



Speech by


# Deb Frecklington

MEMBER FOR NANANGO

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## SUSTAINABLE PLANNING AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs FRECKLINGTON** (Nanango—LNP) (9.17 pm): I rise to speak in support of the Sustainable Planning and Other Legislation Amendment Bill 2012. I would like to thank the Deputy Premier and Minister for State Development, Infrastructure and Planning for bringing these amendments to the House, as I believe they will provide great benefits to our community. I also thank the members of the committee and the chairman of the committee, the member for Mirani, for the hard work they put into assessing this bill.

This piece of legislation is one that will get one of the Newman government's four pillars going. The construction area will get going with these amendments. Quite simply, this means that we will be getting our local tradies back to work. The objective of these amendments is to help our planning and development assessment system to function more effectively and efficiently. Currently the system is cumbersome, time consuming and has road blocks in every area which make it hard for our community to achieve economic, social and environmental objectives through land use and development.

I am encouraged by these amendments, because they aim to reduce regulatory red tape and provide flexibility from within the system. And I would like to acknowledge the assistant minister, Mr Ian Walker, for his help in this regard as he understands our desire as a Newman government to reduce red tape and regulation.

I also note that this amendment bill allows for a single state assessment manager and referral agency. What a wonderful change—a single stage, one-stop shop. Currently many of our developers have to deal with up to four state agencies, with a referral agency or assessment manager role for these particular development applications. This bill provides that these particular development applications, excluding building matters, should be dealt with by the chief executive of the Department of State Development, Infrastructure and Planning—the central state agency for planning and development. This brings greater certainty to local governments, industry and the community about which state government agency is the point of call for these particular development applications. When I speak to my local constituents about development applications they tell me that this is the frustrating thing that everyone is faced with—the red tape and regulation that they are stitched up with by having to go to so many state departments to fill out so many different forms for a single result. This amendment bill clearly gives one department a central agency role in development applications.

The bill also addresses the issue of conflicting responses from these multiple state agencies. Under the current Sustainable Planning Act, it is possible that a single development application may trigger a response from these various agencies, therefore creating not only internal but also external conflict. Currently the state agencies and the assessment manager—for example, the local government—are not required to resolve these conflicts, leaving the applicant to reconcile an irreconcilable development approval. Frustration is one word that I would use to describe it. It does not take much imagination to realise that this would delay the assessment process and add holdings costs for the development which may have otherwise been approved and progressed to benefit the local community. With a new single

state assessment and referral agency, any of these conflicts can therefore be resolved internally by the minister's department. Rather than each state agency assessing the application on the limited grounds of its own jurisdiction, the chief executive will have some discretion as to how these codes, laws and policies will be applied to these particular development applications.

Another wonderful part of this amendment bill is the new alternative dispute resolution process. This will help the judiciary, because it allows judges to send down smaller matters—for example, if a garage is built too close to a fence. This would go to the ADR Registrar. The advantages are that it makes it a more cost-effective process for litigants, disputes can be resolved more quickly and each party would be required to pay their own costs. Providing the chief judge with such discretionary powers means that minor matters will be resolved quickly, cheaply and effectively. This bill ensures the Planning and Environment Court may review a decision of the registrar, who is also able to refer a matter back to the court if this is deemed appropriate. Delegating minor disputes to the registrar makes sense and allows for the general public to have their day in court—something that was simply too hard and unachievable under the existing legislation. It also means that these disputes will be resolved sooner, as it will give judges of the Planning and Environment Court greater capacity to deal with the more complex matters which require greater judicial time and consideration. This bill, however, does seek to discourage disputes which are intended to frustrate and delay the development process for reasons other than sound planning principles.

Another issue is that under the current legislation development applicants are required to submit a large amount of supporting information with a development application. Some of this information is simply unnecessary. If a development application did not include all of this information, previously it would have been considered not properly made and not accepted by the assessment manager. I am also heartened by this bill's removal of the master-planning and structure-planning arrangements which are inefficient and have not added value to planning partnership arrangements. Instead, we will ensure strategic guidelines at the regional level through clearer and more focused regional planning, enabling local governments to carry out integrated land use and infrastructure planning. With this in mind, I look forward to my role on the Darling Downs Regional Planning Committee in working with the mayors, councillors and key stakeholders to help develop a regional plan which meets their future needs and will support rather than hinder the growth in our region. I commend this bill to the House.