Speech By

Rob Molhoek

MEMBER FOR SOUTHPORT

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STATE DEVELOPMENT, INFRASTRUCTURE AND PLANNING (RED TAPE REDUCTION) AND OTHER LEGISLATION AMENDMENT BILL

Mr MOLHOEK (Southport—LNP) (8.36 pm): I rise to speak in support of the State Development, Infrastructure and Planning (Red Tape Reduction) and Other Legislation Amendment Bill 2014. The package of reforms presented in this bill reduces unnecessary red and green tape and avoids legislative duplication. The bill proposes a number of important repeals, firstly, the repeal of the Clean Coal Technology Special Agreement Act 2007. Secondly, the bill, if enacted, will repeal the Eagle Farm Racecourse Act 1998. Next up, it is proposed to repeal the Gurulmundi Secure Landfill Agreement Act 1992 to free up an unused and wasted parcel of land located near Miles. Finally, the bill proposes the repeal of the Racing Venues Development Act 1982, which was established to provide racing venues be placed under the control of trustees.

On 1 July 2003 the former government approved the transfer of responsibility for the Parklands Gold Coast venue to trustees appointed under the racing venues act. Since then, Economic Development Queensland has taken over responsibility for the site for the purpose of constructing the Commonwealth Games athletes village and the Parklands Trust established under the racing venues act has been wound up. As Parklands Gold Coast was the only remaining racing venue on lands held by the state, the racing venues act is no longer required and may be repealed.

In addition to repealing redundant acts, the bill will streamline processes for industry wanting to develop in Queensland. These streamlined processes are proof this government is committed to Queensland's economic growth. For example, the amendments to just one act, the Economic Development Act, will make a substantial number of improvements to the development processes in Queensland that will more than undoubtedly be welcomed by industry. These amendments will clarify the role of the economic development fund to clear up confusion about the role of the fund in terms of who is required to pay certain moneys into the fund. The ability to declare provisional priority development areas will be improved by removing the impediment that the provisional area has to be consistent with the local government planning scheme. The bill also includes provisions that allow a community infrastructure designation to be made in a priority development area to support the purpose of the Economic Development Act and provides development for community purposes. It also provides provisions that will allow land use plans for the relevant priority development area in the development scheme to be amended. Currently, the Minister for Economic Development Queensland is able to make land use plans but can only amend these land use plans down the track if it is necessary to ensure the implementation of the development scheme complies with the Economic Development Act or to prevent or minimise the significant risk of environmental harm or serious adverse cultural, economic or social conditions occurring in that relevant priority development area.

Finally, the proposed amendments to the Economic Development Act provide a mechanism to fund infrastructure costs which are required to support priority development. I am particularly pleased to note also that the bill addresses the ongoing problem that has been experienced at the Gold Coast

in respect of party houses. This bill includes amendments to the Sustainable Planning Act 2009 to allow local governments to regulate party houses in land use planning and development.

The incidence of party houses and their effects on neighbouring communities has been reported to occur not only on the Gold Coast, but also on the Sunshine Coast, Noosa, Stradbroke Island and Cairns. This issue has been raised repeatedly by local members of parliament and members of the public and media. Over the past few years there have been a number of state and local government interventions commenced, actioned or implemented to curb the occurrence of party houses or to address associated behaviour. For example, the Gold Coast City Council established the Short Term Accommodation Task Force in 2010 and made various local laws, for example, noise laws and a licensing regime for short-term accommodation. The state has already undertaken the following actions in this regard. The Police Powers and Responsibilities and Other Legislation Amendment Act 2014 now provides additional police powers to deal with out-of-control events and out-of-control behaviour. Similar events and behaviour may occur at party houses, and the Local Government and Other Legislation Amendment Act 2012 provided new powers for local governments to introduce local laws that may make the owner of a residential property liable to a penalty because of excessive noise regularly emanating from the property.

The holiday letting industry has also recognised this issue, introducing a self-regulatory code of conduct which prevents the advertisement of party houses, amongst other things. While commendable, this also means that it is difficult to accurately quantify the number of party houses actually in operation as there is no official or unofficial record. In late 2013 the Department of State Development, Infrastructure and Planning commenced work to identify how party houses could be better regulated in land use planning and development. To inform this work discussions were held with the Queensland Tourism Industry Council, the Local Government Association of Queensland and affected South-East Queensland local governments including Gold Coast City Council, Redland City Council, Sunshine Coast Council and Noosa Shire Council.

The provisions in this bill complement police powers that are already in place to deal with behavioural issues related to party houses. The provisions proposed in this bill will empower local governments to regulate party houses from a planning and development perspective—that is, where local governments choose to act, party houses will require development approvals to operate. These provisions are not mandatory. A local government can 'opt in' by amending its planning scheme or by making a temporary local planning instrument. The state is not imposing unnecessary new regulation but providing councils with a mechanism if they need it.

I am confident that the proposed laws will not affect people who are doing the right thing. People renting out premises for the specific purpose of holding parties are in effect running a booming business. Everyone else who runs a business has to get approval, and so should they. The amendments provide a definition of party house which is a separate and distinct definition from other uses such as short-term accommodation. This will mean that a defined party house may be assessable development which will require development approval in order to operate. A local government will be able to identify a party house restriction area in its planning scheme. The effect of this party house restriction area is to make it clear that any residential dwelling in that area that does not, and should never have had, the right to operate as a party house will no longer be allowed to unless otherwise approved by that local government authority.

The party house restriction area is not intended to remove development rights; rather, the underlying principle is that a residential dwelling can be lawfully used to host parties and events. However, a residential dwelling is not intended to be a function centre or an event centre as we have seen with some properties, particularly in the member for Mudgeeraba's electorate and the member for Mermaid Beach's electorate. Those venues are quite separate and distinct and require separate development approval—as they should. These provisions mean that local governments can decide if and how to regulate a party house as a use in a way that is locally appropriate. A local government can determine to apply these provisions to all or part of its planning scheme. In some cases the problems may only relate to small pockets where the activities repeatedly occur. Given the local government has the ability to apply the provisions to just part of its planning scheme area, it can and will be 'business as usual' for the rest of its area.

I am pleased to stand in the House tonight to speak in support of this legislation. I am particularly pleased that, after some 18 months of negotiation and discussion with the member for Mermaid Beach and more particularly the member for Mudgeeraba across a number of departments and other councils, we have been able to come up with a very strong and practical solution to this issue, particularly as it has had a significant impact on amenity for other residents in the area who work hard. It is only right and proper that we as a government should respect the rights of others. I am pleased to be part of a government that is finally doing something to tackle these issues. I am also

pleased that we as a government are tackling a whole range of issues that we saw created by the previous government: layer upon layer of red and green tape unnecessarily placed upon the development industry such that the construction industry in Queensland just about came to a halt. The word that we are getting now from all over Queensland is that our planning reform agenda is working. Industry is delighted with the changes that this government has brought, and so it is my great pleasure to support the bill this evening.