

THE GREAT DEBATE

PLANNING IS TOO IMPORTANT TO LEAVE TO THE PLANNERS

GARY GREEN SPEAKER AGAINST TREVOR CORK



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LAWYERS

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When Trevor won the toss and choose to speak for the affirmative on this topic I thought it was entirely appropriate because I have much more experience in arguing that black is white and white is black and that water can run up hill.

Actually, the argument that planning must be left to the planners is self evident.

The first rule of debating is to define the topic. The Oxford Dictionary defines “planning” as a device or design used to arrange beforehand, and a “Planner” is one who plans or who makes a plan. Ultimately, of course, that is everyone. No one in their right mind doesn’t sit down and devise a plan before they do anything worth while and the more they plan the better they go. So the reality is that we are all Planners, even the motley crew that we have here tonight, and you would never want to leave anything to someone who doesn’t plan.

That is the end of the debate and I can sit down now but that is not good enough. I need to win your hearts and minds.

The problem with Planners is not the planning, it’s the jargon. It is the jargon or lingo that confuses and makes people think that Planners don’t know what they are talking about. In fact, all of our great visionaries in the history of the world have been Planners. They just couldn’t speak the lingo and didn’t understand the jargon.

I’ll give you an example. Everyone must remember the famous Martin Luther King speech. Properly transcribed and explained it was a planning speech.

1 I have been to the mountain top.

Translation: I have attended an EDAP Conference at Katoomba.

2 I have a vision.

Translation: I have a plan.

3 That all men will be created equal.

Translation: There will be minimum lot sub-division not subject to SEPP 1.

4 This is regardless of race, creed or colour.

Translation: There will be Anti-Discrimination Legislation and Disability Discrimination Legislation posted on the front door of each of your hotel rooms, to be certified by a PCA confirming compliance with the said provisions.

I'll come back to the jargon shortly. Let me digress to another point.

For those of you who have watched "Yes Minister" you will remember the episode where the Minister for Health dogmatically proclaimed that the health system in England would run much more functionally, orderly and economically if the hospitals didn't have to deal with patients.

It is the same with planning. It is not the Planners that create the problem. It is Applicant's, Counsellors, Objectors, Commissioners and Lawyers.

These are the patients of planning and they just get in the road. What Planners need to back them up are Dictators, then we wouldn't have these arguments that stop plans from coming into affect.

Paris, one of the most beautiful cities in the world was designed by a planner - engineer (and built by a Dictator). Indeed allow the Planners to be Dictators, get rid of the client and all the planning problems will be instantly resolved.

The other argument put against me is that if you left everything to the Planners the whole world would be like Canberra, 'one big round-about'. This is actually wrong. As far back as

the eighties, His Honour Mr Justice Cripps, the Chief Judge of the Land and Environment Court at the time in describing Sydney as one of the greatest cities in the world said that the difference between Canberra and Sydney was existing use rights.

Who created existing use rights?

Planners.

No area of the law has contributed as much to financing my children's education for years as existing use rights. We have a lot to thank Planners for.

The affirmative speaker would have you believe that planning should be left to the Politicians, God forbid. 'Is there anyone in this room that seriously suggest that it would be a good idea to leave planning to Frank Sartor?

The State Government does'.

Mr Sartor once gave evidence for me in a planning case down in the Licensing Court and after ten minutes of cross-examination where upon he refused to answer the questions of either the Barrister cross-examining or the Magistrate, the Magistrate threatened to put him in jail over night for not answering the question. You can get away with that in Parliament, but you can't get away with it in planning. He almost single-handedly lost my case.

No, I don't think we will leave planning to the Politicians.

How can you tell when a politician is lying?

His lips are moving.

How can you tell Liberal Politicians from Labour Politicians?

Liberal boys date Labour girls.

They plan to marry Liberal girls, but feel that they're entitled to a little fun first.

Labour Politicians make plans and then do something else.

Liberal Politicians follow the plans their grandfathers made.

No – Leave the Politicians out of planning.

Let me go back to the jargon, remember, it is not the Planners that are the problem it is the jargon they use. The only problem with Planners is that they are just misunderstood.

The argument for the affirmative doesn't understand planning and needs to have it explained to the uninitiated. I'll read to you a summary of what Planners do and you tell me you don't understand it.

Planning involves climbing onto a vessel that is a raft of issues and setting sail across the tide of public opinion. It takes on a bag of strategies from a menu of possibilities. In most cases there is a ground swell of activity enabling us to get up to speed to keep on the critical path.

All before me tonight have seen a bow wave of positive impression discounted against the flood of objections that haven't taken into account the sound professional structure of a legislative framework. But behind closed doors we encounter a brainstorming session incorporating the power dynamics of the political climate to enable us to have a comfort level of stand alone positions incorporating the legislative umbrella.

Not for us the political hot potatoes, cooked during kitchen workshops or undertaking risk management by dodging fish hooks using our Environmental Indicators and Professional Directions. Planners take the high moral ground after having experienced a steep learning curve through the comfort zones of a level playing field.

Planners work out management tools with working parties of economic instruments internalising the externalities and avoiding paper trails of regulatory hurdles.

If you want a Planner you go to a one stop shop where you can buy stake holders that have policy platforms raised based on a bundle of recommendations all prepared within a statutory timeframe by a pool of expertise that recognise the needs for their to be a policy vehicle and sun set clause until a clear signal brought about by the legislative window.

You won't get this sort of sensitive new age argument from Politicians, lay people and Lasses-fair Economists and Developers.

The world needs more Planners.

But I come to my ultimate point in favour of Planners.

Planners inherently create disputes.

Disputes have to be reconciled by Councils and elected bodies.

If you are having Councils, then for the protection of society you have to have a Land and Environment Court.

And if you have to have a Land and Environment Court, you have to have Lawyers.

And as we know, the world needs more Lawyers. On this matter I know I have to get a vote from Ms Reid, the Partner of my law firm who is here tonight, Ryan Bennett, another Lawyer and I assume that the speaker for the affirmative also legally qualified will have to agree, although, I am not sure that my wife Margaret who is here tonight necessarily does.

Gentle people, the world needs more Planners, because it needs more Lawyers.

The world needs more planning and to do so it needs more Planners.