Speech By

# Brent Mickelberg

## MEMBER FOR BUDERIM

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## ECONOMIC DEVELOPMENT AND OTHER LEGISLATION AMENDMENT BILL

**Mr MICKELBERG** (Buderim—LNP) (12.32 pm): I rise to speak to the Economic Development and Other Legislation Amendment Bill 2018—another omnibus bill that amends numerous acts. It is another complex bill that has been pushed through a rushed committee process, which is not unlike the situation with many other bills that have been presented to this House over the past 12 months. Like its predecessors, this bill would have benefited from a longer time frame for consultation and consideration through the committee process. Such a process would have allowed the committee to more fully hear concerns, identify issues and investigate alternatives. Given the consistent failures of this Palaszczuk Labor government in managing the business of running the state, it is a familiar refrain.

As mentioned by previous speakers, this bill is an omnibus bill that has the objective of providing for increased operational efficiency of legislation under the administration of the Minister for State Development, Manufacturing, Infrastructure and Planning. I note that the opposition will not be opposing the bill. However, the LNP has issues with certain aspects of it.

As a member of the State Development, Natural Resources and Agricultural Industry Development Committee tasked with reviewing this bill, I would like to recognise the work of the committee secretariat, led by Dr Jacqui Dewar. I would also like to recognise the contributions of my fellow committee members—the members for Bancroft, Condamine, Bundaberg, Ipswich West and Mount Ommaney.

Regrettably, it is disappointing and concerning that the Palaszczuk Labor government continues to ignore the concerns, wishes and rights of local Queensland communities. Time and again we have seen this government say one thing and do another. We often hear the familiar refrain of government transparency and accountability—and we just heard it from the member for Ipswich West. Yet this bill seeks to further water down the transparency and accountability of Building Queensland.

Indeed, under questioning from the member for Bundaberg, we saw the farcical situation where representatives from Building Queensland refused to answer reasonable questions about the compilation and presentation of data in the *Infrastructure pipeline report*, despite the fact that this bill amends the frequency at which that report will be presented. The issue at the core of the questions asked by the member for Bundaberg was the fact that it is common practice for Building Queensland to change the format of the *Infrastructure pipeline report*, which makes comparisons year on year very difficult. Changing the report's format is a deliberate ploy to make it more difficult for Queenslanders to scrutinise infrastructure investments funded by their taxes. It is simply not good enough for this government or departmental bureaucrats to seek to hide from scrutiny. Both would do well to remember that it is the people of Queensland whom they serve.

I note that the minister has addressed the recommendations of the parliamentary committee in his circulated amendments and in his second reading speech. However, concerns remain. I draw the attention of the minister to correspondence received by Mr James Ireland of HopgoodGanim Lawyers,

who raised concerns in relation to the technical application of the provisions relating to the validation of infrastructure charges notices. The concerns that Mr Ireland expressed relate to proposed section 342 of the bill. Mr Ireland submitted that—

> ... the drafting of section 342 be amended to clarify that the section also applies to preliminary approvals to which section 242 of the repealed SPA ... (including those mentioned in section 808 of the repealed SPA) that were in effect immediately prior to the repeal of SPA.

I ask that the minister review this correspondence that was received from Mr Ireland and provide assurance that his concerns have been addressed. This bill will restrict localised decision-making. As the Local Government Association of Queensland stated—

> ... the LGAQ is concerned this legislation further erodes the ability of councils and their communities to have a say in the size, shape and pace of development in their region.

Many residents in my electorate of Buderim are concerned about overdevelopment on the Sunshine Coast and the associated lack of infrastructure. Local residents in my electorate are concerned about increasing traffic congestion on roads such as the Sunshine Motorway and with the gridlock that exists around school zones on school days. They are concerned about the additional pressure that an increasing population will place on their hospitals and local schools, which are bursting at the seams. The local residents know better than anyone the impact that planning decisions and population growth have on their way of life. They deserve to have their voices heard. Put simply, it just makes sense. Our local residents are right to hold local councillors and mayors to account in relation to planning decisions and issues such as local development but, unfortunately, this bill further removes the ability of local communities to have their say in the size, shape and pace of development in their region.

Another issue raised during the consideration of this bill was how priority development areas are utilised and the requirements that must be adhered to when a PDA is declared. PDAs such as the Maroochydore City Centre Priority Development Area have caused concern for both the commercial sector and local residents. During committee hearings into this bill concerns were expressed in relation to a potential conflict of interest that exists in a local council authority being both the developer and involved in the approval process for the same development. I note that, in response to community concerns about this conflict of interest, Economic Development Queensland is the assessment manager for any development application within the Maroochydore City Centre PDA. However, it is clear that the Sunshine Coast Council is used to inform and advise the assessment manager—or, as it was described by the department, is operating in a 'very collaborative working relationship'.

That collaboration in and of itself could be a perceived conflict of interest if it feeds into the decision-making process of a local government authority that is in and of itself the developer. That highlights the legitimate concerns that exist with respect to PDAs, particularly in circumstances where the developer is a government entity. The Palaszczuk Labor government used potential conflicts of interest and corruption in the development sector as the justification for its politically motivated developer donation laws, but it is silent on the community's legitimate concerns about the council acting as a developer and its potential conflict of interest in the case of the Maroochydore City Centre PDA.

On a separate matter, I note that this bill, like others, continues the erosion of individual property rights in the form of increased powers of investigation and enforcement. Such powers should be exercised only by the Queensland police and other law enforcement authorities utilising longstanding warrant processes. As I have stated in my contributions to debates on other bills that have contained similar provisions, it is lazy public policy to erode individual property rights. The government should utilise the longstanding warrant processes that are already in existence.

In conclusion, while I note that the LNP will not be opposing the bill, it is clear that legitimate issues exist which should be addressed. It is deeply concerning that the Palaszczuk Labor government continues to ignore the concerns, wishes and rights of Queenslanders.