



Speech by

Peter Wellington

MEMBER FOR NICKLIN

Hansard Tuesday, 28 March 2006

INTEGRATED PLANNING AND OTHER LEGISLATION AMENDMENT BILL

Mr WELLINGTON (Nicklin—Ind) (6.19 pm): I rise to participate in the debate on the Integrated Planning and Other Legislation Amendment Bill 2006. I, too, want to comment in particular on the accountability measures that the minister has included in this very important bill. I want to take the time to actually repeat the very words the minister used in her second reading speech, because I think it is central to the issue that I want to comment on during this debate. The minister said—

From time to time decisions made by local governments about development applications lead to concern in the community about a perceived lack of accountability and transparency in decision making. This is more particularly so when these decisions appear to contravene the council's planning scheme. To address these concerns and to contribute to public confidence, the IPOLA Bill includes several measures to deliver more transparent decision making. These measures are—

- requiring reasons to be given for all departures from planning schemes, whether the application is approved or refused;
- defining the grounds on which local governments can depart from their planning schemes. These grounds can only be for a public interest, and not a private interest, of an individual owner or interested party; and
- requiring details of decisions to be published on the council's web site.

This is the key to the very contentious issue which I have raised in this House, which the shadow minister spoke about and which I questioned the Premier about this morning—that is, the contentious Links development at Montville, in the hinterland of the Sunshine Coast. I think it is so important that we have this amendment and that councils are required to be totally accountable for their decisions there and then when they make those decisions.

I heard the shadow minister for local government and environment—the alternative minister in a coalition led government—saying that in his view there was no reason for this project to be called in. To quote his words, he said 'it is the strangest thing'. He then went on to say that the council's decision was not contrary to the advice from its own planning department. With respect, my understanding of the Links decision made by the Maroochy Shire Council was the exact opposite. It was contrary to its own planning scheme. That is central to the issue which generated so much interest and concern in the community, prompted the Premier to call in this matter and prompted so many staff to put so much effort into reviewing this decision. In response to my question this morning the Premier spoke about the effort that he has had to make to review all of the matters involved in this controversial matter.

I believe that it all boils down to the very important issue of the accountability of councils when they make their decisions and the requirement that when they make decisions they have to give the reasons. It is those reasons that they give when they stand up in that council chamber and say why they are voting for or against a development that should be relevant—not when a council later moves a motion to instruct the council's planning staff to come up with some reasons to advise the government as to why they have made that decision. I think that is imperative.

The Links matter—I asked the Premier about it this morning and the shadow minister said that he saw no reason the project should have been called in—goes to the very heart of this very important amendment to the act which we are talking about tonight. It is imperative that councils, if they are

going to make these important decisions, be required to state the reasons there and then. They should not be able to go off and spend more ratepayers' money passing resolutions instructing their planning staff to come up with reasons to support their decision when in actual fact those reasons are contrary to the very reasons the town-planning staff gave to the council when the matter originally came to council.

I think this is a very good amendment—a very good amendment—and I look forward to seeing the alternative government led by the shadow minister for local government and environment standing up and supporting this very clause when it is debated in the consideration in detail stage, because I think it goes to the very heart of the issue involving the Links development, which the shadow minister says should not have been called in yet the Premier has acknowledged, the minister has acknowledged and everyone else seems to have acknowledged that the council made a decision that was contrary to its own planning department staff recommendation.

I cannot understand how, on the one hand, people are saying that the council's decision was contrary to its own planning scheme and, on the other hand, other elected representatives are saying that it was clearly not contrary to that advice. History will speak for itself, and this morning the Premier indicated that he hopes to make a final decision within a month. On behalf of all of the people who supported it and who opposed it and who are interested in this matter, I would urge the Premier to take his time to look at it. We are all looking forward to him coming back into this chamber at a future date and giving us his advice, because that certainly will then be the end of the road.

That is one good thing about a call-in power. It saves hundreds of thousands of dollars—councils spending ratepayers' money, members of the community spending their own money or developers spending shareholders' money. It is saving all of that unnecessary expense in going off to another forum to try to decide an issue. I certainly look forward to the Premier coming into the House and telling us his view after he has reviewed all of the material, and I certainly do not know what his decision will be. I understand that there is already one e-petition which is before one of our all-party parliamentary committees. I have received a written request from another side requesting that their concerns also be referred to the all-party parliamentary committee. I have spoken with the Clerk and have written to the Speaker, and I anticipate that the Speaker will make a comment on that when parliament resumes. I look forward to this bill progressing to the consideration in detail stage and in particular seeing all members in this House vote on this very important clause, which is about ensuring that council members—who are paid handsomely for the privilege of being elected representatives—have to be totally accountable for their decisions. I certainly commend the bill and this amendment in particular to the House.