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## **DEVELOPMENT (CONTROL OF EXTERNAL PAINTING) AMENDMENT BILL**

Mr PICCOLO (Light) (10:48): Obtained leave and introduced a bill for an act to amend the Development Act 1993. Read a first time.

Mr PICCOLO (Light) (10:48): I move:

That this bill be now read a second time.

I have pleasure in introducing this measure as my first private member's bill. It is an important occasion for me so I would appreciate members on the other side giving me some time without interruption.

Mrs Redmond interjecting:

Mr PICCOLO: This is my maiden bill. What is the difference? This bill addresses an issue which I first raised when I was mayor of the Town of Gawler; and I have before me a copy of a letter which I wrote as mayor to the Hon. Paul Holloway on 20 April 2005. In introducing this bill, I am honouring a promise I made when I was mayor and now as the local member for the area.

The bill amends the definition of 'development' in the Development Act in relation to the external painting of buildings in historic conservation zones. It also removes an inconsistency within existing development controls in historic conservation zones, in particular in commercial zones where there is no change in land use. A person may change a business but there is no change of land use—for example, it goes from retail to retail—so councils do not have control in relation to the external painting of the building. Some national chains have colours and symbols painted on existing buildings which are quite incompatible and inconsistent with local sensitivities.

At present, two historic buildings could be alongside each other. If one changed its land use, say, from office to retail, any external painting or signage on the building would be controlled by the Development Act. If the other building went from retail to retail or office to office it would not be covered by the act but, if the tenant changed, they could paint the building without requiring approval. Some buildings are painted so that the actual facade becomes one huge coloured sign. Unfortunately, in the Town of Gawler some buildings have been painted red, yellow and purple—all sorts of colours.

This bill does not prohibit an activity but, rather, introduces some controls so it gives a local community a say in the matter. Importantly, it gives local communities a say, particularly when national chains are involved. They tend to walk into local communities and towns and say, 'This is our business, take it or leave it.' Unfortunately, many development assessment panels are powerless to stop that sort of thing.

Importantly, though, this bill has an enabling provision. It enables the Governor to proclaim regulations with respect to where this would occur. It would occur within historic conservation zones but, importantly, it would not necessarily automatically apply to all historic conservation zones. It will be up to the council to apply to have a regulation introduced to ensure that this provision would apply to their zone.

I recall that, when I was mayor and when we sought consultation with our colleagues in local government, the proposal was initiated by the Town of Gawler but it was also supported by another council in my local area, the Light Regional Council. Both those councils have significant historical conservation areas in commercial zones, and that is where this provision is more likely to apply. I also note that, from correspondence I received when I was mayor, the Norwood, Payneham and St Peters council also strongly supported this proposal. That is another council area that has a lot of historic buildings in commercial localities.

As I said, often there are townships where their visual character and the built environment is wrecked by the misuse, I think, of painting and colours, and this measure would prevent that from occurring.

This is quite a simple bill. It has only three clauses, but its impact could be quite substantial in supporting local communities. The first amendment would be to insert a clause that makes external painting 'development'. The second would be clarification to ensure that it is only external and not internal painting of a building. So, internal painting still would not be subject to control, unless it was a heritage building. This bill does not touch buildings that are heritage listed; they are covered by existing legislation and protected by existing law. Importantly, the third clause states, 'the external painting of a building within an area prescribed by the regulations for the purposes of this paragraph'.

So, clearly, it is not a blank cheque to local government to introduce new rules or to stifle development. What it does, in a very 'checks and balances' way, is enable the minister, upon an application by a council, to have this new provision where external painting is classed as development in those localities that are sensitive to the community. With those few comments, I seek the support of the house.

Debate adjourned on motion of Mr Venning.