




Speech By  
**Joan Pease**

**MEMBER FOR LYTTON**

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Record of Proceedings, 11 May 2016

### **PLANNING BILLS (COGNATE DEBATE)**

 **Ms PEASE** (Lytton—ALP) (9.55 pm): I rise to speak in support of the Palaszczuk government's planning bills. I thank the committee chair, Mr Jim Pearce, my fellow committee members and the secretariat. I particularly thank the government members and non-government members for their support and guidance during my time on the committee. I will miss you all.

These bills will protect our state heritage places, will provide a simpler and more efficient planning system, will change the provisions for appeals, will ensure greater transparency and accountability, will deliver information about decisions on development applications, will provide automatic indexation for infrastructure charges and will increase public notification periods for making and amending statutory instruments in the bill.

The planning bills 2015 were introduced to fulfil our government's commitment to delivering a better planning system which enables responsible development, stimulates growth and innovation and ensures genuine public participation in the planning process. These bills will ensure that Queensland will have Australia's best planning system, with the purpose to improve livability, sustainability and prosperity for our state.

I have spoken in the past regarding the importance of protecting heritage places in Queensland. State heritage places have cultural heritage that is significant to the people of Queensland and reflect our history and development. The planning bills 2015 include a provision to include the role of the Queensland Heritage Council. During the consultation undertaken by the Infrastructure, Planning and Natural Resources Committee, the Queensland Heritage Council requested a formal role in applications which proposed the demolition or substantial demolition of a state heritage place.

The Deputy Premier has pointed out that the government has already put in place non-legislative arrangements to provide a formal role for the QHC in development assessment. These arrangements came into effect on 22 April 2016 through the state development assessment provisions, which set out the assessment criteria for development applications involving a state heritage place. These heritage places illustrate key human endeavours that have determined our economic development as well as the fundamental political, social and cultural forces that have shaped our society. That is why I am pleased with the additional legislative amendments that will bring protection of state heritage places into the Planning Act and recognise the role of the Queensland Heritage Council.

These bills seek to replace the current planning legislation, which is complex, with over 700 pages which are hard to understand and navigate, with information difficult to find, and processes and obligations hard to clarify and follow. The government made a commitment to restore the rights of communities, residents and individuals to object to developments without the prospect of harsh financial penalties. The Planning and Environment Court Bill 2015 honours our election commitment to return the position that each party pays its own costs. Submitters who have a genuine concern about a development approval and who wish to exercise their rights in court will no longer need to fear the awarding of costs against them.

Further, the bill recognises the importance of deterring court proceedings by vexatious litigants or those looking to gain commercial advantage by using the system inappropriately, and the court will continue to have discretion to make an order of costs for frivolous or vexatious proceedings or for an improper purpose such as an appeal to delay or obstruct a commercial competitor. This bill strikes the right balance between deterring vexatious or commercial competitor litigants and providing submitters with genuine concerns about a development approval the ability to exercise their legal rights without fear of cost orders.

These bills deliver on the Palaszczuk government's election commitment and will ensure that Queensland has the best planning system in Australia by providing a legislative framework that is good for the environment and our heritage and that protects those things we love about our communities and our neighbourhoods. I congratulate the Deputy Premier on the bills and I commend the bills to the House.