

Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2023

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019* (Human Rights Act)

In accordance with section 41 of the *Human Rights Act 2019*, I, Steven Miles, Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure provide this human rights certificate with respect to the *Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2023* made under the *Planning Act 2016* (Planning Act).

In my opinion, the *Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2023*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

Background

The development of Caboolture West, in the Moreton Bay Regional Council (MBRC) local government area, is intended to deliver land supply and accommodate population growth for South East Queensland (SEQ). Caboolture West was identified as a major expansion area in three consecutive SEQ Regional Plans – the SEQ Regional Plan 2005-2026, the SEQ Regional Plan 2009-2031, and the SEQ Regional Plan 2017 (*ShapingSEQ*).

The Caboolture West major expansion area comprises approximately 3,480 hectares. It is one of the largest greenfield growth areas planned for SEQ where approximately 30,000 homes could be built for around 70,000 people over the next 40 years.

MBRC has identified Caboolture West as an area for future residential development and there is high-level planning for the area in the planning scheme but, to date, detailed planning has not been undertaken. In order to manage residential growth and coordinate the delivery of necessary infrastructure for Caboolture West, detailed land use and infrastructure planning (i.e. structure planning) is required.

The Queensland Government has commenced the planning for Caboolture West to help accelerate the delivery of well-planned and serviced residential land. Caboolture West was nominated as the pilot Priority Growth Area (PGA) for the Growth Areas Team (GAT) in the Department of State Development, Infrastructure, Local Government and Planning (the department). The Caboolture West PGA covers the same geographic area as the Caboolture West major expansion area in *ShapingSEQ*, minus the area known as Neighbourhood Development Plan 1 (NDP1) which has been subject to a different planning process. The ‘pilot’ aspect of the PGA allows GAT to use Caboolture West to test a structure planning approach

for how state and local government, utility providers and industry can work together to deliver more housing supply.

The structure plan process will be implemented in two stages as follows:

1. Caboolture West Interim Structure Plan (CWISP) – the CWISP includes assessment benchmarks and identifies land uses and indicative infrastructure locations to manage existing and new development applications in the short-term, and
2. Caboolture West Final Structure Plan (FSP) – proposed to be delivered 18 months after the commencement of the CWISP, the FSP will contain detailed land use and infrastructure planning for the Caboolture West area.

The CWISP is the document made by the Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure on 22 February 2023 and published on the department's website.

Purpose

Section 43 of the Planning Act permits a regulation to prescribe development requirements, including identifying the category of development (including prohibited development), the category of assessment for assessable development, and the assessment benchmarks for assessable development.

The purpose of the *Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2023* (Amendment Regulation), together with the CWISP and MBRC planning scheme, is to set the development assessment requirements for the Caboolture West investigation area (investigation area) and the Caboolture West growth area (growth area), shown on the Caboolture West growth area and investigation area map published on the department's website.

The Amendment Regulation applies different regulatory provisions to the investigation area and the growth area.

Caboolture West investigation area

The Amendment Regulation prohibits most development in the investigation area. The purpose of the prohibition is to prevent inconsistent development before detailed land use and infrastructure planning occurs through the state's preparation of the FSP. This will allow for future development in the investigation area to occur in an orderly manner, in accordance with detailed land use and infrastructure planning.

Some types of low intensity development, compatible with the area's semi-rural character are excluded from the prohibition. These types of development are not considered to compromise the long-term land use and infrastructure planning for the investigation area. The development types excluded from the prohibition are:

- accepted development under a categorising instrument
- development for a material change of use for interim activities in the urban living precinct identified as code assessable in Table 5.9.3.1.1 Caboolture West local plan in the MBRC planning scheme
- reconfiguring a lot to which schedule 12 of the *Planning Regulation 2017* applies, and
- reconfiguring a lot to rearrange the boundaries of a lot.

Development is also exempt from the prohibition to the extent it is:

- carried out under a development permit given for a development application properly made before 27 July 2022
- consistent with a development approval in effect for the premises on which the development is carried out and given for an application that was properly made before 27 July 2022.

The date of 27 July 2022 was the commencement date of public consultation on the Amendment Regulation and CWISP.

Caboolture West growth area

The Amendment Regulation prohibits development on state school sites in the growth area, other than development that is for a state school. The intent of the prohibition is to ensure that land is available for the appropriate number of schools in the right locations in Caboolture West. Schedule 1 of the CWISP identifies the locations for the state school sites. To enable development to occur on the lot before the school site is needed, some types of operational work on a state school site are made assessable development (and not prohibited). Reconfiguring a lot (RAL) for rearranging the boundaries of a lot or amalgamating 2 or more lots is exempt from the prohibition as these types of RAL do not affect the boundaries of the state school sites stated in Schedule 1.

For development in the growth area that is assessable development under a local categorising instrument, the Amendment Regulation also:

- prescribes the category of assessment for the development; and
- sets the CWISP as an assessment benchmark, and CWISP section 2.2 which includes that development must not compromise existing or proposed infrastructure, and is to facilitate the delivery of future infrastructure, including the school sites.

The Amendment Regulation provides that a local categorising instrument may not be inconsistent with the assessment benchmarks in the CWISP, to the extent the local categorising instrument applies to the growth area.

Human Rights Issues

1. Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

In my opinion, the human rights under the Human Rights Act that are relevant to the Amendment Regulation are:

- section 15 – recognition and equality before the law
- section 16 – right to life
- section 19 – freedom of movement
- section 21 – freedom of expression
- section 22 – peaceful assembly and freedom of association
- section 23 – taking part in public life
- section 24 – property rights
- section 25 – privacy and reputation
- section 26 – protection of families and children
- section 27 – cultural rights – generally
- section 28 – cultural rights – Aboriginal and Torres Strait Islander peoples
- section 29 – right to liberty and security of person
- section 31 – right to a fair hearing
- section 36 – right to education

2. Consider whether human rights will be limited by the decision or action (section 13 *Human Rights Act 2019*)

2.1. Human rights limited by decision

The decision will potentially limit (or interfere with) the identified human rights:

- section 19 – freedom of movement
- section 21 – freedom of expression
- section 22 – peaceful assembly and freedom of association
- section 26 – protection of families and children
- section 31 – right to a fair hearing

Section 19 – freedom of movement

(a) The nature of the right

Section 19 recognises that every person lawfully within Queensland has the right to move freely within Queensland, enter or leave Queensland, and choose where they live.

The Amendment Regulation and CWISP require that all development in the growth area must not compromise proposed infrastructure. There are also requirements set out in the CWISP relating to active transport through two way separated bike paths. In these ways, the CWISP

promotes the freedom of movement. Conversely, it is possible that this right will be limited in circumstances where residential development is impacted.

Another aspect of the right in section 19 is the right to choose where to live. The CWISP promotes housing choice and affordability, for example by requiring opportunities for an integrated range of public housing and community housing and increasing affordable housing for low-to-moderate income households. In these ways, the CWISP promotes the freedom to choose where to live. Conversely, it is possible that this right will be limited in circumstances where residential development is impacted.

(b) The nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The nature of the purpose of the limitation is consistent with a free and democratic society based on human dignity, equality and freedom, as described above.

(c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The prohibition applies to particular development across the whole of the investigation area, to ensure that inconsistent development does not compromise the detailed land use and infrastructure planning still to be undertaken for the area as part of the FSP, which is necessary to ensure appropriate development for Caboolture West, consistent with desired community outcomes.

With respect to the growth area:

1. The prohibition will protect land identified for state schools from inconsistent development and will ensure that over time the required number of state schools are delivered on well located sites that can be readily accessed by the future community.
2. Prescribing the CWISP as an assessment benchmark is necessary to achieve orderly development in the growth area by providing standards which a development should be consistent with. In this way, the Amendment Regulation aims to achieve a high level of amenity and services for future residents which is consistent with creating a society based on human dignity, equality and freedom.

The prohibition on state school sites in the growth area is necessary to ensure the future Caboolture West community has access to the appropriate number of schools in the right locations. The Amendment Regulation includes the prohibition, and the CWISP includes the locations for the state school sites on the Caboolture West interim structure plan map and in Schedule 1, which includes the relevant lots, and the metes and bounds within the lot. A total of 4 state primary schools and 2 state secondary schools are identified for the Growth area – additional state schools will be identified in the investigation area through the FSP.

State school sites have been identified in collaboration with the Department of Education. The sites are based on a high-level assessment of the following criteria:

- site location and service needs
- area and dimensions

- topography
- availability
- encumbrances (e.g. tenure, leases, easements)
- accessibility, and
- proximity to incompatible land uses and infrastructure.

State school sites are based on a minimum site area of:

- 7 hectares for State primary schools, and
- 12 hectares for State secondary schools.

The identified state school sites are larger than the minimum site area to allow for parts of the site which may be unusable. The intention is for state school sites to be refined with the relevant developers at the time the lots are reconfigured to create the school land parcel.

The prohibition means no development, other than a state primary or secondary school can occur on the identified state school sites, even if the development being proposed is accepted development (where a development approval is not required) or a development approval has already been obtained for the site. The exception to this is some types of operational work on a state school site which are made assessable development (and not prohibited).

Reconfiguring a lot (RAL) for rearranging the boundaries of a lot, or amalgamating 2 or more lots is exempt from the prohibition as these types of RAL do not affect the boundaries of the state school sites stated in Schedule 1.

Prescribing the CWISP as an assessment benchmark in the growth area is necessary to achieve orderly development by providing standards which a development should be consistent with.

The limitations are necessary to achieve the purposes of the CWISP and Amendment Regulation, as described above.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

The department is of the view that there are no less restrictive ways to achieve the purposes of the Amendment Regulation.

The prohibitions on certain development in the investigation area and growth area are the only way to adequately protect the relevant land under the performance-based planning framework under the Planning Act. Further, prescribing assessment benchmarks for development in the growth area through the Amendment Regulation is the key statutory approach to identify consistent development under the Planning Act and ensure that the CWISP assessment benchmark applies to the extent of any inconsistency with the MBRC planning scheme.

(e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

It is considered the proposed Amendment Regulation strikes a fair balance between the benefits gained by the public by the prescribed planning requirements, and the limitation on the right to freedom of movement that may result from the introduction of the Amendment Regulation.

Section 21 – freedom of expression

(a) The nature of the right

Section 21 of the Human Rights Act recognises that every person has the right to hold and express an opinion, through speech, art, and writing (or other forms of expression) and to seek out and receive the expression of others' opinion. This includes making decisions in relation to the provision of information or restrictions on access to information.

This right has been identified as relevant to the decision as there has been public comment sought on the consultation draft of the Amendment Regulation and draft CWISP through the public consultation process on the draft Amendment Regulation and the CWISP which occurred from 27 July 2022 to 26 August 2022. During this time, any member of the public could make submission on the Amendment Regulation or CWISP. During this time any person could have regard to the changes to the categories of assessment for assessable development in the growth area from impact to code assessment as described above. People were able to freely express themselves through this process.

The right to freedom of expression may be restricted by the Amendment Regulation because the prohibitions do not allow development to proceed where an existing entitlement exists or where a party's appeal rights are frustrated because any resulting approval cannot be acted upon. Amendments to the category of assessment are also relevant as the changes from impact to code assessment removes third party appeal rights. This means a person cannot appeal the decision to the Planning and Environment Court.

(b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The nature of the purpose of the limitation is consistent with a free and democratic society based on human dignity, equality and freedom, as described above.

(c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The limitations are necessary to achieve the purposes of the Amendment Regulation, as described above.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

There are no less restrictive ways to achieve the purposes of the Amendment Regulation, as described above.

(e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

It is considered the proposed Amendment Regulation strikes a fair balance between the benefits gained by the public by the prescribed planning requirements, and the limitation on the right to freedom of expression that may result from the introduction of the Amendment Regulation.

Section 22 – peaceful assembly and freedom of association

(a) The nature of the right

Section 22 of the Human Rights Act recognises that every person has the right of peaceful assembly and freedom of association with others, including the right to form and join trade unions.

This right has been identified as relevant to the decision as the Amendment Regulation and CWISP provide for planning for communities, as described above. The requirements related to the development of a local centre or community facilities hub serves to promote assembly and free association. Conversely it is possible that this right will be limited for people who do not have a local centre built in their area.

(b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The nature of the purpose of the limitation is consistent with a free and democratic society based on human dignity, equality and freedom, as described above.

(c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The limitations are necessary to achieve the purposes of the Amendment Regulation, as described above.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

There are no less restrictive ways to achieve the purposes of the Amendment Regulation, as described above.

(e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

It is considered the proposed Amendment Regulation strikes a fair balance between the benefits gained by the public by the prescribed planning requirements, and the limitation on the right to peaceful assembly and freedom of association that may result from the introduction of the Amendment Regulation.

Section 26 – protection of families and children

(a) The nature of the right

Section 26 provides that children are entitled to protection in their best interests and have the right to a registered name.

This right has been identified as relevant to the Amendment Regulation and CWISP as the Amendment Regulation provides for the protection of state primary and secondary school sites and provides for planning for communities. Delivering a well-planned and serviced community at Caboolture West will enhance the right of children to protection in their best interests.

Conversely, it is possible that this right will be limited for people who do not have a school built in their area.

- (b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The nature of the purpose of the limitation is consistent with a free and democratic society based on human dignity, equality and freedom, as described above.

- (c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The potential limitation to this right is necessary to achieve the purposes of the Amendment Regulation, as described above.

- (d) whether there are any less restrictive and reasonably available ways to achieve the purpose

There are no less restrictive ways to achieve the purposes of the Amendment Regulation, as described above.

- (e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

It is considered the proposed laws strike a fair balance between the benefits gained by the public by the prescribed planning requirements, and the possible limitation on the right for people who do not have a school built in their area.

Section 31 – right to a fair hearing

- (a) The nature of the right

Section 31 recognises that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

The right to a fair hearing may be limited by the Amendment Regulation in that the prohibitions do not allow a development application to be made which would have had associated appeal rights for the applicant. Amendments to the category of assessment are also relevant as the changes from impact to code assessment removes third party appeal rights. This means a person cannot appeal the decision to the Planning and Environment Court.

- (b) the nature of the purpose of the limitation, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The nature of the purpose of the limitation is consistent with a free and democratic society based on human dignity, equality and freedom, as described above.

- (c) the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose

The limitations are necessary to achieve the purposes of the Amendment Regulation, as described above.

(d) whether there are any less restrictive and reasonably available ways to achieve the purpose

There are no less restrictive ways to achieve the purposes of the Amendment Regulation, as described above.

(e) the balance between the importance of the purpose of the limitation and the importance of preserving the human right, taking into account the nature and extent of the limitation

It is considered the proposed laws strike a fair balance between the benefits gained by the public by the prescribed planning requirements, and the limitation on the right to a fair hearing that may result from the introduction of the Amendment Regulation.

2.2. Human rights not limited by decision

The decision is relevant to but **will not** potentially limit (or interfere with) the identified human rights in following sections as outlined below:

- section 15 – recognition and equality before the law
- section 23 – taking part in public life
- section 24 – property rights
- section 27 – cultural rights – generally
- section 28 – cultural rights – Aboriginal and Torres Strait Islander peoples
- section 36 – right to education

Section 15 – recognition and equality before the law

Section 15 provides for a number of human rights relating to non-discrimination and equality before the law.

The right to recognition and equality before the law may be relevant as the Amendment Regulation applies to only some land in the MBRC local government area and affects land within the CWISP area differently. However, place of residence is not a protected attribute for the purposes of the right to non-discrimination in section 15(2), (3) and (4) of the Human Rights Act. The right to equality before the law in section 15(3) requires consistent application of the law and will generally only be limited if a decision is devoid of objective justification. The CWISP is not devoid of objective justification in focusing on the Caboolture West area. Accordingly, the rights in section 15 are not limited.

Section 23 – taking part in public life

Section 23 provides that every person in Queensland has the right, and is to have the opportunity, without discrimination to participate in the conduct of public affairs, directly or through freely chosen representatives.

The right has been identified as relevant as there has been public comment sought on a consultation draft of the Amendment Regulation and CWISP through the public consultation process and having regard to the changes to the categories of assessment from impact assessment to code assessment as described above. People were able to take part in public life through that process.

Section 24 – property rights

Section 24 of the Human Rights Act provides that every person has the right to own property alone or in association with others and the right to not be arbitrarily deprived of property.

The use of private property may be restricted by the CWISP and Amendment Regulation because they:

1. Prescribe that certain future development of land in the investigation area and the growth area is prohibited development; and
2. Include assessment benchmarks for particular development on land in the growth area.

Prohibited development is development for which a development application may not be made (section 44(2) of the Planning Act). Further, it is a development offence to carry out prohibited development (except in limited circumstances) (section 162 of the Planning Act).

An assessment manager must assess assessable development against assessment benchmarks (section 43(1)(c) of the Planning Act). Introducing requirements for compliance with a new assessment benchmark may affect the decision on a development application or result in conditions on development.

The prohibition applies to particular development across the whole of the investigation area, to ensure that inconsistent development does not compromise the detailed land use and infrastructure planning still to be undertaken for the area as part of the Final Structure Plan (FSP), which is necessary to ensure appropriate development for Caboolture West, consistent with desired community outcomes.

As described above, the Amendment Regulation includes a prohibition to protect identified state school sites from particular development and prescribes the CWISP as an assessment benchmark to achieve orderly development in the growth area. Public consultation on the draft CWISP and exposure draft of the Amendment Regulation occurred from 27 July 2022 to 26 August 2022, as described above.

Removing the entitlement of property owners to develop their property amounts to a deprivation of property. However, for the right in section 24(2) of the Human Rights Act to be limited, the deprivation must be arbitrary. In this context, arbitrary means capricious, unpredictable, unjust or unreasonable in the sense of being disproportionate to a legitimate aim sought. It is considered that the impact on property is not arbitrary.

The Amendment Regulation and CWISP delivers a balanced approach to the imposition of the limitations on property rights, noting:

1. The limitations do not extend beyond the scope of what is necessary to achieve the purpose. In particular, the prohibition for the Investigation area will *not*:

- a. apply to particular development that is considered to not compromise the long-term land use and infrastructure planning for the investigation area as described above
2. Further, the prohibitions applicable to land in the investigation area and growth area do not restrict a landowner's ability to own or dispose of land
3. The limitations are consistent with the Planning Act which permits a regulation to categorise development (including as prohibited development) and prescribe assessment benchmarks for development, and;
4. The CWISP is an interim policy response only, and the CWISP states that it will ultimately be replaced by a FSP (being the second stage of structure planning for Caboolture West).

As a result of the above assessment, it is considered the Amendment Regulation and CWISP strike a fair balance between the benefits gained by the public by the prescribed planning requirements and the limitation on property rights that may result from their introduction. Because the impact on property is proportionate, it is not arbitrary. It follows that the right not to be arbitrarily deprived of property is not limited.

Section 27 – cultural rights – generally

Section 27 recognises the rights of persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy their culture, to declare and practise their religion and to use their language.

This right has been identified as relevant to the Amendment Regulation in that the Amendment Regulation and CWISP provides for planning for communities as described above. The requirements related to the development of a local centre or community facilities hub may also serve to promote cultural rights.

Section 28 – cultural rights – Aboriginal and Torres Strait Islander peoples

Section 28 protects the cultural rights of Aboriginal and Torres Strait Islander people in particular to ensure they are able to enjoy, maintain, control, protect and develop their cultural heritage, traditional practices and distinctive relationship to the land.

This right has been identified as relevant to the Amendment Regulation as the Amendment Regulation and CWISP provide for communities including Aboriginal people. The Amendment Regulation and CWISP do not remove the application of relevant assessment benchmarks for development in the CWISP area relating to Aboriginal cultural heritage.

Section 36 – right to education

Section 36 recognises that every child has the right to access primary and secondary education, appropriate to the child's needs and every person has the right to access further vocational education and training that is equally accessible to all.

This right has been identified as relevant to the Amendment Regulation and CWISP as these provide for the protection of state primary and secondary school sites and provides for planning

for communities. Delivering a well-planned and serviced community at Caboolture West will enhance the right to education. According to the UN Committee on Economic, Social and Cultural Rights, the right to education at the international level includes elements of availability and physical accessibility, meaning the State is required to ensure there are sufficient numbers of schools close to where people need them.

Other rights: environmental impacts

The rights identified below have been identified as relevant from an environmental and climate change perspective:

- section 16 – right to life
- section 19 – freedom of movement
- section 25 – privacy and reputation
- section 26 – protection of families and children
- section 29 – right to liberty and security of person

Section 16 – right to life

Section 16 recognises that every person has the right to life and has the right not to be arbitrarily deprived of life.

Section 19 – freedom of movement

Section 19 recognises that every person lawfully within Queensland has the right to move freely within Queensland and to enter and leave it and has the freedom to choose where to live.

Section 25 – privacy and reputation

Section 25 recognises a person's right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with, and not to have the person's reputation unlawfully attacked.

Section 26 – protection of families and children

Section 26 recognises that every child has the right, without discrimination, to the protection that is needed by the child, and the right to a registered name.

Section 29 – right to liberty and security of the person

Right to liberty and security of the person (section 29), which may include a stand-alone right to security of the person protecting against bodily or mental injury.

All of the above rights have been identified as relevant to the Amendment Regulation and CWISP. The Amendment Regulation and CWISP do not remove the application of relevant assessment benchmarks for development in the CWISP area, relating to environmental hazards or consideration of environmental impacts, for example bushfire and flooding. The Amendment Regulation and CWISP continue the application of the above rights by ensuring

people and property are appropriately protected from environmental hazards and climate change impacts.

Conclusion

There are a number of human rights that are relevant.

It is recognised that planning decisions related to infrastructure and planning delivery involve a balance of rights and the location of developments will be to the benefit of some and to the detriment of others. Accordingly, even if there are limits on human rights, those limits are justified or proportionate for the reasons given above. More specifically:

- Any limits on human rights are justified as being rationally connected to the legitimate aim of ensuring the orderly development of the Caboolture West area, including the need to reserve areas for future schools (in turn promoting the right to education). The impacts on human rights go no further than necessary and strike a fair balance.
- While the proposed decision will likely deprive people of their property rights in the form of the ability to develop their land, that deprivation is not arbitrary.

STEVEN MILES MP
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