



Hon Robert Brokenshire MLC
FAMILY FIRST PARTY



PARLIAMENTARY SPEECH

WILLUNGA BASIN PROTECTION BILL

Legislative Council Hansard

18.02.2009

The Hon. R.L. BROKENSHERE (19:48): Obtained leave and introduced a bill for an act to provide special planning and development procedures to protect the amenity of the Willunga Basin; to make related amendments to the Development Act 1993; and for other purposes. Read a first time.

The Hon. R.L. BROKENSHERE (19:49): I move:

That this bill be now read a second time.

I table a concept map, which I have produced for honourable members to keep in their files to assist them in their understanding of this bill. This map indicates only the draft perimeter of the Willunga Basin. To assist people who are not familiar with the area, I will explain, conceptually, the perimeters.

The basin's perimeter follows the coastline from just above the mouth of the Onkaparinga River at Port Noarlunga down to Sellicks, then up the hill's face to the ridge of the hills, along the picturesque hill's ridge line, across the Onkaparinga River valley to the top of the Onkaparinga River Recreation Reserve. It then takes in the northern boundary, which forms the northern perimeter of the basin in order to encapsulate the entire catchment area of the Onkaparinga River estuary system.

The Willunga Basin therefore includes the country townships of McLaren Vale, McLaren Flat, Willunga and Aldinga, as well as the peri-urban or, arguably, suburban areas of Port Noarlunga and Sellicks Beach, the increased suburbanisation of Aldinga Beach, Maslin Beach and the encompassing area of Seaford, Seaford Meadows and surrounding areas.

The purpose of this bill will be plain to members who read it. I know that a number of members will be aware of the subject matter of this bill from media coverage on Family First's move to work with the community and, hopefully, the parliament to protect the Willunga Basin. Our fundamental concern is to protect a beautiful and unique iconic area of horticulture and agriculture and an area of immense environmental biodiversity, a tourist attraction and quality of living.

Family First wishes to protect the basin from urban sprawl and blanket density living for the benefit of families not only within but also outside of the basin who enjoy it as a holiday or

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

weekend destination. I place on the record some relevance with respect to how former premier Don Dunstan described this area on many occasions, when he said that Fleurieu Peninsula would, could and should be the holiday playground of Adelaide and visitors from interstate and overseas. At the time, as a local resident, I could not quite understand all that Don Dunstan was highlighting to the community, because my focus, as a farmer, was primarily on agriculture.

However, it has become quite clear now that he could see that there were important differences with the Willunga Basin as the strict gateway to the Fleurieu Peninsula. Of course, as time has now shown with that and his vision for Monarto as a satellite city, whether or not people agree with that vision now being so close to Adelaide, the fact was that that former premier could clearly see that there needed to be a redistribution of populated areas. That is why he chose Monarto, with the importance of some of the unique areas and the closer-in South Australian icons when it came to tourism and so on.

I put that into this debate because it is important in the whole picture of what I am about to present to my colleagues in the chamber. I indicate at this point my personal interests in this bill. I disclose and advise colleagues that I do not own land within the basin as such, though I have property interests in the basin; however, we do have a family farm at Mount Compass, which is slightly south of the basin and, given what I just said about former premier Dunstan, clearly, what happens in the Willunga Basin has an impact on the greater Fleurieu. I just wanted to make that clear, because my interests are in the Willunga Basin, not in personal interests.

I very much doubt whether the consultative committee will choose to go beyond the concept that I have indicated in my hand-out to members and include Mount Compass, Myponga and those other areas because, if this bill is to be passed by both houses, the bottom line is that the consultative committee will be able to address the current problems for the ongoing future of the Willunga Basin. I will talk more about that in a while.

My interest, therefore, is actually a passion that is held by thousands of local people—and not only local people. I can tell you that they include people throughout South Australia, particularly Adelaide people, who love to come down to the Fleurieu to one of the most world renowned red wine producing regions, the McLaren Vale wine region, and who like to experience the fantastic, pristine beaches and sunsets, the Mediterranean climate and the opportunity to have an investment property that they can come down to after a hard week in Adelaide. Of course, it goes on from there with benefits for interstate visitors. You regularly see cars with New South Wales and particularly Victorian numberplates moving through the area.

There is an increased growth in overseas visitors and a further focus and opportunity to market not only the Willunga Basin but also South Australia as a whole through film activities, of which I have always been supportive. I commend the fact that Scott Hicks, who has property in the region, has been so focused on trying to develop film opportunities and is currently working with

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

the government on a film production that is partly a result of the great opportunities which we already have in that region and which need to be preserved and enhanced for the right reasons for the future.

I have a passion for preserving farming land, the environmental biodiversity, the tourism attractions and all the other things which are mentioned in the terms of reference in this bill and which make the Willunga Basin the great region we all know it to be. When I talk about farming, through my grandmother I have a long history and background in cereal and mixed farming in the Aldinga area. Fortunately, some of the longstanding families are still there farming today, so it is not too late to preserve and protect this region.

While I acknowledge that we need to look at opportunities for further urban expansion and sprawl, in conjunction with urban infill, there are certain areas that should be completely prohibited from further concrete slab formation. When I have come over the Willunga Hill from my farm to head into the Willunga Basin over the past two or three years, as we have seen the culmination of 10 years of economic growth in this state—and hopefully we will see more of that in the future, sooner rather than later for our best interests—what has concerned me is the sun reflecting off thousands of iron and tiled roofs that have appeared within just a couple of years on some of the richest and fertile alluvial soil you could imagine anywhere.

At the same time as we have been seeing this, we have been reading about the fact that around the world it has gone from one in 10 people starving to one in six people starving. We have also seen report after report that shows that more and more food is being imported from overseas into Australia, including South Australia, and that is of concern for national food security but also for the balance of payments with respect to export opportunity, when you consider that Australian and especially South Australian farmers and food producers are second to none when it comes to world standard and the ability to produce quality food.

The recycled water project has now been in the Willunga Basin for some time, and I am proud of working with the community down there to assist and develop that under the Brown government. The fact is that, as this government has further supported the growth of recycled water through investment into the Christies Beach treatment plant, we can see where there is now even more opportunity to enhance our existing viticulture without it being a monopoly agricultural sector and to get into diverse and intensive food producing opportunities similar to those which have happened out at Virginia.

In fact, the Willunga Basin is unique. Because of its location and proximity to the sea and the Hills face zone which I have already described, it is effectively a frost-free area. The soil types are so consistent and strong in their capacity to produce food that they add to the continuity and consistency of our viticulture, and that is one of the reasons why we have such success there and also in olive and intensive fruit and vegetable production.

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

We see the Willunga markets as an example of that. I suggest to my colleagues that they go down there any Saturday morning and they will see more and more farmers there, as well as more and more visitors and locals coming there to purchase produce. That is just the start of what can be an explosion in exciting food opportunities for our state. We have a situation in the Willunga Basin and McLaren Vale that is very similar to the Napa and Sonoma Valleys in California with regard to distance, topography and opportunity, and we must for future generations protect that opportunity.

Once you put a concrete slab over your best fertile land, you have said goodbye forever to the opportunity for it to be a food producing region. You have said goodbye forever to the opportunity for convention tourism, in which South Australia rates in the top five in the world, which is why the Convention Centre is so successful. They need packages close to Adelaide and, with boutique wineries and 'meet your winemaker' opportunities, the McLaren Vale wine region is the closest wine region to a city of one million people, and with such convention and tourism opportunities it needs to be protected.

I have talked about the beaches and the environment. With greening of the range projects and a real focus on revegetation, there is an opportunity with this bill to support the creation of sustainable revegetation projects along creeks and in other areas of hinterland right through to the coast, so that you can restore a lot of the biodiversity that has been lost over the years when our ancestors cleared too much in ignorance of the balance or without realising it at the time. It is not too late for the Willunga Basin to be preserved, planned and managed in the long term.

It is important to indicate from the outset that Family First is not reinventing the wheel with a terribly radical proposition to the parliament. In our own nation, in Western Australia the Swan Valley, similarly located close to that state's major metropolitan area, was protected by what is now the Swan Valley Planning Act. Interestingly, it was protected through the power of the people, because the only way those people were going to support the government then was if and the opposition at that time gave a commitment to bring in a bill to protect the iconic benefits of the Swan Valley.

When I was looking at recycled water projects in the Napa and Sonoma Valleys back in 1997 or 1998, as we were developing such a project with the private sector for the Willunga Basin, it struck me that they had seen the wisdom and necessity in California to protect those valleys and to encourage and enhance the work of the Robert Mondavis of this world (and I include Robert Mondavi's cousin) who were out there creating magnificent economic and tourism opportunities for those people who wanted to visit San Francisco. They put planning in place which, 25 years on, still allowed, in a city the size of San Francisco (much larger than Adelaide but with a similar travelling distance and potential urban sprawl threat) to be protected, thereby ensuring that they would not see urban sprawl destroy something so important, not only for current but also future generations.

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

It would have been easy for them at that time to have just said, 'Let's open this up into hobby farming', because they were struggling to overcome aphid problems that were destroying their vineyards, but they were determined to work through that and protect their region at the same time. So, it has been done overseas. You would not get concrete slabs being put on prime land close to major cities in Italy or France, and at the moment there is a strong argument to go against the general thrust of development in this region.

There are several variations with this bill, largely to satisfy both Family First and the broad cross-section of the community down there with whom I have been working, so that the area will be protected and enhanced. When I talk about protection, the bill does not say that there will be no development at all, as that would be a nonsense. But it says that there will be zones and protection areas of iconic, environmental and economic importance and, most importantly, it states that in this case, because of what I have highlighted, it would be planned and developed with local input.

I understand the importance in many areas for the minister and the government to have a pro-development approach. I am not silly and naive when it comes to that matter, but I say to the minister, who has a significant and difficult responsibility with planning, to the government and to all my colleagues, that there must be a time when you say, 'Enough is enough' and that certain areas must be protected. The Willunga Basin Consultative Committee is consulted not only on the zoning but also on the perimeter of the basin.

I will touch briefly on the heritage significance of places such as Port Willunga and Port Noarlunga as shipping ports. Today Port Willunga and other regions down there are being noted; specifically Port Noarlunga is ranked as one of the coolest places—meaning a good place to visit and develop tourism opportunities—in the world. I understand that, in the ranking of cool places throughout the world, Port Willunga was the only place in Australia that got the rating recently. Let us not underestimate the history, benefits and value of that in creating jobs. Because Port Adelaide, Outer Harbor and the infrastructure have been there since foundation, there is a natural tendency for things to develop more in the north, and I acknowledge that. However, residential housing will encroach further and further to the south without the required infrastructure in place—and, let's face it, it will, unfortunately, become more and more difficult in the next few years to provide the infrastructure required. It will be a few years before the economy cranks up to the desired level.

If members do not support this bill, further expansion will be undertaken by the Land Management Corporation and private sector developers. They will continue to put concrete slabs on this prime land without there being adequate infrastructure and job opportunities. By protecting this region and having a focus on all aspects of the region, we could create jobs and protect the jobs that are there and enhance opportunities without creating a suburban ghetto, which is always a potential threat in the development of extensive subdivisions.

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

I turn briefly to the recent issues arising from climate change. With a drying River Murray and the lack of rainfall, it is even more crucial to protect and enhance the food bearing capacity of productive agricultural and horticultural land. As I have said, this is one of the few regions that is drought proofed. Why? Because there is recycled water there. Every day, 150,000 people are putting water into the Christies Beach treatment plant. There is the capacity to harvest 100 per cent of the water from that treatment plant and turn the balance of the Willunga Basin prime cultural zones into an incredibly intensive and exciting green food bowl. It has not happened yet; I understand that it is sitting at somewhere between 60 and 70 per cent.

Also, there are the issues of films and tourism, which I touched on earlier. For example, the Aldinga Arts Eco Village, which is a really exciting facility. It is a concept that has allowed a mixed range of age groups in South Australia to come together to further enhance and develop arts opportunities. I put on the public record that a personal friend of mine, David Dryden, who is a world renowned artist living in Strathalbyn, has done a lot of painting down that way. He has been able to promote South Australia. A lot of artwork in boardrooms across the world comes from Fleurieu Peninsula and the Willunga Basin. So, there are so many benefits in this region.

I ask my parliamentary colleagues in the opposition and the government, as well as my crossbench colleagues and friends, to have a really close look at this bill. I say to them right now that there will be enormous pressure to oppose this bill. Where do members think that that pressure will ultimately come from? I have been in parliament and politics long enough to know, so I can tell members where the pressure will come from. It will come from Treasury. Treasury is going to say to the Treasurer, 'Don't have a bar of Brokenshire's bill, that Family First bill; it is off the planet. We can't afford to have that. We need returns right now to provide the services.' I know that Treasury needs it for services.

After that, the Treasurer will discuss it with his colleagues in cabinet. He will say, 'Well, the bottom line is that this is madness. If we support this bill—if we let this get through the parliament—that will hit my bottom line.' The truth is that the Treasurer would be right in saying that: it will hurt the bottom line of the budget to an extent in the next couple of years, and I acknowledge that fact. However, in acknowledging that fact, I say that this is the right time for this legislation to be supported and passed.

In that regard, I make the following two key points. The first point is that there has been an economic slow down. So, projections for the population of this state to increase by half a million people, as well as economic growth, will slow down. So, we have a chance to take some oxygen, sit back and look at the longer term future.

The second point is about the longer term future. We can sell ourselves short to get through the next year or two, but we will do it at our peril. We as members of parliament will fail our children and our grandchildren if we continue to destroy our opportunities for growth in our food

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

production, our economy and the iconic opportunities I have already highlighted. This is one of the few areas in the state that should be protected by special legislation; there are others, but this is a particularly special area.

The Swan Valley legislation, which I referred to earlier, was introduced in 1995, which is not that long ago. That legislation has come to be embraced and applauded by both major parties in that state as a good move. I understand that both a Labor government and a Liberal government in that state have supported the Swan Valley Act as a good move to conserve the critical areas of food production, tourism and the environment. For that reason, I hold out hope that this bill will be seen as a bill, first and foremost, about the protection of the Willunga Basin.

I want to reinforce that the significant difference between the Swan Valley Planning Act and this bill is the lack of a map setting out zones. It is vitally important that the consultative committee determine the zoning in this instance. For the benefit of honourable members and the eventual committee, I set out a couple of the concepts I envisage.

First, as in the case of Swan Valley, I believe the townships of McLaren Vale, McLaren Flat, Aldinga, Willunga and Port Willunga should be set aside as country townships of some kind to ensure orderly development rather than suburban-style density development around those towns. By all means, these towns can grow, some to a greater extent than others. However, if the committee shares my view, I believe it should set the parameters for potential growth.

Secondly, I believe the committee ought to set aside considerable areas for environmental protection and biodiversity conservation. The committee has a greater knowledge about those issues, which is why the bill is drafted this way. Having said that, the committee will have to consider representation from the primary producers, such as wine grape growers and fruit and vegetable growers, whose property sits alongside that land.

I just place on record that if you drive through McLaren Vale and look opposite the McLaren Vale Hotel you will see, still enshrined on the façade of the building opposite, 'McLaren Vale Fruit Packers'. It was a very rich, vibrant and diverse fruit-growing area and it can be again through the circumstances presented. So there are opportunities there to expand those industries, and I hope honourable members begin to see the high level strategic dialogue that will develop when this committee is formed.

Lastly, on the conceptual front, I accept that there will be areas within the basin where urban sprawl has already occurred and cannot be wound back. There may also be existing development approvals or land purchases by private individuals—and I do not include the Land Management Corporation in that definition—that the committee will have to have regard to in considering where existing suburban development zones start and finish. I want to be clear that in my view, and from my consultation on this bill, people in the basin are unanimous that it needs

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

to be contained and that there should be a preference for urban infill in those areas already part of the sprawl.

I am confident the committee knows exactly what I mean by those comments, which I make more for the assistance of honourable members who are wondering about how the zoning might work conceptually. I am talking about places like Seaford Rise, where residential developments are already well and truly under way. Of course, the committee will not be able to bulldoze over them, but one significant intent of this bill is to constrain such activity to where it is already happening or approved, and to have very little more of this activity without future committee approval.

Part of the motivation for the bill is the ever flexible and vague urban growth boundary. For instance, the answer to my question of the Leader of the Government on 3 February this year did not, frankly, fill me with confidence that, internally, everyone in this government is on the same page regarding whether or not development will occur at Bowering Hill (an important buffer zone just north of Aldinga Beach). I invite honourable members and readers of *Hansard* to look at the explanation I gave to that question and at the answer I received to see the double messages that government members are sending. This is not having a go at the Minister for Urban Development and Planning; as I have said before, he does his best within the constraints of government and developers as well as everything else that he has to consider. However, it does say to me that at the moment there is no guarantee in law about Bowering Hill, or for the protection of any other part of the Willunga Basin. This bill, if passed by the parliament, brings in that guarantee.

I believe it will assist voters in the basin to know exactly what are the government's intentions for the basin, as well as the opposition's intentions. Look at Finnis, at Heysen, at Mawson, at Kaurana, even at Bright, and certainly Reynell. I place on the public record that people in those seats love what is a significant gateway to the Fleurieu Peninsula—and I do not say that lightly. Even those who live at Reynella remember what happened; we all remember when prime lambs were grazing along the fence opposite the Wheatsheaf Hotel at Morphett Vale, and it was not all that long ago. We remember when the Booths were on Flaxmill Road with a wine transport business and a vibrant vineyard and cropping program. There are still people like the Sheriffs there.

Southern people are proud of them, and they tell me that they want to see what the Liberal and Labor Parties will do to protect the area in question and ensure that we do not see the housing development sprawl that has occurred over those years—and I am talking about only 30 to 40 years. It is not a long time. A lot of people will be looking at this bill and at what the government and opposition do with respect to it. I know that some will say, 'If we come into government, or while we are in government, it won't be a problem at all. We wouldn't do that, we won't expand this.' Well, I have been there and seen all that before; at the end of the day Treasury reigns

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

supreme and it is only election to election. This is more important than that. I conclude by saying that my questions to any critics of this bill are threefold:

- Are you telling me that this basin is not under threat from urban sprawl?
- Are you telling me that this basin does not deserve special protection under law?
- Are you telling me that the groups represented by the committee are not the best persons to determine the future direction of the basin?

If something like that is your problem, then move an amendment. I do not have all the answers but I have done my best to put the framework into this bill.

I also want to head off a likely challenge to this bill in that one might argue that the existing Onkaparinga council development plan already protects the basin. Well, contact a number of the councillors (I know them well) and see if they think it does; ask them if they think they can continue to provide services for further expansion when they are struggling, as good and committed councillors, to provide what they can to an already massive community. It is the largest council area in the state. In answer to that, first, it may be that other council areas will be included in the basin by the committee—although I doubt it very much. Secondly, its development plan is subject to the whims of the government of the day.

I will reinforce that; this bill empowers the consultative committee to determine a plan for the Willunga Basin that has far greater force in law than a development plan. That is a significant change in strengthening the protection that might otherwise be provided by a development plan. I know it goes against the ideology of the government—and probably of the opposition, although I have not seen its policies on planning so I do not yet know. I hope that it brings them out soon so that I can debate them. We need to see some policies so that we can see what the government and opposition are offering.

Frankly, I would not bother with this bill if those committee powers did not need to be there. In other words, my view is that the Onkaparinga council development plan, however good it might be, does not have the force in law that this bill provides. I believe it is necessary for the protection of a vital primary-producing, environmental, tourism and iconic asset for South Australia that is also the gateway to the holiday playground. A former premier, the late Don Dunstan, talked about the benefits of this region, and the present Premier has acknowledged how much he sought his wisdom and vision.

I indicate that in my view this bill ticks all the boxes on positive family impact. The bill continues the opportunity of a diversity of opportunities for families in the types of places they can live within 60 kilometres of the CBD. It supports primary production in a valuable primary production zone—which obviously supports jobs. It creates an opportunity for a preserved leisure location for families within and outside the basin for the enjoyment of our children's children. The bill also

**HON R BROKENSHIRE MLC – FAMILY FIRST PARTY –
PARLIAMENTARY SPEECH (continued)**

enables the local community to preserve its environment and heritage in order to educate future generations on where they come from and how to live responsibly on the land.

I thank my colleagues for listening to this debate tonight. I also wish to record my appreciation to those with whom I consulted in relation to the preparation of this bill and to parliamentary counsel for their professionalism and the care taken in the drafting of what to me is landmark legislation; and even for parliamentary counsel it was different from what they are asked to do on a day-to-day basis. I urge members to support the bill.

Debate adjourned on motion of Hon. R.P. Wortley.