Speech by

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SUSTAINABLE PLANNING BILL

Ms BATES (Mudgeeraba—LNP) (5.45 pm): Tonight I rise to contribute to the debate on the government's Sustainable Planning Bill 2009. The bill purports to achieve ecological sustainability by managing the process by which development happens, managing the effects of development on the environment—including managing the use of premises—coordinating and integrating planning at the local, regional and state levels and is more evolutionary than revolutionary.

This Sustainable Planning Bill 2009 will replace the Integrated Planning Act which was introduced in 1997 and much amended since that time. In the past 15 years planning in Queensland has become more complex with further consideration in the planning and development of towns. This is as a result of more complex issues being taken into consideration in the planning and development of our towns and cities, including important environmental considerations. Unfortunately, this has led to longer time lines and increased the costs of development and is a system that is inefficient, awkward, unclear, inflexible and unresponsive.

The bill is designed to lean towards cultural change in the local government and development industries and, whilst it is generally accepted that the introduction of this bill is an improvement, it is disappointing that such changes do not extend to all state government entities. Some of these reforms were contained in amendments to the current IPA in the Urban Land Development Authority Act 2007. These included extended powers of ministerial direction and call-in, an expanded regional planning framework, and the introduction of state planning regulatory provisions. These reforms are reflected in this bill.

This bill will determine the structure of development in Queensland, which includes the following: state planning instruments, including regional plans, state planning policies and standard planning scheme provisions; ministerial call-ins; local government planning schemes and planning policies; master plans; the Integrated Development Assessment System; planning dispute resolution; and infrastructure provision.

Given the ongoing accusations regarding cronyism, kickbacks and deals with Labor mates, this is an area that needs close and constant scrutiny. This bill reintroduces prohibited development in Queensland. A development application cannot be made for a prohibited development, even when the applicable planning scheme deems such an application as assessable or exempt. Only the state can identify prohibitions and in most cases compensation is not available. Deemed approval has also been introduced in this bill. This means that if code assessable applications are not decided within a particular time frame they can now be deemed approved. This then allows the council 10 days to apply any conditions that need to be applied to the application. This is to discourage councils from sitting on controversial decisions without making a decision. There is no provision for exceptional circumstances if time lines are not met. If for whatever reason a decision cannot be made within the time line there is the risk that certain projects may be rejected or may be deemed approved.

Whilst deemed approvals and other provisions streamline local government and developers' responsibilities under the bill, such provisions do not apply to state government agencies. In many cases state government departments request information that is in contradiction to other state agencies. This is a

case of the left hand not knowing what the right hand is doing, a common thread with this state labor government as outlined in numerous Auditor-Generals reports.

In addition, state agencies often repeatedly request inconsequential information that only serves to further drag out the decision-making process and this bill will actually widen the consideration of state agencies when considering referrals. The state government must coordinate such requests to stop such ludicrous outcomes which make a mockery of the stated aim of streamlining the planning approval process. Cost shifting of infrastructure charges are increasing between state and local government and, given that councils have limited opportunities to recoup funds through measures other than rates and charges, the only recourse is either through rate increases or infrastructure charge increases, with some councils overseeing skyrocketing charges over recent years that makes development uneconomical.

It is estimated that the shortage of dwellings in South-East Queensland will require three-quarters of a million new dwellings to be built by 2031 to cope with the major housing shortage. The state government in the recent budget predicted that an additional $5,000 would be added to the cost of each new house block throughout Queensland. At a time when other governments are attempting to stimulate the economy, albeit through misguided means, the Queensland government is making Queensland more expensive to live in. With backflips such as removing the fuel subsidy, increased car registration costs, increases in the cost of electricity, food and other staples, and price hikes in rates and housing prices, the lifestyles of Queenslanders have been further eroded.

This bill also includes provisions for ministerial call-ins. Such call-ins are not intended to be used routinely or often, but they are often used by this government and there is no right of appeal. Ministerial intervention powers are expanded under this bill, including being able to direct councils to decide or not decide on applications. However, the minister in his considerations need only consider the interests of the state relative to that particular application. In addition, unspecified other eligible ministers will be able to access broad powers under this bill, including the ability to prohibit or regulate development and jointly make state planning policy.

Businesses in the Gold Coast hinterland town of Springbrook say that they are suffering because of secretive deals between the state government, environmentalists and former owners of properties that have been acquired by the government. Given that this bill purports to achieve ecological sustainability and coordinate integrated planning at local and regional levels, the residents of Springbrook do not feel that they have been included in these development applications or, indeed, the land acquisitions.

The Bligh Labor government has spent about $40 million since 2005 buying at least 42 privately owned properties, covering more than 500 hectares, to be incorporated into the Springbrook National Park. This area is obviously a World Heritage listed area. The residents in Springbrook and I are very pleased that the government is actually looking after the environment, but the residents also believe that the government is accumulating businesses, along with land and buildings. They allege that the government has leased out the businesses and houses for free or very little money and seems to be charging only peppercorn rents.

These government acquisitions have led to many accommodation places, restaurants and cafes closing down, adversely affecting visitor numbers to the area. Residents believe that the properties had been bought at inflated prices, sending their own land values soaring. These are examples that the minister needs to take into consideration in this bill so that residents in my community are not adversely affected. Since these land acquisitions, many residents have had to pay land tax for the first time because of the inflated land values, whilst at the same time businesses are suffering because visitor numbers are obviously down because people do not want to come to Springbrook if they cannot get a bed for the night or anywhere to eat. Residents do not think it is fair that $40 million of taxpayers' money is spent buying properties and businesses that are then leased back without any tender process or seeming accountability.

Another example of inappropriate planning was the complete and utter lack of consultation with residents in the Palm Meadows area and Carrara when a proposal was originally put forward to move the Gold Coast Turf Club to the flood plain around Palm Meadows. Residents had no idea about this process, nor were they consulted, and in fact many only read about it in the local paper.

Another development issue in my electorate was the lack of a solution to the problems caused by acid sulfate from the Carrara flood plain leaching into the Nerang River. More than nine years after this problem was first identified and a further 12 months after 86 per cent of residents directly affected signed a petition, residents up until recently were left in the dark, with no relief in sight.

In February 2000, the Palm Meadows Golf Club, the Gold Coast City Council and the former EPA commissioned a report titled *Issues and options for environmental rehabilitation of Witt Avenue drain, Carrara, Queensland*. The report concluded that there were indeed problems and that there were three options that should be considered to resolve this problem. They were: water treatment only at a cost of $1.155 million, intermediate rehabilitation and water treatments at a cost of $12.4 million, or optimal rehabilitation at an exorbitant cost of $18.6 million.

The former minister for sustainability, climate change and innovation, Andrew McNamara, in response to the petition requested the EPA to undertake further consultation with the council, the department of natural resources and the Palm Meadows Golf Club to determine whether any newer and more cost-effective treatment options for remediation have been developed since the study in 2000. This problem was ignored for far too long and has devastated the waterways and marine life in this residential estate, not to mention devalued properties in nearby canals with the smell of rotting fish and putrid odours pervading the area after heavy rains.

I have been working with Councillor Bob La Castra, councillor for division 8, since June regarding a solution to the problems caused by acid sulfate leaching into the Nerang River. As a result of this issue being highlighted by me and Councillor La Castra, meetings have since been held with relevant departments, with the following options being tabled: the developer is to consider rehabilitation of Palm Meadows Golf Course and surrounding owned land through the development and implementation of an environmental management plan; a trial is to be held on the removal of the tidal-floodgates in Witt Avenue—this will allow for tidal saltwater exchange within the drainage system; three to four water aerators, such as fountains, are to be installed within waterways on the Palm Meadows Golf Course; and during periods of acidity, particularly after rainfall, the Department of Environment and Resource Management will undertake a program of adding hydrated lime along exposed banks of waterways and drains to increase pH levels to neutralise acid run-off.

A meeting with the developer will be held in the coming weeks to establish a willingness to implement one or all of the treatment options. It has been more than nine years since the problem was first identified, but finally residents may soon be able to breathe a sigh of relief. Councillor La Castra is obviously pleased that the different levels of government have been working together to facilitate options to remediate this issue. He said—

It's great to finally get both the council and the state controlled DERM (formally the EPA), to reach a consensus on what needs to be done. I only hope that the land owner will show willingness to undertake works that will relieve the long-suffering residents, who live in this vicinity.

This is a perfect example of what can be achieved when the buck-passing stops and the different levels of government actually work together. Residents need to know that their concerns are being listened to, and it is our job as elected representatives to listen and respond to those concerns. The LNP supports the Sustainable Planning Bill 2009 with proposed amendments. I commend the bill to the House.