




Speech By
Christopher Whiting

MEMBER FOR BANCROFT

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**PLANNING (SOCIAL IMPACT AND COMMUNITY BENEFIT) AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mr WHITING** (Bancroft—ALP) (6.20 pm): I rise to make a contribution on this bill. I was very lucky to serve on the committee as a replacement for the member for Kurwongbah for much of this.

An honourable member interjected.

Mr WHITING: Yes, it is true; I was on the magical mystery tour up in the air copiloted by the member for Mirani. We did joke that he should not touch the controls, but when he sat in the copilot seat I really did think we could have some issues. I am not quite sure what the objective was. Was it to convince us that maybe renewables are bad and there should not be wind farms? I am sorry if that was the case. It was informative, but he did not change our minds, but thanks very much anyway.

One of the things I want to talk about goes to some of the amendments that we are dealing with that I have just seen. I do not know if I am going to get the chance to talk about these in detail before we hit the guillotine at about 11.30 pm. I point out that under the planning changes there will be an amendment to allow development under an infrastructure designation to proceed without the need to also comply with the plans under a development control plan in Kawana, Springfield and also Mango Hill. This is a huge issue in the North Lakes area. There have been two or maybe three elections when the issue of what happens on the North Lakes golf course, which is protected by a development control plan, has been relevant. My question is: does this amendment open up the way for the approval of a development on the North Lakes golf course that contravenes the existing development control plan? I think that is a legitimate question. If it does, that is a big change in the LNP position.

When I said that this issue was a part of the last couple of elections, the LNP relied on the Save North Lakes Golf Course people to support it and man its booths. It received a lot of support for its candidate from the Save North Lakes Golf Course group because it made it very clear that it would keep the development control plan as sacrosanct and that no development would be approved if it contravened the development control plan. That was the clear message from the LNP, and I am wondering if that has changed. If it has, that will be a big issue for the LNP to deal with in the North Lakes area because it was so strongly against any development approval that contravened this development control plan. Luke Howarth, the former member for Petrie, was very strong in supporting this particular group by saying that no development would be approved with that development control plan and would be knocked out if any approval came for that site. We may touch on this issue later, but I wanted to make sure that I got the chance to talk about this because that is a huge difference in the LNP position if that is in fact the outcome that we see in North Lakes—that is, that there will be a route open for a developer to get approval for a proposal that contravenes the development control plan.

It was very clear from the hearings on this bill that it does impose those complex, regulatory hurdles on renewable projects. That has been talked about today and I absolutely believe that that is what we are seeing. This bill imposes red tape on the renewables industry and it creates uncertainty for investors.

A government member interjected.

Mr WHITING: I heard a 'Hear, hear' from the other side. I thought that the member for Lockyer's side was campaigning on getting rid of red tape, but I am happy to be corrected if those opposite like red tape now. That is fine and we can tell people that. It is very clear that this would delay those clean energy projects or make them financially unviable, and that is something we heard from the Clean Energy Council and a group like the Queensland Farmers' Federation as well. That is a point that it made. One thing I learnt during this inquiry is that there are many members of the LNP who really do not like renewable energy. They really do not like it. I would not say that they hate it—that is maybe too strong—but they strongly dislike it and, if some of these members could have their way, they would have the Deputy Premier call in every single renewable project that is happening in that area. I suggest that that would be their dream and I think that the sector needs to think about this as a possible outcome.

Parts of this legislation deal with the Olympics and Olympics infrastructure. In this regard, this bill offers no scrutiny and no rights, and that is a shocking part of the bill that is in front of us. It will override almost every key law that protects Queensland's environment and heritage; it will strip away protections to habitats, wetlands and all kinds of natural areas; and there will be no legal right as the bill stands now to object to or even be consulted on what is happening in these areas—no legal right to object. This is shocking. This bill goes some way to undermining the rule of law or the impact of law in our state. Do not take my word for it, but as has been said tonight and said by the president of the Queensland Bar Association—and I want to say this again—

... deny access to the courts for civil proceedings in relation to development use or activity if there is a reasonable prospect that the proceeding will prevent the timely delivery of an authority venue ...

The president went on to say—

Aside from the breathtaking dismantling of the rights of individuals, this appears very much to be a challenge to the institutional integrity of the Supreme Court by state legislation.

That is quite a strong statement. As we have heard, there are 15 laws that would be overridden by this bill—15 laws including, for example, the City of Brisbane Act and the Environmental Protection Act. These projects could destroy fish habitats protected by the Fisheries Act 1994 and local councils could be stripped of their general powers to make or enforce development related decisions. That is an astounding outcome when today we have heard that one of the principles behind this bill is to make sure that councils and local communities can have their say, but part of this bill strips those very same rights or obligations away. The bill also means that there is going to be no scrutiny over Victoria Park. I would invite people to read the evidence of Dr Peach on the issues surrounding putting that infrastructure into Victoria Park. I will not say too much, but I do believe that that is a choice and that that development really does need to come under scrutiny. I believe that the issues that potentially face that venue could be more challenging or as challenging as the Gabba or QSAC.

Earlier today the Deputy Premier said that in consultation for this bill the government put everything on the table. However, I make the point that you could only get to that table if you signed a non-disclosure agreement. That is one of the things we heard from the evidence. It was quite interesting and quite shocking to hear that. One of the witnesses said that they—

... had an opportunity of a one-hour briefing once we had signed non-disclosure agreements that we were not going to discuss the contents of our briefing with our members or anyone who was not in the meeting. I think to characterise that as consultation would be an overreach.

This is an incredible development. There is an obligation on governments to consult. What kind of system do we have where some of our main stakeholders are asked to sign non-disclosure agreements, and bear in mind that this was about a week before the actual bill was presented to the parliament? The other thing we found out was that very few people, if any, saw the bill in any shape before it was presented. Some people were consulted about what was going on, but nobody saw this bill. There was no proper analysis or consultation and no regulatory impact statement. There was not any modelling to understand the consequences of the bill and neither the energy division of the Queensland Treasury nor the planning division of the DSDIP assessed the impact of this bill on project delays. There are many things in this bill that deserve our full attention, but we really must be aware of unintended consequences, and we have talked about this endlessly in this place. I believe that a bill of this size really needs that complete scrutiny to find what I know will be the unintended consequences that will be quite massive that flow from this bill when it does pass.