Speech By

Hon. Jeff Seeney

MEMBER FOR CALLIDE

Record of Proceedings, 4 June 2014

SUSTAINABLE PLANNING (INFRASTRUCTURE CHARGES) AND OTHER LEGISLATION AMENDMENT BILL

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (8.03 pm), in reply: I thank all honourable members for their contributions to the debate this evening. Can I especially thank and congratulate the member for Mansfield and my ministerial colleague for his insightful consideration of the issue. The member for Mansfield was the assistant minister when we started considering this issue two years ago, and he has demonstrated in his address to the bill tonight a clear understanding of the complexity of the issue and the need to find a balance between a whole range of competing issues. Regrettably, over the two years we have been considering this issue it has been characterised by people who have only been prepared to consider a singular part of it—too often motivated by self-interest. And so it has been in the debate here tonight, I think. A lot of members, especially on the other side of the House, have just looked at one particular part of what is a very complex piece of legislation. If anyone wants to understand the issue, I would commend the address that has just been made by the member for Mansfield and my ministerial colleague to anyone.

One of the key objectives of the bill was to establish a long-term local infrastructure planning and charging framework for Queensland that is certain, equitable and supports local government and distributor retailer sustainability in development feasibility in Queensland. The amendments to the Sustainable Planning Act and the SEQ water act outlined in the bill are the result of the government's commitment to reforming Queensland's local infrastructure planning and charging framework. The reform process has been underway since early 2013 and has been supported by extensive stakeholder consultation and engagement.

I also note the support provided by the opposition tonight for the government's reforms to the infrastructure charges provisions of the Sustainable Planning Act. The bill will deliver a local infrastructure charging and planning framework that provides a more level playing field for all stakeholders. The bill will also provide confidence to the development industry when planning and developing projects as it will ensure that developers have a better understanding upfront of what they will be expected to contribute for local infrastructure together with the steps involved.

Local governments continue to have the ability to plan for and manage the delivery of local infrastructure in the most efficient way in their local community. The bill ensures that the processes for levying infrastructure charges and conditioning development approvals for infrastructure will be consistent across local government and distributor-retailer entities. Therefore, applicants will have one set of rules to become familiar with instead of two.

In response to the State Development, Infrastructure and Industry Committee's recommendations, amendments to the bill will be moved during consideration of the bill in detail today. I went through those amendments in my earlier contribution to the second reading debate. This

is further evidence of the government's willingness to listen and respond to stakeholder issues in relation to this bill, and more generally we have engaged in an extensive consultation process with all stakeholders.

The bill also supports the Queensland government's commitment under a moratorium of understanding with the Commonwealth that an approvals bilateral agreement for a one-stop shop for environmental assessment and approval process be established by September 2014. This was always a tight time frame we had to work with to support the Commonwealth's processes on an approvals bilateral. The amendments to the State Development and Public Works Organisation Act for coordinated projects will ensure Queensland is well positioned to implement the approvals bilateral for major project proposals within the necessary time frames. Approvals bilateral agreements have been possible under the Commonwealth's Environment Protection and Biodiversity Conservation Act, the EPBC Act, as it is known, since it was first passed in 1999. The Australian and Queensland governments are now implementing the efficiencies that can be provided through an approvals bilateral agreement as envisaged when the EPBC Act was first introduced in 1999.

When implemented, the approvals bilateral agreement will simplify state and federal environmental assessment and approvals processes in Queensland. It will significantly reduce the complexity, the costs and time frames associated with assessments, it will increase certainty for industry and, most importantly, it will maintain the high environmental standards required under our state legislation and under the EPBC Act.

The proposed amendments are designed to provide a mechanism for the state to issue environmental approvals in accordance with the bilateral agreement for declared coordinated projects. The new provisions have been designed to fully meet the standards of accreditation of environmental approvals issued by the Australian government in March this year. In summary, these amendments will enable the seamless integration of state and federal approval processes without any reduction in environmental standards.

It is appropriate that I address some of the issues raised by members during the debate in some detail—in particular, the members for Mackay and South Brisbane. I note the opposition does not support the proposed approvals bilateral agreement and considers it would be an abrogation of the Commonwealth's responsibilities. The Traveston Dam which has been quoted by members is a good example of why a one-stop shop with one decision maker is necessary to consider all state and Commonwealth social, environmental and economic decisions in an integrated way.

The fundamental point at the heart of the bill is that the actual approvals bilateral agreement describes in detail all the Commonwealth standards that must be followed by the state. Members opposite seem to believe that standards of transparency will be compromised under Queensland legislation compared to the current situation under the Commonwealth legislation, and this is quite simply nonsense. Those members have attempted to portray that these amendments are somehow rushed and made without appropriate consultation. These characterisations are equally nonsense.

The proposal to draft amendments to the State Development and Public Works Organisation Act to implement the proposed approvals bilateral agreement was put directly to four key environmental groups at the beginning of March 2014. Those groups were the Queensland Conservation Council—

Ms Trad interjected.

Mr DEPUTY SPEAKER: Just hold the clock please. Member for South Brisbane, I will ask you to address your comments through the chair and I will ask you to use the members' names when you are in this House.

Mr SEENEY: Those four conservation groups were the Queensland Conservation Council, the Australian Conservation Foundation, the Wilderness Society and the World Wildlife Fund. I note that the Environmental Defenders Office is associated with Queensland Conservation. Despite invitations for further direct discussion on this matter, none of these four bodies sought further information and none made submissions by the end of the March deadline. Nonetheless, the government has considered carefully the subsequent submissions of the Environmental Defenders Office to the parliamentary committee and I will move several amendments to address their concerns.

Further, the Queensland consultation process is only part of a broader national consultation process that is underway through the Commonwealth government and the Parliament of Australia. Under the EPBC Act, draft approval bilateral agreements must be released for a minimum 28-day public consultation period. The Commonwealth advised that a Queensland authorisation process to be accredited under the agreement must be in bill form prior to the commencement of the public consultation process for the draft approvals bilateral agreement. It is a requirement of the EPBC Act

that the authorisation processes to be accredited under the agreement must be tabled in both Commonwealth houses of parliament for a minimum of 15 parliamentary sitting days. It is expected that the draft approvals bilateral agreement will be tabled alongside the authorisation process to provide context as a package.

To meet the time frame agreed by the Australian and Queensland governments, as set out in the memorandum of understanding, for an agreement to be concluded in September 2014, the draft agreement must have commenced public consultation by mid May 2014 and be tabled in both houses of parliament in early July 2014. I am concerned but not surprised that the member for South Brisbane does not appear to believe that the Coordinator-General should be given responsibility to assess and approve projects that may impact on national environmental matters. The Coordinator-General has been successfully operating the assessment bilateral agreement for more than 10 years, providing detailed project assessments and recommendations to the Commonwealth minister on a wide range of large-scale development projects in accordance with high Commonwealth standards. It is also entirely appropriate that the Coordinator-General balances environmental, social and economic issues in his decision-making process. The Office of the Coordinator-General is, therefore, well placed to efficiently deliver the approvals bilateral.

A strong assurance framework will be implemented to ensure that environmental standards are maintained and enhanced under the one-stop shop concept. These comprehensive standards, policies and guidelines and international conventions are all well documented and locked in by the approvals bilateral agreement. This includes the principles of ecologically sustainable development. The reality is that the Coordinator-General must follow stringent decision-making criteria that meet or exceed all the very high standards that the Commonwealth environmental minister adheres to now.

It is clear that the members who oppose this part of the bill have not read or understood the draft approvals bilateral agreement, and I would recommend that they do that. All the standards are included in the bilateral agreement. There is simply no evidence to support the assertion that standards will not be met. The fact is that the Commonwealth will only accredit the state and authorise the Coordinator-General to make decisions on protected matters if they are satisfied that their high standards of accreditation will be met by the state.

The member for Gladstone asked that I clarify whether the Gladstone Regional Council can receive funding from the priority development infrastructure fund or the Royalties for the Regions fund without reducing its infrastructure charges—which, by the way, I note are mostly at the full caps provided for under the SPRP. I can confirm that, for the council to take advantage of the significant funds on offer from the state to facilitate the provision of infrastructure that will promote growth, the council will need to play its part and reduce its charges to no greater than the fair value charge. It is about sharing the cost of development.

As the member for Mansfield indicated in his address, the cost of development needs to be shared between the developer, the local council and, for the first time in a long time, us as the state. We have recognised that and that is why we have put in place the Priority Development Infrastructure Co-investment Program that the member for Mansfield spoke about. For the first time in a long time, the state will contribute to the infrastructure costs that are necessary for development in our communities because we believe that development is good for everyone in the community. It provides a benefit to everyone in the community.

Equally, councils have to realise that development in their communities is good for their whole community—that the existing residents of their community will benefit from the development and therefore they should bear some cost of the development. I do not accept for a moment the proposition that has been put that somehow developers have to bear 100 per cent of the cost of the infrastructure required for their development. Certainly, the internal development costs need to be borne by the developer, but the costs of the trunk infrastructure—the infrastructure that will be used to the benefit of the rest of the community, with all the benefits that come from growth in a community—need to be shared by the local government and by the state. That is the philosophy that underwrites the Priority Development Infrastructure Co-investment Program that we will fund from the smart choices strong futures campaign that the Treasurer has outlined.

The member for Mackay says this is a Jekyll and Hyde bill. He objected to the inclusion of the State Development and Public Works Organisation Act amendments in this omnibus bill, asking that they be referred to a committee and the House rejected that suggestion. As I noted earlier, his objections are nonsense, but it is worth reminding the House that omnibus legislation is an essential tool for the effective management of parliamentary business. This government certainly does not take it to the extremes that the previous government did.

I want to quote what the former member for Lytton said when he was speaking to the Sustainable Planning and Other Legislation Amendment Bill 2011. As I recollect, he was defending an attack that I made, similar to the one the member for Mackay made earlier tonight, about the absurdity of combining a whole range of different issues in omnibus legislation. This was not the current member for Lytton but the previous member for Lytton. He said—

Mr Wellington interjected.

Government members interjected.

Mr SEENEY: The member for Nicklin! Colleagues, I have not addressed the comments the member for Nicklin made because they were absurd beyond belief. I would say to the people of Nicklin that the best thing they could do is come and watch their member in this parliament and understand the absurdity of the person who gets paid to represent them in this place. The member for Nicklin was the member who installed the Labor government in this House. The member for Nicklin supported the government that brought us the Traveston Dam. The member for Nicklin tries to run away—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! The House will come—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! When I ask for order, come to order. Interjections across the chamber will cease.

Mr SEENEY: The member for Nicklin can never run away from the fact that he alone installed Labor into government in this House. Everything that the Labor government did, he shares the responsibility for. One of the great injustices—

Mr Wellington interjected.

Mr DEPUTY SPEAKER: Order! Please direct your comments through the chair. The Deputy Premier has the call.

Mr SEENEY: The man is truly a fool. He is truly a fool. He installed the Labor government into this place. Everything that the Labor government did he shares responsibility for. One of the great injustices is that so many Labor members paid the price for the incompetence of the Labor government but the member for Nicklin escaped that justice.

Honourable members interjected.

Mr Wellington interjected.

Mr DEPUTY SPEAKER (Mr Watts): Order! Interjections will cease. The Deputy Premier has the call.

Mr SEENEY: You, sir, are a complete idiot. You are a complete and utter idiot. You do not deserve to be in this House.

Mr Wellington interjected.

Mr DEPUTY SPEAKER: Order! Deputy Premier, please direct your comments through the chair. Member for Nicklin, your interjections will cease. Deputy Premier, please direct your comments—

Mr Wellington interjected.

Mr DEPUTY SPEAKER: Member for Nicklin, the Deputy Premier has the call.

Mr SEENEY: As I was saying, the former member for Lytton, in defending the omnibus bill at that time against accusations that I made that are very similar to the ones that the member for Mackay made tonight, said—

> ... we need to have a good understanding of how much legislation we actually do have in parliament these days. If you do not aggregate the legislation you will be doing hundreds of amending bills. Frankly, we need to get used to a mechanism by which we do have more omnibus bills to deal with specific and discrete areas. If we do not, we will deal with bill after bill after bill after bill. It will expand to meet the available space so that you will be dealing with 20 bills instead of one bill that deals with 20 matters. That is a discipline that we have to have in this place.

The relevant part of that quote is the one I will repeat again, because it illustrates what the former Labor government—of which the member for Mackay was part—did routinely. I will repeat it again. It states 'instead of one bill that deals with 20 matters'. That is the sort of omnibus bill that the former Labor government used to use in here. They used to have omnibus bills that dealt with a lot

more than two matters, which this bill deals with. The former member for Lytton, in that quote, conceded that they dealt with bills that contained up to 20 different matters. The political strategy that they developed was to take a contentious issue that they knew we wanted to support and combine it with a contentious issue that they knew we wanted to oppose and put them in the same bill so we were forced to vote on a particular bill. There is no such political strategy in the bill tonight. The member for Mackay is suffering from a little bit of—

A government member: Delayed memory.

Mr SEENEY:—delayed memory, a bit of delayed guilt. The guilt is catching up with him. There is absolutely no basis to the comments that he made about the appropriateness of the bills before the House.

Finally, the member for Mackay expressed concern about how council would respond to an appeal against their decision to refuse an application to convert non-trunk infrastructure to trunk infrastructure. The House will be pleased to be assured that, as with all aspects of these extensive reforms of the infrastructure charges framework, my department has already consulted with local government and industry stakeholders about the guideline for local government infrastructure plans. This guideline will include parameters for the process of converting non-trunk infrastructure to trunk infrastructure and enable local governments to establish a clear basis for the conversion process that suits their particular circumstances.

I conclude by once again congratulating everybody who has been involved in this process. It is a process that extended over two years. It began with the member for Mansfield, who was then my assistant minister and brought to this seemingly intractable problem a degree of expertise and a degree of experience which was particularly valuable. His work was continued by my assistant minister, the member for Southport. I congratulate him as well on the contribution that he has made to the effort to get this bill into the House tonight.

I congratulate all of the people who were in the interest groups. The member for Southport can correct me, but the last number I heard was that it was workshop No. 14. We held 14 workshops trying to wrestle with the complexities of this issue. It is a very complex issue. It is a contentious issue and it involves a lot of complexities. Those people who take a simplistic view and put forward a simplistic solution are ignoring those complexities and, unfortunately, we have seen some examples of that here in the House tonight.

I think the position that the government has arrived at is one that is markedly different from the one we inherited. First of all, we have recognised that the state government has a responsibility to share the costs of growth in our communities. We will insist that local councils also recognise that they have a responsibility to share the cost of growth in their communities because that growth is to the benefit of all of us. The economic growth in Queensland is to the benefit of all Queenslanders, and that is why the state will share the cost of that growth. Economic growth is important to the people who live in communities. That is why local councils need to share the cost of growth in those communities. Of course, sharing those costs between the two levels of government and the developers who are involved will always be a question of where you strike the balance. I think the framework that we have put in place tonight provides a great opportunity to strike a balance that has been missing in this particular area for quite some time. I commend the bill to the House.