Speech by

Grace Grace

MEMBER FOR BRISBANE CENTRAL

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SUSTAINABLE PLANNING BILL

Ms GRACE (Brisbane Central—ALP) (6.25 pm): I rise to support the Sustainable Planning Bill 2009 and make a few notes on some parts of the bill that I find are definitely a step in the right direction. The bill simplifies planning and development assessment through a number of key initiatives, which include: introducing standard planning scheme provisions; introducing deemed approvals; clarifying the presence of and relationship between planning instruments; introducing compliance assessment as a new level of assessment; simplifying the development assessment and decision rules; and consolidating and simplifying the process for making planning instruments.

These initiatives deliver a no-nonsense, streamlined planning framework that delivers sustainable, appropriate developments on the ground sooner. I think that is good news for everyone. The Sustainable Planning Bill will provide more certainty in plan making and development assessment with significant economic, environmental and community benefits for all of Queensland. Let them roll on! Queensland's communities are clearly the beneficiaries of this bill.

A key measure introduced through this bill is that certain code assessable applications will be deemed to be approved if not decided within time. This is a significant reform. They ensure that assessment managers fulfil their accountabilities. Deemed approvals mean vastly improved assessment times and greater certainty for industry, with faster on-the-ground delivery of appropriate developments. I think all developers will be keen to have that introduced into the legislation. The assessment manager still has an opportunity to set conditions on a deemed approval and any concurrence agency conditions still apply. If an assessment manager does not take the opportunity to set conditions on a deemed approval then a default set of conditions made under the legislation will apply. I also think this is a step in the right direction.

These are further measures that ensure that inappropriate development does not inadvertently slip through the system. I think most in the community, particularly members of the public who are not developers, would be keen to see that that does occur.

Deemed approvals are designed to ensure the statutory time frames which have always been part of the act are met. When joined with the broad range of measures being brought forward in this bill, such as more expansive compliance assessment of technical, low-risk applications and raising the bar in relation to better quality applications, deemed approval offers a more efficient and effective framework for the state.

Quick approvals for applications already consistent with the community endorsed planning scheme will provide significant economic development and community benefits. Currently, the process for making planning schemes under the Integrated Planning Act involves up to 21 individual steps. This bill provides for a simpler, more efficient process by enabling the planning minister to make a binding statutory guideline setting out the process to be followed when making or amending a local planning instrument, including amending a planning scheme to include a structure plan.

The process for making and amending planning schemes will no longer be specified in the legislation; however, the bill does specify guarantees and benchmarks for effective consultation and state involvement. By removing the process from the legislation the bill encourages a more flexible approach to

plan making as well as wider involvement in the plan-making process, as the community is more likely to assess the guideline rather than trawl through the schedule of the act. This is a practical step in the right direction as well.

The opportunity for improved community involvement and greater awareness of the process for creating and amending planning schemes aims to shift the focus from reliance on adversarial involvement in individual development applications to a more strategic perspective. It aims to deal with issues up-front during plan making rather than waiting for issues to come out through disputes on individual developments. This should maximise the integrity and sustainability of plan making for the benefit of Queensland's communities, and I am very happy to say that I think most in the public arena will welcome these changes.

The introduction of standard planning scheme provisions will simplify planning and development assessment by providing a clear set of parameters to facilitate plan making. There has been a shift towards standardising planning schemes in Australia in recent years. For example, the Victorian planning provisions and the New South Wales standard instruments are a good example of this. This bill provides the opportunity for Queensland to take a fresh and contemporary examination of these approaches and to set new benchmarks for a robust set of provisions and a simple process for ensuring these are appropriately reflected in planning schemes.

The new system will still provide for flexibility in local government areas, as the bill provides that the provisions may contain parts that are not mandatory. Further, a local government or another entity may request that an amendment be made to the standard planning scheme provisions. There is no formal process for this under the bill, thus providing a very flexible approach. If the planning minister agrees to make the change, the new streamlined process for amending a state planning instrument will apply. The new ministerial powers which will enable the minister to direct a local government to amend a local planning instrument to reflect the standard planning scheme provisions or to directly change one or more schemes to protect a state interest are further examples of the way the system introduces a more streamlined approach to making and amending planning schemes. This will lead to more consistent, robust planning schemes and ultimately result in substantial cost savings for local government. Again, communities are the beneficiaries of this bill.

A key way this bill provides for a more streamlined and simplified planning system is by establishing a clear hierarchy of state and local planning instruments and amending the current decision rules to reflect this hierarchy. Under the Integrated Planning Act, the relationship between state planning instruments is unclear and at times inconsistent. The bill has addressed this issue by clarifying the relationship between state and local planning instruments and stipulating which instruments should take precedence where there is a policy conflict. I really welcome this because I see this as a step in the right direction. The decision-making rules stipulate the types of decisions that may be made and the circumstances where departures from relevant assessment criteria are warranted, such as to resolve conflicts between two instruments of equal weight in the assessment hierarchy or on sufficient public interest grounds.

To supplement these provisions, the bill also includes provision for a statutory guideline to be made which will assist assessment managers to determine the appropriate circumstances for departing from planning instruments. These initiatives will provide greater certainty and assist in the application of these instruments, particularly where there is a conflict between planning instruments during the IDAS process. The overall effect of these changes will be to avoid delays in the process of development assessment and to facilitate a more efficient and effective outcome for all parties involved.

The bill also provides for a more streamlined development assessment process by expanding the current compliance assessment process to apply to a wider range of compliance matters to enable certain development, documents or works to be assessed for compliance against certain standards or criteria. Currently, compliance assessment may only apply to documents or works under a condition of a development approval. There has been strong support from stakeholders to expand the current compliance assessment process to apply to a much wider range of compliance matters and to provide a new level of compliance assessment for certain types of development. The types of development for which compliance assessment would be suitable are development for which clear technical standards are available, the exercise of broad discretion in determining compliance is unnecessary, or the integrated referral arrangements are also unnecessary.

The new compliance stage will provide an efficient and cost-effective form of assessment for low-impact developments and a wide range of works. This will encourage local governments to utilise this level of assessment rather than code assessment for low-risk developments. This will, in turn, free up the assessment manager's resources to focus more on strategic planning and high-rise developments. Clearly, this bill introduces significant improvements to Queensland's planning and development system. Integration remains a fundamental component of the bill, but the bill ensures that we can be even more responsive to planning and development issues arising at the state, regional and local levels and deliver better on-the-ground sustainable planning outcomes. The environment and the community benefit from these changes. I take this opportunity to commend the minister for the bill and his staff for their work in bringing forward a bill that is contemporary, up to date and reflects community needs. I commend the bill to the House.