



Speech by

**Mrs E. CUNNINGHAM**

**MEMBER FOR GLADSTONE**

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Hansard 18 November 1998

**TRANSPORT LEGISLATION AMENDMENT BILL (No. 2)**

**Mrs LIZ CUNNINGHAM** (Gladstone—IND) (3.15 p.m.): I wish to raise a couple of points in relation to the Transport Legislation Amendment Bill (No. 2). In doing so, I do not intend to be critical of the Bill but wish to highlight points that affect my electorate. The previous speaker commented on the wisdom of having multi-use corridors for infrastructure. That is certainly a sound approach to take. That has been recognised in our area with respect to heavy industry. In excess of 6,000 hectares of land has been put aside at Aldoga, with the port facility being some kilometres away. A dedicated corridor has been set aside under the State development legislation. We call it the wheelbarrow Act. That land has been set aside formally for a multi-use corridor for all of the infrastructure that will be required to service that industry land.

In particular, I wish to discuss the Gladstone East End to Harbour Corridor, not because there is a problem with it per se, but because the elements in this Bill merely clarify more precisely the land affected by that corridor. When the corridor was first declared in 1996, I asked the then Minister for Economic Development and Trade and Minister Assisting the Premier about the landowners surrounding the corridor from the East End to the QCL mine. I asked what plans were in place to protect remaining residents from dust, noise and other impacts of the rail line, given that at least one resident is only 300 metres from this industrial line. Quite appropriately, the Minister replied to me in December 1996 to say that an environmental management plan was in place that was going to cover the construction and operation of the project, including rail branch lines.

However, that railway line has had significant impacts on some of those landowners. The proposal grew exponentially—perhaps not unexpectedly for the proponent QCL and perhaps not unexpectedly for the Government. However, that has had detrimental effects on the landowners. One old lady, Mrs McNally, lives close to the loading facility. She is significantly affected by noise. Another couple, Lyn and Bryan Paget, who have a horse-spelling establishment not too far from the loading area—it is a loop—have seen their business deteriorate markedly because the noise has affected their ability to provide a safe and reliable place for the spelling of horses. A lot of owners will not put brood mares there, because the mares will hold up the foal and at times lose the foal rather than have the foal in circumstances that they find upsetting. And the noise is definitely upsetting.

The EMP that was prepared covered most of the issues that Mr Slack, as the previous Minister, referred to. However, changes to that document occurred without due consultation with the landowners. There was a significant increase in operating hours for the rail loop in particular. The landowners were advised of this once all of the negotiation with the company and the Government had been finalised. I think I was advised a couple of days before the landowners, who were advised 48 hours before the increase actually occurred. So there was certainly an incomplete consultation process. A number of landowners are quite significantly disadvantaged by the increased use of that loop. Ore is being loaded using a vertical shoot, and one can imagine the noise associated with that. Some noise attenuation barriers have been constructed, but they are insufficient. I point out to the Minister that a number of landowners have been badly affected by that.

I also wish to raise the issue of corridors, and I do so on behalf of local government. The proposal is to allow for ministerial decisions for crossings, that is, it is proposed that the corridors intersect existing road or rail. Again, I do not think any local authority—certainly not in my region—would query the wisdom of having dedicated corridors. The experience of local government,

however, is that Government departments take all care and no responsibility. At times, local authorities have had to put water lines in under railway lines or they have had to negotiate with QR to get road access across a railway line. Queensland Rail has required that the local government indemnify the State Government for the proposed infrastructure.

I ask: will the State Government give a similar indemnity to the council when it is proposing to put infrastructure across perhaps a local government corridor? Equal rights for equal groups. That is a question I would like clarified. I know that, on a number of occasions, the council with which I was involved came out of negotiations with QR needing a few band-aids and felt fairly brutalised because QR had said, "Yes, you can do it, but you carry current and future risks." I wonder whether the State Government is proposing to do the same thing.

There is only one other matter that I wish to raise. I am not sure—and this is a fault on my part—how broad the application is going to be. The Minister is exempting judicial review on those corridors. I note that one aspect of the Explanatory Notes talks about the land that will be affected by the Transport (Gladstone East End to Harbour Corridor) Act, but that is a different issue because that deals with Government-owned land, but the corridors provided for in this Bill will at times affect privately owned land. I wonder what recourse will be open to landowners if they are aggrieved by any future Government proposals.

**Mr Bredhauer** interjected.

**Mrs LIZ CUNNINGHAM:** The power that the Minister is giving for corridors to be placed——

**Mr Bredhauer:** The rail corridor?

**Mrs LIZ CUNNINGHAM:** No, the service infrastructure corridors. If in the future those corridors are going to affect private landowners, what recourse will be open to those landowners to appeal against the proposal and the siting of the corridor?

**Mr Bredhauer:** They already have the right to object and have the right to compensation if they are affected. That's already existing now and we're not affecting that through this legislation.

**Mrs LIZ CUNNINGHAM:** Good. Thank you very much.

Other than that, the other issues I want to raise are just points of concern, but they are not negative in the sense of planning. I raise again the issue of concern in our community with route D, which is an infrastructure corridor proposed by the Government. I know that people in my electorate have met with a number of the Ministers on this issue. It still lingers as a point of controversy in my electorate.

The other issue I raise is the Boyne Island/Tannum Sands turn-off. I raise it with two points of view. The Main Roads Department has done some work in the recent past to extend the exit lane and, therefore, improve visibility. It has also reduced the speed limit of the intersection from 100 km/h to 80 km/h. A lot of people have come into my office about this issue. There was a fatality there not too long ago.

**A Government member:** A very dangerous spot.

**Mrs LIZ CUNNINGHAM:** Yes. It was in the context of that fatality that family and friends of residents of Boyne Island/Tannum Sands came and said to me that they wanted a flyover. At the time I said to them, "Why don't you give the extended turn-out lane and the reduced speed limits time to see how effective they are." I know that the reduction in the speed limit at the Calliope crossroads increased safety reasonably well. I raise that point with the Minister. There has perhaps not been quite enough time to see how effective those new turn-outs and the reduced speed limits are going to be in improving safety at that turn-off, but there have been a couple of fatalities—one this year and one a year or so ago.

**Mr Johnson:** Since the changes?

**Mrs LIZ CUNNINGHAM:** No, it was just before the changes. I raise it because there has not been enough time to actually estimate how effective those changes are. However, the concern of the community remains irrespective of those changes. They believe that there ought to be an actual grade separation as far as the turn-off is concerned.

I have one other chestnut to raise with the Minister. If I did not do so, I would be lynched. I extend an invitation to the Minister to come and travel Monto Road. We have never effectively been able to get a Minister to do that because it takes a little bit of time. It is an arterial for industry and residents who live out in the Boyne Valley. It is an important road for them. It is their only link to Gladstone, shopping and other services.

**Mr Schwarten:** The first thing they should do is take those signs off.

**Mrs LIZ CUNNINGHAM:** I am not even going to comment on that.

**Mr Schwarten** interjected.

**Mrs LIZ CUNNINGHAM:** No, they should not.

**Mr Swarten:** It's not fit for two-wheel vehicles.

**Mrs LIZ CUNNINGHAM:** No, they should not. They should leave that sign on.

**Mr Swarten** interjected.

**Mrs LIZ CUNNINGHAM:** The member opposite is the wrong Minister. I am inviting the Minister for Transport to come for a ride. The member opposite can come as well. The invitation is extended to him to come and have a look at that road because there has been a generic concern ever since I have been in local council—and before that—to improve that road. I extend the invitation to Mr Swarten. He is welcome to come along as well. Mr Speaker, I thank you for the opportunity to comment on the Bill.

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