




Speech By
Hon. Dr Steven Miles
MEMBER FOR MURRUMBA

Record of Proceedings, 11 October 2023

**HOUSING AVAILABILITY AND AFFORDABILITY (PLANNING AND OTHER
LEGISLATION AMENDMENT) BILL**

Introduction

 **Hon. SJ MILES** (Murrumba—ALP) (Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure) (11.42 am): I present a bill for an act to amend the Acquisition of Land Act 1967, the Economic Development Act 2012, the Environmental Offsets Act 2014, the Planning Act 2016, the Planning and Environment Court Act 2016, the Planning Regulation 2017 and the legislation mentioned in schedule 1 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the State Development and Regional Industries Committee to consider the bill.

Tabled paper: Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023 [1618](#).

Tabled paper: Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023, explanatory notes [1619](#).

Tabled paper: Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023, statement of compatibility with human rights [1620](#).

I rise to introduce the Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023. The need for more housing is an issue facing the country, and Queensland is no exception. Queensland is also the fastest growing state. More than 125,000 more people each year are choosing to call Queensland home. In South-East Queensland alone, the population will grow by a further 2.2 million to six million by 2046, meaning almost 900,000 extra homes are needed. This growth is coming when the housing market is already strained. To ensure we maintain our great Queensland lifestyle, we need to plan for this growth. We need to be able to pull new levers in the planning and development system to deliver more homes where they are needed faster. If we plan ahead and plan well, growth will not only deliver more homes but also bring opportunities like more jobs, more infrastructure and more services sooner.

At the Queensland Housing Summit, the Palaszczuk government made a commitment to introduce legislative changes to the planning framework to remove barriers to the development of new housing. Today we are delivering on that commitment. The Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill amends the Planning Act 2016 to optimise the planning framework's response to housing challenges.

The land use and development planning system is one of the key tools used by state and local governments to deliver connected, livable and sustainable communities across Queensland. This bill will ensure the framework is responsive, efficient and effective in removing barriers affecting housing and land supply in areas where growth should be occurring, with quick and targeted intervention. This bill will support the implementation of the update to the South East Queensland Regional Plan, ShapingSEQ—our blueprint for delivering the 900,000 new homes needed in the south-east corner by

2046 to accommodate 2.2 million new residents. It will support the implementation of ShapingSEQ and ensure the planning framework can play its part in delivering more homes for more Queenslanders across the state. It includes a raft of new measures to cut barriers and to get more affordable and diverse homes off the ground without delay. To address housing supply constraints, these changes will give the state powers to manage fragmented land holdings, streamline approvals for developments of state significance and take control of easements for water, power and sewer.

The introduction of this bill forms part of a broader planning program to support key housing priorities which are vital to the economic growth, livability and sustainability of our towns and cities. This bill is backed by evidence and experience. A review of under-utilised parts of the existing urban footprint in South-East Queensland was undertaken to identify the barriers to why development had stalled in some areas. Consultation has been conducted with statewide stakeholders, and learnings from projects, including Caboolture West, have been incorporated into the bill's development. The bill allows for the planning minister to acquire land or create easements for planning purposes to deliver critical infrastructure to support development—for example, water and transport infrastructure, parks and local community facilities.

The bill includes a new alternative development pathway to deliver development that is a priority to the state, known as a state facilitated application—for example, unlocking an increased supply of infill development that includes diverse and affordable housing. It enables local government to better manage growth and sequence development through the introduction of a new zone called an urban investigation zone. To make sure we can unlock under-utilised land across Queensland now, these tools will be structured as reserve powers. They will be subject to strict criteria, consistent with the approach of existing powers in the planning framework. This will enable direct intervention in supply streams to create more homes and jobs through state-led processes, avoiding unnecessary delays or costs that may arise by declaring specific priority growth areas one by one.

The tools proposed in the bill complement the work of Economic Development Queensland. EDQ continues to intervene in areas of the state declared as priority development areas, where complex planning and infrastructure problems exist and longer term, larger scale solutions are needed. The bill is also part of Queensland's response to the reforms agreed upon at National Cabinet and the National Planning Reform Blueprint. It will help Queensland to reach our share of the National Housing Accord target of 1.2 million new, well-located homes over five years. In particular, it will deliver an alternative development approval pathway which prioritises the delivery of affordable housing. Our action today positions Queensland to get our fair share of the new federal funding, which is directly dependent on these types of planning reforms, to unlock more homes faster.

This bill also makes operational and process improvements to the Planning Act and other legislation, addressing feedback received by stakeholders since the Planning Act's commencement in 2017. Since the Planning Act commenced in 2017, a range of matters have arisen which this bill addresses and improves upon.

Development control plans have been in operation in Queensland for 30 years. These historic mechanisms formalise the planning intent for larger planned areas through assessment and approval of a series of increasingly specific plans. Development control plans have been used in three local government areas: Ipswich City Council, Moreton Bay Regional Council and Sunshine Coast Council. In these areas, they work in conjunction with their respective planning schemes.

The bill proposes development assessment in development control plan areas will occur under the Planning Act but maintains the important functions development control plans play in the areas they affect. This bill will also ensure that development approvals previously given in development control plan areas are valid under the Planning Act as always intended.

Across the state we are seeing increasing pressures of urban encroachment on industrial land uses. In response, this bill provides amendments to urban encroachment provisions in the Planning Act. These protections allow local governments to support increasing residential density in urban areas while protecting existing key employment generating industries. Amendments to the Planning and Environment Court Act will support an effective dispute resolution process for existing businesses, clarifying the burden of proof for appeals about non-minor change applications and urban encroachment registrations.

This bill seeks to protect existing businesses from civil or criminal proceedings when levels of emissions comply with any development approval or environmental authority under the Environmental Protection Act. Other operational and process improvements in the bill include removing duplicate assessment relating to a local heritage place that is also a Queensland heritage place; improving the

functionality of applicable event and temporary use licence provisions; modernising public notice and submission requirements; and reducing regulatory burdens for state and local governments by improving processes and techniques.

Lastly, this bill provides for operational and process improvements to the Economic Development Act 2012, the Integrated Resort Development Act 1987 and the Sanctuary Cove Resort Act 1985. These improvements will ensure operational efficiencies in the Planning Act also apply to other planning legislation. The amendments to the Planning Act relating to the new state facilitated applications, development control plans, urban encroachments and some operational matters will require amendments to the Planning Regulation, the *Minister's guidelines and rules* and the *Development assessment rules* to give effect to the provisions. It is intended that those provisions will therefore commence upon proclamation to allow these instruments to be drafted and consulted upon.

This bill provides a comprehensive response to the key challenges impacting the delivery of housing across our state. We know the pressure on housing will continue as the population grows which is why we need to put in place these measures now. With this package we lead the way in having a planning system that is responsive, delivering more homes for Queenslanders faster while protecting our lifestyle and environment for current and future generations. I commend the bill to the House.

First Reading

Hon. SJ MILES (Murrumba—ALP) (Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure) (11.52 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Bill read a first time.

Referral to State Development and Regional Industries Committee

Madam DEPUTY SPEAKER (Ms Bush): In accordance with standing order 131, the bill is now referred to the State Development and Regional Industries Committee.