

~~This government has moved very, very swiftly to right some of the disastrous failures of the past. We moved almost immediately to restore the stamp duty concession when people buy their own home. What an outrage that a Labor government would apply the same stamp duty to a Sydney or New Zealand investor buying a weekend on the Gold Coast as they did to a struggling Queensland family buying their own home. We abolished it and it came under my responsibility and I am delighted to be associated with it—that ridiculous sustainability declaration, the most useless piece of junk paperwork that I have ever seen. We are reviewing the Sustainable Planning Act, which is adding thousands and thousands and thousands of dollars to the cost of every home. And of course first home buyers will get not only their stamp duty concession but a \$15,000 allowance if they buy a new apartment or a newly constructed house.~~

~~My department will also be playing its role in stimulating the housing market. We have an underconstruction of dwellings and we will be moving to make sure that construction increases, and we will be moving decisively on any front that we are able to identify to improve housing affordability for Queenslanders who have struggled under Labor's cost imposts for too long.~~

~~Madam Deputy Speaker, in my electorate of Moggill—an electorate that under decades of Labor government was a long-suffering electorate, let me tell you—I am absolutely delighted to see \$160,000 going to the P&C of Kenmore State High School and a whole raft of primary schools in my electorate. This particular high school is a wonderful high school that stands out among high schools in Queensland. I am the minister responsible for QBuild, and QBuild is a very important organisation. That is why we are going to be make sure that it is efficient and competitive, and we protect jobs in the future in QBuild by making it competitive. But when the P&C at Kenmore State High School or Moggill State School or Mount Crosby State School or any of the other wonderful schools out there get control of \$160,000, let us just see what that buys them.~~

~~At Mount Crosby State School we saw Labor waste hundreds of thousands of dollars on a school hall that does not even have walls. What a disgraceful, despicable act for one of the state's biggest primary schools in a remote area to build them a school hall for \$3 million and they could not afford to put walls on it! That will not happen under the supervision of the P&Cs, and I am disgusted to see the union attacking P&Cs. It was the Labor government that sprayed the money up against the wall when they controlled it centrally through the department. I was delighted to see our education minister commit that Kenmore State High School, which is busting at the seams, will not be dotted with demountables when year 7 moves in but will get a properly designed and constructed classroom block for their extra students.~~

~~I have spoken in this place many times about Moggill Road. It is a disgrace. The RACQ report in Brisbane constantly identifies it as one of the worst commutes in Brisbane. In the morning it moves at roughly the pace I walk at—and I have a bad knee! I can ride my bicycle here to work quicker than I can get here in a car. There were some reports in the local media that we had given up the idea of fixing both the traffic congestion and the public transport out along Moggill Road.~~

~~Let me assure you and my constituents, Madam Deputy Speaker, that that could not be further from the truth. It is the No. 1 local issue. Because of the way Labor left this state, unfortunately it is not something that can be fixed in this budget. But it is something that I as their representative will not forget. It is something that the main roads minister is going to get sick of hearing from me on, and it is something that the LNP's fiscal repair task will make possible in the future—and it would never have happened while ever we had a Labor government.~~

~~In terms of public transport, we do not even have one set of lights with bus priority in the electorate, and it is by far the biggest electorate in Brisbane. We do not have one metre of bus lane. Our transport needs have been completely forgotten. Similarly with the safety issues around Grandview Road and the flooding of Colleges Crossing, we have not forgotten what these needs are. I do wish that we could be fixing them in this budget, but we will not be sweeping them under the table.~~

~~For the remainder of my time I want to address issues relating to my portfolio of Housing and Public Works. Let me begin by telling you, Madam Deputy Speaker, what those opposite left me in the housing department. They left me a housing portfolio that was losing millions of dollars. They left me a housing portfolio that was shrinking in size as they sold houses to prop up their losses. They left me a waiting list of 70,000 Queenslanders. I get and read figures on our housing system every month.~~

~~Sitting suspended from 1.00 pm to 2.30 pm~~

~~Debate, on motion of Mr Stevens, adjourned.~~

SUSTAINABLE PLANNING AND OTHER LEGISLATION AMENDMENT BILL

Introduction



Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.30 pm): I present a bill for an act to amend the Airport Assets

(Restructuring and Disposal) Act 2008, the Coastal Protection and Management Act 1995, the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Act 2012, the Fisheries Act 1994, the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009, the Sustainable Planning Act 2009, the Transport Infrastructure Act 1994, 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 State Development, Infrastructure and Industry Committee to consider the bill.

Tabled paper: Sustainable Planning and Other Legislation Amendment Bill 2012.

Tabled paper: Sustainable Planning and Other Legislation Amendment Bill 2012, explanatory notes.

I am very pleased to introduce the Sustainable Planning and Other Legislation Amendment Bill 2012. The state government is committed to restoring efficiency and consistency to the planning and development assessment system to get the property and construction industries back on track. As promised, our government is well underway in reforming and simplifying the planning framework through removing unnecessary regulation from the system and fixing the Sustainable Planning Act 2009.

Between May and July this year, we demonstrated our commitment to planning reform by collaborating with the Local Government Association, industry and the environmental sector to identify ways to improve the planning and development system. The Sustainable Planning and Other Legislation Amendment Bill 2012 is a direct response to industry and local government feedback. Over the last four months we have conducted a consultation process that has resulted in this bill being here today. That consultation process has been conducted by the Assistant Minister for Planning Reform, the member for Mansfield, Ian Walker. I acknowledge the great job that Ian has done on the preparation of this bill.

This bill contains seven proposals to streamline the state government's involvement in development assessment, to reduce red tape and to remove the inefficiencies which are strangling economic growth in Queensland. Inefficiencies in development assessment processes and the failure to simplify planning and environmental legislation have resulted in conflicting state government policies and interdepartmental coordination issues. The current system gives multiple agencies referral or assessment powers for particular development applications. Where more than one agency has an interest in a development, this has led to the different state agencies giving conflicting directions about the approval, different conditioning or even the refusal of an application. However, there can be only one whole-of-government direction for development. Therefore, we are proposing the centralisation of the state's role in development assessment.

This bill will establish a sole state assessment and referral agency to deal with all development applications under state government jurisdiction. The varying statutory roles of multiple state agencies under Queensland's development assessment system will be consolidated in one place in one department. This bill is not about overhauling the planning and development system; it is about getting back to fundamentals and empowering local governments to make planning decisions. The state government will not replace the responsibilities of the local government in the development assessment process.

The chief executive of my department will take a leadership role in resolving interdepartmental coordination issues by streamlining the state government's involvement in development assessment; providing a coordinated state assessment or response to a development application; reducing the need for an applicant to resolve multiple and/or conflicting state agency responses to an application; and ensuring that the state's interests in a development are properly balanced and that the conditioning of development is not onerous on the applicant.

This bill will reduce the complexity of the planning system and the proposals within it will minimise the risk of missed state agency referrals. It will increase certainty in development assessment outcomes and ensure that the development industry can grow and flourish. My department is currently considering the operational model for the single state assessment and referral agency. We are doing this in consultation with other state agencies so the process can commence in early 2013 once the practical arrangements are in place.

This bill is about fixing the planning and development system and no longer undermining the system with new layers of unnecessary regulation. It will reduce red tape for business and industry and address bureaucratic differences in the planning system by enabling assessment managers including local government to have the discretion to accept a development application that has not been properly made; by separating state resource allocation and entitlement requirements from the development application process; and by removing master planning and structure planning arrangements which have proven to be ineffective and which can be addressed in better ways.

Ongoing changes to the regulatory environment have led to additional resource and reporting requirements, time delays and inconsistencies. Under the current system, development applicants are required to submit certain mandatory supporting information with a development application, which does not always add value. The bill gives local governments discretion to accept applications that do not

provide all of the mandatory supporting information. This will reduce red tape, delays and risks to applicants.

This bill will simplify the development assessment process without removing mandatory requirements for a development application. We will decouple state resource allocation or entitlement requirements from the development assessment process. This will enable developers to get their development approval sooner and enable them to undertake their regulatory obligations in a more efficient and flexible way.

Master planning and structure planning provisions in the Sustainable Planning Act 2009 have proven to be ineffective and have not added value to the planning partnerships arrangements. We will remove the master and structure planning provisions but preserve the use and development rights established by existing master plans and structure plans through transitional provisions. By removing master and structure planning provisions, we are helping to streamline plan-making processes and enable local governments to carry out more effective and strategic planning.

My department will ensure there is strategic guidance at the regional level through clearer and more focused regional plans. We will reform and streamline plan-making processes, we will enable local governments to carry out integrated land use and infrastructure planning, and we will support a partnership approach with industry for develop assessment in key growth areas.

This bill also achieves a more consistent risk based approach to development assessment by ensuring that certain parts of the Queensland Planning Provisions apply to all local governments. For example, compliance assessment could be introduced for low-risk operational works such as electrical drawings, internal electrical reticulation and landscaping and be consistently applied to all local government planning schemes.

Our government is supportive of the introduction of alternatives to traditional development application processes by ensuring that maximum limits of assessment can apply consistently across Queensland. The Queensland Planning Provisions will drive flexibility by allowing local governments to adopt an even lower level of assessment such as self-assessable or exempt development for low-risk operational works.

This bill also expands the powers of the Planning and Environment Court in order to improve dispute resolution. This is achieved by giving the courts expanded discretion to order costs and enabling the Alternative Dispute Resolution Registrar to hear and decide minor disputes. Under the current system, the Planning and Environment Court is essentially a cost-free jurisdiction in that ordinarily each party pays its own costs. During the extensive consultation that we conducted, many stakeholders identified a number of circumstances where there were shortcomings in the current costs provisions. These circumstances include instances where a development has been approved but disputed for reasons not based on sound town planning principles, for example, competing commercial interests; appeals lodged by third parties for reasons other than those based on sound town planning principles; and situations where small-scale developers wish to challenge conditions imposed by local governments but it is not cost effective for them to do so because they would have to pay their own costs even if successful.

In order to address these types of issues, the bill gives the Planning and Environment Court general discretion in relation to costs with the general rule that costs follow the event unless the court orders otherwise. Changes to the costs provisions will also ensure that a party, such as a local government, when enforcing development approvals or responding to development offences, such as unlawful uses, can recover investigation costs and the costs of enforcement proceedings.

We are supportive of the improved efficiency of the court. To ensure the court can be more efficient, we propose to enable the Alternative Dispute Resolution Registrar to adjudicate and decide non-complex, relatively minor matters. This will improve access to justice for the public at a reasonable cost and allow disputes to be resolved sooner.

Madam Speaker, as you are aware, the state government is committed to restoring efficiency and consistency to the planning and development system. This bill is just one of many ways my department is ensuring that Queensland's planning system is responsive to the community's needs and able to facilitate the economic, social and environmental development outcomes that our government wants to achieve. I commend the bill to the House.

First Reading

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.41 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.

Referral to the State Development, Infrastructure and Industry Committee

Madam SPEAKER: In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

023 ~~LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL~~

~~Introduction~~



~~**Hon. DF CRISAFULLI** (Mundingburra LNP) (Minister for Local Government) (2.41 pm): I present a bill for an act to amend the City of Brisbane Act 2010, the Judicial Review Act 1991, the Libraries Act 1988, the Local Government Act 2009, the Local Government Electoral Act 2011, the Parliament of Queensland Act 2001, the Public Interest Disclosure Act 2010, the Public Sector Ethics Act 1994, the Public Service Act 2008, the Right to Information Act 2009 and the Transport Infrastructure Act 1994 for particular purposes. I table the bill and explanatory notes. I nominate the Transport, Housing and Local Government Committee to consider the bill.~~

~~Tabled paper: Local Government and Other Legislation Amendment Bill 2012.~~

~~Tabled paper: Local Government and Other Legislation Amendment Bill 2012, explanatory notes.~~

~~It gives me great pleasure to introduce the Local Government and Other Legislation Amendment Bill 2012. It gives me even greater pleasure to do so after the Deputy Premier has introduced the Sustainable Planning and Other Legislation Amendment Bill. This is indeed a great day for local communities.~~

~~Local governments have for a long time been waiting for the amendments that are contained in this bill. They have been waiting a long time for the 'local' to be put back into 'local government' and to once again have control over their own destinies. This bill represents the first stage in what will be an ongoing process to achieve this. The government went to the last state election with a clear platform to grow a four pillar economy, lower the cost of living by cutting waste, deliver better infrastructure and better planning, revitalise front line services for families, and restore accountability in government. The government regards local governments as key players in the work that will be necessary to achieve this goal. Our policy aims to empower local governments to improve front line services and give local people a real say on the future direction of their communities.~~

~~In doing so, our key aim is to give councils a high level of autonomy, authority and responsibility to plan and solve local problems and manage local community growth. Local councils need to be properly empowered to operate with increased accountability and transparency to their communities. We have been working hard to restore the relationship between the state and local governments and to honour our election commitments to the local government sector. Within the next month, I will have visited all of the 73 councils in Queensland, and I have listened to what mayors and councillors want. I thank the members of this chamber who have joined me on that journey.~~

~~The bill I introduce today is the culmination of this consultation, as well as the respect our government has shown for local government by taking on board many of their concerns and suggestions for improving the local government legislation. The previous government was only interested in controlling and telling local governments what to do. By contrast, we are interested in empowering local communities to have more control over their own destinies. My goal has been to hear and listen to the concerns of local governments about the problems with the current legislation and ways these might be addressed.~~

~~Our government came to office with a clear reform agenda for the local government legislation. This reform agenda was designed to address the concerns of local councils and local communities. In fact, this government includes 13 former local government mayors and councillors, six of whom serve in cabinet, including of course our Premier, Deputy Premier and Treasurer.~~

~~From our active engagement with councils, we knew it was important to introduce amendments to the local government legislation to: put mayors and councillors clearly in charge of councils; give mayors the authority they need to take direct action for ratepayers; reinstate the body corporate status of local governments; restore clear, fairer conflict of interest provisions for councillors; enable better cooperation and sharing of resources between councils by strengthening joint local government arrangements; remove the prohibition on councillors standing for election to state parliament; and cut unnecessary red tape and bureaucratic requirements and interference from the state government. The bill I introduce today implements each and every one of these policy initiatives, and the explanatory notes provide detailed information about all of the various amendments. For far too long, local governments have been frustrated, as I have been, by the pointless and unnecessary restriction, red tape and prescription in the local government legislation which derived from a 'Brisbane knows best' mentality.~~