



Speech by

**Fiona Simpson**

**MEMBER FOR MAROOCHYDORE**

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## **STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION AND OTHER LEGISLATION AMENDMENT BILL**

**Miss SIMPSON** (Maroochydore—NPA) (2.30 pm): Continuing from when I addressed the State Development and Public Works Organisation and Other Legislation Amendment Bill two weeks ago, I would like to acknowledge that we have since had a briefing from the department, particularly with regard to some provisions contained in amendments to the bill that are yet to be tabled. One of those amendments is quite significant. The state opposition does not support the way that freedom of information laws are used and abused in this state. The provisions in one of the amendments to this bill will reinstate an exemption under the act with regard to the Queensland incentives scheme, one of the programs that operates under the portfolio of state development.

The state opposition has raised grave concerns about how this state government has used and abused this scheme and not made the information publicly available so that the public can scrutinise whether the investments are in fact wise and appropriate. The exemption that previously existed under the state development and public works organisation legislation meant that the state government could block any FOI requests for information about grants that the state had given to private enterprise under this scheme. It could block those FOI requests so that the information could not be released for eight years. I understand that, with machinery of government provisions shifting the role of a number of aspects of the portfolio of state development to the Premier's department, the state development and public works organisation legislation was shifted to the Premier's department and the bill had not been drafted to maintain the exemption which applied, blocking access to the details of this scheme under FOI.

So the amendments that will be coming before the House demonstrate that this government has learnt nothing as far as its use and abuse of FOI laws are concerned and will continue to apply them with regard to this particular scheme of giving grants to private enterprise and then not allowing the scheme to be open to appropriate scrutiny. I flag that the state opposition is most definitely opposed to the continuing cover-ups of this government, particularly when there are major question marks about who benefits. We suspect that who benefits in this case is the Labor government and its mates.

The bill before the House is about beefing up provisions for the Coordinator-General. That is the main aspect of this bill which has been tabled in the parliament. I have already indicated that we broadly support these concepts and the need for the Coordinator-General to act with appropriate powers to coordinate major projects and to ensure that road blocks within government processes are cleared appropriately. I have already talked about the fact that where there are public-private partnership agreements—in this case with the Brisbane City Council in its move towards partnership arrangements in relation to busways and tunnels—this legislation allows more flexibility when it is found that some variations to the environmental impact statement are required later down the track. I can understand that some people may be concerned to know that a full EIS may not have to be re-worked on projects. But the intention of this bill is not to undermine the EIS provisions but to enable the Coordinator-General to approve minor variations to the EIS where they are needed.

I understand that in addition to the FOI amendments, which are yet to be tabled, there is another amendment which will be coming forward that relates to powers of the Coordinator-General in relation to tunnels. As was explained in the briefing that we have just had—I have not seen the actual drafting of these amendments, so I have to take them on good faith until I have seen them tabled here in the House—and as I understand the intention of this subsequent amendment, this amendment is to give the power to the Coordinator-General to set conditions on tunnels which currently do not have any framework within the law and, having provided a framework for applying conditions for the construction of tunnels, enable those conditions to be administered under and enforced by the Integrated Planning Act. I asked what this meant with regard to people's ability to challenge whether there had been a breach of the conditions or where other problems arise with a tunnel. I understand that there are a number of parties who have the ability to enforce the conditions that are put in place by the Coordinator-General. Obviously, as the state grows and there is greater density, the likelihood of there being more tunnels than those currently proposed by the Brisbane City Council will increase.

There are public concerns that the appropriate environmental studies and conditions are applied. As we have seen in Sydney in recent times when the most dramatic of events unfolded when a building above a tunnel collapsed into a hole, these projects must be got right and, where there are unintended consequences or unforeseen circumstances, people must have appropriate recourse under the law and the rights of people vis-a-vis large entities—be they private organisations that have been allowed contracts to build or be it the government acting wholly in construction mode—must be appropriately protected. As I said, I understand that this amendment is to allow the Coordinator-General to put conditions on the approval process for tunnels where they do not currently exist, and that set of conditions will be administered under the Integrated Planning Act. Another option, as I understand it, would have been to include those conditions under some environmental legislation but it is proposed that they will come under IPA.

The legislation before the House is mainly as a result of the Brisbane City Council's north-south bypass tunnel project. Council had sought a means by which a change proposed by a successful consortium could be considered by the Coordinator-General without the need to recommence the EIS process. As I indicated, this is something that may concern some people. We have clearly said that this needs to occur when there is not a substantial change to the EIS process. When there is a variation in the EIS it needs to be clearly put into the public arena what that variation means and what impact it will have so that the process is transparent and deals appropriately with the public interest.

It is acknowledged that, in the course of a project, there may be some minor amendments that need to be made, and therefore the flexibility to be able to do that without starting the EIS process all over again is very necessary. I want to place on record at this point that my colleague the member for Lockyer, who is also the shadow parliamentary secretary for the portfolio of state development, has asked that his apologies be noted for this debate. There has been a tragic car accident in his electorate and three young people have lost their lives, so he has gone up there to assess the situation. That is just an awful thing to occur. It was his wish that his interest in this legislation be indicated.

In closing, I indicate that we most definitely support the fast-tracking of infrastructure in Queensland. The concerns I have at this point are that after an infrastructure drought of nearly eight years under this government there are still significant hurdles to rolling out infrastructure in a timely way. The 20-year infrastructure plan of the government is mainly a catch-up plan. We need to fast-track through the backlog and identify the forward projects that will take us through the next 20 years. But certainly there are a lot of road blocks within government. There are still a lot of processes that need to be reviewed not only in looking after the public interest but also in making sure that we do not have undue delays caused by the ineffectiveness of government process and decision making and the lack of timely allocation of money to build these projects. As I said, we support the broad principle of the legislation before the House but reserve the right to vote against some of the amendments that will be brought forward.