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DEVELOPMENT (CONTROL OF EXTERNAL PAINTING) AMENDMENT BILL

Mr PICCOLO (Light) (11:19): We could have saved the house quite a bit of time and discussed other private members' matters had the member for MacKillop just stood up and said, 'I don't understand this issue; I'm not ready for it; I didn't do my homework.' We could have actually moved on. That is all he had to say that, but he had to cover up his inability actually to deal with this issue and a lot of other things.

Regarding consultation, over the Christmas period, while other people were holidaying, I was at work. I sent letters to all members of parliament to advise them of my bill. I also spoke to the opposition spokesperson about this matter, as a good member does. I had a meeting with the Hon. David Ridgway from the other place, and he raised one concern, which I am addressing in this amendment. So, I have consulted, I have actually listened and I have responded in a positive way. This nonsense about not consulting is just that: nonsense.

The Hon. S.W. Key: Arrant nonsense!

Mr PICCOLO: It is arrant nonsense. I have also consulted with local government (through the Local government Association) and sent it out to other councils. I have received no adverse feedback from that mail-out to all councils. I understand that the Property Council of Australia has some concerns but, as put to me, it opposes any legislation which restricts property owners' rights. That is its starting position. That is fine; I do not have a problem with that.

An honourable member: They are only in it for profits.

Mr PICCOLO: That is right, and that is quite an appropriate position for that organisation to take. However, to suggest that it should be the overriding position is something I do not agree with. Having said that, when I discussed the actual provisions, its concerns were lessened and it was not the imposition it thought it would be, so I think this bill does achieve the right balance.

More importantly, it does not make a major change, because the external painting of a building is development already, in some cases. Where there is a change in land use which generates a different application, the external painting or the external appearance of the building is already controlled. This bill will remove that anomaly. You can have two buildings now in the same street with the same land use under two sets of laws. That is the current situation.

For the member for MacKillop to suggest that this bill would change all our commercial streetscapes is just nonsense. It will not do that at all; it builds on what is already in place and removes an anomaly which gives some property owners an advantage over others, so it actually creates a level playing field. I think it is very important in business to create a level playing field. It is a nonsense to suggest that it is an argument of heritage versus property rights and people's rights. I would have thought that by now we would have moved on in the debate. It is a question of achieving an appropriate balance.

An earlier speaker for the opposition was carping about how we do not consult enough and how we do not give communities a say and, yet, what this bill does is to give the local community a say in what important buildings in their streetscapes should look like. However, they are opposed to that. In one area they support it; in another area they oppose it. That is the consistency of inconsistency of the opposition. Yesterday, members of the opposition (quite rightly) were suggesting that, under the new residential code, that there be provision for protecting heritage. The member for Unley and other members stood up to say how important it was. It was important yesterday but not important today. I suppose they take their lead from their leader: what he says one day does not carry forward to the next day. The opposition's

opposition to this makes no sense; it has no logic to it.

Importantly, the bill also has some checks and balances. A council has to apply to the minister and the minister has to grant the request to allow for this bill to apply in a conservation zone. In other words, it is not automatic; there are some checks and balances. Councils that may be a little over-zealous will not get the zone. It does not mean that all things are the same. My amendment does address concerns which were raised by the opposition about the scope of the bill. This bill does provide an appropriate balance to allow commercial success but also to protect important buildings in historic conservation zones. It will not affect new buildings: it only protects existing buildings. This bill will not apply to McDonald's, for example, which generally builds new buildings, because it has a development—

The Hon. I.F. Evans: Even if they're built in historic zones?

Mr PICCOLO: If there is a change in land use it generates a development application that is covered by existing law. This bill does not impose upon that; it will not impact on places like McDonald's and Hungry Jack's etc., which have brand-new buildings. They generate an application in their own right.

Bill read a second time.