



Speech by

CARRYN SULLIVAN

MEMBER FOR PUMICESTONE

Hansard 29 April 2003

LOCAL GOVERNMENT [ROBINA CENTRAL PLANNING AGREEMENT] AMENDMENT BILL

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (3.50 p.m.): I rise to support the bill. I was interested to hear the comments of the member for Indooroopilly about town planning. There are two key features of this Local Government (Robina Central Planning Agreement) Amendment Bill 2003, and they are, firstly, a series of changes in the planning intentions for the Robina central planning area in the Robina central planning agreement, or RCPA, which I am going to refer to a bit in my speech and that have been proposed by the Gold Coast City Council, the Robina Land Corporation and Robina Properties; and, secondly, the replacement of the RCPA amendment processes in the Local Government (Robina Central Planning Agreement) Act 1992, or the LGRCPA Act, with the Integrated Planning Act 1997, or IPA, schedule 1 process for making or amending planning schemes.

The LGRCPA Act provides the legal framework for the operation of the RCPA. The RCPA is an agreement made in 1992 between the Gold Coast City Council and the Robina Land Corporation and Robina Properties to enable the development of the Robina central planning area at a time when the legislative framework did not accommodate complex infrastructure and master planning, that is, prior to the introduction of the IPA. The RCPA is the key planning and development assessment instrument for the Robina central planning area and it also includes an infrastructure agreement. The RCPA is a schedule to the LGRCPA Act and forms part of that act. Therefore, it can be changed only by legislative amendment.

The RCPA uses terminology from the repealed Local Government (Planning and Environment) Act 1990—or P and E Act—and relies on at least one planning process under the P and E Act. As the terminology and planning processes in the RCPA are inconsistent with the integrated development assessment system—or IDAS—process under the IPA, the IPA provided for the P and E Act to continue to apply to the RCPA until 30 March 2003. This sunset provision was omitted from 21 February 2003 by section 216 of the Plumbing and Drainage Act 2002.

Due to the complexity and nature of the RCPA, it is preferable to preserve the effect of the LGRCPA Act until the majority of the proposed infrastructure is provided and land is developed at Robina. The RCPA is difficult to integrate into the draft Gold Coast City Council IPA planning scheme without significantly affecting existing use rights and infrastructure arrangements. The current arrangements provide development certainty and have successfully facilitated major economic development of the Robina central planning area, which is identified—and I have heard members call it such—as a key Gold Coast regional centre under the south-east Queensland regional framework for growth management.

Ms Keech: And Beenleigh and Coomera are key metropolitan centres for the Gold Coast.

Mrs CARRYN SULLIVAN: I thank the member for Albert. During her speech I heard the member make comment about the considerable growth in the area. We in Caboolture—and I note the presence of the member for Glass House in the chamber—are experiencing similar considerable growth. Obviously, planning is of utmost importance.

The Gold Coast City Council provided written notice of proposed RCPA policy amendments, requested by the Robina Land Corporation and Robina Properties, to the Department of Local Government and Planning on 2 March 2002. The community was consulted about the policy amendments by public advertisement from 21 April 2001 to 22 June 2001 in accordance with the

process for amendment of the RCPA, pursuant to section 2.18(7) of the P and E Act. The Gold Coast City Council gave consideration to five public submissions received during the notification period.

The Department of Local Government and Planning has assessed the amendments and consulted with various state agencies to verify the validity of the processes undertaken and any impact on state interests. The proposed policy amendments to the RCPA are intended to achieve several planning outcomes. These include the following: to ensure a total of 98 hectares of land in Robina central is preserved for commercial development; to zone the land adjacent to the railway station as special business to make it consistent with the adjoining land in the RCPA; and to ensure that the flood plain will no longer be developed for a golf course, but will be used in part for playing fields and public open space to be transferred to the council and in part for an eco-tourist resort—and there is also excavation and filling on the flood plain associated with this. This is all about building a community. Further outcomes are to establish commercial and higher density residential development closer to the railway station in a mixed use form; to amend the planning and development intents for each precinct to more accurately reflect current planning and market demands for land in Robina; and, finally, to make various amendments to different clauses to remove anomalies and zone land not zoned due to road closure.

The P and E Act process for amending the RCPA will be replaced with a schedule 1 process for making or amending planning schemes in the IPA. The bill also removes a Henry VIII clause, which purported to allow amendment of the RCPA contained in primary legislation by regulation, that is, subordinate legislation. Therefore, in future the amendment of the RCPA will involve two processes: firstly, the standard amendment process provided by the IPA; and, secondly, subsequent legislative amendment.

It was intended to integrate the application process under the RCPA into the integrated development assessment system—or IDAS—to streamline existing development assessment processes in the Robina central planning area. However, to do that would be complex and potentially more confusing. Accordingly, in the circumstances it is considered that the continuation of the current arrangements, including the use of the consent P and E Act process, will result in a more efficient use of resources. This means keeping the present transitional arrangements in place to allow the current application processes under the LGRCPA Act to continue.

I would like to take this opportunity to thank the minister and her diligent staff for keeping the local government committee up to date with all bills that go before the House. I commend—

Ms Keech: She does a good job.

Mrs CARRYN SULLIVAN: She does an excellent job. I commend this bill to the House.