

HOUSE OF ASSEMBLY

WEDNESDAY 25TH FEBRUARY 2015

Real Property (Priority Notices and Other Measures) Amendment Bill

Mr PEDERICK (Hammond) (12:55): I rise to speak to the Real Property (Priority Notices and Other Measures) Amendment Bill. I note that this follows on from the Electronic Conveyancing National Law (South Australia) Act 2013, and it goes along with the fact that the national electronic conveyancing system has already commenced in a number of states. Prior to the commencement of electronic conveyancing in this state, significant amendment of the Real Property Act 1886 and other legislation is required, and from what I understand, this bill provides for the first stage of those amendments.

I understand that this bill addresses two of four significant reforms that need to happen for electronic conveyancing: strengthening the verification of identity regime, and the introduction of priority notices so that industry can get on board in regard to getting organised for the operation if this bill becomes an act. I note that, according to the minister's speech, the verification of identity requirements are consistent with the nationally agreed standard for verification of identity, and they will be mandatory for electronically lodged instruments when electronic conveyancing commences. It does cause a lot of grief.

I know the deputy leader has already addressed this, and to get people in the same place with all their documents, especially from far-flung regions of the state, can be an issue, and there are already enough issues. I know this from personal experience in buying a property. You think you are lined up, and you have two other parties lined up, and the cascade has to fall on the same day when everyone is going to move their things, and your bank falls over on the documents. I will not name the bank, but I am sure they all make mistakes. You feel a bit guilty because two other people have moving trucks ready to go and you have to contact them and say, 'Hold your fire because we're not going anywhere until the documents are signed.' That is another issue, but it is certainly an issue that needs to be taken notice of.

I note that crown leases are involved in this bill. A priority notice is a notice which is lodged against a certificate of title or crown lease. I will be interested in a bit more conversation around that. The minister said in his speech that this bill will clarify that crown leases and instruments dealing with crown leases can be—and obviously always could be—registered or recorded in the Register of Crown Leases in the same way as dealings with other land registered in the register book.

Obviously, that can be done, but in the few minutes I have I want to talk about an issue I have down at Currency Creek, which is related to some issues around the Currency Creek survey of 1840. The survey was drawn by P.L. Snell Chauncy (land

surveyor in Adelaide) in conjunction with Standidge & Co., Litho, London. I took this to the Minister for Planning last year. The issue I have is about Gawler Square, which was surveyed all those years ago back in 1840, and is on crown land and has a native title claim over it. I am still trying to work out whether the native title claim is because the Ngarrindjeri people have a claim over it or because it is crown land.

Anyway, from my conversations, meetings and correspondence, everyone keeps saying that that land cannot be handed back to the forepeople who are using that land, even though, when I did meet with minister Hunter's advisers when he was minister for Aboriginal affairs, they were quite keen that we could get rid of native title on that section of land. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00 .