



Speech by

**ANDREW McNAMARA**

**MEMBER FOR HERVEY BAY**

---

Hansard 17 September 2002

**INTEGRATED PLANNING AMENDMENT BILL**

**Mr McNAMARA** (Hervey Bay—ALP) (3.37 p.m.): I rise to support the Integrated Planning Amendment Bill 2002. The bill streamlines the Integrated Planning Act by providing for a limitation on the power to bring declaratory proceedings under section 4.1.21 of the substantive act to matters not involving ministerial call-in provisions. Those ministerial call-in powers, although rarely used, are important in allowing the government to intervene in the development assessment process where state interests are involved. It is important that the bill before the House clarifies the intent of the substantive act insofar as where state interests are involved the state remains the final arbiter of those matters. The development industry needs the certainty of knowing that the final decision of the relevant minister when deciding an application called in for determination by the state is not subject to an application for declaration in the Planning and Environment Court.

The ability to bring declaratory action in the Planning and Environment Court in these circumstances is clearly at odds with the intent of the substantive act. Up and down the length and breadth of Queensland developers will understand the sense of the state being the final arbiter of matters of state interest. Every now and then, like having to hand crank an old engine, it is necessary for the minister to get hands on in development that involves state interests. The minister will act decisively and report to the parliament outlining the reasons for the decision on the application.

I congratulate the minister on bringing this bill to the House. The Beattie government is a can-do government that is very aware of the need to provide a legislative environment in which business can invest and develop with certainty to create the jobs we need so greatly. This is a decisive government that will act to deliver outcomes for Queensland and which is not afraid to take a lead role in matters of importance to Queensland. The primacy of parliament is respected with the minister remaining accountable in this place. After all the hoopla and carry on by the opposition about the litigation strangling our communities, I find it more than a little hypocritical that it should stand here and argue for more legal process and prerogative writs to be piled on the already detailed process of planning approvals. I commend the bill to the House.