



Sub 51

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Our Reference: DB3.1 EC

Contact: 074976 6967

23 November 2011

The Research Director  
Transport, Local Government and Infrastructure Committee  
Parliament House  
George Street  
Brisbane Qld 4000

**RECEIVED**

25 NOV 2011

TLGC

Dear Sir/ Madam,

**Submission to an inquiry into the Sustainable Planning and Other Legislation  
Amendment Bill 2011**

Following an invitation from the Transport, Local Government and Infrastructure Committee on 26 October 2011, Gladstone Regional Council wishes to make a submission to the inquiry into the Sustainable Planning and Other Legislation Amendment Bill 2011.

The proposed amendments affect several Acts; however Council is most concerned with the impact upon the *Sustainable Planning Act 2009*, the *Building Act 2009*, the *Plumbing and Drainage Act 2002* and the *Urban Land Development Authority Act 2007*.

*Sustainable Planning Act 2009 and Building Act 2009*

The amendments proposed relating to the *Sustainable Planning Act 2009* and *Building Act 2009* have the potential to provide clarification between building assessment provisions and local planning instruments, Local Government resolutions and local laws to ensure the building assessment provisions are not overridden or duplicated. Whilst this is not a significant issue within Gladstone Regional Council at present, such clarification may be useful in the drafting of the future planning scheme for the region. It would also ensure that there is never an instance where building works is negated by the requirement for a development application. An improved interface between these legislations, including standardisation/ consistency of terminology, would be highly beneficial.


*Plumbing and Drainage Act 2002*

The amendments mean significant reform in relation to the *Plumbing and Drainage Act 2002*. The proposed change in terminology to allow for three categories of plumbing work causes concern in relation to the removal or simplification of government rules and regulations guiding the plumbing industry. This therefore fosters the environment where non-qualified persons are undertaking their own plumbing work. Furthermore, some unintended consequences may occur whereby extensions, renovations, alterations or additions are carried out in non-reticulated water and sewerage areas without Council consultation, potentially leading to the overloading of current onsite sewerage facilities.

Urban Land Development Authority Act 2007

The proposed change to *the Urban Land Development Authority Act 2007* provides for the likelihood of the transitioning of infrastructure agreements (IA) to Council once an Urban Development Area (UDA) ceases or is reduced in size. Considering that Council is often not involved in the preparation of these agreements, it is concerning that all rights and responsibilities for this IA would become those of Council when they have not previously been a party to the decision making and drafting process. Therefore it is suggested the proposed amendments be reworded so that Council is a signatory party to an Infrastructure Agreement.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R Schuler', written over a horizontal line.

RUSSELL SCHULER  
MANAGER REGIONAL STRATEGY

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