Speech By

Hon. Jeff Seeney

MEMBER FOR CALLIDE

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

Second Reading

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (5.05 pm): I move—

That the bill be now read a second time.

I thank the State Development, Infrastructure and Industry Committee for its detailed consideration of the bill and I table a copy of the government's response to the committee's report.

Tabled paper: State Development, Infrastructure and Industry Committee: Report No. 44—State Development, Infrastructure and Planning (Red Tape Reduction) and Other Legislation Amendment Bill 2014, government response [5630].

I am pleased to advise the House that our government supports all of the committee's recommendations. The committee's second and third recommendations require that I provide additional information and clarification regarding aspects of the bill, which I will now do. In response to recommendation 2, I wish to advise the House that prior to declaring a priority development area I am required in my capacity as minister for Economic Development Queensland to consult with an affected local government. It is the practice of this government to ensure that requests for the declaration of priority development areas either come from local governments or have local government support. I am pleased to advise that the government is working in partnership with a number of local governments which have requested priority development areas. In fact, the requests for priority development areas have far exceeded our government's expectation and the process for declaring priority development areas in consultation with local councils stands in stark contrast to the declaration of the previous government's UDAs that were the forerunner of our PDAs.

The councils that have requested declarations of priority development areas include the Sunshine Coast council for the Maroochydore City Centre PDA, the Redland City Council for the Toondah Harbour and Weinam Creek PDAs, the city of the Gold Coast for the Southport PDA and the Central Highlands Regional Council for the Blackwater East PDA. We are also considering other PDA applications from other councils. My department is involved in discussions with local governments regarding the declaration of more priority development areas in other parts of Queensland where complex site issues are evident and development and jobs need to be facilitated expeditiously. The Queensland government is committed to a strong partnership with local government which can only mean better outcomes for the community, including economic development in local communities. The local governments we are working with have praised this government for the work we are doing with them to build stronger economies and create jobs.

In response to the committee's third recommendation which relates to infrastructure charges, I can advise that the purpose of the infrastructure expenses recoupment charge is to recoup those expenses that are reasonably expected to be incurred for the provision of planned infrastructure. Therefore, when financing costs are reasonably and properly incurred for the provision of planned

infrastructure these costs could be recouped, provided the quantum of the charge is reasonable and does not impose an unreasonable burden on landholders or stifle development.

In response to the committee's fourth recommendation, I can assure members that the government will continue its ongoing commitment to work alongside stakeholders to ensure appropriate consultation on legislative proposals.

Finally, the government supports the committee's fifth and final recommendation that the party house provisions contained in the bill be reviewed after 12 months. We will ensure that an appropriate review occurs. I am sure that the member for Mermaid Beach will make sure that I am made well aware of any deficiencies that may become evident in our approach to addressing that longstanding issue of party houses. I would also like to thank the committee for convening a specific roundtable discussion at the Gold Coast to listen directly to residents affected by party houses. I am pleased to advise that my department will work with local governments that choose to opt in and regulate party houses through amendments to its planning scheme or by making a temporary planning instrument. As part of this process the government will seek feedback on the party house provisions from local government. Affected residents and stakeholders are able to provide direct feedback to my department. The proposed party house provisions will not address offensive and antisocial behaviour, but complement existing police powers to empower local government to regulate a party house as a land use as defined in the Sustainable Planning Act 2009.

In addition to its recommendations, the committee has asked for five points of clarification. In regard to the first point of clarification, as the planning authority for priority development areas the bill permits me in my capacity as Minister for Economic Development Queensland to make and levy the infrastructure expenses recoupment charge to recoup the cost of planned infrastructure. In the event that the priority development area is revoked, the infrastructure expenses recoupment charge is taken to have been made and levied by the superseding public sector entity. A superseding public sector entity is defined broadly and includes both local government and water distributor-retailers. The superseding public sector entity may continue to make and levy the infrastructure expenses recoupment charge. However, the superseding public sector entity is not authorised to make and levy the charge to recoup or provide for expenses other than for the provision of the planned infrastructure.

In relation to the State Development and Public Works Organisation Act 1971 amendments, there is no doubt that this bill delivers on the government's commitment to reduce red tape. The bill will contribute to removing the existing legislative duplication and remove impediments to timely decision making, allowing the Coordinator-General to more efficiently control the environmental impact process for coordinated projects and development in state development areas in Queensland.

The committee suggests through its second point for clarification that, in making a decision to declare a coordinated project requiring an impact assessment report, or an IAR, rather than an environmental impact statement, or an EIS, the Coordinator-General should be given more prescriptive criteria. The Coordinator-General declares only a relatively small number of coordinated projects in a given year, although they are generally large, complex and highly significant to the state. The average capital value of coordinated projects over the past five years has been approximately $1.8 billion and 10 or fewer projects have been declared each year over that period.

The proposed IAR assessment process is intended to be a streamlined version of an EIS process, but will continue to result in a detailed evaluation of the project's environmental effects. Precise criteria for the use of the IAR process would be difficult to formulate because of the unique nature of each coordinated project and its degree of complexity. Instead, the bill makes it clear that an IAR process is appropriate only for the relatively smaller projects with lower potential impacts that still meet the criteria to be declared as a coordinated project.

The committee sought clarification regarding the reasons for not requiring mandatory public notification for a draft IAR. The bill clearly specified mandatory public notification of the draft IAR where needed by subsequent statutory approvals. There is no intent to bypass or override statutory processes and no opportunity provided to do so. In limited circumstances, public notification of the draft IAR is not necessary. In these cases, proponents would not have been required to notify in making a standard application for a development approval. The Coordinator-General may choose to require public notification. However, sometimes it may not be warranted. In the same way as the Sustainable Planning Act 2009 and the Environmental Protection Act 1994 operate, there is no need for mandatory public notification in every case and the bill has been drafted to be consistent with that approach in the other two acts.

Both the committee's point of clarification No. 4 and the member for Mackay's dissenting report asked how the IAR process would deal with a project proposing broadscale clearing for agricultural purposes. The environmental effects of broadscale clearing would need to be addressed in an IAR and considered in the Coordinator-General's evaluation report. The bill requires that the IAR and the

Coordinator-General's assessment report must address all environmental effects of a project and that the report is made publicly available. Consequently, the IAR assessment process is accountable and open to scrutiny of the Coordinator-General's evaluation of the potential impacts of any proposal, including broadscale agricultural land development. Furthermore, there will be no departure from the current approach adopted for EIS assessment reports. Such matters are tightly controlled by conditions set by the Coordinator-General.

Point 5 for clarification questions whether the proposed amendments to the Water Resource (Great Artesian Basin) Plan 2006 under part 5 of the bill would result in a reduction in the scrutiny of matters that need to be considered by the Coordinator-General or the chief executive. Currently, the Water Resource (Great Artesian Basin) Plan 2006 allows the Coordinator-General to decide on a project of regional significance. The proposed amendments would transfer decision-making responsibility to the chief executive of the agency administering the Water Act 2000 as well as providing new criteria. The proposed criteria for the chief executive to determine whether a project is regionally significant would not result in a reduction in the scrutiny of matters considered within the Great Artesian Basin catchment. The proposed criteria would differentiate the considerations to those for a project of state significance. The proposed regional significance criteria under part 5 of the bill replicate those for other water resource plans.

I note that the member for Mackay in his dissenting report expressed a number of reservations on behalf of the opposition. I look forward to dealing with some of those issues during the debate in this House later tonight. But one of the reservations was the somewhat ridiculous assertion that this government had not consulted enough and that there was a lack of community support for repealing the Wild Rivers Act. I struggle to remember a more absurd claim being made in this House. Apart from the Queensland Plan consultation process, I do not think that I have ever been involved in or can remember a more detailed and comprehensive consultation process that has been under taken in regard to the Cape York Regional Plan in particular and the Regional Planning Interests Act, which has provided all of the regulation from the Wild Rivers Act.

It has been 2½ years in the consultation where Indigenous communities in particular have been provided with an opportunity to have an input, the likes of which they were never provided under the previous government. They were never consulted about the Wild Rivers Act. They were never consulted about the wild rivers declarations. In fact, those people challenged the declarations under that act in the Federal Court. That was the extent of the consultation.

Members who have been here for a while will remember that time and time again we came back into this House after an election and the government introduced another amendment to the Wild Rivers Act in a pay-off to the left faction for Greens preferences. That is what the Wild Rivers Act was. It was a political football. It was a political convenience for the left of the Labor Party. It had nothing to do at all with the Indigenous communities on the cape. The Indigenous communities on the cape were never consulted, first of all, about the legislation itself when it was introduced or any of those changes that were made that we saw come through this House year after year.

In contrast, when we came to government we made it very clear that we were committed to providing a future for the people on Cape York. We were committed to providing a future for people who did not see a future as they were being regulated.

We put in place a consultation process that involved them directly in a regional planning committee that looked at a regional plan for Cape York that gave them the same ability to have an input into planning decisions as every other Queenslander enjoys. Yet the left of the Labor Party still oppose that. They would rather use the Indigenous people of Cape York as political pay-offs rather than make any sort of attempt to provide them with a reasonable future.

As we did in the other two areas where regional plans have been completed, in the Darling Downs and in Central Queensland, we put in place a regional planning committee that consisted of representatives of all of the Indigenous councils in the cape, as well as the Cook Shire Council. We had in excess of 30 people on the committee. We had a number of formal meetings. More importantly, officers of my department travelled to every single one of those communities and consulted with every single one of them in their own environment.

Mr Mulherin: Did you?

Mr SEENEY: Yes, I did. We eventually released a draft Cape York regional plan which included land use maps which were generated by the government departments using the information that they had. It is a matter of record that those maps were not well received by the communities in Cape York. What did we do then? We changed it. We listened to the input that the local people provided to us in that consultation process and we changed it. We did exactly what the local people wanted. We did exactly what the local people told us that they wanted us to do in the regional planning committee. We

have put in place land use maps which exactly mirror the land use maps in the wild rivers legislation, with one exception: we have added the Steve Irwin Wildlife Reserve to give it the protection that the Labor government would never give it. We have added that. That is the only exception. Otherwise, all of the areas that were regulated under the Wild Rivers Act are now regulated under the Regional Planning Interests Act and the Cape York Regional Plan in a way that gives the local communities an input into their future. For the opposition in this place to somehow conclude that there has not been appropriate consultation is the height of absurdity.

Mr Cripps: And hypocrisy.

Mr SEENEY: The height of absurdity and hypocrisy. I will take the interjection. It is clear that the opposition in this place want to continue the conflict that has characterised these planning decisions, in Cape York in particular, for too long. A very gratifying feature of the process that we have gone through is that there was unanimous support in the regional planning committee for the changes in regulation. There was unanimous support even from the conservation groups that are active in that area and that were represented on that committee. The Labor Party in this parliament are the only people in Queensland who oppose the changes that this bill brings into place. They are the only people in Queensland who oppose the transition of the regulations that were previously in the Wild Rivers Act into a modern planning instrument the same as every other Queenslander has access to. The only people who oppose providing an opportunity for the Indigenous communities on Cape York to have a say in their future, the only people who oppose the opportunity for those people on Cape York to have a real economic future, are the Queensland Labor Party, the members who sit across the chamber. Nobody else opposes it. Nobody else on the regional planning committee opposed it. They worked together over a period of 2½ years of consultation to find a position that everybody supported. Yet the Labor Party come in here and say that the consultation process was not appropriate and they are going to oppose it. It is the height of absurdity. The truth, of course, is that this was a political instrument for the Labor left. The Labor left control the agenda over there and they cannot see past that philosophical blindness.

I have been involved in a lot of processes since I have been a member of this parliament. The consultation process around the Regional Planning Interests Act and the Cape York Regional Plan in particular has, I will suggest, been one of the most gratifying. It has been one of the most gratifying because it has been able to resolve longstanding issues of conflict in a way that has put everybody in a position where they are content with the situation—if not entirely happy, they have been able to compromise and be content with the situation. That was clearly the outcome we achieved with the land use issues on the Darling Downs in regard to the resources industry and the agricultural industry, and it is clearly the outcome that we have been able to achieve in Cape York in relation to the Indigenous communities and their desire to both protect the special environmental areas and to provide themselves and their children and grandchildren with an economic future. To be able to resolve those two longstanding issues of conflict with a piece of legislation and the subsequent regulation has been a very gratifying experience indeed for me, my colleagues in this parliament who represent those areas and the officers in my department. It has been a very gratifying experience indeed. It is a great shame that the Labor Party opposition in this parliament have not had the strength of character to be able to recognise the contribution that has been made by so many people to resolve those conflicts that they created and were never able to resolve.

The bill before the House is the final step in that process. It does not introduce any new elements to that process. Those were introduced with the passage of the Regional Planning Interests Bill and the Regional Planning Interests Regulation, both of which are now gazetted and are law. The bill before the House simply removes the old provisions of the Wild Rivers Act which have been made redundant because of the fact that all of that regulation has been transferred in its entirety into a modern planning instrument. Yet the Labor Party will, I have no doubt, try to make something of an issue of it here tonight. I commend the bill to the House.