Speech by

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MEMBER FOR KAWANA

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SUSTAINABLE PLANNING BILL

Mr BLEIJIE (Kawana—LNP) (5.08 pm): I rise to speak in general support of the Sustainable Planning Bill 2009, which has been introduced by the government. This bill will repeal the Integrated Planning Act 1997 and amend an additional 63 other acts. In 2006 the then minister for environment, local government, planning and women, the Hon. Desley Boyle, member for Cairns, announced a review of the Integrated Planning Act 1997 with the release of the discussion paper 'Dynamic planning for a growing state: options for improving Queensland's Integrated Planning Act 1997 and the integrated development assessment system'.

The findings of the review were made in the Planning for a Prosperous Queensland agenda released by then minister for local government, planning and sport, the Hon. Andrew Fraser, in August 2007. The planning reform reference group was established to advise the director-general of the Department of Infrastructure and Planning as to how to implement the Prosperous Queensland agenda.

The Sustainable Planning Bill is as a result of that review and the recommendations of the Prosperous Queensland agenda. The purpose of this bill is to attempt to achieve ecological sustainability by managing the process by which development happens, managing the effects of development on the environment and coordinating and integrating planning at the local, regional and state level.

The bill seeks to address the issues in the Queensland planning and development assessment. It seeks to streamline the existing planning and development requirements in an effort to reduce the time frames and costs associated with development applications. The bill also seeks to standardise the planning process to make it easier for developers to operate over multiple local council boundaries. The bill attempts to streamline, clarify and provide greater flexibility and responsiveness to the existing planning and development framework systems. While this bill seeks to streamline processes, it brings its own complexities and difficulties.

As a result of the increased infrastructure and development throughout Queensland we now see a more lengthy and costly process for development applications. We have previously seen major development applications being lodged with incomplete and insufficient information. Council is then required to issue requests for this information from the developers. Developers then have a 12-month grace period, which can be extended further, to provide that information.

It is as a result of these numerous incomplete applications such as these lodged with councils that we end up with lengthy delays. This is an abuse of the approval process which results in an inefficient, timely and costly system. It is no wonder the public always complain about the red tape when our councillors and bureaucrats are tied up issuing requisitions to developers when the information should have been provided in the first place. Council is then tied up with numerous development applications that are not as comprehensive as they should be and the whole process takes far longer than is actually required. As a result of incomplete applications, other development applications are also held up. The government's answer to the increased time frames is to include a deeming provision which provides that if council does not reject an application within a certain decision-making period then certain applications will be deemed to be approved.

It is interesting to note that this government is trying to place time frames and deeming provisions on local councils and not on state government agencies when the government itself fails to respond to certain issues and make decisions within a timely manner. As we have seen with recent legislation introduced in this House, sometimes it is all too easy to put things into the too-hard basket when a decision has to be made and action needs to be taken.

While this deeming provision is aimed to discourage our local councils from dragging their feet on contentious issues without making decisions, this could backfire. We could see development applications that should be rejected actually being approved simply because council is ill-equipped to deal with the number of applications being submitted, whether this is as a result of understaffing, staff on leave, the complexity of proposed developments, a sudden increase in applications, community emergencies or other factors or a developer's abuse of the process by means of overinformation. Another consequence of the deeming provision might just be the increase in applications being rejected merely because the time limit is approaching and council is unable to deal with those applications.

The Sunshine Coast Environment Council has raised a few concerns regarding the legislation including that tighter time frames will also restrict the amount of community input to proposed developments. The Sunshine Coast Environment Council has also expressed that the time for notice to the public and lodgement of objections by local residents and community members should be extended to allow for proper community consultation.

This bill will require applicants to ensure that their applications are comprehensive and complete, in an approved form, contain all the relevant information and meet the mandatory requirements that are being assessed. However, I note that the bill will still allow applicants a grace period to provide further information if requested, but this grace period has been reduced from 12 months to six months. Further, the bill will still allow developers to have their development applications approved without supplying information requested by the council.

Although the bill will require certain mandatory requirements to be in an approved form, too often information required to be provided is omitted because the standard forms can be easily manipulated and changed and there is no regulated form. The amendment to the bill that will be moved by the member for Gympie, the shadow minister for infrastructure and planning, will ensure that the mandatory requirements of development applications are prescribed by regulation, although I note that the regulations to the bill are yet to be released. The mandatory requirements must be prescribed and consistent in order to limit disputes. The Sunshine Coast Environment Council expressed great concern that the mandatory requirements should expand to cover environmental information, including environmental information specified by referral agencies as mandatory or specified by assessment agencies including council as mandatory in the local government planning schemes.

The Sunshine Coast Regional Council's corporate plan and ambition is for the Sunshine Coast to be Australia's most sustainable region—vibrant, green and diverse. The people of the Sunshine Coast want to continue to preserve the character and the livability of the region and increase the sustainability of the area. In order to maintain this vision and sustainability, developers need to be accountable and must ensure that developments are ecological, address environmental concerns and incorporate sustainability principles.

The bill allows for ministerial call-ins. While there are a couple of constraints on the ministerial call-in power, there is no right of appeal against such ministerial call-ins. The bill also expands the ministerial intervention powers, including the ability to direct a local council's decision on approving or rejecting applications. In exercising the powers and considering applications the minister is only required to consider what is in the state's interest.

This is another example of how the Bligh government is not accountable and certainly not transparent. With no right of appeal against the ministerial decision, the people of Queensland cannot question the decisions of those who are in the pockets of those with money, including those developers who want their applications approved. This government talks about being accountable.

Government members interjected.

Mr BLEIJIE: With every speech I make in this place, why is it that when I start talking about accountability and integrity it gets the government members offside? Is it something they do not want to hear?

Government members interjected.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! The House will come to order.

Government members interjected.

Madam DEPUTY SPEAKER: Order!

Mr BLEIJIE: They are still going, Madam Deputy Speaker. They cannot cope hearing the words 'integrity' or 'accountability'.

Government members interjected.

Mr BLEIJIE: Over all the interjections, I put to the House that perhaps I have hit a nerve. Perhaps I have hit a nerve when I am talking about accountability—

Government members interjected.

Mr BLEIJIE: I have hit a nerve. What is the answer to this accountability and integrity crisis in Queensland? Put on a chef's hat and go on *MasterChef Australia* and cook up a storm?

Government members interjected.

Mr BLEIJIE: If the government members will allow me to continue, under this bill the state government will have the ability to approve applications in some instances rather than the council. As a result, developers can get their applications through faster and their investment will be paying off. The ministerial call-in provision gives way to reinforce, as the Queensland Conservation Council secretary Simon Baltais describes, 'the unholy alliance between government and developers'.

We have constantly spoken in this place recently about government transparency and accountability. The relationships that this government and its members have with developers should be questioned. The fact that this legislation allows some development applications to leap over local government approval into the lap of the department is wrong. Without making any reflection on the Minister for Infrastructure and Planning, I believe that this process has the potential for abuse, regardless of the government in power.

I understand business and their irritation with red tape, but the ability for development approvals to rely purely on the state government is dangerous, particularly this state government. While I understand the frustration that developers have in being held up by councils in the approval process, it is not a simple rubber-stamp process. Various studies need to be carried out to determine the long- and short-term viability of subsequent developments that are approved by the state. I also believe that the state should have the power to recommend alterations and amendments to developments that do not fulfil all of the necessary obligations.

In my electorate we have recently seen such a case. The proposed Palmview development was initially released by the Sunshine Coast Regional Council in March before it was rejected by the adjacent community. It was then slightly amended and released as a second position paper by council. Despite huge concerns from many sectors of the local community about certain aspects of the proposal, including the adverse effects on local infrastructure, the position paper was endorsed, unanimously I might add, by the council in June of this year. It is now before the Minister for Infrastructure and Planning. In a letter to the minister I have outlined the direct impacts this proposal will have on the current Sippy Downs community.

It is this current system of accountability for development proposals that is sturdy and rigid and caters for developments such as Palmview to be thoroughly examined at both the local and state government levels. If the bill is passed it will have significant implications for all stakeholders in respect of both the process and the planning outcomes. These stakeholders cannot be certain what the implications will be because the key operative provisions of the bill are deferred to guidelines and regulations which have not, to my knowledge, been published.

I talked before about some issues on the Sunshine Coast. We have particular concerns about the fast pace of development of greenfield sites, particularly the Palmview development, which was announced last year as a greenfield development site. Council was all but ordered to come up with a development application and a plan for that particular region. The Palmview development caters for some 14,000 new residents in my electorate, not to mention new residents to Caloundra South. In relation to the South East Queensland Regional Plan, the extra burden of the growth is in my electorate on the Sunshine Coast.

I note that earlier today the member for Buderim outlined the minister's commitment that the government would not allow development to take place on the Sunshine Coast without having appropriate infrastructure in place. I say to the minister that this will apply to the Palmview development. There is no infrastructure to cater for 14,000 people on this greenfield development site. You cannot put 14,000 new residents through the heart of a master planned community; you cannot split a master planned community such as Sippy Downs into two with a green link—all for the benefit of a community that does not yet exist. If this development gets state government approval it will do just this. It will have a major impact—without the appropriate infrastructure—on the Sunshine Coast.

Of course over the last 10 or 12 years we have heard about the CAMCOS rail. It has been continually delayed. We now have plans for a multimodal transport corridor in my electorate to be developed and implemented by 2026.

There is a commitment from the minister that no development will take place without infrastructure, yet a major piece of infrastructure missing on the Sunshine Coast is the Sunshine Coast University

Hospital. Where are these extra 14,000 people to obtain health care on the Sunshine Coast? I can tell you that it will not be at the Nambour General Hospital. I met recently with ambulance officials on the Sunshine Coast who told me that at times between 10 and 15 ambulances are waiting at the Nambour Hospital just to discharge their patients to the hospital without any ambulances actually being on the road. This hospital is needed on the Sunshine Coast. We have a multimodal corridor going behind the planned site of the Sunshine Coast University Hospital. I say to the minister that if he is wanting to fast-track any development or any infrastructure on the Sunshine Coast, let it not be the Palmview development but let it be the Sunshine Coast University Hospital because residents on the Sunshine Coast are in dire need of appropriate health care and services for which they are currently having to travel to Brisbane.

In closing, the Sunshine Coast University Hospital Action Group will be taking this matter further and will be organising a march to the hospital site at Kawana Waters. They will tie 450 ribbons to the fence around the hospital site, representing the number of beds at the Sunshine Coast University Hospital for which construction should begin relatively soon. I say to the government that it must get serious about health needs on the Sunshine Coast. This is an infrastructure asset that we absolutely need. I call on the government to bring it forward.