

Housing Availability and Affordability (Planning and Other Legislation) Amendment Bill 2023

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Committee Secretary
State Development and Regional Industries Committee
Parliament House
George Street Brisbane Qld 4000
Via email: sdric@parliament.qld.gov.au

Dear Committee Secretary

RE: COUNCIL OF MAYORS (SEQ) SUBMISSION - HOUSING AVAILABILITY AND AFFORDABILITY (PLANNING AND OTHER LEGISLATION) AMENDMENT BILL 2023

Thank you for the opportunity to provide feedback to the Housing Availability and Affordability (Planning and Other Legislation) Amendment Bill 2023.

Council of Mayors (SEQ) supports the need for an efficient planning system that continues to support housing supply and diversity in South East Queensland (SEQ). However, SEQ councils have expressed concern about the swift progression of planning legislation and regulatory changes which offer limited input and involvement from local government.

Housing supply, diversity and affordability is a complex issue requiring evidence-based solutions, strong collaboration and coordination. While there is an immediate need to unlock more housing, it is important to ensure we avoid knee-jerk responses which undermine the integrity and intent of existing State, regional and local government planning policy.

Consultation timeframes and the Bill's limited detail, as further detailed in the LGAQ submission, are areas of concern. Additionally, details of the SEQ regulatory provisions, implementation assurance framework and affordable and social housing implementation under the final ShapingSEQ Update 2023 are yet to be finalised and fully understood by local government. Considering this Bill in absence of this information is of significant concern for local governments across SEQ.

CoMSEQ acknowledges elements of the Bill have been designed to assist local governments and provide new planning tools to preserve future planning intent, particularly to safeguard against sub-optimal use of land or to accelerate amendments to planning schemes. However, these provisions have been developed with limited consultation with local government, despite numerous forums that have been established to optimise communication between levels of government and industry, including the Growth Areas Advisory Committee (GAAC), Queensland Housing Round Table and SEQ Regional Planning Committee (SEQRPC). Consequently, adequate consultation for local governments in the development of supporting Planning Regulation (outside of caretaker arrangements) is sought in line with the recommendations detailed in the LGAQ submission.

Urban Investigation Zone (UIZ)

The introduction of an Urban Investigation Zone (UIZ) is acknowledged as a potential tool to assist councils in identifying and protecting future growth areas. However, councils have raised concerns about the implementation process for a UIZ, particularly the lack of measures to prevent premature development applications. To address these challenges, CoMSEQ

proposes the State Government consider and consult with councils on exploring retrospective provisions to support the application of the UIZ.

State facilitated development application process

CoMSEQ expresses concerns regarding the introduction of State-facilitated applications without a clear and structured consultation process with local government which provides an understanding and consideration of the proposed implementation, scope and impact on downstream approval processes. SEQ Councils seek further clarity to understand the implementation of this amendment and an understanding of measures the State intends to use to manage unintended outcomes which may bypass certain prohibitions, including Urban Investigation Zones and provisions within planning schemes.

This will be critical to ensure new state development application processes do not become a means to sidestep local government land use and infrastructure planning without clear benchmarks. Other concerns include the lack of appeal rights for both submitters and applicants, and potential discrepancies between the Bill's intentions and actual housing delivery outcomes and community expectations. Provisions should be established to ensure appropriate processes are implemented to consider the full impacts of Ministerial mandates, including an assessment of local trunk and non-trunk infrastructure impacts, as well as their financial implication on councils and communities.

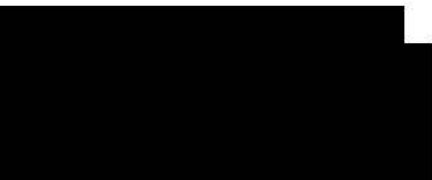
Planning Minister's powers to direct local government to amend a planning scheme without consultation (new section 26A)

Where the Minister mandates an amendment for state interests, Local Government should retain the flexibility to adapt it to local contexts to work with its local community and industry sector. Further detail would be required by local government to understand how the community would be appropriately engaged on key decisions which have community impacts.

Given the significant load of the ShapingSEQ Review process, there has been insufficient information and time for councils to fully rationalise the impacts of the Bill and accordingly, additional time for local government to assess the associated changes to the Planning Regulation is sought. This should consider constraints of upcoming Local Government caretaker arrangements.

CoMSEQ and member councils remain eager to collaborate with the Queensland Government to ensure any proposed changes to the planning framework are well considered and effective at a regional and local level. This is essential to maximise benefit of any proposed responses to the challenges facing SEQ and the state more broadly.

I acknowledge the importance of a coordinated and joined-up approach when responding to the current housing crisis and continues to seek genuine engagement and partnership. CoMSEQ continues to be a willing partner and is eager to work closely with the Queensland Government on opportunities to engage in the development and implementation of responses to our region's immediate housing needs.



Scott Smith
Chief Executive Officer
Council of Mayors (SEQ)