



Research Director
Legal Affairs, Police Corrective Services & Emergency Services Committee
Parliament House
George St
QLD 4000

Right to Information legislation - private members bill tabled by Mr Jarrod Bleijie

I am lodging my support for the proposed amendment to the Right to Information legislation as proposed by in the private members bill tabled by Mr Jarrod Bleijie.

This is a piece of forward thinking legislation that will benefit Queensland and reaffirm this State's commitment to open, transparency and accountable government and to being the smart state.

I am a member of the Kalinga Woolwoowin Residents association (KWRA) which has already lodged a submission on behalf of its members and I am in full agreement with this submission, which sets out the history of Right To Information Act 2009 (RTI) and its dealings with City Northern Infrastructure (CNI) in trying to access information that a reasonable person would expect to be available under RTI for any state funded project.

I am also a resident of Gordon Park, a community that has been physically impacted by this project as well as emotionally impacted by both the aspects of the project and the behaviour of the contractors, Thiess John Holland (TJH) & the State through CNI.

CNI is a special purpose vehicle (SPV) set up by the State Government (State) to represent in the State's interests during the AirportLink Northern Busway project (The project).

This SPV was set up by the State, is funded by the State to represent the State i.e. the people of Queensland. Given the intention of RTI is to ensure open and accountable government it is concerning, to say the least, that this SPV has been able to exploit a loop in RTI to ensure that it is neither transparent in its dealings with the contractors, the residents or the businesses within the communities impacted by the project nor has it been held accountable for the decisions they made and consequences of these decisions on the residents and businesses nor for its use of public funds.

The time, efforts and money (public money) that CNI has expended to ensure that they do not have to comply with RTI can only make honest people question what are they trying to hide and by default what the State is trying to hide.

Business decisions based on good business practices, using sound honest information, made free of bias and subject to good probity practices will withstand public scrutineer, as there is nothing to hide. Yet the project, the biggest infrastructure project of its type in Australia is clouded in secrecy, with even the most simple of queries / requests not being answered by CNI, as they are not required to give that information as they believe that they are not bound by RTI.

e.g.

- i) The noise modelling methodology used and locations included in the noise modelling completed prior to the commencing of this project.
- ii) The basis of their support of TJH interpretation of the Coordinator General's Report in relation to dust monitoring levels that allows TJH to manipulate dust monitoring data so that exceedances are no longer exceedances and therefore do not need to be reported as breeches under the report.

Also having provided moral support to various owners of local businesses that have been required to close their doors due to the impact of the project I can appreciate why CNI does not want these "negotiations" to be subject to RTI.

As a member of the Kedron Community Liaison Group (CLG) who has attended CLG meetings since March 2011 and also requested CNI to follow up community issues, I am amazed at how the responses of CNI are identical to those employees of TJH. I am left questioning whose interests CNI is representing, - those of State i.e. the people of Queensland or those of TJH - a commercial organisation. While CNI can exploit the current loophole in the RTI this question cannot be answered.

If there was transparency in CNI operation and they were accountable for their actions as the RTI promotes, I think CNI would be a very different SPV and the devastating impacts the project has had on communities from Bowen Hills to Kedron, would have been managed in a way that was sustainable by both the project & the community.

In closing I fear that if this loop hole in the RTI is not closed, Queensland risks returning to the old days of 'don't you worry about that" and decisions being made based on the contents of brown paper bags, rather than reflecting the will of the people or what is best the majority of the people.

Yours Sincerely

Catherine Macdonald