

~~recommendations. We are doing everything that can possibly be done to ensure that Queensland is as best prepared as it can be to respond to any type of disaster event. I commend the bill to the House.~~

First Reading

~~**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (12.15 pm): I move—~~

~~That the bill be now read a first time.~~

~~Question put—That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

~~**Mr DEPUTY SPEAKER** (Mr Wendt): In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.~~

SUSTAINABLE PLANNING AND OTHER LEGISLATION AMENDMENT BILL

Introduction and Referral to the Transport, Local Government and Infrastructure Committee

Hon. PT LUCAS (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (12.15 pm): I present a bill for an act to amend the Animal Management (Cats and Dogs) Act 2008, the Building Act 1975, the Coastal Protection and Management Act 1995, the Local Government Act 2009, the Plumbing and Drainage Act 2002, the Sustainable Planning Act 2009 and the Urban Land Development Authority Act 2007 for particular purposes. I table the bill and explanatory notes. I nominate the Transport, Local Government and Infrastructure Committee to consider the bill.

Tabled paper: Sustainable Planning and Other Legislation Amendment Bill 2011

Tabled paper: Sustainable Planning and Other Legislation Amendment Bill 2011, explanatory notes.

The Sustainable Planning and Other Legislation Amendment Bill demonstrates the Bligh government's commitment to legislation that provides a clear and effective framework for sustainable planning and infrastructure development in Queensland. The amendments in this bill ensure the Sustainable Planning Act 2009, which provides the legislative framework for best practice land use, planning and development assessment in Queensland, remains effective, contemporary and relevant to all stakeholders. Amendments in this bill will help to ensure businesses and the community are not burdened by unnecessary red tape or compliance costs relating to routine plumbing work, provide certainty to those entering into infrastructure agreements with the Urban Land Development Authority and assist local governments to identify irresponsible dog owners or those responsible for dangerous dogs following complaints about serious attacks.

To accommodate significant population and economic growth, especially in South-East Queensland, the government is actively encouraging increased dwelling density, sustainable infill development and transit orientated development. However, this intensification is likely to lead to increased levels of conflict between land uses. The bill will amend the Sustainable Planning Act 2000 to give effect to a state-wide urban encroachment policy under which existing lawful businesses can apply for protection against encroaching urban intensification, similar to the protection currently afforded the iconic Milton Brewery under the Planning (Urban Encroachment—Milton Brewery) Act 2009. The existing protection for Milton Brewery will be transferred to the Sustainable Planning Act and therefore the Milton Brewery act will be repealed.

A number of provisions in the bill seek to improve the operation of the Independent Development Assessment Scheme, IDAS, to ensure consistency, clarify intent and simplify process. For example, the bill clarifies when the minister must consult in relation to a proposed ministerial call in and when the minister must consult or not consult in making a ministerial direction. The bill also includes minor amendments to clarify the policy intent of infrastructure charging reforms made in the Sustainable Planning Act earlier this year. In line with current practice, provisions of the bill also permit local governments and distributor retailers to index infrastructure charges for the period between when an adopted infrastructure charge notice is issued and when the charge is paid. The provisions ensure that an infrastructure charge that has been indexed cannot exceed the maximum charge mandated by draft state planning regulatory provision adopted charges.

The Animal Management (Cats and Dogs) Act 2008 will be amended to assist local governments in investigating serious dog act complaints. When undertaking investigation of such complaints council officers are often provided with limited details by witnesses or victims. There are occasions when the only way to identify the person who had charge of the alleged offending dog is a vehicle registration number. The Animal Management (Cats and Dogs) Act will be amended to enhance community safety by enabling authorised local government officers to access Queensland motor vehicle registry

information to identify the owner or responsible person of a dog when investigating an alleged dog attack offence under sections 194 and 195 of the act causing death, grievous bodily harm or bodily harm to a person or animal. The Brisbane City Council and the Local Government Association of Queensland have supported the amendments.

In keeping with the government's commitment to delivering on a smart state reform agenda, the Plumbing and Drainage Act 2002 will be amended to significantly cut red tape and reduce compliance costs to industry. This will be achieved by expanding the category of works that do not require a plumbing compliance assessment or local government inspection. This will include works such as renovations and additions to existing homes, including new bathrooms and kitchens and associated pipe work. This will allow council inspectors to focus on important matters such as plumbing inspections when houses are first built.

018 However, to help ensure regulatory oversight and public safety, the works will be notified to the Plumbing Industry Council and will be subject to audit programs in which local governments will continue to play a major role. Industry and consumers will directly benefit from significant reforms that will mean a much simpler process that attracts a much lower fee. Preliminary estimates show that significant cost reductions for applicants are expected. For example, in 2010-11 one local government collected \$1.1 million in fees charged to applicants—that is a direct cost that is meant to be passed on to homeowners—for very little benefit. For example, building and electrical works certification for homes is self-certified. Under the proposed amendments, up to 75 per cent of plumbing applications could be captured as notifiable works and, therefore, be subject to self-certification. Of course, that also means that the council would not have to divert resources into that process. Ultimately, for the council in the example, this could result in a reduction in the \$1.1 million in fees—and, indeed, savings in terms of the workforce that would have been directed towards doing it—to as little as \$75,000. That is a direct cost-benefit. Additional amendments will augment the disciplinary powers of the Plumbing Industry Council by allowing it to recover, in a simple debt action, disciplinary fines that licensees fail to pay after a reasonable stated period.


The bill also makes amendments to the Building Act 1975. Previously there has been some confusion among building industry practitioners due to a lack of consistency in the terminology used for different levels of building certifier licences and accreditation. To address this, the Building Act will be amended to better align terminology with respect to the classification of building certifiers with that used in the national accreditation framework for building surveyors. This amendment will improve consistency of terminology across the industry, thereby assisting to clarify those terms for practitioners.

The local government superannuation amendments have the support of the Local Government Association of Queensland, the Brisbane City Council, LG Super, the Australian Workers Union and the Australian Services Union. The bill also amends the Local Government Act to prescribe certain circumstances in which the superannuation contributions for LG Super scheme members may be reduced from those prescribed in the Local Government (Operations) Regulation 2010. Firstly, where there is an agreement between a local government employer and employee, the LG Super trustee will provide for Brisbane City Council accumulation benefit members' superannuation contributions to be reduced in instances of financial hardship, continuing the arrangements that existed for those members prior to the merger of City Super with LG Super on 1 July 2011.

A further amendment enables, again where there is a local government employer-employee agreement, for the LG Super trustee to provide for a member's superannuation contributions to be reduced if additional tax would be incurred by the member under the Commonwealth government's concessional contributions cap. The amendment also provides that when superannuation contributions are reduced so that an employee does not exceed the cap, the employer's contribution in lieu of superannuation be directed to the employee's salary.

Finally, the bill amends the Urban Land Development Authority Act to address a number of technical and minor operational issues that have been identified since the act was passed in 2007. These changes clarify provisions of the act to make sure the intent is clear. The bill also amends the act to include new provisions that are in keeping with the policy intent of the act and reflect provisions available under the Sustainable Planning Act. These include a process for a shortened development scheme amendment where certain conditions have been met, including the ability for the minister to amend a development scheme to address a minor administrative issue; a provision to allow for a preliminary approval that approves development but does not authorise assessable development to take place, which allows for a bankable approval that facilitates access to finance, particularly for staged development proposals; clarifying when development approvals lapse; requiring the consideration of interim land-use plans if there is not yet a development scheme or land-use plan applying for the development; enabling only part of a council local order to be ceased and replaced with an Urban Land Development Authority by-law where relevant to the authority's jurisdiction; and the ability to extend statutory time frames in exceptional circumstances. Further, the bill includes amendments that will give certainty to applicants entering into infrastructure agreements with the Urban Land Development Authority. I commend the bill to the House.

First Reading

 **Hon. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (12.24 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.


Motion agreed to.

Bill read a first time.

Mr DEPUTY SPEAKER (Mr Wendt): In accordance with standing order 131, the bill is now referred to the Transport, Local Government and Infrastructure Committee.

~~SOUTH EAST QUEENSLAND WATER (DISTRIBUTION AND RETAIL RESTRUCTURING) AND OTHER LEGISLATION AMENDMENT BILL~~

~~Introduction and Referral to the Environment, Agriculture, Resources and Energy Committee~~

 **Hon. S ROBERTSON** (Stretton—ALP) (Minister for Energy and Water Utilities) (12.24 pm): I ~~present a bill for an act to amend the South East Queensland Water (Distribution and Retail Restructuring) Act 2009, the Energy and Water Ombudsman Act 2006, the Plumbing and Drainage Act 2002, the Queensland Competition Authority Act 1997, the Queensland Competition Authority Regulation 2007, the Water Act 2000 and the Water Supply (Safety and Reliability) Act 2008 for particular purposes. I table the bill and the explanatory notes. I nominate the Environment, Agriculture, Resources and Energy Committee to consider the bill.~~

Tabled paper: ~~South East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill 2011.~~

Tabled paper: ~~South East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill 2011, explanatory notes.~~

~~On 7 April 2011, the Queensland government took steps to end the water blame game in South East Queensland that has been played out strongly and often quite unfairly in the media over the past 12 months. Two key actions were announced to address community concerns about high water prices and councils' lack of accountability in the operation of their council owned distributor retailers.~~

~~Firstly, a price cap would be imposed on the annual distribution and retail water and wastewater—sewage only, excluding trade waste and recycled water—prices for households and small businesses from 1 July 2011 until 30 June 2013. The Fairer Water Prices for SEQ Amendment Act 2011 has delivered the CPI price cap, providing much needed relief to South East Queensland residents.~~

~~Secondly, South East Queensland councils were given a once only opportunity to withdraw from their distributor retailer and re-establish a wholly council controlled, owned and operated water business by 1 July 2012. The participating councils of Allconnex Water—the Gold Coast City Council, Logan City Council and Redland City Council—have opted to take back their water businesses. It should be noted that the state government did not force this decision upon councils. Ultimately, this decision came about because the Gold Coast City Council voted not once but twice to opt out and establish its own water business. It was the actions of the Gold Coast City Council that then led the Logan and Redland councils to also withdraw from Allconnex. These councils are duly elected and charged with representing the interests of their communities. Therefore, the state government accepts the decisions of those three councils. Now it is time to get on with the job, to provide some certainty to the residents of those communities, which brings us to the introduction of this bill.~~

~~The draft bill accompanying this submission provides for the transition of those water businesses back to councils. The three councils certainly have a challenge ahead—more so the Gold Coast City Council, which is required to pay the consequential costs of Logan and Redland city councils to also withdraw from Allconnex. The Gold Coast City Council has appropriately agreed to bear the consequential costs incurred by the Redland City Council or the Logan City Council in the dissolution of Allconnex and the re-establishment of council specific water businesses. Further, if agreement cannot be reached, the bill provides for referral to independent arbitration.~~

~~The intent of the bill is to provide for the automatic re-establishment of council water and wastewater business units from 1 July 2012, with the powers and responsibilities as: commercialised business units under the Local Government Act 2009 and the Local Government (Beneficial Enterprises and Business Activities) Regulation 2010; and water and sewerage service providers under the Water Supply (Safety and Reliability) Act 2008.~~

~~However, as those council business units will continue to operate as South East Queensland water grid participants within the South East Queensland water market, some provisions currently~~