




Speech By
Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Record of Proceedings, 21 May 2014

SUSTAINABLE PLANNING AMENDMENT REGULATION

Disallowance of Statutory Instrument

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.06 pm):
Mr Deputy Speaker—

Mr DEPUTY SPEAKER: Do you have a point of order or something, Attorney-General? There is a speaking list that I am working through.

Mrs CUNNINGHAM: Mr Deputy Speaker—

Mr BLEIJIE: Mr Deputy Speaker, I called. I am on the list. I called.

Mrs CUNNINGHAM: Mr Deputy Speaker—

Mr DEPUTY SPEAKER: Order! Attorney-General, take your seat. Member for Gladstone, take your seat. Attorney-General, the intent of the disallowance motion is to allow a free and open debate. There are a number of speakers still on the list, both from the opposition and the crossbenches. I am just seeking advice—

Mr BLEIJIE: I jumped.

Mr DEPUTY SPEAKER: I am seeking advice. If the House would just allow a moment.

Mr STEVENS: I rise to a point of order. Mr Deputy Speaker, I understand that there is a list in the House, but it is recognised under standing orders that, when a member stands and calls and is acknowledged by the chair, then he is the next one to speak to the matter. The very fact that you acknowledge that—

Mr DEPUTY SPEAKER: Yes, I understand that and that is accurate, Leader of the House. Is there anything further?

Mr STEVENS: I have not finished my point of order, Mr Deputy Speaker. The very fact that you recognised that the Attorney-General had the call in that you said, 'Do you wish to raise a point of order?' and you recognised him on his feet, under the standing orders I firmly believe—and I will take advice from the Clerk shortly—that the Attorney-General has the call.

Mr DEPUTY SPEAKER: Thank you, Leader of the House.

Mrs CUNNINGHAM: Mr Deputy Speaker—

Mr DEPUTY SPEAKER: I am going to allow a point of order from the Leader of Opposition Business and a point of order from the member for Gladstone and then I will make a ruling.

Mr PITT: Just looking through the sessional orders, my understanding is that the person who can close this debate down is the minister in reply. If I am mistaken I apologise, but I have an

understanding that this is the Deputy Premier's regulation not the Attorney-General's, so in that case the Sustainable Planning Act is not under the Attorney-General; it is under the Deputy Premier.

Mr DEPUTY SPEAKER: Member for Gladstone, what is your point of order?

Mrs CUNNINGHAM: My point of order is this: you had just been adjudicating over a number of points of order. I would have jumped earlier, but I assumed that when the Attorney-General jumped he was taking another point of order and not attempting to close the debate. Had I realised that that was the intent of the Attorney-General I certainly would have jumped and called quicker, but I did assume that when he jumped and called he was going to take yet another point of order as others had done.

Mr DEPUTY SPEAKER: Thank you, member for Gladstone. The House will wait a moment. Members, while I believe that the debate should have been allowed to go somewhat longer, the Attorney-General has jumped and taken the call. My intent was to give him the call in terms of a point of order. However, he does have the call. I call the Attorney-General.

Mr BLEIJIE: Before I get to the substance of the debate, can I just say that this House runs on a list. I have a list. The member for Gaven was not on the list. He jumped. I did not see anyone else jump and I jumped because I have the list.

Dr DOUGLAS: I rise to a point of order.

Mr DEPUTY SPEAKER: I have ruled under the standing orders and that is the way it has gone tonight. What is your point of order, member for Gaven?

Dr DOUGLAS: I discussed the list and we were added to the list. The printed list was amended, as you know.

Mr DEPUTY SPEAKER: Member for Gaven, I have already ruled on this, whether people think that that is fair or not, according to the standing orders. The Attorney-General jumped. He called first. I have given him the call and so the Attorney-General has the call.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. This is not my disallowance motion; this is the member for Rockhampton's disallowance motion. I make it abundantly clear that we will be opposing the member for Rockhampton's disallowance motion of this regulation tonight because the member for Rockhampton has not got the facts right. He has misrepresented the whole debate here tonight. The point is that there is one boot camp centre at Lincoln Springs west of Ingham established under the program. Exempt development is the default category of development under the Sustainable Planning Act. Nominating a particular type of development as exempt development simply means it cannot be declared to be a development of a particular type and is therefore exempt from development assessment under the local planning instruments. The development may nevertheless still be required to attain relevant state approvals.

In effect, the exemption supports the efficient and timely development of a boot camp development centre. This appropriately reduces the red tape around the development of a boot camp centre, with development which meets the practical criteria in the Sustainable Planning Regulation as amended able to proceed without having to seek local government development approval. Parliament may be interested to note that there are some other types of development which schedule 4 of the Sustainable Planning Regulation establishes as not able to be declared other than exempt development, including community infrastructure projects such as educational facilities, community and cultural facilities and trade training centres. As with other exempt developments, development of a boot camp centre will not be able to be prohibited or delayed by being required to comply with unduly onerous permit and planning requirements.

Ms Trad interjected.

Mr BLEIJIE: I take the interjection from the honourable member for South Brisbane. When a school is built in South Brisbane it does not require council approval. When a correctional centre is built it does not require council approval. When community facilities are built they do not necessarily involve council approval. The member for South Brisbane should update herself on the sustainable planning legislation. As I said, as with other exempt developments, development of a boot camp centre will not be able to be prohibited or delayed by being required to comply with unduly onerous permit and planning requirements. However, I would emphasise for parliament that establishing that a boot camp centre development is exempt development does not mean it can proceed somehow outside of the regulatory system. Rather, like all exempt developments, boot camp centre developments will still be required to comply with all applicable state and Commonwealth development and environmental proposals.

The Lincoln Springs boot camp centre is a unique facility unlike any other public infrastructure in Queensland. It is more than just a school or correctional infrastructure; it is a purpose-built centre

established to trial a positive intensive program for helping young offenders choose a different path in life. Such a unique development throws up particular issues which require a specialised response. For this reason, in addition to requiring that any development at this centre comply with the relevant state and Commonwealth development and environmental approvals, the amendments to this Sustainable Planning Regulation by the amendment regulation set out a number of specific prescriptive criteria with which this development must comply if it is to enjoy the exemption. These criteria include: sufficient written notice is given to the local government for the area in which the development is to take place; buildings are located at specified distances from neighbouring properties and roadways; any lighting which is installed complies with applicable industry standards; and any changes to vehicular access to the premises are limited to those necessary for the centre's operation. This strikes an appropriate balance. It ensures that development for a boot camp centre must comply with an appropriately prescriptive set of planning requirements tailored to have regard to a boot camp's unique situation but avoids stifling this development through the imposition of excessive unnecessary red tape. Further, the amendments to the Sustainable Planning Regulation will not affect any requirements for development of a boot camp to obtain relevant state and Commonwealth development approvals. The member for Rockhampton says that this is a residential facility. If I can point out to the member for Rockhampton that this is Lincoln Springs here. It is about an eight-hour round trip from Townsville. This is no residential facility.

Mr JUDGE: I rise to a point of order. The use of props in the House is inappropriate.

Mr DEPUTY SPEAKER: Yes, but the minister is using it as an explanatory tool.

Mr BLEIJIE: I require my explanatory material back, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! I have allowed some latitude, Attorney-General. I ask you to make your point.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. I was merely explaining. The reason I raise this for honourable members is to show the complete incompetence of the member for Rockhampton.

Mr DEPUTY SPEAKER: I think we have made the point.

Mr PITT: I rise to a point of order.

Mr DEPUTY SPEAKER: Order! Attorney-General, please take your seat. There is a point of order from the Leader of Opposition Business.

Mr PITT: Obviously the prop has been put down, but the Attorney-General has been carrying on all night, lecturing us about standing orders. He knows better. It is typical of the Attorney-General, who is trying—

Mr Stevens: What is your point of order?

Mr PITT: I will speak to the Deputy Speaker, thank you, Leader of the House. I will not speak through you.

Mr DEPUTY SPEAKER: Leader of Opposition Business, the Attorney-General has used the diagram to explain a particular point. He has been given some latitude to explain something and now that is finished.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. I understand. I was missing something: it was a crayon. I should have had a crayon to draw it on so that the member for Rockhampton could fully appreciate and understand. The member for Rockhampton thought he would be smart by coming in here and moving this disallowance motion to stop a boot camp being established in a residential community. This is about establishing a boot camp that is located an eight-hour round trip from Townsville. It is anything but residential. In fact, it is actually in the Valley of Lagoons. This is anything but residential. It is in the Valley of Lagoons. If you escape from this boot camp, you are at the nearest neighbours in 2½ hours. It is no residential community.

A government member: By foot.

Mr BLEIJIE: I take the interjection: that is by foot. I do not know what world or reality or 'misreality' the member for Rockhampton lives in, but where I come from in Kawana we would not classify a cattle station as a residential community.

Mr Cripps: The Labor Party put half of it in the national park and it is full of pigs.

Mr BLEIJIE: I take the interjection. My point is this: the change to the sustainability act regulation—

Ms Trad: Sustainable planning.

Mr BLEIJIE:—the Sustainable Planning Regulation actually means that the boot camp operators are out in the middle of nowhere and do not have to apply if they want to develop—

A government member: It is somewhere.

Mr BLEIJIE: It is somewhere, but it is in such a place that they do not require council approvals if they want to build something. It does anything but what the member for Rockhampton said about regulation and red tape. It reduces the red tape.

A government member: It is good country.

Mr BLEIJIE: I take the interjection: it is great country and that is why we chose it. The member for Rockhampton is completely muddled as to why he is moving this disallowance motion because he thinks that Lincoln Springs is in a residential community. I am happy to offer the member for Rockhampton a pair of good sneakers so that he can track out to the boot camp. If only the transport minister were in here he could give him a go card to go out there. I am not sure if you can put enough credit on a go card to go out there. It is a shambles.

Mr Newman: It is outside the TransLink area.

Mr BLEIJIE: I take the interjection from the Premier: it is definitely outside the TransLink area.

Mr Newman: How far outside the TransLink area?

Mr BLEIJIE: It is an eight-and-a-half-hour round trip from Townsville outside the TransLink area. This is just a stunt from the member for Rockhampton, who flips and flops on these issues.

A government member: They all do it.

Mr BLEIJIE: They all flip and flop. He goes to an election saying that they are going to introduce boot camps and he changes his mind when elected into the opposition. This is nothing but a stunt and he is nothing but a show pony. That is why this disallowance motion should be shown the sort of contempt it deserves. It should be thrown out of the House and not supported.