



Speech by

**Hon. ANNA BLIGH**

**MEMBER FOR SOUTH BRISBANE**

Hansard Wednesday, 22 August 2007

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## **URBAN LAND DEVELOPMENT AUTHORITY BILL**

### **Second Reading**

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure)  
(12.40 pm): I move—

That the bill be now read a second time.

Today I am pleased to introduce the Urban Land Development Authority Bill 2007. One of the key initiatives in the bill is the establishment of an Urban Land Development Authority for Queensland, announced as part of the Queensland Housing Affordability Strategy. On 25 July 2007, the Premier and I released the Queensland Housing Affordability Strategy. The strategy specifically seeks to improve the planning and development system, land supply and infrastructure funding systems to assist in improving housing affordability in Queensland. The strategy outlines actions to improve the operation of the land supply pipeline from raw land to completed development; to improve the efficiency of the integrated development assessment system; to enhance the level of involvement of the Queensland government in the land supply pipeline; to improve the monitoring of the land supply; and to improve the operation, transparency and accountability of infrastructure funding and charges for new development. The strategy's primary deliverables are listed as a set of immediate actions that identify those priorities that need to be met by government over the next six months.

This bill implements those immediate actions that require a legislative basis, including the establishment of an Urban Land Development Authority. In addition, the bill proposes a number of amendments to the Integrated Planning Act 1997—or IPA—to support the government's Housing Affordability Strategy. These amendments, whilst limited in number, are significant in effect and represent a number of accelerated amendments to IPA ahead of the broader reform of the IPA commenced by the government last year. They focus primarily on removing logjams and process inefficiencies, bringing land to market in priority areas in a timely manner and ensuring fair apportionment of infrastructure costs. They are, however, entirely consistent with the government's broader reform goal of improving the performance of the state's planning and development assessment system under IPA. Further announcements on this reform package are expected to be announced by the planning minister shortly.

The bill establishes the Urban Land Development Authority to plan, carry out, promote, or coordinate and control the development of land in certain designated areas declared as urban development areas. The main purposes of the act for these urban development areas are—

- to facilitate the availability of land for urban purposes;
- to facilitate the provision of a range of options to address diverse community needs;
- to plan for and facilitate the provision of infrastructure for urban purposes;
- to facilitate planning principles that give effect to ecological sustainability and best practice urban design; and

- to facilitate the provision of the ongoing availability of affordable housing options for low to moderate income households.

The membership of the authority will consist of nine persons made up of a chair, the chief executives of the Department of Infrastructure and Treasury or their nominees and other persons with extensive knowledge of and experience in the areas of local government, architecture, urban design or planning, social policy or community development, law, economics or accounting, the construction or development industry, or natural resource and environmental management. Members may be appointed by the Governor in Council for a period of up to five years.

The authority will have the power to acquire and consolidate land in urban development areas suitable for new housing and ensure that it is moved quickly to the market. The authority will undertake planning, management and delivery of strategic urban redevelopment sites initially at Fitzgibbon and North Shore at Hamilton, Bowen Hills and Woolloongabba in Brisbane and at the Mackay Showgrounds.

I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

The Authority will have carriage to improve the land and plan and control development within the designated area to deliver Government policy, including where appropriate, requiring developers to include public and affordable housing on these designated sites.

The Authority will enable the Government to be more effective and proactive in providing land for urban development, particularly through major strategic infill and redevelopment sites. It will be one of the ways that Government will deliver Transit Oriented Development (TOD) projects throughout the State.

Whilst it is not proposed that the Authority would operate in greenfield areas, the Authority will have the ability to take responsibility for major greenfield sites in locations where there are considered to be significant land supply pressures, if so allocated by government.

The Authority will have the power to voluntarily acquire and amalgamate land within the urban development area and to make the land "development-ready".

The Bill provides that the Governor in Council may give a written direction to a government entity (other than a Government Owned Corporation) or local government entity to provide or maintain stated infrastructure in, or relating to an urban development area. Existing arrangements under the Government Owned Corporations Act 1993 will remain for GOCs.

The Bill provides that the Authority must make a development scheme for the urban development area as soon as practicable after it has been declared. The development scheme must provide for any matter that promotes the proper and orderly planning, development and management of the area. A development scheme prevails over any inconsistent planning instrument or plan, policy or code under the Integrated Planning Act 1997 or any other act to the extent of that inconsistency.

Affected landowners will be afforded an additional right to make a submission to the Minister after master plans have been developed by the Authority. The Minister must consider this submission and then make a determination.

The Authority is also empowered to assess and decide development applications for the urban development area.

Following completion of development contemplated by the development scheme, the Bill provides that the declaration of the land as an urban development area will be revoked and the Authority will hand back planning control for the site to the relevant local government.

The accelerated components of the IPA Reform agenda relate to two broad areas; namely:

- planning and development assessment processes; and
- transparency and equity of infrastructure charges

With regard to the planning and development assessment process the amendments:

- Expand existing Ministerial IDAS directional powers to decide conflicts and directing a decision be made within a stated time;
- Introduce a State Planning Regulatory Provision which can apply in a number of ways including affecting the operation of a planning scheme, implementing a regional plan and applying to master planned areas;
- Introduce Master Planned Areas and a streamlined process to better coordinate land use planning, infrastructure planning and funding and development in declared priority areas; and
- Give the proposed FNQ Regional Plan statutory recognition.

The expanded Ministerial IDAS directional powers will allow the Planning Minister to issue a notice of direction to an assessment manager to decide a development application or issue a negotiated decision notice within a stated time. The expanded power will also allow the Planning Minister to issue a notice to a concurrence agency to decide a development application within a stated time, resolve conflicts between two or more concurrence agencies or address issues of jurisdiction.

The Planning Minister will also be able to issue a notice to an applicant to take a stated action within a stated time period to comply with the requirements of the integrated development assessment system (IDAS).

These expanded direction powers allow the Planning Minister to ensure that development applications which can contribute significantly to regional land supply are not delayed through the development assessment system and can be processed as quickly as possible to enable the land to be brought to market in a timely manner.

In addition the Bill also creates a new tool for the State to address issues of land supply consistent with a regional plan or master plan for priority growth areas and to effect amendments to a local government planning scheme as quickly as possible to address housing affordability issues.

This new tool, called a State Planning Regulatory Provision (SPRP) is intended for use in a number of instances including:

- To implement a regional plan;
- To implement a master plan in a priority growth area;
- To effect the operation of a local government planning scheme; and
- To apply a State Regulated Infrastructure Charges Schedule in master planned areas.

A State Planning Regulatory Provision can affect development assessment levels, prohibit development or apply a relevant code to development across the State. The Bill contains a process for their preparation and includes provision for certain State Planning Regulatory Provisions to be tabled in Parliament.

Consistent with the Government's commitment to roll out structure planning across the State similar to what occurs for Major Development Areas in SEQ, the Bill proposes a process for Master Planned Areas in priority growth regions. Whilst new, this process really reflects existing practice and the master planning that already occurs for these areas including for Major Development Areas in SEQ. To ensure consistency, Major Development Areas in SEQ will be transitioned in time to become Master Planned Areas.

Mr Speaker, this is a State-wide process under IPA which will apply to significant and strategic sites that can contribute to land/housing supply in a region or subregion.

It is proposed that Master Planned Areas be identified by the relevant Minister (Planning Minister or Deputy Premier as Regional Planning Minister in SEQ) and Local Government to be the subject of detailed master planning.

Areas to be master planned can be protected by State Planning Regulatory Provisions while the initial Master Plan is being prepared to ensure the area's contribution to land/housing supply is not compromised by inappropriate development.

The initial Master Plan will become part of the local government planning scheme and is prepared by local government with significant State involvement through a modified Schedule 1 plan making process. The Department of Local Government, Planning, Sport and Recreation (DLGPSR) and the Department of Infrastructure (Office of Urban Management) will play a key role in coordinating State agency input to the preparation of this initial Master Plan.

The initial Master Plan will require community consultation and detailed planning effort up-front to address relevant State and local planning and infrastructure issues and can set development requirements, levels of assessment, code requirements etc. for the master planned areas.

However, once the initial Master Plan is prepared, applicant initiated subsequent applications can be lodged and assessed by the relevant local government against the approved Master Plan through a modified form of the integrated development assessment system.

The key advantage of this master planning process is to build in State requirements up-front which relieves the need for referral to State agencies in subsequent development assessment. This in turn can lead to significant time savings from commencement of the planning process to development occurring 'on the ground'.

It also provides greater certainty for developers of the development entitlements applying to master planned areas.

The Bill also gives statutory recognition for the proposed FNQ Regional Plan which is an existing Government election commitment. Statutory regional plans are one way in which the Government is ensuring that growth regions are appropriately planned to ensure sufficient land exists for urban growth whilst also protecting regional environmental and physical values and assets.

Generic amendments to the IPA are proposed in the Bill to allow for the possibility of additional statutory regional plans in the future. It is proposed that future regions to be the subject of a statutory regional plan would be designated by regulation.

Further, the Bill fulfils the Government's election commitment to ensure fair and transparent infrastructure charges by making provision for the Minister for Planning to seek independent advice from the Queensland Competition Authority (QCA) on local government infrastructure charging schedules prior to their approval.

The Bill also contains timeframes for ensuring advice is received in a timely manner from the QCA.

The Bill expands the role of the Building and Development Tribunal to hear disputes about how infrastructure charges are applied to specific development applications.

Finally, the Bill inserts a new part 3 into Chapter 5 of the Integrated Planning Act 1997 that deals with contributions for State infrastructure.

The purpose of this amendment is to ensure funding for State infrastructure is a transparent and equitable process as identified in an existing Government election commitment.

It formalises the Government's intent to collect contributions towards state infrastructure in high growth areas as signalled in the SEQ Regional Plan 2005-2026.

These accelerated components of the IPA reform agenda will contribute in a tangible way to assisting with housing affordability in Queensland by making existing planning and development assessment processes more efficient, ensuring priority growth areas that can contribute to land/housing supply are planned in a comprehensive and timely manner and ensuring that infrastructure charging is fair and transparent.

Mr Speaker I commend the Bill to the House.