




Speech By
Joseph Kelly

MEMBER FOR GREENSLOPES

Record of Proceedings, 11 May 2016

PLANNING BILLS (COGNATE DEBATE)

 **Mr KELLY** (Greenslopes—ALP) (8.31 pm): I support the government's Planning Bill 2015, the Planning and Environment Court Bill 2015 and the Planning (Consequential) and Other Legislation Amendment Bill 2015. I would like to reiterate the sentiments expressed so finely by the member for Bulimba in the debate on the Nature Conservation and other Legislation Amendment Bill when she took umbrage at the stereotyping of people who live in the inner city by those opposite. When we fall into the trap of throwing around labels to support our position in a debate, we have missed the opportunity to truly debate an issue.

The people in my community are not anti development and it would be a brave person who stereotyped them as bunch of whingeing nimbys. In living memory, my community has seen the building of freeways, busways, velloways, hospitals, retirement villages, tunnel entrances and libraries. My community has endured the pain of the development of these pieces of vital infrastructure, most of which are of benefit not just to my community but also to people living well beyond the limits of my community.

I do not go far into a day of doorknocking before I find a person who wants to talk about the future of infrastructure. The people of my electorate want one key thing for their community, and that is to have a say in how it develops. My community is not a place to drive through on the way to somewhere else. My community is not to be labelled just a place for inner-city lefty trendies—although I cannot wait to see my children and tell them that, apparently, I am trendy. My community is not just a place for property speculation without regard for what that means to the lives of the people who live there. It is a place where people like me choose to live, a place where I and other people can safely raise kids with access to good schools, great cultural institutions and open green spaces. It is a place with history and culture. My community is a place where neighbours work together to deliver community services, run sporting clubs, care for the elderly, visit the sick and provide welfare to veterans.

Sadly, over the past few years my community has also become a place where residents have become frustrated and distressed, as they have been cut out of real consultation over the development in their local community. Often, residents find out about a development only when the demolition of an old and locally meaningful building commences. It is then that their journey of frustration under the current local planning scheme starts, usually with a call or a visit to the local councillor, who shrugs his shoulders and provides no assistance whatsoever. Even if residents are aware of the development application, their voices are overridden and excluded.

I have met with so many residents who have taken a path of trying to consult and involve themselves in the planning and the future of their community. I have visited the home of a lady who now has a parking lot ventilator shaft pointing into her back deck and kitchen area. I cannot believe what has happened to a nice quite little cul-de-sac that was once home to people living in about 20 houses. Now, there are hundreds of units plonked into an area where the streets cannot cope. Access for residents and emergency vehicles is now verging on impossible. These residents try to engage in

consultation around each development, saying that they are inappropriate and out of step with the council's local planning scheme. Most of all, these residents are speaking from common sense and a desire to ensure that their community remains livable into the future. However, the council says, 'It's only one,' then, 'It's only two,' and then, 'Now, it's the norm. Let's just go for it.'

I have seen residents battle to stop the destruction of an historic house, which was knocked over with no notice to local residents, to be replaced by huge numbers of units. That is going to have a significant impact on the water flow in the local area, which residents believe could cause significant damage to neighbouring properties. All the residents wanted was to receive a fair hearing and a chance to have their say. In among all of this development my favourite has been what I call the Venice of Coorparoo. I acknowledge that private property owners should be able to develop their property, but in this case the council approved a development not just near a creek, but over the top of a creek. In this day and age in a town where the memory of the 2011 floods is still fresh, that defies belief.

Under the Planning Bill, we will see all development decisions made by state and local governments available for the public to view, making decision-makers accountable for their decisions and providing the community with transparency. We will also see an emphasis on community consultation. The residents in my electorate want to be assured that developments will no longer be approved if they vary from the provisions set down in the local government planning scheme. The Planning Bill will deliver that by ensuring that code assessable applications are bounded to the provisions in the codes and nothing more.

Neighbours in my area join together not to fight development but to have a voice in the future livability, sustainability and prosperity of their community. Sadly, after encountering a local councillor who does not care and a council that does not seem to listen, the residents encounter a court system that they cannot afford and the risk of punitive adverse cost orders, which were so unfairly introduced by those opposite under Campbell Newman. That means that local residents do not access the Planning and Environment Court for fear of costs being awarded against them. Ultimately, that means that often residents do not have the resources to be able to pursue any case against council decisions. I am pleased that, under this legislation, my constituents will be able to pursue a case and will no longer have to fear adverse costs being awarded against them. Under this bill, all parties will bear their own costs.

If our local councillors were doing their jobs properly and the local council was considering the views of local residents, issues would never get to court and we would have developments that improve the community, are supported by the community and are more efficient and profitable for developers. Instead, residents are faced with an unresponsive council administering a non-transparent and confusing system that seems to favour one party over another.

The Palaszczuk government's planning bills will create greater accountability, transparency and community engagement in the planning system. These bills put ecological sustainability back in focus. The new planning system will promote genuine community engagement and practical approaches to consultation so that communities can participate meaningfully in the planning process and shape their neighbourhoods. These bills cover so many issues but, for the people in my community, these changes mean that they can again have fair and equitable access to the Planning and Environment Court without the risk of punitive adverse cost orders. That is the main reason that I am supporting these bills.

The people in my electorate have built a good and vibrant community. They want the opportunity to have a voice in how that community develops. These bills will assist in achieving that. I commend these bills to the House.