SUSTAINABLE PLANNING (INFRASTRUCTURE CHARGES) AND OTHER LEGISLATION AMENDMENT BILL

Introduction

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (11.30 am): I present a bill for an act to amend the Sustainable Planning Act 2009 for particular purposes and to amend the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 and the State Development and Public Works Organisation Act 1971 for other particular purposes. I table a copy of the bill and the explanatory notes. I also table a copy of the State Development and Public Works Organisation Amendment Regulation and explanatory notes. I table the regulation and the explanatory notes. I nominate the State Development, Infrastructure and Industry Committee to consider the bill.

Tabled paper: Sustainable Planning (Infrastructure Charges) and Other Legislation Amendment Bill 2014.

Tabled paper: Sustainable Planning (Infrastructure Charges) and Other Legislation Amendment Bill 2014, explanatory notes.

Tabled paper: State Development and Public Works Organisation Amendment Regulation (No…) 2014, exposure draft.

Tabled paper: State Development and Public Works Organisation Amendment Regulation (No…) 2014, exposure draft, explanatory notes.

This bill delivers on the government's commitment to reform Queensland's local infrastructure planning and charging framework and makes essential amendments to the State Development and Public Works Organisation Act 1971. The proposed new infrastructure charges framework has been developed following extensive consultation with local governments, water distributor-retailers and the development industry.

During consultation it had become clear that there are a range of views about the best way forward for this longstanding, controversial issue. Nevertheless, the government's objective here has been clear from the start. The purpose of the proposed reforms is to deliver an efficient and effective infrastructure charges framework. This bill will, if enacted, give local governments, water distributor-retailers and the development industry the tools needed to deliver new development in a balanced and predictable manner. The bill will do this in a number of ways, including by simplifying and streamlining the operation of local infrastructure provisions in the Sustainable Planning Act 2009; clarifying infrastructure charges appeal and dispute resolution arrangements and introducing new appeal rights where they are needed; and introducing a process for converting non-trunk infrastructure to trunk infrastructure. The bill will also give much needed certainty and transparency to offsets, credits and refunds and provide for a local infrastructure planning framework that allows local governments to plan more efficiently. The bill also aligns the distributor-retailer infrastructure charging and planning arrangements under the South East Queensland Water (Distribution and Retail Restructuring) Act 2009 and the local government framework under SPA.

Establishing a long-term infrastructure charges framework that supports the delivery of certainty, equity and transparency for all stakeholders will, hopefully, put to bed questions about the need for further infrastructure charges reform. By doing this, we will allow local governments, water distributor-retailers and the development industry to get on with the job of delivering jobs, delivering infrastructure and providing housing and business opportunities for all Queenslanders.

As significant as the amendments to SPA and the SEQ Water Act are, it is important to recognise that they form just one part of our broader infrastructure charges reform plans. The maximum charges and a co-investment funding program are also a priority and part of the answer to this longstanding issue.

The current maximum charges will remain as they are, giving certainty to local governments and water distributor-retailers and supporting a smooth transition to the new framework. But the introduction of a new fair value schedule of charges and a Priority Development Infrastructure Co-investment Program will ensure that the right balance is struck between encouraging developments and providing a new funding stream for catalytic infrastructure. Fair value charges will be generally 10 per cent below the residential caps and 15 per cent below the current non-residential caps. Local governments and water distributor-retailers that reduce charges below these fair value levels will have access to a new funding stream to support infrastructure delivery. Those that refuse to use the fair value schedule will not be considered.

The Priority Development Infrastructure Co-investment Program is a significant reform that acknowledges the state's role in supporting the delivery of key infrastructure that will deliver economic

benefits and will provide a strong incentive to local governments to reduce charges. The program is planned to be available from 1 July 2014 and will assist with infrastructure costs to enable the growth to deliver jobs, high-quality infrastructure, affordable housing and business opportunities for all Queenslanders. Funding will be available to all Queensland local governments, water distributor-retailers, developers or other state agencies that apply to deliver infrastructure directly. Co-investment by the state will also be possible, but focused on key infrastructure such as major roads, water, sewerage and stormwater management that will enable significant economic development. However, it is important to note that this program will not be a grants scheme and the state will choose which projects it will support as a co-investor based on the potential for those projects to provide opportunities for growth and economic development.

The amendments proposed in the bill to the State Development and Public Works Organisation Act 1971 are necessary to give effect to the memorandum of understanding signed by the Australian and Queensland governments on 18 October 2013, which strengthens intergovernmental cooperation on environmental assessment and approvals. Both governments have agreed that, by September 2014, a comprehensive approvals bilateral agreement will be in place. The Commonwealth and Queensland governments are actively negotiating an approval bilateral agreement. The amendments will create new provisions in the State Development and Public Works Organisation Act 1971 for coordinated projects, ensuring that Queensland is well positioned to implement the approval bilateral agreement once negotiations are concluded. The amendments will create new provisions in the State Development and Public Works Organisation Act 1971 for coordinated projects that are to proceed through the Commonwealth accredited assessment process contemplated by the memorandum of understanding.

Amendments to the act will enable the Coordinator-General to make an additional declaration where a coordinated project declaration has been made; create a new authorisation process for taking an action for the purposes of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, which is referred to the EPBC Act; implement the decision-making criteria of which the Commonwealth minister must be satisfied under the EPBC Act to accredit the process; provide a conditioning power for impacts on matters of national environmental significance; and provide an expanded regulation-making power with respect of the approvals bilateral.

The draft regulation I have tabled also supports the implementation of an approvals bilateral agreement for environmental approvals under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. It is necessary that I table the draft regulation to ensure that Queensland is well positioned to implement the approval bilateral agreement once negotiations conclude. I commend this important bill to the House.

First Reading

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (11.37 am): 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

Mr DEPUTY SPEAKER (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

Portfolio Committee, Reporting Date

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (11.38 am), by leave, without notice: I move—

That under the provisions of standing order 136 the State Development, Infrastructure and Industry Committee report to the House on the Sustainable Planning (Infrastructure Charges) and Other Legislation Amendment Bill by 29 May 2014.

In moving that motion, can I say that that is a relatively short period of time, which I am sure the opposition will try to make mischief with. I just make the point to the House ahead of that anticipated mischief-making that there has been an enormous amount of consultation involved in drawing up this

014 bill. The stakeholders who have been involved have participated in 15 different workshops. I think all of the issues have been well and truly contemplated. All of the complexities are well and truly understood by not just the stakeholders but those of us in government who have had to deal with this issue that the previous government had not dealt with. So I think the reporting date that is nominated in this motion is very appropriate. It will allow for the finalisation of this matter by the beginning of the next financial year.

Ms TRAD: I rise to speak on the proposed motion in relation to the time frame in which the parliamentary committee has to report back on this substantial bill. Obviously this is not mischief making. These are very valid, reasonable and rational concerns. This bill was presented to the House on 8 May and it is anticipated that the parliamentary committee is to come back in a matter of weeks with a full analysis of the bill, having sought submissions from stakeholders. I acknowledge the Deputy Premier's words in relation to the consultation that has taken place by his department to date. However, we are to take his word on that. As he would well know, the parliamentary committee itself has its own obligations and its own responsibility to investigate legislation brought before this House adequately and sufficiently, and not just leave it up to the executive arm of government to conduct those consultations on its own. Obviously it is insufficient time for scrutiny of this bill and for appropriate consultation. I ask that the Deputy Premier reconsider the time frame that he has given the parliamentary committee to consider this bill.

Division: Question put—That the motion be agreed to.

AYES, 66:

LNP, 66—Barton, Bates, Bennett, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dillaway, Dowling, Elmes, Flegg, France, Frecklington, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Mander, McArdle, McVeigh, Menkens, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Rickuss, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young.

NOES, 14:

ALP, 8—Byrne, D'Ath, Miller, Mulherin, Palaszczuk, Pitt, Scott, Trad.

KAP, 2—Hopper, Knuth.

PUP, 2—Douglas, Judge.

INDEPENDENTS, 2—Cunningham, Wellington.

Resolved in the affirmative.

Motion agreed to.

~~ABORIGINAL AND TORRES STRAIT ISLANDER LAND (PROVIDING FREEHOLD) AND OTHER LEGISLATION AMENDMENT BILL~~

~~Introduction~~

~~**Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (11.48 am): I present a bill for an act to amend the Aboriginal Land Act 1991, the Aboriginal Land Regulation 2011, the Land Act 1994, the Land Valuation Act 2010, the Torres Strait Islander Land Act 1991 and the Torres Strait Islander Land Regulation 2011 for particular purposes, to repeal the Aurukun and Mornington Shire Leases Act 1978, and to make minor and consequential amendments of other legislation as stated in schedule 1. I table the bill and the explanatory notes. I nominate the Agriculture, Resources and Environment Committee to the bill.~~

~~*Tabled paper:* Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Bill 2014.~~

~~*Tabled paper:* Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Bill 2014, explanatory notes.~~

~~It is with a great deal of personal satisfaction and some pride that I introduce this landmark bill into the Queensland parliament. I am delighted to be the minister responsible, with the support of my cabinet colleagues, for delivering to Indigenous Queenslanders the opportunity to own their own home in their local community in freehold for the first time. European land tenure systems in Aboriginal and Torres Strait Islander communities have a long and varied history, commencing with reserves established under the Aboriginals Protection and Restriction of the Sale of Opium Act 1897, the Aurukun and Mornington Shire Leases Act 1978, the deeds of grant in trust instruments established over most communities in 1982, the Land Holding Act 1985 that provided for perpetual~~