



Speech by

Robert Messenger

MEMBER FOR BURNETT

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STATE DEVELOPMENT AND OTHER LEGISLATION AMENDMENT BILL

Mr MESSENGER (Burnett—NPA) (5.50 pm): It is with pleasure that I rise to speak to the State Development and Other Legislation Amendment Bill 2006. The bill contains 27 clauses, has 35 pages and affects six acts, including the State Development and Public Works Organisation Act 1971, the IPA Act 1977, the Judicial Review Act 1991, the Land Act 1994, the Land Title Act 1994 and the Water Act 2000.

The minister, in her second reading speech, states—

This bill is about providing more certainty to development and investment, and in particular for critical infrastructure, but not at the expense of appropriate checks and balances.

However, as we have heard very eloquently from the shadow minister and deputy National Party leader, this legislation is a power grab and unnecessary. We already have the legislation in place to build our infrastructure; we just do not have the government or the leadership. It is a case of this government panicking and trying to play catch-up because it knows that, when it comes to providing major infrastructure to Queensland, the ALP has failed dismally. We have a government that says, 'Don't look at our track record. We're not doers, but we're going to be gonnas.'

On health, water, electricity and transport we are in crisis management all the time, and this legislation is proof of that crisis. It is also proof of the fact that fundamental rights of natural justice and the rule of law have been eroded. We only have to turn to the latest Scrutiny of Legislation Committee *Alert Digest* to grab an appreciation of that. Page 25, chapter 10, point 11 states—

The Explanatory Notes address this provision in the following terms:

While the proposed provisions will remove the right to appeal under the SDPWO Act and to judicial review for prescribed projects as assessed by the Minister for critical infrastructure under s76E(4), the Supreme Court retains its inherent jurisdiction. As such, the proposed provisions do not exhaust the right to appeal and review of a decision. If a person or persons so wished, they could still bring action before the Supreme Court of Queensland.

In its report the Scrutiny of Legislation Committee goes on to state—

Quite clearly, the disapplication of part 3 of the *Judicial Review Act* will prevent any access to the 'statutory order of review' means of obtaining judicial review.

Right there the Scrutiny of Legislation Committee tells us that it has been caught out fibbing. The report further states—

The committee notes that proposed ss.76P and 76W (both inserted by cl.7) remove normal statutory appeal rights and severely curtail (or perhaps even completely remove) rights to judicial review, the first in relation to 'prescribed projects' and the second in relation to such projects which are also declared to be 'critical infrastructure projects'.

The committee also makes the following point—

In this regard the above provisions reflect the general philosophy underlying the *State Development and Public Works Organisation Act 1971* in relation to projects of significant scope or importance.

The committee refers to Parliament the question of whether the provisions of proposed ss.76P and 76W have sufficient regard to the rights of persons deprived by these sections of appeal and review rights.

Once again, an independent and bipartisan body has found that the legislation before this place is deficient.

I also note that the Local Government Association of Queensland is very disappointed with the consultation process and the legislation. In the member for Warrego they have a great advocate and a parliamentarian who is willing to listen and to speak up for them in this place.

This legislation affects development. There can be no better example of development and investment pressure than what is occurring in the Bundaberg and Burnett regions. This legislation will affect many of my constituents. I will largely direct my remaining comments to the subjects of investment, development, critical infrastructure and the challenges that government, the private sector and communities face in managing that change.

As have many members, I have been invited to briefings from the private sector, although none have ever offered me loans of substantial amounts. Those developers would like to create many different types of developments in the Burnett, and that has left me feeling both thrilled and scared. I am thrilled that my community is growing and that there will be more opportunities for families to find work and to raise their children in one of the most sublime and beautiful regions of Queensland. Indeed, it is one of the most beautiful regions of Australia, if not the world. I am scared because the rate and nature of that growth, if not managed competently by government, has the potential to cause damage to the environment and the culture of our community, and also place dangerous pressures on vital public services and infrastructure.

Developers tell me that there are two reasons why they are heading to the Burnett. Firstly, when compared to the rest of south-east Queensland, the land is cheap. They say that the days are long gone when one could get a bargain in south-east Queensland, so they are heading north to the Burnett. Secondly, there is an assured water supply from Paradise Dam. We have to thank the member for Southern Downs and the National Party for forcing this government to build Paradise Dam. There was a lot of equivocation from the Labor Party, which just did not want to build that major infrastructure. During an election campaign, the member for Southern Downs promised to build the Paradise Dam. Again I put on the record my thanks to the member for Southern Downs for forcing the government into that action. The dam is starting to fill up. However, I have heard rumours from a number of very well-placed sources that there may be a leak in the Paradise Dam. In her summary speech, I ask the minister to dispel those rumours and guarantee the structural integrity of the dam.

As I said, many developers are lining up to build their projects in the Burnett. I have been lucky enough to be briefed on a couple of those developments. One development by Bundaberg Sugar is to be located on the north bank of the Kolan River at a place called Miara. From the plans and the briefings that I have received, I believe that up to 14,000 people will be located within an ecovillage on that northern bank. That is certainly a challenging development.

Many local government members of the Burnett Shire Council and I have received briefings on a development to be located on the southern bank of the Elliott River. That project is being conducted by the Walker Corporation, which I believe is the corporation that developed Hope Island on the Gold Coast. That corporation proposes a development that, probably in the next 10 to 15 years, will bring an extra 6,500 people to the Burnett.

Naturally, these sorts of numbers of people coming to the Burnett and Bundaberg region are going to put great pressure on the public infrastructure of our region. One example is the Bundaberg Hospital. At the moment the Bundaberg Hospital has numbers of around 100,000 people. If these developments do come to fruition, by the years 2015 to 2020 we can expect that there will easily be a doubling of the number of people within the Bundaberg-Burnett region. That is why we need to start planning right now to cater for those critical infrastructure needs of health. That is why today, once again, I will ask this government to start planning for a new hospital in Bundaberg, a hospital that can cater for a population of at least 200,000 within its coverage area. We will need a hospital as proposed by the coalition that will have at least 250 beds because at the moment the Bundaberg Base Hospital, like most other government infrastructure, is operating at its maximum. There is no fat in the system whatsoever.

I note that in relation to development the minister for state development has contributed to the Queensland government's progress report on the implementation of the government's response to the Palm Island Select Committee's recommendations. Recommendation 41, on page 28, states—

The Minister for State Development should continue to explore a range of economic development opportunities with the Palm Island community as part of a wider goal to develop a community-owned economic development plan. Development of this plan should entail consideration of:

- opportunities which are sustainable and likely to meet the environmental requirements of the Island;
- joint ventures with other entities (both public and private sector);
- enhancing existing projects;

- projects and industries of a range of sizes, particularly smaller scale and 'cottage' projects initially; and
- opportunities both on and off the island.

I recently visited Palm Island and organised to meet with senior police and police liaison officers. I was given a tour of the island and a briefing on the challenges facing the community. It was a very informative trip and I appreciate the police minister allowing me to visit and also organising the visit. I met with Senior Sergeant Paul James and was accompanied by Inspector Greg Schofield. Those gentlemen took me on a tour of the island. I gained a better appreciation of the history of the island. They showed me areas where the Islanders used to grow their vegetables and where they used to harvest trees. They also had an area where they had their own poultry farm. Indeed, they used to harvest the timber in the mills and then mill that timber. Apparently, in the mid to late sixties they had a boat building contract—

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! I remind the member that he is skirting a far distance from the bill. Perhaps we could come back slightly to the bill.

Mr MESSENGER: I thank you for your direction, Mr Deputy Speaker. There is a point to me explaining what I saw. As we know, there are significant social pressures to overcome social problems and the solutions are complex and not very easy to implement. But in order to secure a future full of hope for the children of Palm Island we need a project, we need development—private or government or a mixture of both—which creates economic development and jobs for Palm Island.

I am practical enough to understand that this legislation before the parliament will most probably go through on the government numbers. If any good is to come out of this legislation it might be that this legislation will enable a private business or a mixture of private and government business to be able to set up on Palm Island and provide those jobs that are needed for the children and future generations of Palm Island. I spoke of this issue with Barnaby Joyce very briefly and told him about the problems that were facing Palm Island and how we do need a private business to set up there once again. Barnaby Joyce, quick as a flash, said to me, 'Why don't you write to the Prime Minister and ask him for a tax-free period for any business that would like to set up on Palm Island?' He suggested 25 years of tax-free status for any business that sets up there. I think it is an excellent suggestion. I will be following through with that and writing to the Prime Minister asking that he consider that suggestion. I would also ask that the state development minister think about this suggestion from Senator Joyce. I think it has a lot of merit. By using this legislation and also looking at opportunities of deferring state government charges and taxes the state government may also be able to entice a private business to Palm Island and create that industry and those jobs.

In closing, I will quote the shadow minister—

The Coalition parties are the genuine pro-development and free enterprise parties in Queensland and our record in government of getting timely and critical infrastructure established is obvious the length and breadth of the State.

However, being pro-development does not mean the Coalition parties support legislative mechanisms which remove transparency or puts at risk inbuilt accountability and probity measures which prevent corruption within a public entity.