

**HOUSE OF ASSEMBLY**

**TUESDAY 27<sup>TH</sup> OCTOBER 2015**

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE BILL**

*Second Reading*

Debate resumed.

**Mr PEDERICK ( Hammond ) ( 21:40 ):** I rise to speak to the Planning, Development and—

**The DEPUTY SPEAKER:** Is that the whole speech in your hand? I am getting a bit worried.

**Mr PEDERICK:** Madam Deputy Speaker, this is the whole bill—the Planning, Development and Infrastructure Bill 2015. It is a bill for an act to provide for matters that are relevant to the use, development and management of land and buildings, including by providing a planning system to regulate development within the state, rules with respect to the design, construction and use of buildings, and other initiatives to facilitate the development of infrastructure, facilities and environments that will benefit the community; to repeal the Development Act 1993; to make related amendments to the Character Preservation (Barossa Valley) Act 2012, the Character Preservation (McLaren Vale) Act 2012, the Environment, Resources and Development Court Act 1993, the Liquor Licensing Act 1997, the Local Government Act 1999, the Public Sector Act 2009 and the Urban Renewal Act 1995; and for other purposes.

No, Madam Deputy Speaker, I will not be reading the whole bill word for word because I will run out of time, sadly. The rush with which a bill of this size, which was only read a first time on 8 September 2015, is to be progressed through this house is ridiculous. So often we see legislation that has supposedly been out in the realm for a couple of years being organised and, all of a sudden, there is a big rush to get it through. Why the hurry? We must ask: what is the rush? I think we realised it was so rushed when we saw that the government already had 74 amendments in place. How many more other amendments will be coming in from other members, whether from the debate in this place or the other place?

In relation to the information the minister has put on the record, he has indicated that an independent expert panel was set up a couple of years ago to undertake the review of the planning system. The panel supposedly met with over 2,500 people, including professional, industry, local government and community groups, to have a look at planning into the future.

The member for Morphett talked about heritage provisions that will be essentially untouched. A whole range of local and state heritage essentially will be untouched, but Aboriginal heritage laws will also be untouched. Certainly, the existing linkages between the mining laws and the planning system are undisturbed, but I note the issues we have with mining, especially in what we call the 'suburban zone', create some angst.

I have had a bit to do with what I guess you would call inside country mines at Mindarie and Strathalbyn. To ensure that they are conducted in a professional manner and that people come at them in the right way from both sides of the fence, whether they are landholders or potential miners, they need to undertake negotiations in good faith; otherwise, people on either side of the debate just get their backs up and all the negotiations fall into a hole. So much more work needs to be done in regard to the relationship, especially considering that the state—which is essentially all the people of this state—owns the rights to the minerals, but we also must make sure that the people who own the land above those minerals have a very fair go.

In saying that, I note that in the minister's contribution he talked about new protection for our farmlands and environmental areas around Adelaide and the formative environment and food production reserve, and he talked about giving this reserve appropriate authority. There has been a lot of politics made out of reserving farmland and, quite frankly, I am a man who believes that the market should decide.

Many people who went to my area around Coomandook and Coonalpyn once farmed in areas like Para Hills, Gawler and Angle Vale, and my own family came out of Angle Vale. I also note that within this planning bill there is provision for compulsory acquisition. I think I have spoken in this house before about my grandfather who had two lots of compulsory acquisition: one in 1939, for some of the weapons dumps at Angle Vale, and then in 1950, for part of the Edinburgh air base. We were basically getting squeezed out. I think my father lasted another 10 or 11 years before he came down to Coomandook; he thought he was ahead of compulsory acquisition and then they decided to shift the Dukes Highway and they took another 7½ acres.

**Mr Treloar:** He must have been wondering.

**Mr PEDERICK:** Yes, he must have been wondering, exactly. He was well compensated, I must say, with new fencing and new gates, and a lot of that is still in place, apart from the areas that have been burnt by the bushfires that happen occasionally. It does concern me that there are these so-called protections put in place when I think that the market can decide.

If we look at forward planning and greater ideas that have come out of this place, I look at a former premier and former member for Norwood, as it was back then, Don Dunstan, and his thoughts on putting another city at Monarto. That was probably a very good idea and the one thing I would agree with the former premier on.

**The Hon. T.R. Kenyon:** He probably thought it was okay to go past 6 o'clock as well at the pub.

**Mr PEDERICK:** Probably a very good idea.

**Mr Treloar:** Can he speak from there?

**Mr PEDERICK:** No, I think he should be chucked out.

**The DEPUTY SPEAKER:** I could call him to order if you like.

**Mr PEDERICK:** It is up to you, Madam Deputy Speaker. What we have seen with development over time is the rushed development at Mount Barker, and we have seen developments around Gawler and towards Freeling. When you think of the best land in this state, the very best land in this state, we are probably sitting right on top of it; in fact, I think we are. This land we are sitting on here, on the banks of the Torrens, where the City of Adelaide was first developed because of access to water obviously in those early years, would be some if not the most productive land in the state. But you cannot wind the clock back, and it would be ridiculous to do that, but I am a firm believer that you let the market decide.

My father used to tell me many stories about some of the people who sold land around Salisbury when it was all farming country. You have to remember that he was born in 1920. He talked about people who came out with a good deal and some who came out with a better deal further down the track when they realised what was on offer, and so on; it has just been a progression. Yes, there has to be some planning, but it has to be sensible planning.

I think we have seen some anomalies with what has happened in the so-called preservation of the Barossa and the McLaren Vale areas. Certainly, those acts had to be watered down a fair bit because there were some circumstances in there that were unforeseen, especially when people may have wanted to develop another house on their farming property (and that is alright if you want to perhaps set up a museum), but sometimes that may not be the best outcome. I think there might have been better ways to get around it, but it is what it is and we have what we have. Getting back to Monarto, the one good thing we got out of that is that we have a world-acclaimed zoo out there. Sadly, we lost that little chimpanzee in the last couple of days.

We need to be far more forward looking at where we are going to put populations. I do not believe that Adelaide should be moving further up and down north and south, and I would be looking at opportunities further east towards my electorate and the potential out there. There is going to be some great developments out there with the Motorsport Park opening up at Tailem Bend and so on. Certainly, people are taking advantage of those opportunities.

I note that part of the contribution the minister made was talking about making sure that our market gardeners, vignerons and fruit growers spread throughout the Fleurieu and the Adelaide Hills can be certain that their livelihood will not be affected by opportunistic urban development. It is interesting that, as far as the urban growth boundary that is discussed in this legislation, there does not appear to be a northern boundary. Certainly, there are growers who want to go to the north of Gawler River and develop that, and I think that there is plenty of opportunity with the wastewater from Bolivar to open up some more market garden opportunities. We have certainly seen the opportunities with respect to the people with their major glasshouse operations to the north of Adelaide.

The Hills Face Zone has always been something that I have looked at with a little bit of intrigue. It seems that in past decades people have been able to develop to a certain level and then, if there happens to be some empty blocks on the Hills Face Zone, even though they might be amongst other housing, you cannot develop them, or if you wish to develop them, you have to go through that many

rules and regulations to get there, it is almost not worth the time. So, you can get bound up in the rules and regulations.

We have a minister who is concerned about how dense the living is around the city. He made the point in his contribution that our city is a 'legacy of cheap petrol, ignorance of climate change, a love affair with private motor vehicles, and concealed state government subsidies of greenfield development infrastructure costs'.

That is all very interesting but, as we found with the debate about the car park tax, many of us do rely on our vehicles to get where we want to go. Certainly, we regional members do need to use our vehicles to get into the city. I am sure that even members on the other side value the use of those vehicles. Just because you want to build these closely-built accommodation areas in the city, I wonder whether it truly is the answer. Yes, it does put a lot of people in one spot, but that can breed its own issues as well, but perhaps I am speaking as someone who likes living in a wide open space.

I note that in another section of the bill, the minister talks about local councils still having a central role in planning policy. I very much doubt that, judging from the feedback I have had about what local councils are concerned about, and certainly from looking through the bill. It seems to be a bill that is more about fast-tracking where the government wants to go, fast-tracking development, getting their approval through, whether it is through the Planning Commission or the planning board that will be instituted in regard to this.

I think that there needs to be far more debate in both houses, and certainly, as has been indicated before, there will be quite a bit of debate when we get to the committee stage. One thing that is a move forward, as long as it is put in a user-friendly format, is planning information being accessible on a central e-planning portal.

I note that, apart from the 74 government amendments in relation to this bill, this bill does not include consequential amendments that will be necessary in the future across the statute books, nor does it address all the reforms the government agreed it would enact when they issued their response to the expert panel's report back in March. So once this bill has been considered—and we have to see whether it survives the duration of the houses—there will need to be a further bill dealing with consequential amendments, transitional arrangements and related implementation measures, and that will have to come into this house next year. There is a whole lot of work to do before all of this even comes into play.

In relation to planning, I would put it second to water and water security issues as an issue in my electorate. There are plenty of opportunistic people who think their land, their farm or their rural living allotment should be one that you can either cut in half or take a bit off the corner and rezone so that they can capitalise on their investment. That can be a long tortuous process as you take the issue either to local government or the state government to try to work out where the future lies for these people.

I acknowledge that some of this is opportunistic. People, in my belief, cannot just buy a block on the edge of a large town and believe that it might be a rural living block now, but they will be able to cut up a four-hectare block into housing allotments one day and get on with it. I do note though that the Rural City of Murray Bridge, being the major centre in my electorate, is looking to open up some of its areas. It is a pretty rapidly growing city. Even during the drought numbers grew and it is up to about 21,000 or so as a population. Its access to the city puts it in a very good spot. It is about an hour's travelling time to get into the centre of the city, depending on the traffic.

Planning has to be right, otherwise you have a whole range of flawed circumstances. In relation to the Motorsport Park that is happening at Taillem Bend, that is exactly the right place, not just for my electorate but, I believe, for the state. There was a proposal, not long before this proposal became cemented in, to have a dragstrip out by Monarto Zoo. It was totally out of order. It was not going to happen as far as I was concerned, but this guy was determined to have a go at setting up a dragstrip and because the land is zoned for different sporting activities—there are go-karts and model planes, etc.—that can operate out there I think he thought he was going to get it through. Thankfully, this other proposal came up and that is on the cards.

In relation to when people put up a development proposal, I am certainly a firm believer that, if there is a need for a buffer zone, the proponent of that proposal needs to incorporate the buffer on their land. It causes a lot of angst when people say, 'We have built a house next to a farm and we wonder why there is a harvester going all hours on a hot night.' There is a reason for that: it is a farmer reaping his crop. Or it could be next to a vineyard and the grape harvesters are going all night, as they do. It is about people not understanding where they have relocated to and what they have brought into and then expecting things to change around them.

That has caused some warped issues to happen where engineering firms have had to move. There is one that had to move out of Mount Barker. It came into Murray Bridge but, sadly, it went out of business because of health reasons within the family. People need to understand that if you build near a vineyard, a farm, a semi-industrial facility, or even a slaughterhouse, for that matter, you need to understand what goes on there and know what you are getting into.

In closing, there is going to be a lot of debate in the committee stage of this bill to see that we get it right. It is outrageous that it has been rushed into the house after so-called two years of work, but I think we will be here for a long time yet when we get to the committee stage, and rigorously go through all the amendments. I commend the other speakers, especially the member for Goyder, who did such a fine job as the lead speaker in regard to this bill.

Time expired.