

~~statement about the extent to which the annual body corporate fees are based on the lot entitlements. Feedback from the sector suggests that this requirement is proving to be problematic because sellers are rarely in a position to provide the additional information due to the varying standards and practices adopted by bodies corporate and body corporate managers in relation to the way in which they calculate body corporate fees.~~

~~The 2011 amendments also required sellers of lots to provide a copy of the scheme's community management statement with the disclosure statement. Many community management statements might be only six to eight pages long, but for large and progressively developed schemes the community management statements can be up to 100 pages or even longer. While they are important documents, they are also technical documents, and the government is not convinced that requiring them to be attached to the contracts of sale necessarily serves the interests of the buyer and clearly does add to the complexity and cost of the process. They are as likely to confuse as to clarify in a sales environment. In any case, any prospective buyer can obtain a copy of the community management statement from the Registrar of Titles at any time in their normal due diligence processes. Therefore, the bill removes these unnecessary disclosure requirements. To ensure certainty of contracts, this will take effect at a date to be set by proclamation after the enactment of this bill.~~

~~The bill also addresses a technical issue around the jurisdiction for complex disputes. It gives the Queensland Civil and Administrative Tribunal or a specialist adjudicator jurisdiction for disputes about adjustments of contribution schedule lot entitlements sought by unanimous agreement of all lot owners. This amendment, which will take effect upon enactment of the bill, is being made to address a current inconsistency in the jurisdiction for disputes about contribution schedule lot entitlement adjustments under the act.~~

~~Finally, I would like to announce that the government will now look at the broader issues around contribution schedule lot entitlements. We will look to the future. This bill does not deal with that matter—it relates to the immediate problem that we have been left by the former Labor government to deal with—but the government is only too conscious that there are many schemes out there with manifestly unequal lot entitlements. We need a mechanism to provide for adjustments into the future for those schemes with unfairly set contribution schedule lot entitlements. We will now work to look at options with a view to reintroducing an appropriate mechanism for adjustments, but there is some complexity around this issue. Therefore, it is important to take our time to ensure that, whatever mechanism is provided, it attempts to get the balance right and is fair to lot owners.~~

~~Body corporate legislation has long been used as a political football, particularly by the Australian Labor Party, but we will not be a government that does that. We want to be a government that gets the balance right and fixes this mess once and for all. I commend the bill to the House.~~

First Reading

~~Hon. JP BLEIJIE (Kawana LNP) (Attorney General and Minister for Justice) (2.42 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 Legal Affairs and Community Safety Committee

~~Madam DEPUTY SPEAKER (Miss Barton): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.~~

MOTION

Portfolio Committee, Reporting Date



~~Hon. JP BLEIJIE (Kawana LNP) (Attorney General and Minister for Justice) (2.42 pm), by leave, without notice: I move—~~

~~That under the provisions of standing order 136 the Legal Affairs and Community Safety Committee report to the House on the Body Corporate and Community Management and Other Legislation Amendment Bill by 22 November 2012.~~


~~Question put—That the motion be agreed to.~~

~~Motion agreed to.~~

SURAT BASIN RAIL (INFRASTRUCTURE DEVELOPMENT AND MANAGEMENT)

BILL

Introduction

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.43 pm): I present a bill for an act to provide for the development and management of a railway within the Surat Basin rail corridor land in a safe, effective and efficient way and for related purposes. I table the bill and the explanatory notes. I nominate the State Development, Infrastructure and Industry Committee to consider the bill.

Tabled paper: Surat Basin Rail (Infrastructure Development and Management) Bill 2012.

Tabled paper: Surat Basin Rail (Infrastructure Development and Management) Bill 2012, explanatory notes.

Today I present a bill for an act to progress the Surat Basin Rail project. This bill ensures appropriate regulatory arrangements apply to the railway and seeks to protect the state's interests under the concession agreements which will govern its construction and long-term operation.

The Surat Basin Rail project proposes to construct the 214-kilometre southern missing link line between the towns of Wandoan and Banana. Development of the \$1 billion-plus railway will open up the estimated four billion tonnes of coal reserves in the Surat Basin for large scale open-cut mining and for subsequent export through the port of Gladstone. This rail project is the first of its kind in Queensland and will set the scene for future private rail developments.

In 2006 an exclusive mandate was granted for the Surat Basin Rail project to a private consortium known as the Surat Basin Rail Joint Venture. Under the terms of the exclusive mandate, the railway must be an open-access multifreight rail system developed at no cost to the state and no risk to the state. The exclusive mandate also obliges the state to acquire the rail corridor at the joint venture's cost. After the project achieves financial close, the state will provide the joint venture with a licence for construction, followed by a lease for the long-term operation of the railway.

The state and the joint venture are currently negotiating a range of concession agreements for the project including a development agreement, an operating agreement and a lease. These agreements will clearly establish the rights and obligations of each party during the construction period and the long-term operation of the railway.

The pace of development for the Surat Basin Rail and related mine and infrastructure projects in the Surat region will ultimately be determined by private investment decisions. The Newman government is, however, committed to facilitating this development and has undertaken to progress the Surat Basin Rail project in our six-month action plan. To this end, I am pleased to introduce the new Surat Basin Rail (Infrastructure Development and Management) Bill 2012.

As the proponent is an investor rather than a railway manager, the Surat Basin Rail project does not fit easily within the existing legislative and regulatory frameworks. The creation of special legislation will enable the state to develop a customised legislative environment for the Surat Basin Rail project that will appropriately protect the interests of landholders and address a range of other issues that come with private investment in a railway corridor. The intent of the bill is to enact special legislation for the Surat Basin Rail project which will complement existing statutory arrangements for rail infrastructure and provide protections for the state's interests and for the interests of local governments and, most importantly, affected landholders during the construction and long-term operation of the Surat Basin railway.

The bill takes relevant provisions from the Transport Infrastructure Act 1994 and, with some amendments to take account of the private investment model, applies them to the Surat Basin Rail and its corridor. This will ensure that Surat Basin Rail, while being privately owned, is regulated in a manner consistent with other statutory arrangements for rail infrastructure in Queensland.

The bill also makes necessary provisions for the Coordinator-General to secure the corridor and provide appropriate tenure to the joint venture, particularly in relation to the management of the railway's intersection with roads and watercourses, while providing increased protections for local governments and affected landholders who may own roads that must cross the railway corridor.

The bill provides the capacity for the future Surat Basin Rail lease to be exempt from section 121 and part 8, division 3 of the Property Law Act 1974 which prescribe general conditions of assignment, default and termination for all leases in Queensland. The exemption will allow the state to effectively manage these conditions under the concession agreements, which will be agreed with the joint venture to codify the rights of each party.

It is intended that by enacting the bill the government will do its part to enable the Surat Basin Rail project to move as soon as possible to secure finance and deliver the railway in coordination with other infrastructure projects in the Surat Basin coal supply chain. I commend the bill to the House.

First Reading

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.48 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 DEPUTY SPEAKER (Miss Barton): Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

~~COMMITTEE OF THE LEGISLATIVE ASSEMBLY~~

~~Portfolio Committees, Reporting Dates~~



Mr STEVENS (Mermaid Beach—LNP) (Manager of Government Business) (2.48 pm), by leave, without notice: I advise the House that the Committee of the Legislative Assembly has, in accordance with standing order 136(2), agreed that: committee reports in respect of the Transport Operations (Passenger Transport) and Other Legislation Amendment Bill 2012 and the Water Legislation (Dam Safety and Water Supply Enhancement) and Other Legislation Amendment Bill are to be tabled by the committees considering those bills by 22 October 2012; the Multicultural Recognition Bill 2012 is to be tabled by the committee considering that bill by 23 October 2012; the Disability Services (Your Life Your Choice) Amendment Bill 2012 and the Family Responsibilities Commission Amendment Bill 2012 are to be tabled by the committees considering those bills by 25 October 2012; the Surat Basin Rail (Infrastructure Development and Management) Bill 2012 is to be tabled by the committee considering that bill by 29 October 2012; and the Sustainable Planning and Other Legislation Amendment Bill 2012, the Local Government and Other Legislation Amendment Bill 2012 and the Guardianship and Administration and Other Legislation Amendment Bill 2012 are to be tabled by the committees considering those bills by 6 November 2012.

023

~~APPROPRIATION (PARLIAMENT) BILL~~

~~APPROPRIATION BILL~~

~~FISCAL REPAIR AMENDMENT BILL~~

~~Second Reading (Cognate Debate)~~

Resumed from p. 2072, on motion of Mr Nicholls—

That the bills be now read a second time.



Ms MILLARD (Sandgate—LNP) (2.50 pm), continuing: This budget maintains a commitment to sports and community health objectives. With approximately 30 sporting groups in my electorate, I welcome the extra \$146,000 for upgrade finalisations to lighting and facilities for two sports clubs at Taigum and Brighton, both of which are frequented by a large number of families from my area and beyond. With so many sporting groups in my electorate I look forward to the Get in the Game funding to increase participation in sport and recreation for children, and I will continue to campaign the minister for much needed club infrastructure that will hopefully be budgeted for next time. Some \$5 million over two years will be used to rejuvenate the thoroughbred horseracing industry in Queensland. This industry features prominently in my electorate, with the Deagon thoroughbred training track being the headquarters for Racing Queensland Ltd. The facilities at Deagon have fallen well into disrepair through lack of resources and neglect, and I am very pleased to confirm that this facility is already on its way to being repaired.

This budget reflects the stark reality that without our sense of security and safety or when our most basic needs such as housing are not met other tangible benefits can be undermined. This budget tackles some of these issues, and I want to commend a few of the initiatives being taken. I am impressed with a commitment of \$456.5 million in capital works for social housing, especially at a time when there is increasing community demand for social housing within an environment of rising costs. Fortunately, my electorate will participate in the \$12.4 million commitment to upgrade social housing in