



Queensland

Queensland Plan Bill 2014

Includes amendments agreed during Consideration



Queensland

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Contents

		Page
Part 1	Preliminary	
1	Short title	6
2	Act binds all persons	6
3	Main purposes of Act	6
4	Definitions.	7
Part 2	The Queensland Plan	
5	Premier to facilitate development of plan	7
6	Ratification of plan by Legislative Assembly.	8
7	Chief executive to publish the Queensland Plan	8
Part 3	Implementation of the Queensland Plan	
Division 1	Premier and Ministers	
8	Government response to the Queensland Plan	9
9	Promotion of the Queensland Plan	10
Division 2	Public authorities	
10	Policy, program and service alignment with government response	10
Division 3	Local governments	
11	Preparation of corporate plans	11
Part 4	Reporting requirements	
12	Annual progress report—Premier.	11
13	Annual report—public authorities	11
14	Annual report—local governments.	12
Part 5	Review of the Queensland Plan and government response	
15	Periodic review of the Queensland Plan.	12
16	Revising the Queensland Plan	13
17	Ratification of revised plan by Legislative Assembly	13
18	Review of government response	13

Contents

Part 6	Queensland Plan Ambassadors Council	
Division 1	Establishment and functions	
19	Establishment	14
20	Functions	14
21	Premier may give directions	14
Division 2	Membership	
Subdivision 1	Appointment	
22	Appointment of members	15
23	Eligibility for appointment	15
24	Term of office	16
25	Conditions of appointment	16
26	Chairperson and deputy chairperson	16
27	Vacancy in office	17
Subdivision 2	Termination of appointment	
28	Grounds for termination of appointment	17
29	Show cause notice	17
30	Representations about show cause notice	18
31	Ending show cause process without further action	18
32	Termination of appointment	18
Division 3	Proceedings	
33	Conduct of business	19
34	Minimum requirement for meetings	19
35	Presiding at meetings	19
36	Quorum	19
37	Conduct of meetings	20
38	Minutes	20
Part 7	Miscellaneous	
39	Delegation by Premier	20
40	Application of Act to public service offices	20
41	References to chief executive of public authority	21
42	Regulation-making power	21
Part 8	Transitional provision	
43	Plan developed or tabled before commencement	21
Schedule 1	Principles for the Queensland Plan	22
1	Long-term vision	22
2	Visionary response	22

Contents

3	Strategic focus	22
4	Community and other involvement	22
5	Bipartisan participation	23
6	Measurable outcomes	23
7	Joint responsibility	23
Schedule 2	Dictionary	24

2014

A Bill

for

**An Act to provide for the development and implementation of
the Queensland Plan and related purposes**

[s 1]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Queensland Plan Act 2014*.

2 Act binds all persons

This Act binds all persons, including the State.

3 Main purposes of Act

The main purposes of this Act are to—

- (a) provide for the development and ratification of a plan, known as the Queensland Plan, that—
 - (i) establishes a long-term vision for the future growth and prosperity of Queensland; and
 - (ii) reflects the aspirations of the community, business and industry for the future of Queensland; and
- (b) provide for the implementation of the Queensland Plan, including by—
 - (i) developing a government response to the Queensland Plan and aligning the policies, programs and services of public authorities to the strategic direction of the government response; and
 - (ii) aligning local government planning to the strategic direction of the Queensland Plan; and
 - (iii) encouraging the community, business and industry to implement the Queensland Plan; and

- (c) establish the ambassadors council to advocate for the implementation of the Queensland Plan by the community, business and industry.

4 Definitions

The dictionary in schedule 2 defines particular words used in this Act.

Part 2 The Queensland Plan

5 Premier to facilitate development of plan

- (1) The Premier must facilitate the development of a plan to provide a long-term vision for key areas affecting the future growth and prosperity of Queensland.
- (2) The key areas under the plan may include, for example, the following—
- education
 - community
 - regions
 - economy
 - health and wellbeing
 - environment
 - people
 - infrastructure
 - governance.
- (3) The plan must—
- (a) be developed having regard to the principles stated in schedule 1; and

[s 6]

- (b) outline the strategic direction for the key areas under the plan; and
- (c) set targets, and include measures, for the key areas.

6 Ratification of plan by Legislative Assembly

- (1) The Premier must table a plan developed under section 5 in the Legislative Assembly for ratification.
- (2) On being ratified by the Legislative Assembly, the plan has effect as the Queensland Plan.

7 Chief executive to publish the Queensland Plan

The chief executive must—

- (a) publish the Queensland Plan on a government website; and
- (b) make the Queensland Plan available for inspection, free of charge, during business hours at the department's head office.

Editor's notes—

- 1 The government website for the Queensland Plan is at <<http://queenslandplan.qld.gov.au>>.
- 2 The department's head office is at 100 George Street, Brisbane.

Part 3 Implementation of the Queensland Plan

Division 1 Premier and Ministers

8 Government response to the Queensland Plan

- (1) The Premier must develop a response to the Queensland Plan (the *government response*) that outlines a whole-of-government approach for the State's contribution to implementing the Queensland Plan.
- (2) The government response must—
 - (a) state the strategic direction (the *strategic direction*) for the State's contribution to implementing the Queensland Plan; and
 - (b) recognise the role of the community, business and industry in achieving the targets established for the key areas under the Queensland Plan.
- (3) Also, the government response may—
 - (a) state the core outcomes to be achieved by a stated public authority; and
 - (b) require a particular strategy or action to be taken by a stated public authority; and
 - (c) state the timeframe within which an outcome is to be achieved or a strategy or action is to be taken.
- (4) However, subsection (3) does not apply in relation to a public authority to the extent that stating a core outcome to be achieved, or requiring a strategy or action to be taken, by the public authority would affect a matter in relation to which the independence of the public authority—
 - (a) is required by legislation or government policy; or
 - (b) is a customary feature of the work of the public authority.

[s 9]

9 Promotion of the Queensland Plan

- (1) A Minister whose principal ministerial responsibilities include a key area under the Queensland Plan must—
 - (a) promote awareness of the key area within the community, business and industry; and
 - (b) encourage the community, business and industry, in carrying out their activities, to have regard to—
 - (i) the key area; and
 - (ii) the targets established by the Queensland Plan for the key area.
- (2) In this section—

principal ministerial responsibility, for a Minister, means the public business of the State for which the Minister is given responsibility under administrative arrangements made under the *Constitution of Queensland 2001*, section 44.

Division 2 Public authorities

10 Policy, program and service alignment with government response

- (1) The chief executive of a public authority must ensure the following are consistent with the strategic direction of the government response to the Queensland Plan—
 - (a) the authority's policies and programs;
 - (b) the services delivered by the public authority.
- (2) However, subsection (1) does not apply to the chief executive of a public authority to the extent that the public authority's independence in developing its policies and programs, or delivering its services—
 - (a) is required by legislation or government policy; or
 - (b) is a customary feature of the work of the public authority.

Division 3 Local governments

11 Preparation of corporate plans

- (1) This section applies to a local government preparing a corporate plan.
- (2) The local government must have regard to the Queensland Plan in deciding the following matters for the corporate plan—
 - (a) the strategic direction of the local government;
 - (b) the performance indicators for measuring the local government's progress in achieving its vision for the future of the local government area.

Part 4 Reporting requirements

12 Annual progress report—Premier

- (1) The Premier must prepare a report for each financial year on the progress made, during the financial year, to implement the Queensland Plan.
- (2) In preparing the report, the Premier must consult with the ambassadors council.
- (3) The Premier must table a copy of the report for a financial year in the Legislative Assembly by 30 November in the following financial year.

13 Annual report—public authorities

- (1) This section applies to a chief executive of a public authority if, or to the extent that, section 10(1) applies to the chief executive.

[s 14]

- (2) The chief executive must ensure the public authority's annual report for each financial year includes a statement about the authority's progress, during the financial year, in developing policies and programs, and delivering services, that are consistent with the strategic direction of the government response to the Queensland Plan.

14 Annual report—local governments

A local government's annual report for each financial year must include a statement about the local government's actions, during the financial year, in relation to matters in its corporate plan that relate to the Queensland Plan.

Part 5 Review of the Queensland Plan and government response

15 Periodic review of the Queensland Plan

- (1) The Premier must review the Queensland Plan—
- (a) within 5 years after the Queensland Plan takes effect under section 6; and
 - (b) at further intervals of not more than 5 years.
- (2) The objects of the review include deciding whether—
- (a) the long-term vision established by the Queensland Plan for the future of Queensland still reflects the aspirations of the community, business and industry; and
 - (b) the ways of implementing the long-term vision, as stated in the Queensland Plan, can be improved; and
 - (c) having regard to the matters mentioned in paragraphs (a) and (b), the Queensland Plan should be revised.
- (3) In reviewing the Queensland Plan, the Premier must—

- (a) consult with the ambassadors council about the matters mentioned in subsection (2); and
- (b) consider any issues raised by the council; and
- (c) engage with the community, business and industry in accordance with the principles stated in schedule 1.

16 Revising the Queensland Plan

- (1) If the Premier decides the Queensland Plan should be revised, the Premier must develop a revised plan.
- (2) Section 5 applies to the development of a revised plan under this section.
- (3) In developing the revised plan, the Premier must—
 - (a) consult with the ambassadors council; and
 - (b) consider any issues raised by the council.

17 Ratification of revised plan by Legislative Assembly

- (1) The Premier must table a revised plan developed under section 16 in the Legislative Assembly for ratification.
- (2) On being ratified by the Legislative Assembly, the revised plan has effect as the Queensland Plan.

18 Review of government response

- (1) If the revised plan tabled under section 17(1) is ratified by the Legislative Assembly, the Premier must—
 - (a) review the government response to the Queensland Plan within 6 months after the ratification of the plan; and
 - (b) if the Premier considers it appropriate, revise the government response to the Queensland Plan.
- (2) Nothing in this section prevents the Premier from reviewing or revising the government response at any other time.

[s 19]

Part 6 **Queensland Plan Ambassadors Council**

Division 1 **Establishment and functions**

19 **Establishment**

The Queensland Plan Ambassadors Council is established.

20 **Functions**

The ambassadors council has the following functions—

- (a) to promote awareness, and advocate for the implementation, of the Queensland Plan within the community, business and industry;
- (b) to advise the Premier on matters relating to the implementation of the Queensland Plan.

21 **Premier may give directions**

- (1) The Premier may give the ambassadors council directions in relation to the performance of its functions.
- (2) The ambassadors council must perform its functions subject to—
 - (a) the general direction and control of the Premier; and
 - (b) any specific written directions given to it by the Premier.
- (3) Without limiting subsection (2)(b), a direction may require the ambassadors council to give the Premier, or provide the Premier with access to, information in its possession about a matter stated in the direction.

Division 2 Membership

Subdivision 1 Appointment

22 Appointment of members

- (1) The ambassadors council is to consist of not more than 15 members appointed by the Premier.
- (2) In making an appointment, the Premier must have regard to the desirability of the members collectively representing the following—
 - (a) the community;
 - (b) business or industry;
 - (c) regional Queensland.

23 Eligibility for appointment

- (1) A person is eligible for appointment as a member of the ambassadors council only if the Premier is satisfied—
 - (a) the person represents 1 or more of the following—
 - (i) the community;
 - (ii) business or industry;
 - (iii) regional Queensland; and
 - (b) the person has the ability to promote the vision established by the Queensland Plan for the future of Queensland.
- (2) However, a person is not eligible for appointment as a member of the ambassadors council if the person—
 - (a) is an insolvent under administration under the Corporations Act, section 9; or
 - (b) is disqualified from managing corporations under the Corporations Act, part 2D.6; or

[s 24]

(c) has been convicted of an indictable offence.

24 Term of office

Subject to this division, a member holds office for the term of no longer than 5 years stated in the member's instrument of appointment.

25 Conditions of appointment

- (1) A member is to be paid the remuneration and allowances decided by the Premier.
- (2) A member holds office on the terms and conditions, not provided for by this Act, decided by the Premier.

26 Chairperson and deputy chairperson

- (1) The Premier may appoint—
 - (a) a member of the ambassadors council to be the chairperson of the council; and
 - (b) another member of the ambassadors council to be the deputy chairperson of the council.
- (2) A member may be appointed as the chairperson or deputy chairperson at the same time as the person is appointed as a member.
- (3) The chairperson or deputy chairperson holds office for the term, ending not later than his or her term of appointment as a member, stated in his or her appointment as chairperson or deputy chairperson.
- (4) The deputy chairperson is to act as chairperson—
 - (a) during a vacancy in the office of chairperson; and
 - (b) during all periods when the chairperson is absent from duty or for another reason can not perform the duties of the office.

27 Vacancy in office

A member's office becomes vacant if—

- (a) the member resigns office by signed notice given to the Premier; or
- (b) the member becomes a person who is an insolvent under administration under the Corporations Act, section 9; or
- (c) the member is disqualified from managing corporations under the Corporations Act, part 2D.6; or
- (d) the member is convicted of an indictable offence; or
- (e) the member's appointment is terminated by the Premier under subdivision 2.

Subdivision 2 Termination of appointment

28 Grounds for termination of appointment

The Premier may terminate the appointment of a member only if the Premier is satisfied the member—

- (a) has been guilty of misconduct; or
- (b) is incapable of performing the member's duties; or
- (c) has neglected the member's duties or has performed them incompetently.

29 Show cause notice

- (1) This section applies if the Premier believes a ground exists to terminate the appointment of a member under section 28.
- (2) The Premier must first give the member a notice (a *show cause notice*) stating the following—
 - (a) that the Premier proposes to terminate the member's appointment;
 - (b) the grounds for the proposed termination;

[s 30]

- (c) an outline of the facts and circumstances forming the basis for the grounds;
 - (d) that the member may, within a stated period (the *show cause period*), make written representations to the Premier to show why the member's appointment should not be terminated.
- (3) The show cause period must end at least 28 days after the member is given the show cause notice.

30 Representations about show cause notice

- (1) The member may, within the show cause period, make written representations to the Premier about why the member's appointment should not be terminated.
- (2) The Premier must consider all representations (the *accepted representations*) made under subsection (1).

31 Ending show cause process without further action

If, after considering the accepted representations for the show cause notice, the Premier no longer believes a ground exists to terminate the member's appointment, the Premier—

- (a) must not take any further action about the show cause notice; and
- (b) must give the member a notice that no further action is to be taken about the show cause notice.

32 Termination of appointment

- (1) This section applies if—
 - (a) there are no accepted representations for the show cause notice; or
 - (b) after considering the accepted representations for the show cause notice, the Premier—
 - (i) still believes a ground exists to terminate the member's appointment; and

- (ii) believes the termination of the appointment is warranted.
- (2) The Premier may terminate the member's appointment.
- (3) If the Premier decides to take action under subsection (2), the Premier must as soon as practicable give the member written notice of the decision.
- (4) The decision takes effect on the day the notice is given to the member.

Division 3 Proceedings

33 Conduct of business

Subject to this division, the ambassadors council may conduct its business, including its meetings, in the way it considers appropriate.

34 Minimum requirement for meetings

The ambassadors council must meet at least twice a year.

35 Presiding at meetings

- (1) The chairperson is to preside at all meetings of the ambassadors council at which the chairperson is present.
- (2) If the chairperson is not present at a meeting, the deputy chairperson is to preside.
- (3) If neither the chairperson nor the deputy chairperson is present at a meeting, a member chosen by the members present is to preside.

36 Quorum

The quorum at a meeting of the ambassadors council is a majority of its members for the time being.

[s 37]

37 Conduct of meetings

- (1) A question at a meeting of the ambassadors council is decided by a majority of the votes of the members present.
- (2) Each member present at a meeting has a vote on each question to be decided and, if the votes are equal, the member presiding also has a casting vote.
- (3) A member who is present at a meeting and abstains from voting is taken to have voted for the negative.
- (4) A meeting may be held using any technology allowing reasonably contemporaneous and continuous communication between members.

Example of use of technology—

teleconferencing

- (5) A member who takes part in a meeting under subsection (4) is taken to be present at the meeting.

38 Minutes

The ambassadors council must keep minutes of its meetings.

Part 7 Miscellaneous

39 Delegation by Premier

- (1) The Premier may delegate any of the Premier's functions under this Act to another Minister.
- (2) In this section—
functions includes powers.

40 Application of Act to public service offices

- (1) This section applies despite the *Public Service Act 2008*, section 22(2).

- (2) This Act applies to a public service office only if the public service office is a public authority under this Act.

41 References to chief executive of public authority

- (1) A reference in this Act to the chief executive of a public authority includes a reference to—
- (a) if the public authority is a public service office—the head of the public service office; and
 - (b) if the public authority is a statutory body—the person responsible for the management of the statutory body.
- (2) In this section—
head, of a public service office, see the *Public Service Act 2008*, section 21(2).

42 Regulation-making power

The Governor in Council may make regulations under this Act.

Part 8 Transitional provision

43 Plan developed or tabled before commencement

- (1) If the Premier develops a plan (the *original plan*) for the purpose, and in the way, mentioned in section 5 before the commencement of section 5, the original plan is taken to have been developed under that section.
- (2) If the Premier tables the original plan in the Legislative Assembly for ratification before the commencement of section 6(1), the Premier is taken to have complied with that section in relation to the original plan.

Schedule 1 Principles for the Queensland Plan

section 5(3)

1 Long-term vision

The Queensland Plan is to establish a long-term vision for the future of Queensland for implementation by all levels of government and by the community, business and industry.

2 Visionary response

The Queensland Plan is to position the State to respond effectively and strategically to existing and future economic, social, environmental and other issues.

3 Strategic focus

The Queensland Plan is to provide a strategic approach to planning for the future of Queensland that—

- (a) is coordinated, proactive and long-term; and
- (b) establishes a clear direction for implementation.

4 Community and other involvement

The vision established by the Queensland Plan is to be developed through—

- (a) community consultation activities held throughout Queensland; and
- (b) consultation with the following—
 - (i) the community, business and industry;
 - (ii) entities representing the interests of the community, business or industry;
 - (iii) local governments;

(iv) any other entity the Premier considers appropriate.

5 Bipartisan participation

The process for developing the Queensland Plan is to include bipartisan participation.

6 Measurable outcomes

The targets and measures included in the Queensland Plan for the key areas under the plan must enable the following matters to be monitored and reported on—

- (a) progress in relation to the targets for the key areas;
- (b) whether the targets for the key areas are achievable.

7 Joint responsibility

Implementation of the Queensland Plan, including the achievement of targets established by the plan for the key areas under the plan, is the joint responsibility of—

- (a) the State; and
- (b) local governments; and
- (c) the community, business and industry.

Schedule 2 Dictionary

section 4

accepted representations see section 30(2).

ambassadors council means the Queensland Plan Ambassadors Council established under section 19.

annual report means—

- (a) for a public authority—the annual report required to be prepared for the public authority under the *Financial Accountability Act 2009*, section 63; or
- (b) for a local government—the annual report required to be prepared for the local government under the *Local Government Act 2009* or the *City of Brisbane Act 2010*.

corporate plan, for a local government, means a corporate plan that forms part of the local government's system of financial management established under the *Local Government Act 2009*, section 104(5)(a) or the *City of Brisbane Act 2010*, section 103(1)(b).

government response, to the Queensland Plan, see section 8(1).

key area, under the Queensland Plan, means a key area for the future of Queensland stated in the plan.

public authority means—

- (a) a department; or
- (b) a public service office prescribed by regulation; or
- (c) a statutory body prescribed by regulation.

Queensland Plan means—

- (a) a plan that has effect as the Queensland Plan under section 6(2); or
- (b) if a revised plan has taken effect as the Queensland Plan under section 17(2)—the revised plan.

show cause notice see section 29(2).

show cause period see section 29(2)(d).

statutory body see the *Financial Accountability Act 2009*, section 9.

strategic direction, for the government response to the Queensland Plan, see section 8(2)(a).

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