

## Agreement in Principle

**Ms KRISTINA KENEALLY** (Heffron—Minister for Planning, and Minister for Redfern Waterloo) [4.30 p.m.]: I move:

That this bill be now agreed to in principle.

To put it simply, the Nation Building and Jobs Plan (State Infrastructure Delivery) Bill 2009 is about jobs for the people of New South Wales. This bill is critical to ensure the rapid delivery of the infrastructure projects funded by the Commonwealth to implement the 5 February Council of Australian Governments [COAG] agreement on the Nation Building and Jobs Plan to help reduce the impact of the global economic crisis on this State.

The COAG agreement puts into action the Rudd Government's \$42-billion package to stimulate the economy and boost construction in the face of unprecedented economic circumstances. The COAG agreement will provide New South Wales with significant funding for important State infrastructure projects. In addition to stimulating the economy and generating jobs, the COAG agreement presents a unique opportunity to provide significant education, road and housing infrastructure for the people of New South Wales. Like all the States and Territories, New South Wales must meet the tight timeframes set out in the COAG agreement in order to qualify for the Commonwealth funding. If we do not meet the timeframes we do not get the money—it is as simple as that.

The purpose of the bill is to provide additional measures to ensure New South Wales can deliver the infrastructure projects within the timeframes required by the Commonwealth for funding. The Commonwealth has laid down significant construction commitments and tight deadlines, and our Government will meet them. As agreed between the States and the Commonwealth, these projects must begin immediately to stimulate jobs and economic activity. I introduce this bill today to ensure that these infrastructure works, which will not only stimulate the economy and generate jobs but also provide important infrastructure for the people of this State, will be provided on time. I now turn to the detail of the bill.

Clause 5 makes it clear that the bill applies only to projects funded by the Commonwealth under the Nation Building and Jobs Plan. I emphasise that this bill will not apply to other infrastructure projects, whether or not they are funded by the Commonwealth. Examples of these infrastructure projects include halls, libraries and maintenance work for government and non-government schools, social housing, community infrastructure provided by local councils and local transport infrastructure such as road repairs, railway boom gates and road safety black spot projects.

Part 2 of the bill establishes the New South Wales Infrastructure Coordinator General, who will be responsible for planning and implementing the timely delivery of the infrastructure projects. The bill also provides for the establishment of a taskforce consisting of government and private sector representatives to provide advice on the exercise of functions by the coordinator general. Part 3 of the bill requires State Government agencies to cooperate with the coordinator general in relation to infrastructure projects to ensure that the projects are delivered on time. Part 4 of the bill provides for the coordinator general to take over the delivery of infrastructure projects on behalf of State Government agencies.

Project authorisation orders will be able to be made by either the Premier or the portfolio Minister responsible for the works. Such orders will be made where project delivery timeframes would not otherwise be met by the relevant agency and it is necessary for the coordinator general to take over the delivery of the project to make sure that it is delivered on time. If such an order is made, the coordinator general will be able to exercise all of the functions of the agency in relation to the project. The coordinator general will also be able to issue directions to the agency, with the concurrence of the Minister who made the order and after consulting with the agency, and the agency must comply with those directions. The bill also provides that the coordinator general can establish alternative procurement and tendering frameworks for the infrastructure projects to ensure that the projects can be delivered on time.

Part 5 of the bill allows the coordinator general to vary the usual planning and environmental approval processes in relation to infrastructure projects to ensure that the projects can be delivered within the timeframes required by the Commonwealth. As members will be aware, the Government has made significant reforms to planning legislation over the past couple of years that are designed to streamline approval processes. This includes the significant amendments to the planning legislation made by the Environmental Planning and Assessment Amendment Act 2008, which was passed in mid-2008. Many of these changes can be relied upon to deliver projects in a timely manner.

The Government has also recently made important changes to the infrastructure State environmental planning policy [SEPP] to streamline the approvals processes for school infrastructure and affordable housing. The processes under the infrastructure SEPP will be taken advantage of wherever possible to deliver these projects.

If a project can be delivered within the required timeframes under the existing approvals processes there will be no need for the coordinator general to make use of part 5. However, given the Commonwealth's tight timeframes under the existing approvals processes, an alternative approval mechanism needs to be available if there is a risk a project will not meet the Commonwealth deadline. After all, this is about doing whatever we can to generate jobs and to deliver community infrastructure. Part 5 provides that alternative mechanism.

Under clause 23 the coordinator general will be able either to exempt a project from the usual development control legislation or to require an alternative authorisation under clause 24. The definition of development control legislation has been drafted widely to cover any Act, regulation or instrument that prohibits the carrying out of development or that requires the approval of any person or body before development is carried out. Where the coordinator general makes an order that an authorisation is required under part 5 to undertake the infrastructure project, clause 24 sets out the application and authorisation process. Importantly, the coordinator general can impose those conditions on an authorisation which he deems appropriate, including requirements to provide for public notification, environmental protection, heritage conservation, threatened species protection and bushfire protection. This will ensure that appropriate conditions are imposed on development authorised under part 5.

I make it very clear that this bill applies only to infrastructure projects funded by the Commonwealth under the Nation Building and Jobs Plan. Once the projects are completed the legislation will be repealed. That is why the bill establishes a mechanism under which the coordinator general must keep the need for the Act under review. Once he or she is satisfied that the Act is no longer required, he or she will provide a certificate to that effect and the Governor can then repeal the Act.

The COAG agreement on the Nation Building and Jobs Plan will provide crucial funding to stimulate the State economy and provide important infrastructure for the people of New South Wales. However, we need to ensure that we comply with the Commonwealth's tight timeframes to receive this funding. This bill will ensure that these infrastructure projects can be provided within these tight timeframes, thus boosting our State economy. I commend the bill to the House.