

~~The bill creates the foundation for a better planning system for Queensland which all Queenslanders can engage in, is accountable and transparent and supports investment and job creation in our great state. I commend the bill to the House.>~~

~~First Reading~~

~~Hon. JA TRAD (South Brisbane ALP) (Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade) (4.14 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 Infrastructure, Planning and Natural Resources Committee~~

~~Mr DEPUTY SPEAKER (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.~~

<PLANNING AND ENVIRONMENT COURT BILL

Introduction

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade) (4.15 pm): <I present a bill for an act about the Planning and Environment Court>. I table the bill and the explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

Tabled paper: Planning and Environment Court Bill 2015.

Tabled paper: Planning and Environment Court Bill 2015, explanatory notes.

I pleased to introduce the Planning and Environment Court Bill 2015. Together with the Planning Bill 2015, the Planning and Environment Court Bill 2015 will govern the dispute resolution framework for planning and development matters.

The bill creates stand-alone legislation for the Planning and Environment Court to govern the constitution, composition, jurisdiction and powers of the court that has to date been embodied in the Sustainable Planning Act 2009. The Planning and Environment Court has jurisdiction conferred on it under approximately 28 different acts in addition to the Sustainable Planning Act 2009. They cover topics such as planning and development, environmental protection, coastal protection and management, heritage, fisheries, marine parks, transport infrastructure and vegetation management. Provisions for the Planning and Environment Court are located in the Sustainable Planning Act 2009, primarily due to the historical establishment of the court in local government and planning legislation over time.

In the interests of delivering clear and concise legislation, it is time for the creation of the court in its own specialised courts act, where opportunities for better alignment with court matters generally can be exercised. Having a separate bill for the Planning and Environment Court will enhance the role and visibility of the court as a distinct, specialised and accountable court to hear planning and environment disputes. A stand-alone bill also ensures the ensuing act can be assigned to the most appropriate minister and administering department under the administrative arrangements order. This will assure the court's efficacy and its functions and resourcing needs can continue to be supported by the portfolio with the principal responsibility for justice services.

The bill delivers the government's election commitment to restore the rights of communities, individuals and residents to object to developments without the prospect of harsh financial penalties. We have reintroduced the provision that each party must bear its own costs for proceedings in the court to ensure all Queenslanders can explore a case without fear of having costs awarded against them. This received broad support during public consultation on the bill. However, we have provided the court with the discretion to make an order for costs in specific circumstances, such as frivolous or vexatious proceedings and commercial competitor appeals.

The bill continues the opportunity for parties to a proceeding before the Planning and Environment Court to participate in an alternative dispute resolution process. Alternative dispute

resolution processes provide alternative, efficient and lower-cost options for resolving disputes to the benefit of the parties to the proceeding. There remains considerable support for continued improvement, particularly in relation to those matters that are considered relatively simple, straightforward disputes and to enable those matters to be resolved quickly, cheaply and effectively. Feedback also provided continued support for routine procedural matters to be dealt with by an Alternative Dispute Resolution Registrar, particularly where those matters are uncontested.

These improvements will undoubtedly support the efficiency of the court, allow disputes to be resolved more quickly and affordably and, importantly, reduce judicial time spent in determining such matters. The bill is broadly supported by stakeholders with specific consultation having been undertaken with the Planning Institute of Australia, the Bar Association of Queensland, the Queensland Law Society and the Queensland Environmental Law Association.

033 With this bill we have also made changes to ensure the system is open and transparent and easy for Queenslanders to access. I believe the improvements made in this bill will support a fair and open system which enables everyday Queenslanders access to the support they need when it is needed. I commend the bill to the House. >

First Reading

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade) (4.18 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 Infrastructure, Planning and Natural Resources Committee

Mr DEPUTY SPEAKER (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.

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

Introduction

 **Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade) (4.18 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 Act 2015, and to amend other legislation stated in this act for particular purposes. I table the bill and explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

~~Tabled paper: Planning (Consequential) and Other Legislation Amendment Bill 2015.~~

~~Tabled paper: Planning (Consequential) and Other Legislation Amendment Bill 2015, explanatory notes.~~

~~I am pleased to introduce the Planning (Consequential) and Other Legislation Amendment Bill 2015. The objective of the bill is to make consequential amendments required for the proposed enactment of the Planning Bill 2015 and the Planning and Environment Court Bill 2015 and repeal of the Sustainable Planning Act 2009.~~

~~Essentially, the bill tidies up all of the technical flow on amendments to other acts that work in with the planning legislation. The bill makes the amendments required as a result of the reform of the planning legislation, including updating Sustainable Planning Act terminology and references in other acts and reflecting the consolidation of planning functions within the planning portfolio. I commend the bill to the House.>~~

First Reading

Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade) (4.19 pm): I move—

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