



Speech by
**Hon. BRIAN
LITTLEPROUD**

MEMBER FOR WESTERN DOWNS

Hansard 27 May 1999

STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION AMENDMENT BILL

Hon. B. G. LITTLEPROUD (Western Downs—NPA) (4.32 p.m.): I rise to speak on the State Development and Public Works Organisation Amendment Bill 1999. I have been listening intently to the debate all afternoon, because this piece of legislation currently is very appropriate for the people of the Western Downs electorate and, more especially, the people of the Chinchilla and Wambo Shires.

It was not long after the development of the coalfields in central Queensland and the associated development that the similarity between that part of Queensland, the Chinchilla Shire and the whole Surat Basin became apparent to me. Members can imagine how pleased I was when I was able to add weight to the proposal by the member for Burnett for the SUDAW development of the Surat Basin area, because the Chinchilla area has something very much in common with the Central Highlands: good agricultural land and mineral reserves, which have lain there undeveloped for many, many years.

In fact, when Leichhardt went through that part of Queensland in the 1850s, he noticed coal in the bed of the Condamine River at Brigalow, and it is there where we are finding some of the cleanest coals in Queensland that could go onto the world market. The Chinchilla people recognise that this is their opportunity to bring prosperity and further growth to an area that has been predominantly dependent upon agriculture for many, many years—not to mention the jobs that will flow from this. We want to reverse the trend whereby we raise and educate excellent young people, only to find that they all leave to go elsewhere to pick up the jobs of the modern world. Here is our chance to go forward and to develop the potential in that area. So it is vital that we get this piece of legislation right.

As a former Minister, I am aware of the problems facing a Government that is going through such a process. As the local member for that area, I recognise the push from the community for pro-development—these new opportunities. However, I also have a responsibility to make sure that some of those people who are going to be adversely affected are properly compensated. Already I have had conversations with three current Ministers, who have been good enough to listen to me. I have aired some of the concerns that have been expressed to me. They know that I am not against the development; I just want to make sure that we do it correctly. I am sure that that will be taken into consideration when this issue goes before Cabinet.

What we are debating here today, of course, is the process of third parties being involved. This relates to the new part of the legislation dealing with acquisition, whereby some people in the private sector are taking on the role of developer and operating public infrastructure whereas previously that was done by the Government. We have been able to manage that in the past when the Government did it, and I am sure that if we give it enough thought and are careful enough about it, we can make it work in the future. It is just a matter of getting it right the first time around. I urge the Minister to take note of the comments of some members on this side of the House, who seem to have done a lot of research into this. They have raised issues that need to be answered. They seemed to focus on the matter of compensation and appeal. Surely we can get this right.

I am aware of the problems associated with providing infrastructure, no matter what level of government is involved. If we are in the lucky situation of planning well ahead, then we can take into account all the things that will be needed and provide all the corridors and all the space necessary for public infrastructure. My mind goes back to towns such as Middlesbrough in central Queensland—towns

that were developed from the bottom up for \$4,000 or \$5,000 when there was nothing there to start with. It was easy for the town-planners to get that right. However, the role of Government is mostly along the lines of adding to what already exists, and that becomes pretty difficult.

As a former Minister for Environment, I had the experience of coming across some problems of town planning and Government planning that were pretty difficult to remedy. One of the cases that comes to mind involves the Yatala area. A huge tract of land was set aside at Yatala some years ago as an industrial area. That sounded like pretty good town planning at the time. But in the fullness of time, some very dirty industries—established in the correct zoning—have been located beside some high-tech and food industries in the one industrial estate, and those industries are not compatible. It then comes back to the Government to fix that situation. In that particular case, it came back to the Minister for Environment to fix it.

There is another case of which I am aware. When that gas pipeline was going to go through to Mount Isa, there was potential to provide a corridor so that all sorts of other infrastructure could be established there. That is known as planning ahead. The Minister would know that often we have to try to patch up and work our way through what already has been established in a particular area, and that is difficult.

The Government is charged with trying to make sure that it can cater for the overall good of the State. We do that as best we can, but there is always that question of what happens to the individual. When I first flagged the idea of this piece of legislation coming forward, I detected straightaway a certain nervousness on the part of the private landowner, because there was a new party involved—a third party. People will always be very sceptical about the role of Government and how it can trample on their rights. So it is important that we consider all those methods of appeal—in this case it is only a judicial review. The member for Moggill and the member for Burnett have suggested that we need a better appeal system.

Then there is the compensation factor. The member for Callide talked about those people who are dislocated not just from their homes but from their places of business as well, such as rural properties. In those cases, the compensation must err on the side of generosity to some degree, because one cannot put a value on the dislocation of people from their lifestyle. It certainly upsets the way families operate.

Getting back to the project in my electorate—SUDAW Developments has just released an impact assessment statement of a railway line to go from the Brigalow area near Chinchilla to Nanango. The proposal is to take coal reserves across to the Tarong Power Station. That matter has been opened for public discussion. I am sure the Minister is aware that there has already been one public meeting in the Kumbia area. Those people are keen to look after their own interests. There are two more public meetings scheduled with SUDAW and Tarong Energy in the Chinchilla and Wambo Shires. There is a meeting tonight in Brigalow and one in Jandowae on Monday night. I believe the people will say that they welcome the development because it is necessary and it is an opportunity for prosperity and growth in the area. However, the NIMBY principle comes in because they all want the railway line to be placed elsewhere. One needs finesse in order to work one's way through such problems.

Some 12 months ago the same situation occurred with the acquisition of land for Westlink in the same area. I pay tribute to Gordon Jardine and his men who are employed in the electricity industry. They looked at maps, took note of the things to dodge and negotiated with people. As a result, the course for the power link was plotted.

There was one humorous highlight during the negotiations. Mr Jardine and his companions met with the Wambo Shire Council and explained how they had carefully plotted a crossing of the Jimbour plain. I might add that the Jimbour plain contains some of the most fertile dry land farming ground in Australia. Mr Jardine told the council, "We have stuck to the bigger blocks and we are going near this creek and we have to come out on the other side up on the mountain. I think we can do it with the least amount of impact on the shire." Firstly, there was silence around the council chamber, then a bit of a laugh, and the councillors said, "You have done very well, Mr Jardine, but you have five of us councillors caught up in this and there are only nine on the council." The councillors were big enough to know that someone has to be the loser.

I have received a number of letters on this subject. The people in charge of the project have been negotiating with regard to compensation and have been working their way through it. The people are up front and are trying to negotiate, but when things go wrong they come to the local member or the Minister to try to solve the problems. I hope we can produce a piece of legislation that will enable us to proceed with confidence and make the prospect of growth in my area a reality in the shortest time possible. No-one wants to be fighting over things that can be sorted out after genuine discussion.

There is another aspect of this legislation that no-one has referred to this afternoon. I refer to environmental impact assessments. These assessments are crucial to any project. I note that the Coordinator-General is going to have overall charge of this matter. I am in complete agreement with

that. I imagine the agency doing the leg work for the Coordinator-General will be the new Environmental Protection Agency.

When I became Minister I found that people in the building industry and the development industry believed that the process of approvals was taking too long. We worked through a tortuous situation where departmental staff met with developers. As a result, we produced a manual of procedures. When a big project came to the notice of the department one officer was put in charge of dealing with that project and he steered it through all the different sections of the department. That officer was answerable to a senior officer at all times. If the developer was not happy he had the right to take his concerns to the superior officer. We were able to reduce the time required to process applications.

There are officers in the Department of Local Government who do not have a full understanding of the needs of developers in terms of their financial commitments and so on. I hope the procedures that the former Government put in place are still in existence. Perhaps they can be further refined. Developers are always pushing Governments in order to obtain an advantage. However, Government owes it to developers to ensure that departmental officers are kept in check and are given clear guidelines. They must be given enough supervision to ensure that the procedures work well.

I fully support the concept of the Coordinator-General coordinating the activities of all Government agencies. It seems appropriate that the Coordinator-General will also ensure that the environmental impact assessments fit within the total planning for the project. I warn the Minister that he will have to keep an eye on those things because these people have a way of getting around them if they can.

There are two other pieces of legislation that are somewhat relevant to State development. The first I wish to refer to is the Cultural Records Act. Perhaps the Minister has already come across some of the problems associated with this Act. When the previous Government was taking power from Mount Isa to Gunpowder we found out that the Cultural Records Act left something to be desired in the light of post-native title legislation. Some of the people who were trying to obstruct that project were able to use the Cultural Records Act in a way that was not in the best interests of the total community. The Cultural Records Act came into being in the mid 1970s. Since then we have had the Native Title Act. We need to undertake a review to ensure that both Acts complement each other. At the time of the change in Government the Premier's Department was undertaking a review of the Cultural Records Act. It would be worth while looking at the current status of that review.

I also want to refer to the Queensland Heritage Act, which came into being under the Goss Government. The Opposition supported many of the principles of this Act. When I became the Minister responsible for its enactment I found that there were some situations that were a little hard for a Government to handle, even though they had good reasoning behind them. It is totally improper for the Minister in charge of environment and heritage to overrule any decision taken under the Heritage Act.

However, the Act says that any other Minister of the Crown, if he considers it is in the public interest, can override the ruling of the Heritage Council and proceed with the development. Former Treasurer Keith De Lacy overrode the provisions of the Act when he approved the application for the Treasury building to be made a casino. When the coalition was in Government, the then Minister for Health, the member for Toowoomba South, made a ruling in relation to a heritage building in the grounds of the Rockhampton Hospital. He discussed the matter with me. He was aware of the provisions of the Act and he made a determination—which was eventually supported by Cabinet—that it was in the public interest that a public car park should be placed in a certain position even though it meant the removal of an old heritage-listed building.

Under this legislation will the situation arise where a Minister of the Crown, other than the Minister in charge of heritage, will be asked to make a decision which will lead to his overriding the Heritage Act? We now have co-location of hospitals where public hospitals and private hospitals are going to be located on the same piece of ground. A private builder might come along to the Minister for Health and say, "If I am going to put it there, you will have to buy this piece of land for me next door." It could happen that a Minister of the Crown will be asked to override the Heritage Act for a third party who is going to provide some sort of service on behalf of the Government.

I conclude by reiterating that it is important that we get this legislation right. I am trying to bring development to my community. I am acutely aware that some individuals will say to me, "You have to do it but not at my expense." I was very much interested in the weaknesses in the legislation that were referred to by the member for Burnett and the member for Moggill. I will be listening carefully to the Minister's response.
