




Speech by

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Hansard Wednesday, 16 February 2011

QUEENSLAND RECONSTRUCTION AUTHORITY BILL

 **Mr LANGBROEK** (Surfers Paradise—LNP) (Leader of the Opposition) (9.07 pm): It is with both gravity and urgency that the Queensland Reconstruction Authority Bill has come before this House. It establishes the Reconstruction Authority through the Queensland Reconstruction Authority Act 2011. It amends a number of acts: the Building Act 1975, the Disaster Management Act 2003, the Integrity Act 2009, the Land Valuation Act 2010, the Public Service Act 2008 and the State Development and Public Works Organisation Act 1971.

The LNP will be supporting this bill. We need to rebuild our state as quickly and effectively as possible. The official process starts here with this bill. I have reservations about the bill and the bureaucracy contained within it, but as a parliament we need to show Queenslanders that the recovery from disasters is underway. Soon the LNP shadow minister for flood recovery, the honourable member for Redlands, will make his contribution to the bill. I am proud to have appointed the member for Redlands to this important task. In my opinion it is lamentable that the Premier did not think it appropriate to dedicate a minister to the cause.

As leader I want to rise today and give hope to all Queenslanders that we will support the rebuilding of our communities, the reconstruction of our infrastructure and the rebooting of our industries and economies. I want to tell Queenslanders that their parliament recognises the problems and the trauma they have endured but we are also committed to building a stronger, safer state. We recognise the urgency in getting the reconstruction and recovery of Queensland underway. In offering our bipartisan support for this bill we acknowledge that there will be improvements or refinements that could be suggested to the process.

The magnitude of the recent flooding across our state was immense. As we have heard over the last couple of days, it is estimated that over 70 per cent of our state was impacted by flooding. Tragically, 35 people died and three people remain missing as a result. As our great state was still cleaning up after being inundated by floodwater, North Queensland was battered by Cyclone Yasi. This massive category 5 cyclone unfortunately claimed another life.

Over the last two days members have recounted harrowing tales of tragedy and survival experienced in their electorates. We have heard tales of hope, tales of heroism, tales of luck and tales of humour. More tragically, there have also been tales of loss and tales of heartbreak. Now is the time for Queensland to join together to rebuild—to rebuild the houses, the businesses, the infrastructure and, most importantly, the lives of people who lost so much at the hands of flooding and cyclones in recent months.

Many words have been used to describe the floods that have damaged and distressed our state in the last few months. There are, however, too few words that can capture the tragedy adequately. The hurt and horror caused by these disasters will linger for a long time to come. There were cases of unbelievable and incomprehensible devastation, with lives lost and communities torn apart. There were people who saw their lifetime's belongings and mementos destroyed and lost. There were people who lost livelihoods—businesses they had put years of effort and toil into. The stories of heartache go on and on—economic

pain caused by damage or isolation, material and property loss and, above all, trauma and psychological pain.

As I said yesterday, no Queenslander could be unmoved by the footage of the tragedy as it unfolded in Toowoomba and the Lockyer Valley. No-one could comprehend the scale of the flooding as, one by one, our major centres and our small towns succumbed to the water. Across the state there are people hurt by floods and cyclones, people who have lost everything to the water and the wind.

The trauma will be borne acutely by those who lived through the disaster, but it is shared by all Queenslanders. We have heard that over the last couple of days, with almost every member speaking on behalf of their electorates, showing that this experience has been shared by all Queenslanders. There are people who rely on stalled or stuttering industries for employment and food on their tables. There are businesses sustaining losses and community organisations rebuilding their own premises at the same time as helping others. There are people who helped their neighbours and those who helped strangers.

We cannot forget the impact that the events of December, January and early this month have had on anyone. These are exemplary, everyday Queenslanders. Now the responsibility is to ensure that the damage from the disasters is limited and that the support, assistance and recovery processes are started as quickly and as effectively as they can be.

I want to turn now to industry impacts. The damage to industry and business is massive and not limited to those who had water through their doors or experienced floods. The impact of this summer will be felt for some time by our small businesses, major industries and taxpayers as our economy recovers. Queensland's three major industries—tourism, mining and agriculture—as well as our small businesses were all hard hit. Many small businesses which closed because of damage or staff shortages have had to bear the loss and some continue to do so as they await rebuilding or the return of customers. Some are unexpectedly casualties of the flooding. A simple example, the Nindigully Pub, illustrates the impact on a business which is miles away from the floodwaters but which is still bearing the cost as a result of road closures and blocked access. However, it is not eligible for government assistance. Other businesses that were not flooded lost their stock in transit—a write-off for the business.

As I travel the state I see many communities who rely on tourism. They have been hard hit in recent months. Priority needs to be given to ensuring that these tourism enterprises receive urgent assistance and rebuilding. However, most of the tourism industry is still operating. They will receive no assistance or handouts, but their income over this peak season has been decimated as visitors either defer their visit or change their itinerary in the mistaken belief that Queensland is closed. We must get the message out that most of Queensland's celebrated tourism industry is open for business. Much of this industry is small business and is hurting badly. Red tape is a recurring theme for businesses and a very real threat to their viability. The Reconstruction Authority will have a real role to play in clearing the hurdles bureaucracy puts in the path of reconstruction.

Our major export industry, mining, has been badly hit. As we heard reported today, about 13 per cent of our mines are now operative. Mines have been flooded and road and rail connections to export markets have also been cut. The loss of export income and royalties will hurt our economy and state budget for some time to come. In addition, this industry is a major employer of Queenslanders, both directly and indirectly. As well as that, our farming industry has been hard hit, with crop and livestock losses. Furthermore, the loss of infrastructure such as fencing will take substantial time to recover.

Let us have a look at infrastructure. It can be argued that the biggest challenge of the Queensland Reconstruction Authority will be rebuilding our infrastructure. Our road and rail networks are so critical for our economy and our lifestyles. Over a quarter of our road network has been impacted and will need repair or rebuilding. Key sections of our rail lines have been cut. The most prominent example is the rail line to Toowoomba along which so much material is transported to the port of Brisbane. This is expected to be closed until April as a result of the flash flooding which claimed so many lives. Our water, sewerage, electricity and other public utility infrastructure has in many cases been swept away. The Queensland Reconstruction Authority will have a huge task in overseeing the rebuilding of this state. The LNP will support the rebuilding task.

The main aim of this recovery must not be just to return Queensland to normal operation but also to prepare our state for future extreme events. Queensland is a state of droughts and flooding rains. Unfortunately, for too long this government has failed to prepare. In the last budget we saw that the state was facing an \$84 billion debt. This is the government that sent Queensland bust in a boom. But despite this spending spree, this government did little, if anything, to prepare our state for flooding. The government emptied our coffers but did not invest in the future.

After Cyclone Larry, then Premier Beattie promised to prepare for the future. There were grand promises about cyclone shelters, summits and other practical steps to cyclone proof our state. The question is: what have we seen since then? The answer is: little, if anything. Once the priority had passed, the media had moved on and memories were forgotten, we saw the government quietly walk away from

real action to prepare for the next event. I implore the government: let us not waste this chance. The Reconstruction Authority has a real chance.

I turn to the nature of the Queensland Reconstruction Authority. This Reconstruction Authority was originally set up in response to the devastating floods that Queensland experienced during December 2010 and January this year. The LNP supports the expansion of the responsibilities of this authority to encompass the devastation wrought by Cyclone Yasi. The authority is being established to manage and coordinate the government's program of infrastructure reconstruction and recovery within disaster affected communities. Under this bill, the authority is granted substantial powers to carry out this role. These powers are modelled on the powers of the Coordinator-General and the ULDA.

Many questions remain regarding the nature, role and responsibilities of the Queensland Reconstruction Authority. The role of the authority is broad ranging and has a lot of parameters as yet undefined. The authority will be responsible for deciding priorities for community infrastructure and services required in the recovery of communities. The process that the authority will use to communicate with communities and other decision makers to establish these priorities is a question mark at this stage.

There is a general function, without definition, to work with the communities to ensure communities' needs are recognised. In a broad sense, the authority is responsible for flood mitigation, community protection and rebuilding, expedition of regulatory approvals and setting the priorities for community infrastructure and services.

The manner in which it will undertake these functions is not yet fully evident. Information must be collected and collated about infrastructure and other property damaged or otherwise affected in the disaster event, and data sharing which facilitates flood mitigation, protection, rebuilding and recovery of communities must be implemented across all levels of government. Yet, at the same time, the authority has overriding powers which allow it to make decisions, extract information and establish processes without the agreement or assent of other entities such as local government. Penalties accompany noncompliance with many of these powers, which strengthens the need for the powers to be used with restraint and transparency.

The authority will also have responsibility for ensuring the recovery facilitates flood mitigation, taking responsibility for the longstanding neglect under this government. The board will have power over the authority in that its strategic priorities will be enacted through the authority. The minister—the Premier—will also have a lot of oversight and intervention powers over the authority. The authority will, as asked, advise the minister about putting into effect the recommendations of the commission of inquiry. These recommendations are only accorded the status of 'possible implementation' which, in itself, potentially diminishes the standing of the commission.

The minister may give the authority a written direction about the performance of its functions or exercise of its powers. The minister can declare a project for proposed development to be a declared project if it is to be undertaken in a disaster affected area of the state or it is necessary for flood mitigation or rebuilding purposes. The minister can prepare a regulation to declare a reconstruction area. For projects the minister deems critical or essential for state economic, environmental or social reasons, the minister can declare a critical infrastructure project. The authority may, with the minister's approval, give a step-in notice to a decision maker and applicant to state that the authority is making an assessment and a decision.

I want to turn now to the matter of the responsible minister. The rebuilding of Queensland will be an enormous task. It is not one to be taken lightly but fast-tracked with action taking community needs and views into account. Under this legislation, the responsible minister has a substantial workload that is highly time critical, including directions, declarations, regulations, submissions, approvals and amendments. The lack of a unique minister dedicated to this portfolio is alarming. Rather than devoting a minister to the sole task of rebuilding our state, the Premier has chosen to swallow up this responsibility to sit alongside numerous other duties. To manage the recovery properly there needs to be a minister who is the driving force behind the reconstruction without concentration being diverted elsewhere. There needs to be a focus purely and simply on getting the job done, with as little bureaucracy as possible and without diversions.

Flood recovery and reconstruction after Cyclone Yasi will not be a task for a couple of months but for many years to come. It is a full-time requirement that needs to balance many factors to ensure the best possible outcomes for our communities and state. The Premier is already juggling her role as federal president of the ALP while undertaking a range of tasks as Premier. Where in that scheme of things will flood and cyclone victims come? What about ensuring Queensland is properly prepared for the next event, particularly once the media scrutiny has moved on, as it inevitably will? Too many times we have seen that this government is only interested as long as there is a hard hat involved, only to lose interest when the cameras are no longer focusing on them.

The LNP has recognised the need for long-term and real commitment to this recovery. To that end, we have moved swiftly to appoint the member for Redlands as the shadow minister for flood recovery. He will be assisted by Lawrence Springborg, the shadow minister for major projects, infrastructure, planning

and trade; Mark McArdle, the shadow minister for health; Tim Nicholls, the shadow Treasurer and the member for Clayfield; and the honourable member for Maroochydore—in all those areas of health infrastructure, social infrastructure, economic infrastructure and transport infrastructure. This is to accord the flood victims and the reconstruction of affected areas the importance and attention they need and deserve into the future.

I want to turn now to the matters of transparency and accountability. The authority will have substantial funds passing through its hands, will make decisions impacting on people's lives and livelihoods, as well as determining what the government's priorities will be. It is vital the Queensland Reconstruction Authority be open and transparent in its processes and reporting. It must be asked: what relationship will the authority have with departments? What role will cabinet have in overseeing the authority and its determinations on priorities?

As the Natural Disaster Relief and Recovery Arrangements funds are both Commonwealth and Queensland government moneys, what controls will each government retain? What powers will the authority have to make decisions that impact on prior approvals and what compensation will be made available? What promise do we have that the funds from the Queensland government projects being rolled back for the recovery will actually be spent on flood recovery projects and not on just more Labor waste?

The government has already claimed that the Abbot Point terminal proceeds and the 15 per cent public transport fare increase will go to fund the restoration of public infrastructure. As both of these were already scheduled, what acquittal will be provided so Queenslanders can be sure the funds will actually be spent on flood reconstruction? What about infrastructure not covered by NDRRA funding? Will the government give priority to this infrastructure? Will the authority be reporting publicly or to parliament on the numbers and types of progression notices and notices to decide?

What if the state or local government agency fails to comply with a progression notice or a notice to decide? Will that be publicly reported? If the government issues a decision on a step-in notice against the written recommendation of a local government, will this be publicly disclosed? What guarantee will landholders subject to a deferred acquisition land order have that this order will not reduce their land valuation into the future as they can only sell to the government?

The authority has stated that it would prefer to operate on the invitation of local government but has the power to override them. So the question is: what appeal rights will the local authority have? The authority's jurisdiction only extends to areas impacted by the recent floods and/or Cyclone Yasi. Therefore, flood prone areas that were not affected will be unable to access the powers of the authority to pre-emptively act to improve their flood immunity. Instead, they will have to continue to fight their way through bureaucracy. What options to streamline this process will they have? These questions and many others need to be answered.

I want to turn now to flood mitigation and water management. The authority will also advise on the possible implementation of recommendations made by the commission of inquiry. The LNP has supported the establishment of this inquiry but believes it should be a comprehensive investigation of all matters related to the recent flooding in Queensland. The commission of inquiry needs to reflect on the impact these events have had on our communities and the state of the preparation and deliver answers to every Queenslanders.

To do the right thing by Queenslanders who were impacted, we need to make sure we do the best thing for our community and work to ensure that we get the answers and we make the difference. These are questions that need answering, and I fervently hope the commission of inquiry will deliver a report that shows us what went wrong and gives us a foundation to build on.

Every town affected by flooding has its own set of circumstances. Some, as we have heard over the last couple of days, have been flooded regularly. For others, it was the twice repeated inundations and evacuations that exacerbated the heartache.

There has been speculation that there were water management issues which increased the impact of flooding in Brisbane. This, of course, will need to be a focus of the inquiry. It appears that the operating procedures at Wivenhoe Dam failed to keep pace with new technologies and wider developments, effectively reducing the capacity of the facility to react to major flooding events. There were warnings that Wivenhoe and Somerset did not meet the national guidelines for flood mitigation. It seems that this was gauged to be of little importance or urgency as the compliance deadline was set 25 years down the track.

At a time when we have seen an unprecedented \$9 billion spent on our water infrastructure, including many white elephants, it is impossible to understand why improving flood mitigation at these dams was ignored. It would seem that capital works, which would increase the capacity of the dam for a comparatively low cost, were dismissed without further investigation, while the second stage of an upgrade at Wivenhoe was postponed for 15 to 20 years because of cost. Similarly, low-cost associated works to affected bridges could have improved regular release procedures. The spaghetti jumble of administration imposed by this government on water seems to have led to communication breakdowns and overly onerous bureaucracy, all at the expense of those in flood paths.

Manuals are of little use if they fail to be practical or relevant. Chains of command are only effective if those at the top are contactable. Delivering forecasts of bad times ahead to the public is not the only job of governments in inclement weather. It appears that there was a long lead-in time to the very wet summer we experienced. It also appears that there was very little planning. An important lesson for the government if it chooses to learn is that panic reactions to crises are no match for planning.

Spending ever-increasing amounts of taxpayers' dollars on ill-advised or unworkable projects does not protect the taxpayers from foreseeable events. Planning is the best weapon governments have. Constructive criticism is a good foundation for planning. It is to be hoped that the criticisms that will be aired over coming months will be noted and acted upon. Our side of the House will take the information seriously. Planning can also include placing flood emergency response rooms out of the path of flooding.

Release data from Wivenhoe Dam is very difficult to obtain in consistent and complete forms under this administration. Yet it would appear to be likely that this data will show a pattern of low releases from the dam at just the time when one would expect more urgency. Allowing a dam to fill from just over 100 per cent to nearly 150 per cent in the course of one weekend preceding a forecast that there will be a lot of rain over the catchment is sure to be an issue examined by the commission of inquiry. Similarly, releasing one-quarter of the dam's capacity shortly before the Brisbane River began to break its banks is also a matter for consideration.

My hope is that the hardworking staff who operate our infrastructure are given better conditions in which to work—conditions in which they can act quickly and without impediment in the public interest, without the layers of bureaucracy and tiers of entities which at the moment confuse the processes and responsibilities.

I note that the government has taken the opportunity to roll back the recent swimming pool fencing laws for rentals not just in flooded areas but across our state. The LNP strongly supports the safety of our children around water. We were always concerned when this legislation was brought in that the implementation of the recent changes had been bungled and that landlords may be unable to comply in the short amount of time available before the laws took effect. I know that other members will have comments on that in their contributions.

The government is delaying land valuations by three months, from 31 March to 30 June, on the grounds of the impacts of the recent flooding. Whilst this may be the case, I cannot help but suspect that this is just an excuse as the recent introduction of a new land valuation process required the application of new valuation processes across Queensland.

This bill represents the beginning of the official reconstruction but, more than that, it represents a promise to the people of Queensland—to the people who have lived through these disasters and the people who have lost so much. What they cannot afford to lose now is their trust in our parliament to rebuild their communities. We owe it to the community and these people to ensure the rebuilding is undertaken with practicality, efficiency and compassion. We owe it to Queensland to act quickly and well. Our communities deserve a response that will give them back the communities, facilities and infrastructure they lost, but also a response that provides them with optimism, provides them with hope and provides them with greater expectations for the future. I put on record my intention to pursue this bill's implementation to ensure it best serves the community.