



# QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between  
7 December 2024 and 18 February 2025**

State Development, Infrastructure and Works Committee



**Report No. 5**

**58th Parliament, April 2025**

## Overview

This report summarises the committee's findings following its examination of the subordinate legislation within its portfolio areas tabled between 7 December 2024 and 18 February 2025. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles and lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (Legislative Standards Act).<sup>1</sup>


The report notes any issues identified by the committee in its consideration of compliance with the *Human Rights Act 2019* (Human Rights Act) and the human rights certificates tabled with the subordinate legislation.<sup>2</sup>

## Subordinate legislation examined

No.	Subordinate legislation	Date tabled	*Disallowance date
251 of 2024	Planning Amendment Regulation (No. 2) 2024	18 February 2025	22 May 2025
253 of 2024	Electrical Safety (Codes of Practice) and Other Legislation Amendment Notice (No. 2) 2024	18 February 2025	22 May 2025
1 of 2025	Plumbing and Drainage Amendment Regulation 2025	18 February 2025	22 May 2025
2 of 2025	Planning (Wind Farms) Amendment Regulation 2025	18 February 2025	22 May 2025
3 of 2025	Proclamation - Building Industry Fairness (Security of Payment) Act 2017	18 February 2025	22 May 2025
5 of 2025	Economic Development (Revocation of Moranbah PDA) Amendment Regulation 2025	18 February 2025	22 May 2025

\* Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

## Committee consideration of the subordinate legislation

Committee Comment	
	<p>The committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation, or compliance with the Human Rights Act.</p> <p>The explanatory notes tabled with the subordinate legislation largely complied with the requirements of section 24 of the Legislative Standards Act which sets out content that must be included in an explanatory note. The committee</p>

<sup>1</sup> *Legislative Standards Act 1992* (Legislative Standards Act), Part 4.

<sup>2</sup> *Human Rights Act 2019* (Human Rights Act), s 41.

makes a general comment that it is important that explanatory notes contain the information required by section 24 as this contributes to legislation being of the highest quality and ensures information relating to the development of subordinate legislation is accessible and clear for all.

The human rights certificates tabled with the subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to their compatibility with the Human Rights Act.

The following sections of this report provide a summary of the objectives of the subordinate legislation, consultation undertaken, and the committee's Legislative Standards Act and Human Rights Act considerations.

## 1 SL No. 251 – Planning Amendment Regulation (No. 2) 2024

The Planning Amendment Regulation (No. 2) 2024 (SL No. 251), commenced on 20 December 2024 and amends the Planning Regulation 2017 to change the purpose statement for a community facilities zone (previously for community related uses, activities and facilities) to allow for residential uses if all of the dwellings are:

- providing an affordable housing component, and
- on land associated with a community activity comprised of a community care centre, a place of worship or a residential care facility, or on land owned, controlled or managed by an entity for these community activities.<sup>3</sup>

SL No. 251 provides that development for a dwelling house in the community facilities zone is accepted development, where all of the following apply:

- it consists of repurposing an existing dwelling on site<sup>4</sup>
- involves no (or only minor) building works
- none of the specified hazard or heritage overlays apply to the premises, or an overlay applies but it does not result in the material change of use being categorised as assessable development.<sup>5</sup>

SL No. 251 also expands the infrastructure which can be eligible for a Ministerial infrastructure designation<sup>6</sup> to include social or affordable housing provided by a registered entity under the *Australian Charities and Not-for-profits Commission Act 2012* (Cth).<sup>7</sup>

<sup>3</sup> SL No. 251, s 4; human rights certificate, p 1.

<sup>4</sup> For example, a presbytery or caretaker's accommodation; SL No. 251, explanatory notes, p 2.

<sup>5</sup> SL No. 251, s 6; explanatory notes, p 2; human rights certificate, p 2.

<sup>6</sup> Under the *Planning Act 2016*, pt 5.

<sup>7</sup> SL No. 251, s 5; explanatory notes, p 2; human rights certificate, p 2.

## 1.1 Consultation

The explanatory notes state that targeted consultation was undertaken with charitable, local government and planning organisations ‘to understand the issues associated with, and how the election commitment (to unlock church and charity-owned land), could be achieved’.<sup>8</sup>



## 1.2 *Legislative Standards Act 1992*

No issues of fundamental legislative principle were identified.

## 1.3 Explanatory notes

The Legislative Standards Act sets out content that must be included in an explanatory note. Sections 24(2)(ii) and 24(2)(iii) require that an explanatory note should contain an outline of the results of the consultation and a brief explanation of any changes made to the legislation because of the consultation. This information was not included in the note.

The committee sought this information from the Department of State Development, Infrastructure and Planning. The response indicated that:

On 4 December 2024, the Cabinet Housing Ministerial Taskforce (the Taskforce) met with key industry stakeholders across the State agreeing on the steps needed to deliver the commitment to unlock church and charity-owned land for community housing. Consultation that occurred at the Taskforce meeting informed the amendments to the Planning Regulation 2017, which were to occur before the end of 2024. The Taskforce is a sub-committee of Cabinet and therefore all discussions and decisions are covered by Cabinet in Confidence and therefore were not included in the Planning Amendment Regulation (No. 2) 2024 explanatory notes.

The response is published on the committee’s website here:

<https://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=272&id=4472>.

The explanatory notes otherwise comply with part 4 of the Legislative Standards Act.



## 1.4 *Human Rights Act 2019*

Section 8 of the Human Rights Act provides that a statutory provision is compatible with human rights if it does not limit a human right, or limits a human right only to the extent that is reasonable and demonstrably justifiable.

Section 13 of the Human Rights Act provides that a human right may be subject to reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom. Section 13 sets out a range of factors that may be relevant in deciding whether a limit on a human right is reasonable and justifiable.

The committee considered the following potential limitation as part of its considerations.

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<sup>8</sup> SL No. 251, explanatory notes, p 3.

### 1.4.1 Right to take part in public life

Every person in Queensland has the right, and is to have the opportunity, without discrimination to participate in the conduct of public affairs, directly or through freely chosen representatives.<sup>9</sup>

SL No. 251 could limit the rights to take part in public life because:

- it provides that local planning instruments cannot prescribe as assessable development a material change of use of premises for a dwelling house of the kind referred to in new section 7D, which means a development approval is unnecessary
- the amendment to the purpose of the community facilities zone anticipates residential uses of particular kinds within the zone, which may lead to development applications for those kinds of dwellings being prescribed in a local planning instrument as requiring code assessment (by way of a separate future decision of the local government).<sup>10</sup>

These changes mean that public notification processes, third party consultation, and appeal rights under the *Planning Act 2016* would not be available as they would have been if the development required an impact assessable development application under the relevant local planning schemes and instruments.<sup>11</sup>

The human rights certificate seeks to justify the limitations, stating that the amendments will ‘facilitate the timely development of social and affordable housing on church and charity-owned land’ concluding that SL No. 251:

... strikes a fair balance between the facilitation of development of social and affordable housing on church and charity owned land and protecting the right of persons to participate in the development assessment process by making submissions about development applications for such development.<sup>12</sup>

#### Committee Comment



The committee is satisfied that SL No. 251 is compatible with the Human Rights Act and that potential limitations are reasonable and demonstrably justified, given the clear benefits of more social and affordable housing.

### 1.5 Human rights certificate

The human rights certificate provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

<sup>9</sup> Human Rights Act, s 23.

<sup>10</sup> SL No. 251, human rights certificate, p 3.

<sup>11</sup> SL No. 251, human rights certificate, pp 2-3.

<sup>12</sup> SL No. 251, human rights certificate, p 3.

## 2 SL No. 253 – Electrical Safety (Codes of Practice) and Other Legislation Amendment Notice (No. 2) 2024

The Electrical Safety (Codes of Practice) and Other Legislation Amendment Notice (No. 2) 2024 (SL No. 253), which commenced on 1 January 2025, amends the Electrical Safety (Codes of Practice) Notice 2024 to provide notice of amendments to the:

- Construction and Operation of Solar Farms Code of Practice 2024
- Electrical Safety Code of Practice 2020 - Electrical Equipment Rural Industry
- Electrical Safety Code of Practice 2020 – Working Near Overhead and Underground Electrical Lines
- Electrical Safety Code of Practice 2021 - Managing Electrical Risks in the Workplace.<sup>13</sup>

SL No. 253 also amends the Work Health and Safety (Codes of Practice) Notice 2022 to notify of variations to the Construction and Operation of Solar Farms Code of Practice 2024.<sup>14</sup>

On 1 January 2025, provisions from the Electrical Safety and Other Legislation Amendment Regulation 2024 came into effect. This included extended requirements for electrical work on energised electrical equipment to electrical work on or near energised electrical equipment. Amendments are required to the codes of practice ‘to ensure that they continue to provide practical guidance on how to meet legislative duties under the electrical safety framework’.<sup>15</sup>

SL No. 253 fulfils requirements for the Minister to give public notice of amending or varying a code of practice, failing which, the amendment or variation has no effect.<sup>16</sup>

### 2.1 Consultation

According to the explanatory notes no consultation was undertaken beyond notifying and consulting the Office of Best Practice Regulation on the preparation of an Impact Analysis Statement, which states that the amendments are ‘minor and machinery in nature’.<sup>17</sup>



### 2.2 Legislative Standards Act 1992

No issues of fundamental legislative principle were identified.

### 2.3 Explanatory notes

The explanatory notes comply with part 4 of the Legislative Standards Act.

<sup>13</sup> SL No. 253, ss 4 and 5. SL No. 253, explanatory notes, p 1.

<sup>14</sup> SL No. 253, ss 7 and 8. SL No. 253, explanatory notes, p 1.

<sup>15</sup> SL No. 253, explanatory notes, p 2.

<sup>16</sup> *Electrical Safety Act 2002*, s 44(2); *Work Health and Safety Act 2011*, s 274(4), SL No. 253, explanatory notes, p 1.

<sup>17</sup> Office of Industrial Relations, *Summary IAS – Electrical Safety (Codes of Practice) and Other Legislation Amendment Notice (No. 2) 2024*, <https://www.oir.qld.gov.au/system/files/2024-11/Summary%20IAS%20-%20Electrical%20Safety%20and%20Other%20Legislation%20Amendment%20Regulation%202024.pdf>.





## 2.4 Human Rights Act 2019

The committee concluded that SL No. 253 is compatible with human rights.

## 2.5 Human rights certificate

The human rights certificate provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

## 3 SL No. 1 – Plumbing and Drainage Amendment Regulation 2025

The Plumbing and Drainage Amendment Regulation 2025 (SL No. 1) amends the Plumbing and Drainage Regulation 2019 to extend the transitional period for testing of on-site sewerage treatment plants (OSTP) for an additional 12 months, to 31 December 2025. OSTPs ‘treat human waste, bathroom and kitchen wastewater, and are required where reticulated sewerage is not available to manage wastewater within the boundaries of a property’.<sup>18</sup>

The extension to the transitional period is to provide additional time for manufacturers to complete testing of their products against Australian Standard (AS) 1546.3:2017 (new standard).<sup>19</sup> SL No. 1 also allows systems previously approved for installation as part of a sanitary drainage system to be installed during the transitional period.<sup>20</sup>

The new standard, which was adopted in 2019, ‘sets minimum water quality standards and more stringent testing protocols’.<sup>21</sup> An initial 5 year transition period was provided, but it was extended to 31 December 2024 following a request from some industry participants. There are only 2 OSTP testing facilities in Australia so the ability of manufacturers to test their products against the new standards has been limited. Some manufacturers have not yet been able to test their products.<sup>22</sup>

According to the explanatory notes, SL No. 1 will ‘provide certainty for customers, plumbers and local governments about approved OSTP installations’.<sup>23</sup>

### 3.1 Consultation

The explanatory notes state that 3 manufacturers who have OSTP approvals were consulted about the amendment, and that ‘local governments were also consulted, noting they have responsibility for plumbing approvals which may include OSTP installation’. While no specific information was provided on the outcomes of the consultation, the explanatory notes state that a summary impact analysis statement prepared by the department assessed that the subordinate legislation did not impose a financial burden on manufacturers.<sup>24</sup>

<sup>18</sup> SL No. 1, explanatory notes, p 1.

<sup>19</sup> SL No. 1, explanatory notes, p 1; SL No. 1, human rights certificate, p 1.

<sup>20</sup> SL No. 1, explanatory notes, p 2.

<sup>21</sup> SL No. 1, human rights certificate, p 1.

<sup>22</sup> SL No. 1, human rights certificate, p 1.

<sup>23</sup> SL No. 1, explanatory notes, p 2.

<sup>24</sup> SL No. 1, explanatory notes, p 3.



### 3.2 **Legislative Standards Act 1992**

No issues of fundamental legislative principle were identified.

### 3.3 **Explanatory notes**

The explanatory notes comply with part 4 of the Legislative Standards Act.



### 3.4 **Human Rights Act 2019**

The committee is satisfied that SL No. 1 is compatible with human rights.

### 3.5 **Human rights certificate**

The human rights certificate provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

## 4 **SL No. 2 – Planning (Wind Farms) Amendment Regulation 2025**

The Planning (Wind Farms) Amendment Regulation 2025 (SL No. 2) amends the Planning Regulation 2017 (Planning Regulation) to make all development applications for wind farms under the *Planning Act 2016* subject to impact assessment, therefore requiring statutory public consultation and allowing third party appeal rights.<sup>25</sup> Previously, wind farms were generally code assessable meaning that public consultation was not required and third party appeal rights were not applied.<sup>26</sup>

Further, SL No. 2 gives effect to recent updates to the State Development Assessment Provisions (SDAP) concerning wind farm development.<sup>27</sup> Updates include revision of the purpose statement of the code to reflect the government's commitment to 'ensure renewable projects are subject to a rigorous assessment via the impact assessment process'.<sup>28</sup>

### 4.1 **Consultation**

The explanatory notes indicate that no consultation occurred outside of government agencies as the measure forms part of a government election commitment.<sup>29</sup>



### 4.2 **Legislative Standards Act 1992**

No issues of fundamental legislative principle were identified.

<sup>25</sup> SL No. 2, explanatory notes, pp 1-2.

<sup>26</sup> 'Code assessment is a 'bounded' assessment, meaning that development is approved if there is a demonstrated ability to comply with, or condition compliance with, the outcomes of the code. Public consultation is not required and third party appeal rights do not apply'; SL No. 2, explanatory notes, p 1.

<sup>27</sup> See State Development Assessment Provisions, <https://www.planning.qld.gov.au/planning-framework/state-assessment-and-referral-agency/state-development-assessment-provisions-sdap>, accessed 6 February 2025. A summary of the changes to the code is available the department's website.

<sup>28</sup> See SL No. 2, s 5; explanatory notes, p 2.

<sup>29</sup> SL No. 2, explanatory notes, p 3.



### 4.3 Explanatory notes

The explanatory notes comply with part 4 of the Legislative Standards Act.



### 4.4 Human Rights Act 2019

The human rights certificate tabled with the subordinate legislation raises the right to take part in public life<sup>30</sup> and notes that while SL No. 2 may limit this right (in that there was no community consultation on SL No. 2) the amendments contained in SL No. 2 will promote the right to take part in public life by providing for consultation through the impact assessment process for wind farm development.<sup>31</sup>

#### Committee Comment



The committee is satisfied that SL No. 2 is compatible with the Human Rights Act.

### 4.5 Human rights certificate

The human rights certificate provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

## 5 SL No. 3 – Proclamation - Building Industry Fairness (Security of Payment) Act 2017

The Proclamation made under the *Building Industry Fairness (Security of Payment) Act 2017* (BIF Act) (SL No. 3) repeals the Proclamation made under the same Act on 16 March 2023 (SL No. 16 of 2023).

SL No. 16 of 2023 fixed commencement dates for phases of the trust account framework inserted into the BIF Act by the *Building Industry Fairness (Security of Payment) and Other Legislation Amendment Act 2020* (BIFOLA Act):<sup>32</sup>

- chapter 9, part 1, division 3 (Extended application of project trusts and retention trusts to particular contracts for \$3 million or more) was due to commence on 1 March 2025
- chapter 9, part 1, division 4 (Extended application of project trusts and retention trusts to most contracts) was due to commence on 1 October 2025.

The explanatory notes state that the government now proposes to commence these remaining 2 phases at later dates, with the new commencement dates yet to be determined.<sup>33</sup>

The explanatory notes provide a range of reasons for this, including:

- the vulnerability of the industry to tougher financial conditions and key challenges
- an ongoing risk of insolvency

<sup>30</sup> Human Rights Act, s 23.

<sup>31</sup> SL No. 2, human rights certificate, p 3.

<sup>32</sup> See BIFOLA Act, ss 2, 83; proclamation made under the BIFOLA Act (SL No. 158 of 2020), s 1.

<sup>33</sup> SL No. 3, explanatory notes, p 2.

- the availability of software to support trustees
- the potential to improve awareness and understanding of the framework
- the forthcoming regulatory review of the building and construction industry by the Queensland Productivity Commission.<sup>34</sup>

According to the explanatory notes, SL No. 3 provides ‘additional time for industry education, ongoing government support and a reduction of red tape for smaller contractors’.<sup>35</sup> It will also allow for consideration of the outcomes of the Queensland Productivity Commission’s review into the building industry before the next phase commences.<sup>36</sup>

The commencement of these provisions has been postponed previously in August 2020, March 2022 and March 2023.<sup>37</sup>

Delaying the commencement of provisions by over 2 years is unusual because section 15DA of the *Acts Interpretation Act 1954* (Acts Interpretation Act) provides that Acts commence on the date of assent unless a provision postpones commencement until a day fixed under an instrument. If an Act has not commenced within one year of the assent day, it automatically commences on the next day unless within one year of the assent day, a regulation extends the period before commencement to not more than 2 years of the assent day.

Commencement of the relevant provisions in the BIF Act is able to be delayed because section 2(2) of that Act exempts chapter 9, part 1, divisions 1 to 4 from the application of section 15DA of the Acts Interpretation Act.

## 5.1 Consultation

The explanatory notes advise that consultation on the phased rollout of the trust account framework is ongoing. According to the explanatory notes:

[The Department of Housing and Public Works] continues to engage with industry stakeholders and the regulator regarding the ongoing phased rollout of the trust account framework. Industry stakeholders express a range of views, with most indicating support for an extension to the commencement dates. However, some subcontractor organisations and software providers have indicated support for the remaining phases to commence as planned. There is also some support for a broader evaluation of the effectiveness of the framework, and the department will be liaising with the newly established QPC in relation to this matter.<sup>38</sup>



## 5.2 Legislative Standards Act 1992

No issues of fundamental legislative principle were identified.

## 5.3 Explanatory notes

The explanatory notes comply with part 4 of the Legislative Standards Act.

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<sup>34</sup> SL No. 3, explanatory notes, pp 1-2.

<sup>35</sup> SL No. 3, explanatory notes, p 2.

<sup>36</sup> SL No. 3, explanatory notes, p 2.

<sup>37</sup> SL No. 159 of 2020, SL No. 30 and No. 31 of 2022, SL No. 16 of 2023.

<sup>38</sup> SL No. 3, explanatory notes, p 3.



## 5.4 Human Rights Act 2019

The committee considered the following potential limitations on human rights in its assessment.

### 5.4.1 Property rights

All persons have a right to own property alone or in association with others and a person must not be arbitrarily deprived of the person's property.<sup>39</sup>

SL No. 3 could be considered to limit property rights by repealing the existing dates for the commencement of the remaining phases of the new trust account framework. The human rights certificate acknowledges that 'extending the commencement dates could temporarily reduce protections for subcontractors who otherwise would have fallen within the framework in the coming months'.<sup>40</sup>

The human rights certificate concludes that, on balance, the importance of providing more time for smaller industry stakeholders to prepare, and for government to better support industry with the transition and consider the outcomes of the Queensland Productivity Commission's review, outweighs any potential impact on the subcontractors' right to property.<sup>41</sup>

#### Committee Comment



The committee is satisfied that the limitation to property rights is reasonable and demonstrably justified.

## 5.5 Human rights certificate

The human rights certificate provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

## 6 SL No. 5 – Economic Development (Revocation of Moranbah PDA) Amendment Regulation 2025

The Economic Development (Revocation of Moranbah PDA) Amendment Regulation 2025 (SL No. 5) amends the Economic Development Regulation 2023 to revoke the Moranbah priority development area (PDA).

The human rights certificate sets out the reason for the revocation:

At the time the Moranbah PDA was declared, Moranbah was experiencing high growth due to the rapid expansion of coal mining operations in the Bowen Basin and, more particularly, in the Moranbah area. The Moranbah PDA was declared to facilitate the delivery of a range of housing, non-resident accommodation and other urban development to support this growth.

<sup>39</sup> Human Rights Act, s 24.

<sup>40</sup> SL No. 3, human rights certificate, p 1.

<sup>41</sup> SL No. 3, human rights certificate, p 3.

The period of rapid expansion of coal mining operations near Moranbah has ended, and there is now no need for the continuation of the Moranbah PDA.<sup>42</sup>

In accordance with section 42 of the *Economic Development Act 2012* (ED Act) (which provides for the process for revoking a PDA), the Minister for Economic Development Queensland is satisfied that the Isaac Regional Council Planning Scheme 2021 provides an appropriate planning framework for the land after the PDA is revoked.<sup>43</sup>

According to the human rights certificate, ‘for most land parcels, the Isaac regional Planning Scheme 2021 provides development opportunities commensurate with those under the Moranbah PDA Development Scheme’.<sup>44</sup>

The ED Act provides for other matters that may be relevant following the revocation, such as how existing PDA approvals, applications and exemption certificates are treated.<sup>45</sup>

Infrastructure charges in the Moranbah PDA are calculated using the applicable Isaac Regional Council Charges Resolution so the method of calculating the charges will not change following the revocation of the PDA.<sup>46</sup>

## 6.1 Consultation

The explanatory notes state that Economic Development Queensland consulted with Isaac Regional Council during the revocation process and that state agencies were also consulted on the proposal, with no objections to the revocation of the Moranbah PDA being raised.<sup>47</sup>



## 6.2 Legislative Standards Act 1992

No issues of fundamental legislative principle were identified.

## 6.3 Explanatory notes

The explanatory notes comply with part 4 of the Legislative Standards Act.



## 6.4 Human Rights Act 2019

The committee concluded that SL No. 5 is compatible with human rights.

## 6.5 Human rights certificate

The human rights certificate provides a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

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<sup>42</sup> SL No. 5, human rights certificate, p 1.

<sup>43</sup> SL No. 5, explanatory notes, pp 1-2.

<sup>44</sup> SL No. 5, human rights certificate, p 2.

<sup>45</sup> See ED Act, ss 48-51AG, 121. See also SL No. 5, explanatory notes, p 2.

<sup>46</sup> SL No. 5, explanatory notes, p 3.

<sup>47</sup> SL No. 5, explanatory notes, p 3.

## 7 Committee recommendation



### Recommendation 1

The committee recommends that the Legislative Assembly note this report.

**Jim McDonald MP**

**Chair**

State Development, Infrastructure and Works Committee

**Chair** Mr Jim McDonald MP, Member for Lockyer

**Deputy Chair** Ms Jonty Bush MP, Member for Cooper

**Members** Mr Terry James MP, Member for Mulgrave  
Mr David Kempton MP, Member for Cook  
Mr Shane King MP, Member for Kurwongbah  
Mr Bart Mellish MP, Member for Aspley

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## Statement of reservation



**STATEMENT OF RESERVATION**  
**Planning Amendment Regulation (No 2) 2024 (SL No 251)**

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Amongst other things, the Planning Amendment Regulation (No 2) 2024 (SL No 251) expands the infrastructure which can be eligible for a Ministerial infrastructure designation to include social or affordable housing provided by a registered entity under the *Australian Charities and Not-for-profits Commission Act 2012 (Cth)*.

While the Opposition members of the committee do not oppose the overarching goal of facilitating social and affordable housing on church and charity-owned land, we stress that the existing Ministerial Infrastructure Designation (MID) and State-Facilitated Development (SFD) processes already enabled these types of developments. These existing mechanisms successfully supported social and affordable housing delivery on church and charity-owned land without the need for this regulation.

There is no clear evidence that the amendments introduced in this regulation will improve assessment timeframes or the quality of development outcomes. In fact, by removing both pre-consultation and pre-lodgement meetings, the LNP risks undermining the quality of planning outcomes and public trust. These processes are recognised as best practice—they allow early identification of technical issues, streamline assessments, and provide communities with an opportunity to engage with proposals early before they are formally lodged. Their removal is a step backwards in both planning rigour and transparency.

In addition, we are concerned about the secrecy surrounding the consultation process that informed this regulation. The Department's Director General, Mr John Sosso, has cited cabinet-in-confidence to withhold information about which stakeholders were consulted and what feedback was received. This lack of transparency is unacceptable, particularly when the regulation has significant implications for local governments and the communities they represent.

It's important to note that concerns from local governments and the Planning Institute of Australia (Queensland) with the YIFBY proposal were already known prior to the election, and yet appear to have been disregarded in the final formulation of this regulation.

Opposition members of the committee question whether local governments were genuinely consulted or given a meaningful opportunity to provide feedback. If consultation was limited to peak bodies, it's unclear whether they were able to represent the views of their members adequately leaving those most affected by these changes, including councils and communities, largely out of the loop.

We urge the Chair of the Cabinet Housing Ministerial Taskforce to disclose which stakeholders were consulted in the development of this regulation.

Queenslanders deserve to know who is shaping planning policy—particularly when it affects how their neighbourhoods grow and change.



**JONTY BUSH MP**  
**DEPUTY CHAIR**  
**MEMBER FOR COOPER**



**BART MELLISH MP**  
**MEMBER FOR ASPLEY**



**SHANE KING MP**  
**MEMBER FOR**  
**KURWONGBAH**