




Speech By
Hon. David Crisafulli

MEMBER FOR MUNDINGBURRA

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. DF CRISAFULLI** (Mundingburra—LNP) (Minister for Local Government, Community Recovery and Resilience) (12.18 pm): I present a bill for an act to amend the City of Brisbane Act 2010, the Local Government Act 2009, the Local Government and Other Legislation Amendment Act 2012 and the Sustainable Planning Act 2009 for particular purposes, and to make consequential or minor amendments of other legislation as stated in schedule 1 for purposes related to those purposes. I table the bill and the explanatory notes and I nominate the Transport, Housing and Local Government Committee to consider the bill.

Tabled paper: Local Government and Other Legislation Amendment Bill 2013 [[3248](#)].

Tabled paper: Local Government and Other Legislation Amendment Bill 2013, explanatory notes [[3249](#)].

Last year the government moved quickly to deliver much needed legislative reform to revitalise local government in Queensland and free councils from red tape. In November last year the Local Government and Other Legislation Amendment Act 2012 delivered on the first phase of the government's reform program by giving local decision makers the legislative freedom and power to make decisions appropriate to local needs without interference from the state government.

The first phase is complemented by the new City of Brisbane Regulation 2012 and the new Local Government Regulation 2012. Six regulations have been streamlined into two modern regulations, removing unnecessary reporting requirements and duplication. The local government legislative reform program has removed the absurdity of a one-size-fits-all approach. Nowhere was this more clearly demonstrated than by the nonsense that forced councils to live stream their meetings and to invest in costly financial planning and community planning exercises that were only to be repeated later in a council's annual report.

When the legislation was passed last year I stood in this House and told the people of Queensland that I would maintain a watching brief on local government red tape and that I was prepared to make more changes in the future. I am pleased to advise that in 2013 I am delivering further reforms. Councils can now dispose of non-current assets on their own terms without state interference if the disposal is to a government agency or a community organisation. I also informed parliament last year that the Department of Local Government would ensure that councillors have the necessary tools to comprehensively understand the impact of these reforms and I am pleased to acknowledge the department's capacity-building program offered to all 73 local governments throughout Queensland in more than 300 workshops.

Having worked hard to revitalise the legislative and policy environment for local governments, the next step—and I have said it before—is delivery. 2013 is the year to deliver for local government. On 9 March this year the government delivered on its commitment to allow those communities where the case had been made to vote on the question of deamalgamation. In all four cases there were clear results. The people of the previous councils of Douglas, Livingstone, Mareeba and Noosa shire voted in favour of deamalgamation. This bill puts arrangements in place to ensure that each of Queensland's four newly deamalgamated councils can hit the ground running on 1 January 2014.

For the newly established councils the bill promotes financial sustainability in two ways. Firstly, it gives the new councils the power to set a budget and levy rates outside of the prescribed budget cycle for the remainder of the 2013-14 financial year. We know there will be much work to be done for these councils, and all residents knew there would be tough decisions to make when the government provided them with the figures before the deamalgamation poll. This bill ensures councils have the necessary powers to make those decisions in a timely manner. Secondly, the bill amends the Sustainable Planning Act 2009 to provide transitional provisions for development applications affected by deamalgamation. The amendments will clarify who has the responsibility for making development assessment decisions for development applications wholly or partly within the new local government area. The amendments will empower local governments to make decisions for their communities and ensure applicants know which council is responsible for decision making. The last thing these councils and their communities need is costly delays in development. The bill repeals outdated provisions from the 2007 reform process and on commencement only the minister may apply to the Local Government Change Commission to have a local government change application assessed. This will mean minimal disruption and minimal cost to local governments.

The bill strengthens the government's commitment to put councillors and mayors clearly in charge by removing the restriction on a person, if they so choose, from being both a councillor and a director of a local government corporate entity. The bill also implements recommendation 2 of the Transport, Housing and Local Government Committee's Report No. 23—and I acknowledge the chairman, the member for Warrego, who is here today—by elevating from the regulations to the City of Brisbane Act 2010 and the Local Government Act 2009 the integrity offence of a councillor who fails to ensure their register of interests is correct.

The bill supports the government's commitment to reforming Queensland's planning and development assessment system by elevating the State Planning Policy to a more authoritative role in the hierarchy of planning instruments. The State Planning Policy is a broad and comprehensive policy which replaces various narrow, issues based matters to provide a single expression of all the state's interests in planning and development. The amendments reverse the current relationship between the State Planning Policy and regional plans so that the State Planning Policy prevails over regional plans to the extent of any inconsistency.

The bill provides for the continued operation of several existing development control plans which ensure development can continue to occur easily and essential infrastructure is adequately provided to these communities. The amendments allow the infrastructure agreements put in place by these development control plans to continue to establish the basis for significant ongoing investment in some of the state's fastest growing new communities into the future. Finally, a number of minor and technical amendments, fully detailed in the explanatory notes, clarify and simplify existing local government policy.

In conclusion, the bill builds on the comprehensive reform that began with the introduction of the Local Government and Other Legislation Amendment Bill in September last year. I said then that this would be an ongoing process and that a priority of the government is to properly empower local councils and restore the relationship between the state and local governments. In a year of delivery for local governments, this bill is another milestone on the road to empowerment of local communities and the local governments that represent them. But it is certainly not the end of the road. It is just one of the many ways that the government is ensuring that local governments have the authority and capacity to contribute to the state's growth and economic success. It is with great satisfaction that I introduce the Local Government and Other Legislation Amendment Bill 2013. I commend the bill to the House.

First Reading

Hon. DF CRISAFULLI (Mundingburra—LNP) (Minister for Local Government, Community Recovery and Resilience) (12.25 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 Transport, Housing and Local Government Committee

Mr DEPUTY SPEAKER (Dr Robinson): In accordance with standing order 131, the bill is now referred to the Transport, Housing and Local Government Committee.