Speech By

James Lister

MEMBER FOR SOUTHERN DOWNS

Record of Proceedings, 2 April 2019

ECONOMIC DEVELOPMENT AND OTHER LEGISLATION AMENDMENT BILL

Mr LISTER (Southern Downs—LNP) (4.15 pm): I rise to make a contribution on the Economic Development and Other Legislation Amendment Bill 2018. As always, I would like to acknowledge the work of the committee which studied the bill. I thank them and those who contributed to the bill to further our understanding of it. I have to say that the 'other' part of the Economic Development and Other Legislation Amendment Bill is the big part of it. It is not the biggest omnibus bill we have seen, but it still encompasses eight or so acts. It is another case of a bill with vast implications being sprung on the community with very little time for the community to digest it and provide meaningful feedback to the parliament.

The bill seeks to provide for increased operational efficiency of legislation under the administration of the Minister for State Development, Manufacturing, Infrastructure and Planning. The bill seeks to amend seven acts and repeal one. It proposes to amend the Building Queensland Act 2015, the Economic Development Act 2012, the Planning Act 2016, the Planning and Environment Court Act 2016, the Queensland Reconstruction Authority Act 2016, the Sanctuary Cove Resort Act 1985 and the South Bank Corporation Act 1989. It proposes to repeal the Southern Moreton Bay Islands Development Entitlements Protection Act 2004.

We are looking here at collectively about 230 clauses. The LNP acknowledges that there are necessary and good parts of this bill. When it is so intricately tied up, it is not necessarily in the public interests that we oppose it outright, but we do have very serious reservations that a number of my honourable colleagues mentioned earlier in the debate. This bill is one virtuoso exercise in the things that the government have been doing so well lately—that is, harming the rights of property owners and springing major changes on the community with inadequate consultation. It is a cynical attempt to conceal their mistakes and hide their failings in future by making the disclosure of their progress in economic development harder to ascertain.

The Queensland Law Society made a contribution which is very telling. I think it says quite well what was felt by a number of those who were offended by the little time available to consider this bill before the committee made its report. The Queensland Law Society said—

> The Bill was introduced on 19 September 2018 and submissions are due 3½ weeks later on 12 October 2018. The Bill is 224 pages long and amends 8 other Acts.
>
> Given the wide-ranging scope and complexity of the amendments, QLS has limited its comments to certain specific issues.
>
> It is possible that there are issues relating to fundamental legislative principles or unintended drafting consequences which we have not identified due to the timeframes for response.
>
> By omitting to comment on the full scope of provisions in the Bill, QLS does not express its endorsement of these.

I have said in the past that I do not agree with everything that Bill Potts says, and I know that he does not agree with everything I say, but on that point I think the Queensland Law Society is spot-on.

It is an example of another rushed committee process, and we have seen so many of those. One such bill that was dear to my heart was the Vegetation Management Bill, but we have seen so many others. It is a recurring theme that bills of this kind are pushed through with inadequate consultation.

I turn to the response of the Local Government Association of Queensland. It was particularly concerned about aspects of this bill. One might wonder why the government might limit the amount of time a body like the LGAQ, which is a respected and powerful group in our community, had to make a response. The committee's report states—

The LGAQ's primary concerns relate to the proposed amendments to the ED Act that appear to broaden the powers of the Minister for Economic Development Queensland and could result in circumvention of local government planning scheme requirements and State planning instruments. Although acknowledging the purpose of the ED Act "*to facilitate economic development, and development for community purposes, in the State*", the LGAQ maintains this should not be at the expense of transparent and accountable processes and the local decision making of democratically elected councils. This is particularly a concern at a time when the community is acutely aware of the need for transparency and accountability in government decision making.

Transparency and accountability—I have heard those words before. I am sure our Premier has mentioned them many times before to try to describe her government. However, here we have a respected institution in the LGAQ effectively saying that this bill weakens that commitment. The LGAQ has good reason to be upset because these priority development areas and the advent of the provisional ones could be seen to circumvent their rights as the local government authority to have input and control over these matters. It is no secret that the LGAQ knows that these PDAs eventually result in something that has to be handed back to local government and they have to live with the consequences. They have to live with how it operates. It follows, therefore, that they should have a seat at the table and should not be circumvented. Any process which allows that to happen, whether it actually happens or not, is alarming to local government. I do sympathise with them on that matter.

In regard to PDAs, the report states—

The LGAQ is concerned that the removal of these additional requirements, broadens the powers of the Minister for Economic Development Queensland and could result in a PPDA being used or implemented inappropriately to circumvent local government planning scheme requirements and would also override State planning instruments. In addition, the changes could also allow/encourage out of sequence development, which is currently controlled by the South East Queensland Regional Plan and local government infrastructure plans.

That is pretty scathing criticism. I think the House really should take that on board.

There are other impacts of this bill. We heard a number of speakers before me eloquently describe the risks of having reduced disclosure of progress in Building Queensland. The infrastructure pipeline reports, which Building Queensland currently produce biannually—twice a year—are now going to be produced only once a year. We also heard speakers who have attempted without avail to get departmental officers to explain the basis for the continual changing of the reporting format for these reports, making it difficult for the Queensland public and the opposition to hold the government to account for their progress. It contributes to that theme that I talked about of a government that is progressively building a wall around itself to thwart accountability and conceal from the public what is actually going on.

We saw confusion and uncertainty, particularly regarding the amendments to the Sanctuary Cove Resort Act. I have heard Labor speaker after Labor speaker say things like, 'Yes, but that is all right. They're going to need a nursing home and an aged-care facility and so forth.' That is not an appropriate attitude for a government to adopt in dealing with people who have legitimate concerns about the environment in which they live and the erosion of the protection they felt they had under the act. That is another example of the arrogance that we are seeing. I have not heard anybody say that they wanted those things; it is just something that has come up that the state has imposed with little or no consultation.

We also see persistent Labor attacks on the rights of property owners around the state. We see in this bill another example of inspectors being granted powers which exceed those of police, which is quite extraordinary. Police need a warrant in almost all circumstances, but inspectors can enter a property, they can move vehicles, they can seize documents or items—all of that can happen without a warrant. I think that is a worrying continuation of the erosion of the rights and liberties of good Queenslanders. We have seen that in other acts such as the Vegetation Management Act, the Fisheries Act and the land and explosives legislation, which we saw previously. I am very concerned about that.

I heard other Labor members such as the member for Greenslopes talking earlier about the 'style' of opposition. This is a government bill. We are holding the government to account. I can tell him what we are not interested in, and that is the style of this government: it is the systematic avoidance of scrutiny and the foisting of bills like this upon the community without adequate consultation. It is a theme which comes up again and again. Having said that, I say again that we support the bill, but we have grave reservations about the matters which I have canvassed.