



Speech by

HARRY BLACK

MEMBER FOR WHITSUNDAY

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TRANSPORT (SOUTH BANK CORPORATION AREA LAND) BILL

Mr BLACK (Whitsunday—ONP) (2.53 p.m.): The Minister for Transport and Minister for Main Roads introduced the Transport (South Bank Corporation Area Land) Bill 1999 to acquire certain land in South Brisbane as part of the South East Transit Project busway because of a Supreme Court judgment delivered on 18 February 1999 which stated that the resumption of privately held land situated in the South Bank Corporation area was unlawful. Justice Moynihan declared that the land privately held by Noble and Elenis could not be lawfully used for the purpose for which it was resumed.

The applicant's land is situated in an area constituted as the South Bank Corporation area pursuant to the provisions of the South Bank Corporation Act 1989. This Act controls the development of the South Bank area. The approved development plan precluded the land from being used for transport purposes. Therefore, the resumption is unlawful. The Supreme Court confirmed this and ruled accordingly. The Government has now decided to use its power to overturn this ruling through the introduction of this Bill. In the Minister's speech to the Parliament on 24 March 1999, he stated—

"A Bill of Parliament is the only practical means for ensuring the timely acquisition of all land required for the South East Transit Project busway so as to enable construction to continue and be completed on schedule unhindered by legal challenge and community doubt."

In light of the above, Noble and Elenis should not be forced into this position, especially after they won their application to the Supreme Court. They had to undergo considerable expense and stress associated with the case and the events leading up to the final ruling. They won. As far as any landowner is concerned, that should be the end of it.

One Nation strongly supports private land ownership. If someone works hard to earn the money required to purchase property—whether that be land, a house or a business—then that property is theirs until they decide to dispose of it. If the land is required for Government purposes, then adequate compensation should be paid at a level that is acceptable to the owner, and not as determined by the Government.

Another important issue was the boast that the Minister made in his second-reading speech about the Integrated Regional Transport Plan for south-east Queensland, which he claims is a 25-year blueprint for the transport system to solve the ever-increasing transport demands of the Brisbane to Gold Coast corridor. At an estimated cost of \$520m, the South East Transit Project busway is a critical component of the plan and part of an overall Government strategy to reduce the number of private vehicle trips on the road system. This is all very worthy and commendable, as the transport needs of Queenslanders is a very important issue. However, as this is a project that is costing taxpayers \$520m—I repeat, \$520m—why was not all land required acquired before construction ever commenced? Surely all land should have been secured well in advance of publicising the plan, let alone commencing construction. It looks as though someone did not do their homework properly and now has egg on their face. It looks as though that person is looking for ways to get out of trouble, yet again at the expense of the taxpayer.

I cannot believe the arrogance of this Government. People should not be forced to surrender their land when they have taken the correct steps to keep it. I state again: Noble and Elenis won their application to keep their land and now the Government is trying to take it from them without an argument. I strongly oppose this Bill for I respect the rights and liberties of individuals and the principles of natural justice.