



MEDIA RELEASE – James Harker-Mortlock – Independent for Hume – Friday 5th April 2013

DEVELOPMENT – NEED FOR A NATIONAL APPROACH

James Harker-Mortlock, independent candidate for Hume, made the following comments this morning :

“Around Australia, rural and regional communities in particular are confronting many significant issues associated with the rapid development of a range of industries including large scale mining, coal seam gas mining and wind turbine farms. In some areas, rural communities face also the prospect of the urban sprawl growing in their direction. The interests of rural land owners and the communities of which they are a part appear to be relegated to second place behind the apparent need for ‘development’ at any cost.

Urban communities are facing housing shortages as a consequence of growing populations and a failure of government to enable housing stock to become available. Rather than applying innovative planning which could entail the redevelopment of ‘grey fields’ areas in the existing urban sprawl, planners and developers appear to favour ‘green fields’ developments, pushing our cities further and further into rural areas and causing workers to travel further and further, generally by car, to their places of employment.

Too often valuable agricultural land and the amenity of life of rural landowners are being sacrificed either to provide additional capacity for outer urban housing developments or to allow development such as by mining and wind turbine companies.

Generally, planning decisions in regard to large-scale developments are made by state governments. Rural ‘industrial’ developments (such as mining) often come under ‘state significant development’ legislation. Local government is generally excluded from the approval process and the federal government only rarely has the power to intervene, generally on environmental and heritage grounds. The federal government recently extended its legislative powers to intervene in regard to potential impacts upon water caused by large scale and coal seam gas mining.

The exclusion of local government from ‘state significant development’ approvals often leaves detailed issues, such as the maintenance of local roads, in a ‘limbo land’ with the result that local councils are left with the responsibility of repairing roads damaged by developers who are under no compulsion to pay for the cost of such repairs. Little regard appears to be given to the interests of neighbours or to the community in which the development is taking place.

State governments are not necessarily the best stewards of assets from which they themselves may stand to gain a benefit if those assets are developed. For example, a state government might be keen to obtain royalties from the exploitation of a mineral or petroleum/gas resource at the expense of destruction of the valuable agricultural land under which the resource is located. Consequently, state governments are too often seen as favouring rapid resource development. It appears that often the expressed wishes of the community appear to be being placed behind the interests of business and government. Recent publicity has shown how inconsistent and how often quite dilatory state government planning processes are when ‘state significant developments’ are being contemplated.

Our various State governments all legislate in different ways. Whilst some legislation may be similar in intention between states, it is often in very different forms. Compliance with the varying state regimes is expensive for business. Submissions by stakeholders (such as community interest groups and industry associations) in regard to proposed developments in different states is time consuming and difficult.

The Council of Australian Governments (COAG) has been pursuing microeconomic reform across all major sectors of the Australian economy. In 2008 COAG agreed to a National Partnership to Deliver a Seamless National Economy to progress national regulatory reform in 27 priority areas. Development assessment was one of the 27 key areas of reform identified under the agreement, although this was focussed primarily on urban development.

COAG requested that the Local Government and Planning Ministers' Council (LGPMC) recommend and implement strategies for improving processes. However, the LGPMC was wound-up in June 2011 following changes to the Ministerial Council system agreed by COAG. The Development Assessment Forum (DAF) did work on recommendations for creating a common blueprint for development assessment across Australia. However, the federal government ceased funding contributions to the DAF in December 2011. Whilst there has been some progress, many of the intended benefits of the reforms hoped to be obtained from the COAG initiative on development assessment have yet to be seen.

It would appear to be time to re-ignite the COAG reform process. In regard to development assessment, consideration should be given to expanding beyond the need to improve the assessment process for urban developments to include the implementation of a uniform approval process across Australia for large scale rural developments - such as large scale mining, coal seam gas extraction and wind turbine farms – which are often termed 'state significant'. This would entail consideration of all aspects of a development which are now looked at separately by local, state and federal governments.

Such an initiative could consider aspects such as :

1. The need to accurately map strategic agricultural land and strategic industry cluster areas for the whole nation ;
2. The need to retain our valuable agricultural land for food production – this would link with the need to develop a national agricultural and food security policy ;
3. The need to develop a national register of land ownership – this would link with the need to develop more stringent legislation in regard to foreign land ownership, the role of the Foreign Investment Review Board and, once again, the need to develop a national agricultural and food security policy ;
4. The need for the proper consideration of the environmental and heritage impacts of all developments ;
5. The need to provide proper compensation and minimum protections for land owners – possibly through the legislation of standard conditions in contracts between land owners and developers – and including the right of land owners to refuse development of the resources on or beneath their land ;
6. The need to provide proper compensation to the neighbours owning land adjoining developments for the impacts of developments upon such things as their amenity of life, health and property values ;
7. The need to ensure that local communities benefit from developments and that developers are compelled to provide for any public infrastructure improvements required to facilitate their development ;
8. The possibility of enabling a community to reject a development by way of a 'community veto' whereby a formal process would be enacted of enabling the view of a community to be obtained on a development, perhaps by way of a formal poll.

The rush to development should never be allowed to overtake the common sense and practical views of our communities. Any development assessment reforms much include a process of re-engaging with the community. The many problems seen today in regard to large scale developments of all kinds can be attributed largely to a failure by government to engage with local communities, particularly in rural and regional areas." ENDS

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