

those enrolments. The good news for Bounty Boulevard State School is that it will also benefit from becoming one of the recently announced independent public schools. Parents and teachers in my electorate have already seen the great advantages of IPSs and this school will also benefit from that. Growth has already brought two much needed, long overdue kindergartens for my electorate in the suburb of Mango Hill opened this year, both in the Catholic system and by JP Langbroek at Mango Hill State School.

Talking of analogies, I often liken life and society to sitting on a three-legged stool. As Murrumba grows, I need to be conscious of those three. One leg, being the economy, provides jobs, food, houses to live in, taxes to fund schools, hospitals and other government sources. Another leg is the environment that we live in. I note the great people from Friends of the Deception Bay Conservation Park and the great volunteers of Osprey House and Redcliffe Environment Forum who keep a watchful eye on Hays Inlet Conservation Park.

024 Most of all I am proud of the third leg, the community. With over 250 formal and informal community groups in my electorate, there are too many to boast about today. As Murrumba grows we need all three to be strong, we need all three to grow in step and we need all three to be considered in balance with the other two. If any get out of balance Murrumba, although a good place, will not be the great place that I am working hard towards. Murrumba is a great place. Managing the pressures of growth is a challenge and I undertake that challenge with a sense of responsibility and excitement.

Madam DEPUTY SPEAKER (Mrs Cunningham): Order! The time for Matters of Public Interest has expired.

PLANNING AND DEVELOPMENT BILL

Message from Governor



Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.50 pm): I present a message from His Excellency the Governor.

Madam DEPUTY SPEAKER: The message from His Excellency the Governor recommends the Planning and Development Bill, the contents of which will be incorporated in the records of the parliament. I table the message for the information of members.

Tabled paper: Message, dated 25 November 2014, from His Excellency the Governor, recommending the Planning and Development Bill 2014.

Introduction

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.50 pm): I present a bill for an act to facilitate Queensland's prosperity by providing for an efficient, effective, transparent, integrated and accountable system of land use, planning and development assessment. I table the bill and the explanatory notes. I nominate the State Development, Infrastructure and Industry Committee to consider the bill.

Tabled paper: Planning and Development Bill 2014.

Tabled paper: Planning and Development Bill 2014, explanatory notes.

It does indeed give me great pleasure to introduce this bill to the House today. The Planning and Development Bill 2014 is one of three bills that are the culmination of our government's planning reform agenda that we set out to achieve in our first term. This bill and the two subsequent bills that I will introduce represent three years of hard work that were all about delivering on the promises that we made to the people of Queensland. I think the fact that we have been able to achieve so much in our first term is something of which our government can be very justifiably proud.

Many would say that the planning reform agenda that we embarked upon was many years overdue. While the bills before the House today can be seen to represent three years of hard work, they are probably five to 10 years overdue. However, they represent the biggest reform in planning in Queensland's history. They represent the culmination of a whole range of planning reforms that we set ourselves a target to achieve in the first term of our government. With the passage of these bills early in the new year, that promise will be fully delivered and that planning reform agenda will be complete for the first term of our government.

Our government was elected on a platform of driving economic growth. In fact, my department, the Department of State Development, Infrastructure and Planning, was created very deliberately to drive economic growth in Queensland after so many years of Labor government. We recognise that

planning was an essential part of creating economic growth. Having the country's best planning system was the target that we set ourselves. Achieving that target of creating the country's best planning system was an essential part of achieving the government's target of driving economic growth at the same time as my colleague the Treasurer was confronting the overwhelming problem of bringing the state's finances under control after inheriting \$85 billion worth of Labor debt.

I believe the bills before the House today, which will pass through the processes of this House before the election, represent a promise that was made to the people of Queensland and a promise that has been kept. Our planning reform agenda started on a whole range of fronts. In terms of the issues that we have dealt with in getting to this stage, I think the State Planning Policy is the first one that we recognised needed to be addressed. Under the former government there were 14 different State Planning Policies, which were contradictory, confusing and ad hoc to say the least. In close consultation with our stakeholders we developed a single State Planning Policy that now sets out very clearly the state's interests in planning. We put in place the State Assessment and Referral Agency, fondly known as SARA, as a single point of assessment for state issues and a single point of concentration for all of the state's planning activities. SARA is well recognised in the planning world, has won awards and is something that is being looked at by other states. At the same time we undertook a comprehensive regional planning process across regional Queensland to provide some land use plans to deal with the community disaffection and the confrontation that was threatening the development of both our resources industry and our agricultural industry. We reformed things such as the Queensland planning provisions. We reformed the MALPI, as it is commonly known, Making and Amending Local Planning Instruments. We reformed all of the processes that are involved in those documents that provide guidance to local governments.

We took the Urban Land Development Authority, the ULDA, the body that the former government had set up, and we brought it back within the sphere of government operations. We passed the EDQ bill and set up the EDQ. The provisions contained within the EDQ that allow for the declaration of priority development areas have been well recognised and welcomed by councils. A number of PDAs have been declared and are progressing to providing that priority development that that bill was designed to facilitate. Of course, we have announced the co-funding model of priority development infrastructure to address that vexed issue of infrastructure charges and how the state might play a role in meeting the infrastructure requirements that are necessary for development to occur.

When we came to power not quite three years ago, planning in Queensland was all about how to say no. The culture of planning within the Queensland government was all about being difficult. It was all about presenting proponents with problems, presenting proponents with hurdles to which they had to try to find a solution. We changed a lot of the legislation, and the legislation that is in the House today is the culmination of that change. We changed a lot of the regulation. We changed a lot of the processes. But the biggest change we made in planning over the last three years in Queensland was to change the culture of planning and to ensure that the culture within the planning processes within the planning agencies of government reflected what planning should be about, and that is helping people—helping Queenslanders—achieve their aspirations. The words that have been used in the purpose of this bill have been very carefully chosen. This bill is to facilitate Queensland's prosperity. That is what planning is about: to facilitate Queensland's prosperity by providing for an efficient, effective, transparent, integrated and accountable system of land use planning and development assessment. That I think encapsulates the cultural change that we have been able to bring to the planning reform task.

The three bills that I will introduce to the House this afternoon are the culmination of an enormous amount of work. They are the culmination of a reform vision that was shared by many people when we began this task a little over three years ago. I want to congratulate all of the people who have been involved in that, all the people in my department, especially led by Greg Chemello and James Coutts. I congratulate a whole range of other people within the department who have led a team that has consulted with local government and interest groups right across Queensland. They consulted more than any other consultation exercise of which I have ever been aware. They have achieved planning reform and they have brought these bills to a culmination without dislocation, without confrontation and with a very high degree of cooperation from all of those stakeholders.

The bill will repeal the Sustainable Planning Act and establish a new planning act that will simplify plan-making arrangements, streamline the development assessment system and restructure planning legislation to remove superfluous procedures, detail and redundant provisions. This bill

demonstrates the government's commitment to reduce the regulatory burden for Queenslanders and to create clear and concise legislation.

The reform of the planning system has gone through a rigorous and extensive consultation process since 2012 to deliver a more efficient, effective and streamlined planning and development assessment system. If enacted, the proposed bill will incorporate the changes that have been proven through consultation, analysis and engagement to offer substantive improvements. The proposed bill defines the legislative framework as a new, clear, effective and 'real' planning and development system. It will drive shorter, clearer and more realistic planning schemes and drive faster, easier and more realistic development assessment by local government.

The new framework is intended to establish the climate of predictability and improved performance needed to facilitate appropriate development activity. The bill responds to a key driver: the imperative to create a simple and effective planning system that reduces time and costs and stops poor behaviours, reduces red tape and sensibly adjusts the balance of responsibilities between state and local governments. The Planning and Development Bill aims to simplify plan-making arrangements to reduce the complexity of state instruments and establish more suitable processes for plan making and infrastructure designation. It seeks to streamline the development assessment system by simplifying the categories of development, public notification requirements, decision rules and appeal rights. It seeks to ensure that appropriate dispute resolution mechanisms are available that are affordable, timely and fit for purpose, it seeks to remove procedural and prescriptive detail and obsolete and redundant provisions and it changes the structure the act to ensure its ease of use.

The proposed new framework builds on the fundamental elements of the current system that are not in dispute—it contains no fundamental changes to those—but it is the logical next step after key reforms to establish the State Assessment and Referral Agency and the single State Planning policy. Reforms are based on extensive and ongoing consultation with councils, industry, practitioners, state agencies and other users over the last two years, and I expect and I encourage that consultation to continue as the bill pass through the committee stages before it comes back to this parliament early in the new year.

The bill proposes to repeal the Sustainable Planning Act and the associated regulation, replacing them with a new act and regulation. Only a small number of the SPA provisions that are required to transition some older arrangements will transfer across to the proposed new legislation. Under the bill the state will continue to have an integrated planning and development assessment system dealing with state, regional and local matters. The more effective aspects of the current framework will continue, with adjustments to enable operational improvements and behavioural change.

Consistent with the intention to remove the barriers to efficient and effective plan making and development assessment practices, it is proposed that the legislation's purpose be focussed on the characteristics of the system it establishes and not the outcomes the system is intended to achieve at any given time. The outcomes to which the system is directed are already clearly expressed through the state planning policy, regional plans and planning schemes. This clear distinction between the system and its outcomes means the legislation is much simpler and concentrates on the central and salient features of the system. This provides for a more navigable and effective piece of legislation. Generally, process and detail is removed from the legislation and placed either in the regulation or other instruments or provided as guidance. More concise legislation does not come at the expense of an expanded suite of statutory instruments. The level of prescription is reduced, and there is an emphasis on providing more guidance material to support good practice, rather than the state mandating what that practice must be.

I intend to release illustrative drafts of the regulation and other related instruments for plan making and development assessment so that the scope of change and the framework as a whole can easily be seen and understood.

The policy behind the bill and the bill's key elements are sound, solid, straightforward and simple. The purpose of the proposed bill promotes the term 'prosperity', the achievement of which entails the balancing of community wellbeing, economic growth and environmental protection. This balancing is a fundamental principle of the system provided for in this bill, and achieving this sense of balance is what planning should be all about. The bill reshapes the state's requirements for planning by removing two instruments: the State Planning Regulatory Provisions, or SPRPs, and the Standard Planning Scheme Provisions, known as QPP, substantially improving on the currently complex and potentially conflicting hierarchy of state instruments. Some matters in these documents will still

require some regulation by the state to ensure that state interests are still protected. These will not be lost, but will transition as appropriate into the planning and development regulation that is being developed.

The bill also improves the local government plan-making arrangements by offering greater flexibility and more pathways for making and amending their planning schemes. Removing the need to meet all of the detailed requirements of the QPP adds significant flexibility for local governments to guide their plans to meet the needs of their communities.

Perhaps the most significant change offered in the bill is the reshaping and renaming of categories of assessment. These are simplified into three categories: accepted development, assessable development and prohibited development, with categories for assessable development divided into standard assessment and merit assessment. Coupled with simpler, more straightforward decision rules based on policies, not documents, this is intended to have far-reaching positive effects, giving confidence to local governments to reduce levels of assessment, providing more predictability of development outcomes and appropriately managing risk.

This is supported by other improvements to the system that enable more predictability and appropriate handling of the development assessment, like better enabling the consideration of changes to applications and approvals, moving owner's consent from a pre-lodgement requirement to a pre-approval requirement, restructuring and consolidating ministerial powers and increasing the currency period for a material change of use approval to six years to accommodate the dynamic fiscal environment in which we are operating. Appropriate options and forums to resolve disputes remains a key part of the reformed system.

A significant change in the legislative arrangements is the removal of the Planning and Environment Court's establishment to its own specialist act. Matters relating to the establishment and work of the Building and Development Dispute Resolution committees have been improved through the bill and are renamed as the Development Tribunal to re-raise the profile and understanding of this forum to resolve certain disputes as a speedy and productive alternative to court action. The bill also deals with a range of miscellaneous matters and provides for clear transitional arrangements to ensure that matters that were valid at the repeal of Sustainable Planning Act will remain valid under the new legislation.

Extensive consultation has been undertaken since the announcement of the review with peak bodies, local governments, legal and planning practitioners and range of organisations, companies and others through a range of forums, work groups, briefings and meetings. The bill was particularly informed by an open consultation period of eight weeks where the government engaged with more than 1,700 people across the state through over 42 departmental briefings and presentations for industry, local government and community groups to drive a broad understanding of the main elements of the draft bills and their intent. Every mayor in Queensland has received a copy of the bills and all councils were invited to attend regional sessions, along with local practitioners and regional chapters of peak bodies. Even more people were reached via the filmed briefings made available on the department's website.

Practical implementation of the new framework has been a key consideration in shaping the bill. Considerable effort is being dedicated to understanding how ideas will work on the ground and assisting the smooth transitioning of councils, practitioners and industry to the new framework with an emphasis on strong training and guidance—and potentially fast-tracked processes—to drive changed practices and behavioural approaches within councils. This work has already commenced, and it will continue until commencement of the legislation proposed to be made by proclamation to allow for substantial lead time for a smooth transition to occur.

Scenario testing on the processes related to the bill, like development assessment, infrastructure designation and modifying planning schemes will continue over the next six to 12 months to support the smooth and successful implementation of the bill.

026 This bill has been developed through extensive consultation, analysis and engagement to offer substantive improvements and deliver a new clear, effective and, above all, real planning and development system for Queensland. This bill, as well as the Planning and Environment Court Bill and the Planning and Development (Consequential) and Other Legislation Amendment Bill, which I will shortly introduce, aims to deliver the best planning system in Australia—a planning system that stimulates positive development, a planning system that drives economic growth, a planning system that provides opportunities for Queenslanders today and far into the future. I commend the bill to the House.

First Reading

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (3.10 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 (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

~~PLANNING AND DEVELOPMENT (CONSEQUENTIAL) AND OTHER LEGISLATION AMENDMENT BILL~~

Introduction

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (3.10 pm): I present a bill for an act to make consequential amendments to the legislation stated in this act for the purposes of the Planning and Development Act 2014, and to amend other legislation stated in this act 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: Planning and Development (Consequential) and Other Legislation Amendment Bill 2014.

Tabled paper: Planning and Development (Consequential) and Other Legislation Amendment Bill 2014, explanatory notes.

I am pleased to introduce the Planning and Development (Consequential) and Other Legislation Amendment Bill 2014, the second of the three bills I referred to when I introduced the previous bill. This bill makes amendments required for the proposed enactment of the Planning and Development Bill and the Planning and Environment Court Bill and the repeal of the Sustainable Planning Act 2009.

The Planning and Development (Consequential) and Other Legislation Amendment Bill, is one of the three bills making amendments required as a result of our reform of the planning legislation. This bill concentrates on updating Sustainable Planning Act terminology and references in other acts and reflecting the consolidation of planning functions within the planning portfolio.

Other amendments in this bill are being made to the Environmental Protection Act and the State Development and Public Works Organisation Act. The amendments will facilitate projects within a state development area and streamline the environmental authority process for all coordinated projects evaluated by the Coordinator-General.

Following the declaration of the Galilee Basin state development area, proponents approached the Coordinator-General about facilitating the undertaking of temporary works on land within the Galilee Basin state development area. Amendments to the State Development and Public Works Organisation Act will facilitate projects within a state development area to clarify the application of the existing powers of the Coordinator-General to grant access for the purposes of works within that area.

Amendments to the Environmental Protection Act will contribute to the government's objective of streamlining the environmental authority process for all coordinated projects evaluated by the Coordinator-General. The amendments complement changes already made by the Mineral and Energy Resources (Common Provisions) Act 2014 and proposed in the Environmental Protection and Other Legislation Amendment Act 2014 to enable a streamlined environmental authority process for coordinated projects evaluated by an environmental impact statement.

This bill, as well as the Planning and Development Bill, which I have just introduced, and the Planning and Environment Court Bill, which I will shortly introduce, aims to deliver the best planning system in Australia that stimulates positive development and provides opportunities for all Queenslanders now and into the future. I commend the bill to the House.

First Reading