



Speech by

Robert Messenger

MEMBER FOR BURNETT

Hansard Thursday, 12 November 2009

BUILDING AND OTHER LEGISLATION AMENDMENT BILL

Mr MESSENGER (Burnett—LNP) (6.19 pm): The Building and Other Legislation Amendment Bill is about introducing legislative measures to help stop climate change. The minister in his second reading speech said in his opening lines—

... key components of the government's decisive strategy to help address climate change through improvements in the building sector, while keeping its election commitments.

I believe in climate change. In fact, I believe in global warming, but not global warming in the last eight to nine years, because all of the science shows that global warming has actually decreased or stopped and the average global temperature at the moment is hovering around 14.1 degrees.

If one talks to any geologist or scientist, one will get very little argument about climate change. We have had climate change for hundreds and thousands of years. The last great change in global warming started about 15,000 years ago. The North American continent was covered in two miles of ice. If someone wanted to they could walk from Tasmania to China. Then the globe started heating up. Why did the globe start heating up 15,000 years ago? The globe started into a natural cycle of climate change, a natural cycle of warming because obviously there were not any man-made greenhouse gases 15,000 years ago. There were natural factors such as Milankovitch cycles.

Whenever I have a debate with people about climate change and global warming, the first thing I ask them is whether they know about Milutin Milankovitch. I am sure Mr Deputy Speaker knows about Milutin Milankovitch. I ask schoolchildren about Milutin Milankovitch. Even right-wing activist Tim Flannery, who wrote *The Weather Makers*, devotes whole passages of his book from page 42 onwards to Milutin Milankovitch.

Milankovitch was a scientist who discovered three great warming patterns in the world. There is a 100,000-year cycle, a 44,000-year cycle and a 22,000-year cycle. These cycles are caused by variations in the earth's orbit around the sun. The earth's orbit around the sun is not a circular orbit but is actually an elliptical orbit and it changes over time. That is what produces climate change and global warming. I know that you are interested in this, Mr Deputy Speaker.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! No. What I am interested in are the provisions of the bill that is currently before the House. We are not here tonight to debate climate change—whether it exists or not or the reasons for it. What we are here to do tonight is debate the provisions of the bill before the House. I am not convinced that that is what you are doing right now and I ask you to return to the provisions of the bill.

Mr MESSENGER: Thank you, Mr Deputy Speaker. I refer back to the minister's second reading speech where he says—

This will also help address climate change impacts from our considerable existing building stock by invalidating new covenants ...

As well as the provisions relating to climate change, there are also provisions made in the sustainability declaration form for outlining greenhouse gases. At the end of this form under 'Household

report card' people are actually asked to add up the approximate kilograms of greenhouse gas emissions from annual household electricity use.

That would lead us to say: what is a greenhouse gas? I believe that most people really do not have an understanding of what greenhouse gas is. When we say 'greenhouse gas' most people think it is a bad thing. If we ask a schoolchild what greenhouse gas or CO₂ is, they say it is bad.

The reality is that there are 30 different gases within greenhouse gas. CO₂ is just one of those gases. They also include methane and nitrous oxide. CO₂ is about 375 parts per million in the greenhouse gases. The overwhelming majority of greenhouse gas is water vapour—H₂O. More than 95 per cent of the official greenhouse gas is water vapour.

What I have real concerns about is this demonisation of CO₂ within this bill and within common literature that the government is putting out. CO₂ is in fact a plant food. If members want to find out how dangerous CO₂ is, they should go out to the edge of my electorate near Alloway and look in the greenhouses there. They will find that the operators elevate the levels of CO₂ in the atmosphere in those greenhouses from 375 parts per million up to around 1,400 parts per million. They quadruple it. What happens when they do this is that the plants inside the greenhouses actually grow faster and thrive. I find a lot of rot is being spread in current science. People are repeating myths rather than scientific facts.

Can we stop climate change? The government would have us believe that if we pass this bill we can stop climate change. That is implicitly in the minister's second reading speech. The government would have us believe that we can stop climate change by paying more money to Kevin Rudd or governments in the form of a carbon tax or an ETS.

Mr Wettenhall: That is ridiculous!

Mr MESSENGER: I will take the interjection that that is ridiculous. Of course it is ridiculous, but that is the reality of the future in Queensland and Australia. This little bill will add to the overall charges we will have to pay for the privilege of having an emissions trading scheme in place. What that is going to mean is that each household in Queensland will probably be paying anywhere from \$3,000, \$4,000 or even \$5,000 extra each year for the privilege of having a carbon tax or an ETS.

What this bill is doing is paving the way for another tax. Once a household has declared on this form, which they must do, the amount of greenhouse gas emissions then it is quite easy for any government—it could be a state government—to levy a fee on the amount of bad greenhouse gas, that nasty CO₂ which they are saying is bad. Then we will probably have to start paying a tax.

What I see with this provision is that the government, in a very sneaky and underhanded way, is possibly preparing the way for a new government charge or tax. The sustainability form states—

If a real estate agent is used to market the property, the form will need to be provided to the agent by the seller to enable them to advertise the dwelling in accordance with the *Property Agents and Motor Dealers Act 2000*.

We have found out from other members of this House that if people do not use this form in the marketing of their house then they are up for a huge fine or if they fill this form out incorrectly they are up for a fine of \$2,000. This is a mandated form.

What we obviously have here is more red tape. The minister says in his second reading speech that the policy will also help reduce the cost of homes. What a complete fraud! What a complete furphy that is! How can more red tape actually reduce the cost of selling a home or reduce, as the minister said, the cost of homes? This, by its very nature, is going to add to the cost of our homes. How can red tape not add to the cost of homes? Of course it will.

This is just a sneaky little way of preparing the way, I believe, for a new state government charge. Once the ETS comes in, once Kevin Rudd has his way, then we have a form laid out neatly—it is just like a tax return—and the bureaucrats can go along and say, 'Look, that house is producing this much bad CO₂. We will charge them this much.' It will be like a rates notice or a water notice. It will come out and everyone will have to pay it.

I look forward to the discussion of the clauses to see what the minister has to say about this. The government has tried to sneak this through parliament. This is the first time that this form has actually seen the light of day. It is being rushed through in unseemly haste. The government is using the guillotine provision to push this legislation through without proper scrutiny in this place. That adds to the evidence before us. It is a compulsory form which will add to the cost of housing in Queensland. This is, as I said, a form which is preparing us for a new state government greenhouse tax. This is a mandatory form.

Sitting suspended from 6.30 pm to 7.30 pm.

Mr MESSENGER: The minister in his second reading speech of the Building and Other Legislation Amendment Bill said—

Consultation in 2008 indicated strong support for a new process and code setting noise standards for buildings in transport corridors. This will provide certainty for developers and reduce delays and holding costs for developments. Mandatory requirements of this nature will be an Australian first. Local governments will also have the ability to designate transport noise corridors.

I am sure that everyone in this place is aware of the housing affordability crisis that has hit Queensland. Costs are rising and will rise even further once the ETS is put in place. That will be a tax on everything—fuel, food, building. As well as the affordability crisis in private housing, there is also an affordability crisis looming in developments. I have been contacted by a local developer in Bundaberg who has expressed his concern as to the rapid loss in commercial viability of undertaking development in Bundaberg. He said in a letter—

You will find at the base of this letter an email that was sent by return to Insite Strategies and BRC staff which stems from an earlier application to host Biga Apprentices on our site at Northside Industrial Park, Bundaberg.

The simple facts are that we constructed 'as of right' two light industrial buildings, approved in March 2008 and completed by 30 June 2008. BRC, in an approval dated mid-August 2008, tried to charge us \$34,000 in headworks for additional headworks to shift the use from light industry to general industry.

Your headworks charges are no different for light industry to general industry, as per your own policies, and yet we have now spent an additional \$6,000 i.e. \$1,000 to Council, \$5,000 to consultants to argue this matter. Add to this the \$8,500 to develop and lodge the original application, to date there is no result, a \$14,500 bill and an additional potential liability of a further \$34,000 and for what? The ability to train apprentices and upskill the local labour force in the Bundaberg area. Are these charges to make up for shortfalls in reduced State Government funding?

The point that that gentleman is making is that, since the forced council amalgamations, which cost plenty—\$16 million in the Bundaberg Regional Council—the council is now scrambling to find extra funds to pay for its costs and outgoings. This bill deals of course with more regulations in terms of building developments, and we have to be very careful not to overregulate the industry and add more red tape and more unnecessary costs for developers. He goes on to say—

Our investment in Bundaberg is based on a sustainable economy with modest to good potential for growth. That growth appears to be frustrated by excessive costs especially for small businesses, from which we all know larger business grow.

A recent example was the 'coffee cart' previously located inside Bunnings—the business owner investigated relocating to Northside Industrial Park after Bunnings resumed his lease for their own retail purposes. This 20 square metre operation, in a 40,000 metre industrial park, required \$10,000 in application and consultancy fees excluding hydraulic engineering and traffic impact assessments which could have been added at Council and/or Main Roads discretion.

The minimum cost of asking the question without any certainty was \$10,000, and about three months, to a maximum of about \$23,000 in seven months. (That a small business owner would have to commit over four years rent just to ask the question as to where he could operate raises serious concerns).

Can a one man coffee show even afford to do business in Bundaberg?

When previously I have raised these issues I have been informed that your charges are similar to, or slightly less than the Fraser Coast Council. I would respectfully ask you to reflect on the following—whilst your bid to extend the runway in Bundaberg is commendable, it will (with the advent of daily Sydney flights) put Sydney the same commutable time away as Hervey Bay and Melbourne closer than the Sunshine Coast. You may well end up exporting your job creators to southern states where your real competition is, not just locally.

The hard facts are that a retirement village unit attracts \$35,000—\$40,000 in government charges in Queensland versus \$6,000 in Victoria. We have a major problem in the economic development in the Bundaberg region especially if it is Council's wish to grow and broaden this economic base. I am not clear nor confident that these major economic issues are being addressed.

While you are called 'local government' your competition isn't within 100km, it is Australia wide.

That is a salient point for members in the chamber tonight and for the minister to realise—that is, every little piece of red tape that goes on top of building charges for both private and commercial operators is hamstringing our efforts to maintain credible and profitable businesses in Queensland which, of course, are the ones that create the real jobs. The government does not create jobs. It is the private industry that creates jobs. It is the private industry that creates the jobs for apprentices while the government seems to be very good at creating red tape and false jobs. This declaration form will create jobs: it will create a new job for someone to come in to try to help fill out this form, because it is a complicated form once you start getting into it. Once you start getting into it, it is a complicated form. However, that job is not a productive job. It actually eats into the profitability of private owners and it will also eat into the profitability of developers.

In the brief time I have left, I want to speak to the issue of mandation as contained in this declaration form.

Mr Finn interjected.

Mr MESSENGER: I take the interjection from the member; I was just about to say that. Whenever one sees the word 'mandate' in legislation, they know that the legislator means business. The government mandates extra red tape for home sellers, but it will not mandate things that really matter to Queenslanders like giving them the right to know if a repeat child rapist has been let out of jail and moved next door because that is secret. It will not mandate three months automatic jail for thugs found guilty of seriously assaulting police, prison officers, fire officers or ambulance officers. Mandation is not part of the government's vocabulary on those important issues, but the government will mandate this extra piece of red tape.

In closing, the declaration form creates a new green industry. It will add costs of anywhere from \$500 to maybe \$1,000. Who knows what the cost is going to be by the time it is added to the real estate agent? I commend the shadow minister for his accurate summation of this legislation. I support him 100 per cent and will be vehemently opposing this particular provision with regard to the sustainability declaration form during the consideration in detail stage.