

**LOCAL GOVERNMENT (STORMWATER MANAGEMENT) AMENDMENT
BILL**

22 February 2007

Adjourned debate on second reading.

(Continued from 20 February. Page 1450.).

The Hon. D.G.E. HOOD: I rise to indicate Family First's support for the second reading of this bill. The bill seeks to amend the Local Government Act to create a new authority, the Stormwater Management Authority. The authority will receive state government funding of some \$4 million annually over 30 years, which is designated to increase with indexation, so there will be a minimum of \$120 million for catchment-wide stormwater strategies, which will be a welcome injection.

It is fair to say that the scope of authority will be almost exclusively for metropolitan catchment projects, as the reason this bill exists is due to situations where: first, a great number of urban residences in the flood plain of a creek or river are fed, at least in part, by stormwater; and, secondly, in most cases these catchments traverse several council areas and, thus far, councils have failed, in the government's view (and, indeed, in the view of Family First) to cooperate effectively to implement catchment-wide stormwater mitigation projects.

I think the Local Government Association has accepted the shortcomings of its constituent members in failing to come up with timely catchment-wide solutions to stormwater management and, therefore, it is no surprise that they have contacted our office and other members' offices to indicate their support for this bill without amendment. They are to be commended for that.

I might briefly defend some councils from perhaps something that is open to misinterpretation from the contribution of the Hon. Ms Sandra Kanck. I recall her saying that councils were foolish to let people build on flood plains. I

assume she is talking about metropolitan councils and metropolitan-related water catchments but, even then, I am not so sure she is right. If you ask anyone who wants to build on land controlled by local council with governance over part of the River Murray, you will have very little chance of getting building approval in those council areas that are specifically zoned as a flood plain.

Indeed, the 1956 River Murray flood taught everyone a lesson about building close to a major waterway. Development plans in those areas are quite strict about redevelopment on a flood plain. I regret to say that my office has not had time to pursue metropolitan development plans to see if areas have been designated as flood plains, but there is perhaps an argument that there should be such designations. I suppose, though, that if stormwater management is done properly—which, of course, is the key concern of this bill—there might naturally once have been a flood plain but it might not now be a flood plain unless you have one of those elusively defined one-in-100-year unnatural events, or an act of God, as they can sometimes be called.

I would be grateful if the minister could address in his reply the extent to which metropolitan development plans zone flood plains and prevent development in those areas and whether it is envisaged that the Stormwater Management Authority will advise or compel councils to vary such flood plain zones in development plans. This is very important: will they advise them or compel them?

I would like to raise another issue which is relevant to this bill and that relates to the proposed amendments. I agree with other members in the chamber that the amendments to this bill have been presented fairly late in the process. The bill was presented in the other place, I believe, in November.

Some of the amendments were presented only in the last day or two. It is very difficult for us, certainly for Family First, to assess the value, if you like, of those amendments at such short notice. We would like make it known to other members that we would appreciate it if the maximum time possible was given. Indeed, Family First's default position in the event of late amendments would be

to oppose rather than support them. That does not mean that we will oppose them all, of course, but it does mean that we need time to consider the implications of what may be significant amendments in some cases. I would like to make that known to other members. Again, that does not mean that we will oppose them all—we certainly will not—but we believe the safer position is to take that approach. The implications of some of the amendments can be quite far-reaching and can change the nature of an act, indeed; therefore, we believe that adequate time needs to be provided to fully consider the implications of proposed amendments.

Other honourable members who contributed to the debate on Tuesday summed up very well the important issues concerning this bill, so I will not bother to go over the implications and all the details that have already been mentioned. However, I take note of the second reading debate on this bill which was held in the other place. I also have had the benefit of a briefing from the government for which I am grateful to the minister's representatives. I think Family First well understands the arguments for and against the various amendments that have been placed in this particular case because of the cooperation provided to us, so we thank them for that.

I would like to add that we would like to seek comment from the minister in his summing-up about the fact that Family First would like to see this new authority have environmental and sustainability issues as two of its key focuses. The Hon. Mr Xenophon spoke compellingly of the need to consider the environment and the reuse of stormwater. We already do good work, we believe, in this regard, but it is something that we can always aim to do better, and Family First would certainly support that position. In today's economic climate it may well be that we can commercialise and export to other countries our world leading technology and expertise in natural resource management and conservation. I ask for some assurance from the minister of the government and local government priorities for environmental and sustainability concerns. The only other observation I make concerning members at this stage is that the Hon. Mark Parnell proposes a scenario whereby stormwater management plans must come before this chamber and the other place for

consideration before they are in approved. Indeed, the Hon. Mr Ridgway mentioned this in his speech moments ago. Frankly, Family First does not like the sound of that at all. It is reminiscent of his proposal that he put forward in relation to a previous government bill amending the Development Act that amendments to development plans must come before this parliament, or something to that effect. In short, we see that as cumbersome and unnecessary. Whilst the spirit behind the amendment is admirable—it seeks to add a further level of scrutiny to the process and we certainly can understand and appreciate that—we believe that the cost, if you like, outweighs the benefit.

The implication of such scrutiny is that delays would be significant and unnecessary in our view. Heaven help us if the authority is not ready for a major flood event as a result of parliament further scrutinising a decision that had already been made in the past. As you can no doubt infer from this, Mr Acting President, Family First is not entirely enthused about the amendments that the Greens have put forward at this stage. The other amendment from the Greens, of course, pertains to ensuring that there is sufficient public consultation, but, again, I am inclined to agree with the government—and, I believe, the opposition on this particular issue—and we will not support that amendment at this stage. In summary, Family First supports the second reading of this bill and its general thrust.