to support recovery efforts.

The 2022-23 River Murray flood underscored the growing complexity and extended timelines of recovery amid disasters of increasing frequency, intensity and duration. The State Government—supported by the Commonwealth—committed over $194 million to a comprehensive recovery assistance package. This included emergency accommodation, grants for affected individuals, small businesses and primary producers, an extensive waste clean-up program, tourism support, financial counselling, legal assistance, and mental health support.

The State Recovery Co-ordinator will be responsible for leading and coordinating consistent state-level recovery planning and operations. The State Recovery Coordinator will report to the State Co-ordinator when a declaration is in force to ensure clear lines of accountability.

The Bill also amends the EM Act to permanently integrate elements of the *COV/0-19 Emergency Response Act* 2020, reinstating the temporary powers under that Act to allow for a comprehensive and flexible framework for managing declared emergencies.

The Bill also proposes empowering Ministers to modify, or dispense with, procedural requirements of other legislation during a declaration period. It is recognised that directions issued during a declaration may have consequences on other government operations and it appropriate for a Minister to have flexibility to adjust their legislative requirements if a direction may result in an unintended breach of law. For example, during the COVID-19 pandemic, restrictions on movement impacted the ability to sign and witness documents as required by legislation.

The Bill introduces important limitations and checks on this power including the exclusion of certain specified Acts, a requirement that procedures relating to a court can only be modified at the request of the Chief Justice of the Supreme Court, and a sunsetting clause. This mirrors the approach in the *National Emergency Declaration Act 2020* for Commonwealth legislation.

The Bill also implements the recommendation of the Review to amend the EM Act's objectives and guiding principles to recognise the importance of mitigation as a shared responsibility, the key role of volunteers as key contributors to emergency management efforts, and requiring specific planning for vulnerable people.

Finally, to ensure that the EM Act remains fit for purpose and responsive to the dynamic and changing nature of emergencies and disasters, the Bill inserts a statutory review clause requiring a review of the Act within six years of commencement.

This Bill is our response to an emergency management landscape that is continually evolving. It draws on lessons learned from those events to ensure South Australia has the most effective legislative framework for coordinating government action when disaster strikes.

Importantly, the proposed amendments retain the core strengths of the existing Act—its familiarity within the sector and its built-in flexibility to manage a wide range of hazards—so that we can continue to adapt without losing what works.

I conclude by acknowledging the extraordinary dedication of our emergency management personnel across all levels of government, non-government organisations and the volunteer sector. They work around the clock to protect South Australians, often putting their own safety on the line, and I thank them wholeheartedly.

I also pay tribute to the strength and resilience shown by our community in the face of recent disasters, from the Black Summer bushfires of 2019-20, throughout the COVID-19 pandemic, the 2022-23 River Murray Flood, and the ongoing Inland River Flood Event.

I commend the Emergency Management (Miscellaneous) Amendment Bill to the Council and look forward to members' contributions on this important piece of legislation during the debate.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Emergency Management Act 2004*

3—Amendment of section 2—Objects and guiding principles

This implements recommendation 1 in the Independent Review of the *Emergency Management Act 2004* (the *Review*) and adds a reference to the State Recovery Co-ordinator.

4—Amendment of section 3—Interpretation

This implements recommendation 14 of the Review and makes consequential changes to various definitions.

5—Amendment of section 5—Interaction with other Acts

This helps to clarify the extent of new information gathering powers under Part 4 of the Act.

6—Amendment of section 6—Establishment of State Emergency Management Committee

7—Repeal of section 8

These clauses implement recommendation 4 of the Review.

8—Amendment of section 9—Functions and powers of SEMC

Subclause (1) implements recommendation 5 of the Review and subclause (2) is consequential to clause 18.

9—Repeal of section 10

This clause also implements recommendation 4 of the Review.

10—Amendment of section 15—Functions and powers of State Co-ordinator

This clause corrects a minor error and makes an amendment that is consequential to clause 18.

11—Amendment of section 16—Assistant State Co-ordinators

This clause is consequential to the creation of the new State Recovery Co-ordinator role.

12—Amendment of section 17—Authorised officers

This clause removes gendered language.

13—Amendment of section 18—Delegation

This clause removes gendered language and makes an amendment that is consequential to the creation of the new State Recovery Co-ordinator role.

14—Insertion of Part 3A

This clause inserts a new Part to implement recommendation 13 of the Review.

Part 3A—The State Recovery Co-ordinator

18A—Appointment of State Recovery Co-ordinator

This provides for appointment of the State Recovery Co-ordinator.

18B—Functions of State Recovery Co-ordinator

This sets out the functions of the State Recovery Co-ordinator.

15—Amendment of section 19—Co-ordinating agency

This implements recommendation 3 of the Review.

16—Substitution of heading to Part 4 Division 3

This clause makes a consequential amendment.

17—Amendment of section 21—Publication of guidelines

This clause makes a consequential amendment.

18—Insertion of section 21A

This clause inserts a new section as follows:

21A—State of alert

This implements recommendation 6 of the Review.

19—Amendment of section 23—Major emergencies

This clause makes a consequential amendment.

20—Amendment of section 24—Disasters

This clause makes a consequential amendment and implements recommendation 7 of the Review.

21—Amendment of section 24A—Public health incidents and emergencies

This clause makes a consequential amendment.

22—Amendment of heading to Part 4 Division 4

This clause makes a consequential amendment.

23—Insertion of section 24B

This clause inserts a new section as follows:

24B—Power to require information or documents

This section implements recommendation 10 of the Review.

24—Amendment of section 25—Powers of State Co-ordinator and authorised officers

This clause implements recommendations 8, 9 and 18 of the Review.

25—Insertion of sections 26AB and 26AC

This clause inserts new sections as follows:

26AB—Modification of procedural requirements

This proposed section implements recommendation 11 of the Review but imposes some limitations on the ability to dispense with procedural requirements where they relate to courts or to Parliamentary matters.

26AC—Public sector mobilisation

This proposed section implements recommendation 12 of the Review.

26—Amendment of section 26B—No obligation on persons to maintain secrecy

This clause makes a consequential amendment.

27—Substitution of section 27

This clause substitutes a new section 27 as follows:

27—Recovery operations

This proposed new section implements recommendations 2, 15 and 16 of the Review. Recommendation 17 of the Review would be implemented in regulations made under proposed new section 27.

28—Amendment of section 27A—Interpretation

This clause makes consequential amendments.

29—Amendment of section 27B—Minister may declare electricity supply emergency

This clause implements recommendation 20 of the Review.

30—Amendment of section 27C—Minister's power to give directions

This clause implements recommendation 19 of the Review.

31—Substitution of section 27D

This clause substitutes a new section 27D as follows:

27D—Minister's power to use or require information

This proposed new section implements recommendation 21 of the Review.

32—Amendment of section 27E—Obligation to preserve confidentiality

This clause implements recommendations 22 and 23 of the Review.

33—Amendment of section 27F—Manner of giving directions or requirements

This clause makes consequential amendments.

34—Amendment of section 28—Failure to comply with directions

This clause removes gendered language and makes a consequential amendment.

35—Amendment of section 30—Impersonating an authorised officer etc

This clause removes gendered language.

36—Amendment of section 31A—Confidentiality

This clause implements recommendations 24 and 25 of the Review.

37—Amendment of section 32—Protection from liability

38—Amendment of section 32A—Protection from liability—COVID-19

These clause implement recommendation 26 of the Review.

39—Insertion of section 33A

This clause inserts a new section as follows

33A—Victimisation

This proposed new section implements recommendation 27 of the Review.

40—Amendment of section 36—Insurance policies to cover damage

This implements recommendation 3 of the Review.

41—Amendment of section 38—Regulations

This clause increases the maximum penalty for an offence against the regulations and provides for offences against the regulations to be expiable.

Schedule 1—Transitional provision and review

1—Transitional provision

This clause ensures the amendments in clauses 37 and 38 will apply in relation to acts and omissions whether occurring before or after the commencement of those clauses.

2—Review of *Emergency Management Act 2004*

This clause implements recommendation 28 of the Review.

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

NORTH ADELAIDE PUBLIC GOLF COURSE BILL

Introduction and First Reading

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

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (23:08): 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.

LIV Golf Adelaide has delivered major economic benefits to South Australia, contributing 136 million dollars to the economy in its first two years alone. LIV Golf has served as a vehicle to showcase South Australia to a global audience, with a broadcast reach of more than 500 million viewers across 80 countries.

The inaugural event in 2023 attracted over 77,000 attendees, with 43,000 international visitors to Australia from 37 countries. The 2024 tournament drew more than 94,000 attendees and generated over 79,000 visitor nights. During this event, approximately 40% of ticket holders came from outside South Australia.

Proving the event's popularity, 2025 delivered bigger and better impacts for the State with a record 102,000 attendees.

Adelaide has hosted the Australian fixture at The Grange Golf Club since the first event 2023. The initial agreement to host LIV Golf in Adelaide was for 2 years, with an option to extend for a further 2 years up to 2026.

The State has secured an extension of the LIV Golf Agreement for a period to 2031. The North Adelaide Golf Course will be the exclusive home of LIV Golf in Australia following a redevelopment by Greg Norman Course Design. This firm has delivered more than one hundred iconic courses across 34 countries and six continents.

The redevelopment of the North Adelaide Golf Course is necessary to provide the required facilities and amenities to accommodate year-round use for the public, world-best tournaments, and tourism to South Australia.

Our National Heritage Listed Park Lands has had a Golf Links since the late 19th Century. As part of the evolution of the precinct, the North Adelaide Golf Course was developed in the early 20th century and is the most centrally located golf course complex in any Australian capital city.

The necessary redevelopment the North Adelaide Golf Course carries arguably the greatest potential of any public owned golf facility in the country. The development will make it a world class, landmark venue to secure major tournaments, as well as drive national and international visitation and tourism to South Australia.

Considering its unique location within the Adelaide Parklands and sightlines to the Adelaide CBD and River Torrens a new North Adelaide Golf Course is an amazing platform on which to showcase our state to the rest of the world.

The economic potential of golf tourism is significant, with the average domestic and international golf traveller spending significantly more per trip than non-golf travellers in Australia.

When a round of golf is played there is a 43% increase in spend on international trips. The average spend increases by 38% on interstate travel and 72% on intrastate trips. This is an economic multiplier which adds to our multibillion-dollar tourism industry.

The redevelopment will create one of the world's best public golf courses for year-round use for all South Australians. No matter who you are, or your background, this will remain a public golf course, in public hands.

Golf has seen unprecedented growth across Australia in the past 5 years. Emerging is an increasingly younger and more diverse player base. Off-course and alternative format golf also tends to attract a younger audience due to the reduced barriers to entry such as time constraints. Off-course golf often acts as a feeder to more formal participation and future growth within the sport.

The existing North Adelaide Golf Course is currently comprised of two 18-Hole Courses on approximately 75 hectares of Park Lands, together with one Par 3 course. The current golf course does not contain a dedicated driving range facility or the amenities and infrastructure for the development of the sport at the scale required. This is also about getting more people, more active, more often.

The City of Adelaide has through successive Councils have investigated options for the redevelopment of the North Adelaide Golf Course but this has never progressed. The operations of the existing golf course are also limited by restrictions on current permitted uses.

It is essential that we respond to the economic opportunity which has presented itself. A new North Adelaide Golf Course will create an accessible, high-quality public golf venue encouraging expanded accessibility that caters to golfers of every age and skill level.

The redevelopment will enhance the Adelaide Parklands for both non-golfers and golfers alike. The upgrades will connect spaces to improve public access and movement in and out of the city through the Parklands. This is incredibly important due to the increase in development at key areas such as Southwark and Bowden.

This legislation will ensure the redevelopment of the North Adelaide Golf Course can go ahead as soon as possible to host the LIV Golf Adelaide Tournament in 2028. This will not occur at the expense of the Adelaide Parkland's public amenity, environmental importance or character.

The State Government and the City of Adelaide have already been working together on the initial design and planning activities for the redevelopment works. The legislation commits a positive duty to consult with Council on the development and to resolve the future ownership and operating structure of the North Adelaide Golf Course.

The redevelopment of the North Adelaide Golf Course will be constructed on what is defined in the legislation as the 'project site'. The 'project site' will include the area currently operating as the North Adelaide Golf Course as well as the intention to include Park 27A—also known as John E Brown Park. The use of Park 27A will see the transformation of an underutilised area of the parklands to provide more useable space and will reduce the impact on trees.

The legislation has outlined a significant protection of trees within the Golf Course precinct. For every tree removed, no less than 3 new trees, or seedlings must be planted within the project site or support zones. This policy for vegetation management will provide significant visual and environmental enhancements to the Parklands and Golf Course.

The legislation also ensures that the future operations and maintenance of the golf course are not restricted and allows the staging of tournaments and other events as required.

Under the *Planning Development and Infrastructure Act 2016*, the redevelopment of the North Adelaide Golf Course will be classified by the Planning and Design Code as 'deemed-to-satisfy'

This approach will ensure that planning controls will still remain and building rules consent will be required, mandating the quality, safety and integrity of any facilities constructed.

It is important to highlight the cultural significance of the Adelaide Parklands for the Kaurna people. The application of the *Aboriginal Heritage Act 1988* is not affected by this legislation. No ground disturbing works will proceed without consultation with Traditional Owners and relevant approvals under the Act.

The legislation establishes safeguards and limitations on various components of the site and its surroundings. To avoid environmental impact, it defines the project site and support zones which will be utilised to facilitate construction but with clear limits about what can occur in these zones.

The support zones are explicitly for developing facilities and amenities for the golf course and the future staging of events. Additionally, the legislation imposes an ongoing obligation for those areas to be made good once their use is complete.

This is a project that will facilitate the redevelopment of the North Adelaide Golf Course to be a world-class facility which will support world-class events. The Golf Course will remain as a public golf course, for anyone and everyone to enjoy.

The redevelopment will enhance and protect the environmental features of the Adelaide Parklands and builds on South Australia's presence on the global stage. This is a project which builds and drives economic, social and community benefits for generations of South Australians to come.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will commence on assent.

3—Interpretation

This clause inserts definitions for the purposes of the measure.

4—Effect of Act

The measure has effect despite any other Act or law of the State. It applies to land notwithstanding the provisions of the *Real Property Act 1886* and the *Land Acquisition Act 1969* does not apply to a vesting of land under the measure.

Part 2—Project site

5—Project site

The project site will be delineated in a plan or plans to be deposited in the GRO and identified by the Minister by notice in the Gazette but is to include the area currently operating as the North Adelaide Golf Course as well as Park 27A in the North Adelaide parklands and certain road reserve areas in the vicinity of such land.

6—Cancellation of leases and licences

All leases and licences existing in relation to the project site are to be cancelled in accordance with this clause.

7—Preparations for handover of project site

This clause requires the Minister to consult with Adelaide City Council in relation to the handover day. The Council must vacate and handover possession of the site to the Minister on or before the designated handover day and the Minister is able to issue directions to the Council to ensure an orderly handover.

8—Vesting and care, control etc of project site

On handover day the project site vests in the designated Minister in an estate in fee simple, free from all dedications, encumbrances, estates and interests other than those indicated in the plan or plans deposited under clause 5. The Minister to whom administration of the Act is committed is vested with care, control, management and use of the site.

Part 3—Carrying out the project

9—Consultation requirements and protocol

This clause requires certain consultation to be undertaken by the Minister with the Adelaide City Counsel and the development of a consultation protocol.

10—Application of *Aboriginal Heritage Act 1988*

The *Aboriginal Heritage Act 1988* applies in relation to any Aboriginal sites, objects or remains found in the course of the carrying out of the project on the project site or the support zones.

11—Application of *Planning, Development and Infrastructure Act 2016* etc

This clause specifies requirements of the *Planning, Development and Infrastructure Act 2016* the are to apply to a development proposed to be undertaken, for the purposes of the project, on the project site or the support zones and that such development will be taken to be classified by the Planning and Design Code as deemed-to-satisfy development for the purposes of that Act (and that the State Planning Commission will be taken to be the relevant authority for all purposes under that Act).

12—Application of other State laws to project

Except as is specified in clauses 10 and 11 or as may be determined by the Minister by notice in the Gazette, no assessment, decision, consent, approval, authorisation, certificate, licence, permit or permission and no consultation, inquiry, notification, process or other procedural step is required under a State law in connection with the project or the performance of functions under the measure.

13—Requirements relating to trees

The Minister must ensure that for every tree that is removed during the project not less than 3 new trees are planted within the project site and support zones.

14—Support zones

Support zones and support services and facilities are defined. Specified powers are conferred on the Minister for the purposes of the provision of support services and facilities in support zones in connection with the development on the project site. Provision is also made in relation to the exercise of those powers.

15—Roads

The Minister is authorised to open or close any roads in connection with the development on the project site (both temporarily and on an ongoing basis).

16—Minister may make provision in relation to vesting etc of project land, structures or property

This clause allows the Minister to make provision in relation to land, structures and property by instrument in writing, in order to implement leasing or other arrangements that may be agreed between the Minister and the Adelaide City Council or for any other purpose connected with the operation of the measure that the Minister thinks fit.

Part 4—Operation of golf course

17—Interpretation

This clause defines certain terms used in the Part. The Part applies to the North Adelaide Golf Course as in operation following the completion of the project.

18—General operation of golf course

Subject to this Part, following the project the North Adelaide Golf Course must continue to operate as a public golf course and must not have permanent fencing around its perimeter for the purpose of excluding members of the public from the course (subject to subclause (2)).

19—Use of golf course for approved events

The Minister can, by notice in the Gazette, approve an event, specify a *declared period* for the event and temporarily close any roads as needed.

20—Minister to have care, control etc of golf course for declared period

The care, control, management and use of the land comprising the North Adelaide Golf Course vests in the Minister (to the extent that it is not already so vested) for the declared period for an approved event and the rights or interests of any other person in or in relation to the land are suspended.

21—Approved event support zones

Support zones may be created for an approved event in accordance with this clause. No permanent buildings may be constructed pursuant to this clause and the Minister must, after the end of the declared period for the approved event, ensure that the public amenity of the approved event support zones is restored.

22—Temporary fencing of land by Minister

This clause deals with fencing for the purposes of an event.

23—Application of *Major Events Act 2013*

This clause allows the regulations to modify the application of the *Major Events Act 2013* in respect of an approved event.

24—Application of certain laws to events and activities

Various laws do not apply during an approved event and an activity carried on by or with the permission of the Minister on the North Adelaide Golf Course will not constitute a nuisance.

25—Application of *Planning, Development and Infrastructure Act 2016*

Future development on the North Adelaide Golf Course land will be taken to be classified by the Planning and Design Code as deemed-to-satisfy development for the purposes of the *Planning, Development and Infrastructure Act 2016*. The *Planning, Development and Infrastructure Act 2016* does not, however, apply to or in relation to any works within the North Adelaide Golf Course or an approved event support zone that are certified by the Minister as being necessary or desirable in connection with the conduct of an approved event.

Part 5—Miscellaneous

26—Other actions to give effect to Act etc

This clause provides for the making of alterations to the Planning and Design Code (or other instruments), that are, in the opinion of the Minister, necessary or desirable to give effect to this Act or for the ongoing operation of any facilities on the project site or support zones. The clause also provides for the grant of a statutory authorisation at the request of the Minister if that is, in the opinion of the Minister, necessary or desirable to give effect to this Act, for the ongoing operation of any facilities on the project site or in connection with an approved event (whether on the project site or an approved event support zone).

27—Delegation

This is a delegation power for the Minister.

28—Duties of Registrar-General

The Registrar-General may be required to take certain steps for or in connection with action taken under the Act.

29—Evidentiary provision

This clause provides for facilitation of proof of certain matters by evidentiary certificate of the Minister.

30—Certain fees etc not payable

Fees and charges are not payable to the Adelaide City Council in respect of the exercise of functions under the measure.

31—Regulations

Regulations contemplated by, or that are necessary or desirable for the purposes of, the measure may be made by the Governor.

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

BIODIVERSITY BILL

Final Stages

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

DOG AND CAT MANAGEMENT (BREEDER REFORMS) AMENDMENT BILL

Final Stages

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

APPROPRIATION BILL 2025

Estimates Committees

The House of Assembly requested that the Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and Public Sector, Special Minister of State (Hon. K.J. Maher), the Minister for Primary Industries and Regional Development, Minister for Forest Industries (Hon. C.M. Scriven) and the Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing (Hon. E.S. Bourke), members of the Legislative Council, attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (23:10): With a degree of reluctance, and putting it solely at the discretion and in the hands of this chamber, I move:

That the Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and the Public Sector, Special Minister of State (Hon. K.J. Maher), the Minister for Primary Industries and Regional Development, Minister for Forest Industries (Hon. C.M. Scriven) and the Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing (Hon. E.S. Bourke) have leave to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

Motion carried.

At 23:11 the council adjourned until Thursday 26 June 2025 at 11:00.

Answers to Questions

WHYALLA DRY ZONE PROPOSAL

In reply to **the Hon. H.M. GIROLAMO (Deputy Leader of the Opposition)** (4 March 2025).

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

The Minister for Consumer and Business Affairs has advised:

1. An application to establish a city-wide dry area in Whyalla has not been made by the Whyalla city council to the Liquor and Gambling Commissioner at this time.

2. The Liquor and Gambling Commissioner has introduced a three-month trial restricting the sale of four-litre casks, five-litre casks and all fortified wine and port casks commencing on 14 April 2025.

The trial will see if the restrictions have an impact on antisocial behaviour and alcohol-related harm in Whyalla and surrounding areas.

Data from liquor licences and authorities will be reviewed to determine the next steps.'

The Minister for Human Services has advised:

Whyalla city council recently joined the Safety and Wellbeing Taskforce (the task force)—a multi-agency committee supporting the needs of remote Aboriginal people and the communities they are visiting. Task force members identify and discuss matters with a view to developing strategies and place-based responses that support mobility, safety and wellbeing.

The Department of Human Services (DHS) is continuing to work with stakeholders, including task force agencies, through the Whyalla Services Leadership Group (WSLG) which includes representatives from:

SAPOL Whyalla City Council	Plaza Youth Centre
SA Health (Flinders and Upper North Local Health Network)	National Indigenous Australians Agency
Nunyara Aboriginal Health Service	Services Australia
SA Ambulance Service	Mission Australia
Department of Child Protection	Centacare Catholic Community Services

The task force will continue to oversee responses in Whyalla.

DHS is working closely with Aboriginal tenancies in the area and supporting people who are visiting Whyalla to return to community.

The Minister for Police has advised:

1. SAPOL has met with council on several occasions in addition to monthly attendance at the Whyalla Services Leadership Group.

Council has been offered guidance regarding crime prevention through environmental design, as well as advice on contacting police when incidents occur; and further communicating this to members of the community to provide police the opportunity to attend incidents.

2. South Australia Police (SAPOL) and Consumer and Business Affairs have previously trialled liquor licensing restrictions. Further local liquor licensing accord meetings are scheduled where current licensing conditions will be discussed with all licensees in Whyalla. Whyalla city council representatives will also be present.

A police operation has recently commenced (until 17 April 2025) with a focus on reducing instances of antisocial behaviour in public places within Whyalla. This operation will see further SAPOL resources deployed into Whyalla to proactively monitor and effectively respond to intoxicated individuals engaged in antisocial behaviours.

SAPOL has also engaged with Department of Human Services and SA Housing Trust to assist in the repatriation of residents back to remote Indigenous communities.

PUBERTY BLOCKERS

In reply to **the Hon. S.L. GAME** (5 March 2025).

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

The state government supports the announcement of the federal Minister for Health and Ageing that the national medical experts, the National Health and Medical Research Council, will undertake a review of the Australian Standards of Care and Treatment Guidelines for Trans and Gender Diverse Children and Adolescents.

Care for youth with gender dysphoria is provided by a multidisciplinary team in a tertiary care level setting in accordance with evidence-based guidelines.

METHAMPHETAMINE USE IN THE WORKPLACE

In reply to **the Hon. C. BONAROS** (20 March 2025).

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

The Malinauskas Labor government is continuing with its $25.1 million investment to deliver more drug and alcohol rehabilitation and detox services.

This includes:

- 12 extra rehabilitation beds in metropolitan Adelaide—operational and located in Glenelg.
- four extra rehabilitation beds in Port Augusta—operational.
- Six extra rehabilitation beds in Mount Gambier, which is two more than the original commitment—operational.
- $4.6 million to fit-out and operate two dedicated drug and alcohol detox beds in the Mount Gambier Hospital—under construction.

The location for a 12-bed purpose-built residential rehabilitation unit is now locked in for the northern suburbs. Land has been secured near the corner of Phillip Highway and John Rice Avenue in Elizabeth Vale, near other health services.

Since the new rehabilitation beds have opened in Mount Gambier, Glenelg, and Port Augusta, 35 people have received specialised care provided over an intensive three-to-six-month period.

DROUGHT ASSISTANCE

In reply to **the Hon. T.A. FRANKS** (3 April 2025).

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

1. The Malinauskas Labor government has introduced a comprehensive assistance package that includes significant support for mental health services, particularly targeting drought-affected areas.

This package includes a $2.4 million funding allocation aimed at boosting mental health and resilience among those impacted by drought.

The package includes farmer-led initiatives, flexible funding which can be tailored to community need, and ensures that services are available to all ages.

2. This package was developed following extensive consultations with farmers and industry experts, including those who participated in round tables led by Grain Producers SA. Key components of the package include:

- Mental Wellbeing Access Hubs: establishing central points in 12 significantly drought-affected areas to provide targeted information, resources, and activities.
- Farmer and Primary Producer Mental Health Tools: promoting tools and resources developed by and for farmers and primary producers.
- Men's Tables: coordinating the establishment of Men's Tables to support high-risk populations.
- Multicultural Partnerships: partnering with a multicultural peak body to deliver mental health initiatives for farming communities affected by drought, including budget for interpreting services.
- Aboriginal-Community Controlled Health Organisations: providing grant funding to these organisations to deliver mental health initiatives for communities whose lands are affected by drought.
- Enhanced NGO Mental Health Services: allocating $1.2 million to six service providers to enhance mental health services in drought-affected regions.
- Targeted social media to the local community so they are aware how and what services they can access for assistance and support.

These initiatives aim to provide comprehensive support to various communities impacted by drought, addressing their unique needs and promoting mental wellbeing.

3. The extension of funding to NGOs already active and working in drought-affected regions will ensure that services will be quickly available, providing timely support to those in need.

This funding also guarantees ongoing continuity of care through existing mental health support programs and referral pathways, both during and following the immediate drought, and extending for several years thereafter.

DISTRICT POLICING MODEL

In reply to **the Hon. J.S. LEE** (29 April 2024).

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

The Commissioner of Police has initiated an independent inquiry into the South Australia Police (SAPOL) District Policing Model (DPM) to ensure he can provide a work environment that can effectively support employees while meeting community needs.

The review will assess how current policing demands have impacted the DPM's original design and explore potential adjustments within SAPOL's existing resources to maximise benefits for employees.

To ensure full objectivity and transparency, an external party will be engaged to conduct the review, including an evaluation of the benefits of reverting to the pre 2018 model.

IMMIGRATION POLICY

In reply to **the Hon. S.L. GAME** (29 April 2025).

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

The Minister for Workforce and Population Strategy has advised:

1. The South Australian government has been investing in subsidised Course in Electrician—Minimum Australian Context Gap places for electrical skilled migrants since 2012.

PEER is committed to delivering the course and is currently awaiting Australian Skills Quality Authority (ASQA) approval of scope for the new version of the course to continue delivery.

An individual that has not completed the gap training can apply for a restricted electrical workers registration using an offshore technical skills record. This will enable them to work under supervised conditions. A person who has a restricted electrical workers registration can perform any electrical work under the direct supervision of a registered electrical worker.

A workers' registration is valid for three years from the date that the licence is granted. The holder can renew the registration to maintain its currency every three years.

There is no prescribed timeframe that an individual must complete the gap training. Completing the gap training allows for the registration holder to upgrade the conditions and remove the restriction of working under supervision.

2. Table 1: General skilled migration nominations to electricians (*), by program year:

2020-21	2021-22	2022-23	2023-24	2024-25 (to 9 May)
2	24	39	46	60

(*) Includes the occupations of Electrician (General) and Electrician (Special Class).

Latest publicly available data from the National Centre for Vocational Education Research (NCVER) indicates that for the period 2015 to 2023 there were 210 Course in Electrician—Minimum Australian Context Gap program enrolments in South Australia (Source: NCVER National VET Provider Collection 2023 – Total VET Activity Program enrolments).

The most recent tranche of electricians completed their course in February 2025.

3. No.

The South Australian government's policy for the general skilled migration program is that applicants must be able to demonstrate skilled employment in their nominated or closely related occupation to be eligible for state nomination. Nominated skilled migrant electrical workers can commence work in skilled jobs in their field of expertise under supervised conditions with a restricted electrical workers registration.

4. Questions regarding the cost of the Deloitte Access Economics report should be directed to the Minister for Multicultural Affairs.

5. Yes. Since March 2022, the South Australian government has implemented a series of actions and initiatives to support the local building and construction industry through skilled migration. This includes:

- Developing a partnership with Master Builders SA through the Build Connect program, to connect skilled migrants with employers in the building and construction industry. □

- Negotiating with the Australian government for the addition of 27 new construction and trades occupations to the South Australian regional workforce DAMA.
- Prioritising construction trades workers through the state nominated general skilled migration program and negotiating priority visa processing with the Australian government.
- Increasing the supply of skilled tradespeople from overseas through international webinars and visits to key markets such as the United Kingdom.

STATE DEBT

In reply to **the Hon. S.L. GAME** (13 May 2025).

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

1. As at 16 May 2025, the South Australian Government Financing Authority (SAFA) had circa $33.2 billion of sustainability bonds on issue. The proceeds raised from the issue of sustainability bonds are applied in a notional way to a pool of public sector assets and are not used to fund specific projects.

2. The government has not borrowed money to specifically fund energy rebates to South Australian taxpayers.

3. As indicated above, the proceeds raised from the issue of sustainability bonds are applied in a notional way to a pool of public sector assets and are not used to fund specific projects.

Coupon payments made by SAFA on its sustainability bonds are paid to the investor holding the sustainability bond on the bond's coupon payment date.

SAFA's Sustainability Bond Framework Annual Report is publicly available and presents a range of output, outcomes and impacts supported by the funds notionally allocated towards the pool of eligible expenditures.

The annual report is available on SAFA's website.

POLICE ASSOCIATION OF SOUTH AUSTRALIA

In reply to **the Hon. F. PANGALLO** (13 May 2025).

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

South Australia Police confirm an investigation into this matter is ongoing. Several witnesses have been spoken to and inquiries are continuing. No further information can be provided at this time.