




Speech By  
**Sandy Bolton**

**MEMBER FOR NOOSA**

---

Record of Proceedings, 16 April 2024

## **HOUSING AVAILABILITY AND AFFORDABILITY (PLANNING AND OTHER LEGISLATION AMENDMENT BILL; BUILDING INDUSTRY FAIRNESS (SECURITY OF PAYMENT) AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms BOLTON** (Noosa—Ind) (5.53 pm): I rise to address these two bills being debated in cognate. As we have heard, the Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill is designed to address housing supply with a primary purpose of amending the Planning Act to facilitate new housing. As we all know, social and affordable housing is desperately needed. This will be done by creating a state facilitated application process as an alternative development pathway for state priorities that overrides local governments. While there was support for this from the Planning Institute of Australia, Q Shelter and the Property Council, there were also criticisms, particularly from the Local Government Association of Queensland, which stated it is critical to maintain the autonomy of local governments to make decisions working with their local communities. My community would agree.

Noosa Council highlighted in their submission that under the new application process, the minister does not have to apply the local planning scheme for state facilitated developments and there is no appeals process. The question is: how much will the new power be exercised and local councils overridden? We do not know because we do not have a definition of what a 'state priority' is within the bill. This is of central importance.

The bill also makes provisions for the planning minister to direct local governments to amend their planning scheme without giving notice to protect or give effect to a state interest. This is to apply where adequate public consultation has been carried out. Again, we ask about the definition of 'adequate' in relation to the subject matter of the amendment. However, as Noosa Council reported in their submission, this could include matters covered in the *ShapingSEQ* 2023 update consultation such as increases in height and density, and I have expressed considerable concerns about these. The reassurance I received from the state was that heights are set in the planning scheme and not the regional plan and that the powers are not intended to be used widely, but rather as a last resort after the state has worked collaboratively with local government.

This collaboration is vital given the realities in our communities where for five years—and it has been a really long haul—we have worked to source suitable sites for affordable community housing and now we are coming to the pointy end. Each project that utilises this process must be individually assessed with full community consultation. Yes, we need the housing, but we also need our community alongside us. Being backed into a corner to ensure our residents have accommodation and relevant medical services as examples is never welcomed. However, that is the only rationale as to why these powers would be supported by our communities.

The bill does not acknowledge the various matters that I have raised that have contributed to our housing shortfalls and crisis, especially in the realm of social and affordable housing. Such matters would include materials and labour. However, if I go over those again I would just be taking up time and they have been well documented. In this cognate debate I am trying to be mindful of allowing other people to also have their say.

I will now turn to the Building Industry Fairness (Security of Payment) and Other Legislation Amendment Bill, which aims to improve security of payment protections for subcontractors by making amendments to the project trust account framework. Stakeholders were mostly supportive of the bill, although some such as the Housing Industry Association raised issues with the practicalities of the scheme and the red-tape burden imposed on builders, which is not what they need at the moment. They actually need less so they can get on and do the job.

The bill also implements the recommendations of the Queensland Building and Construction Commission, the QBCC, governance review report by reducing the size of the QBC Board and transferring responsibility for setting plumbing and building qualifications to the department. This is welcomed because hopefully this will allow the QBCC to better focus on the job of protecting Queenslanders undertaking house building and renovations from the substandard work that is being experienced. Currently, the QBCC is failing in that mission.

Since 2020 I have raised issues being experienced by Noosa residents as well as other Queenslanders. Ongoing complaints have highlighted that it appears little or nothing has changed since then. The enormous time-consuming and unrealistic loops that are being experienced leading to financial and enormous emotional duress is unacceptable. What is deeply concerning is that it appears from all reports that builders and contractors do not incur consequences should the works not be remedied in an acceptable time frame. We have cases now that have been going on for years. There needs to be immediate action to remedy slow and poor QBCC processes and in the longer term a review of the entire QBCC and its legislation. This is really important. When we talk about mental health within our communities, we need to start looking at some of the contributors, and this is one of them.

In conclusion, I would like to thank the minister and departmental staff as well as the committee, the secretariat, the organisations and Queenslanders who participated in the consultations for their examination of the bills. Even though I support the building fairness bill and there have been assurances regarding the housing affordability bill and it has good intent, I cannot support it given the lack of clarification around the definition of 'state priority'. In addition, local governments and communities should never be overridden without an identified need and rationale that is acceptable to those communities.