



RECORD OF PROCEEDINGS

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TUESDAY, 22 MARCH 2011



The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. John Mickel, Logan) read prayers and took the chair.

For the sitting week, Mr Speaker acknowledged the traditional owners of the land upon which this parliament is assembled and the custodians of the sacred lands of our state.

ASSENT TO BILL



Mr SPEAKER: Honourable members, I have to report that I have received from Her Excellency the Governor a letter in respect of assent to a certain bill, the contents of which will be incorporated in the *Record of Proceedings*. I table the letter for the information of members.

The Honourable R.J. Mickel, MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

I hereby acquaint the Legislative Assembly that the following Bill, having been passed by the Legislative Assembly and having been presented for the Royal Assent, was assented to in the name of Her Majesty The Queen on the date shown:

Date of Assent: 17 March 2011

"A Bill for An Act to amend the Clean Energy Act 2008, the Coal Mining Safety and Health Act 1999, the Explosives Act 1999, Geothermal Energy Act 2010, the Gladstone Power Station Agreement Act 1993, the Greenhouse Gas Storage Act 2009, the Mineral Resources Act 1989, the Mining and Quarrying Safety and Health Act 1999 and the Petroleum and Gas (Production and Safety) Act 2004 for particular purposes"

This Bill is hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

Governor

17 March 2011

Tabled paper: Letter, dated 17 March 2011, from Her Excellency the Governor to the Speaker advising of assent to a bill [\[4083\]](#).

REPORT

Auditor-General



Mr SPEAKER: Honourable members, I have to report that I have received from the Auditor-General a report titled *Report to parliament No. 2 for 2011—results of local government audits*.

Tabled paper: Report to Parliament No. 2 for 2011—Results of local government audits [\[4084\]](#).

SPEAKER'S STATEMENT

Natural Disaster Resolution, Tasmania



Mr SPEAKER: Honourable members, I wish to advise that I have received correspondence from the Speaker of the Legislative Assembly of Tasmania advising of a resolution passed in the House in relation to the Queensland floods. On behalf of the Queensland parliament, I extend our gratitude for the thoughts expressed by our fellow parliamentarians in Tasmania. I table the correspondence.

Tabled paper: Letter, dated 17 March 2011, from the Speaker of the House of Assembly, Tasmania, the Hon. Michael Polley MP, enclosing a copy of the resolution passed by the House of the Assembly on 16 March 2011 extending the House of the Assembly's sincere condolences to those affected by loss of life as a result of the Queensland floods [\[4085, 4086\]](#).

I seek leave to have the text of the abovementioned resolution incorporated in the parliamentary record.

Leave granted.

NATURAL DISASTER RESOLUTION: LEGISLATIVE ASSEMBLY, TASMANIA

On 16 March 2011 the Tasmanian House of Assembly resolved:

That the House:

- (1) Offers its deepest condolences to the families and friends of the 35 victims of the Queensland floods.

- (2) Notes that—
- (a) The dual natural disasters of flooding and cyclones have had a devastating impact on Queensland over the past two months, and the damage inflicted upon Queensland has been widespread and virtually without precedent in this country, with three quarters of that State declared a disaster area; and
 - (b) New South Wales and Victoria have also been severely affected by devastating flooding in this period as well, and the Northern Territory has been affected by damaging cyclones.
- (3) Acknowledges the generosity of Tasmanians in giving to numerous fundraising appeals including the relief fund established by Rotary and other service funds.
- (4) Further notes that the State Government has committed to match the funds raised by Rotary and other service clubs to a maximum of \$250,000.

PETITIONS

The Clerk presented the following paper petitions, lodged by the honourable members indicated—

Cyclists, Overtaking Distances

Mr Dempsey, from 27 petitioners, requesting the House to modify legislation to require motorists maintain a minimum of one metre buffer between their vehicle and a cyclist while overtaking or approaching [\[4087\]](#).

Coochiemudlo Island

Mr Dowling, from 220 petitioners, requesting the House to give access to Coochiemudlo Island residents in all tidal conditions [\[4088\]](#).

The Clerk presented the following e-petition, sponsored by the honourable member indicated—

Births, Deaths and Marriages Act 2003

Mr Moorhead, from 362 petitioners, requesting the House to amend the Births, Deaths and Marriages Act 2003 to establish relationship registration guidelines that would allow for the formal registration of same-sex or heterosexual domestic relationships or of caring relationships with the State Government of Queensland [\[4089\]](#).

Petitions received.

TABLED PAPERS

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

11 March 2011—

[4060](#) Response from the Minister for Community Services and Housing and Minister for Women (Ms Struthers) to an ePetition (1598-10) sponsored by Mr Sorensen from 44 petitioners requesting the House to change Protection Order laws to protect victims and their children

[4061](#) Letter, dated 10 March 2011, from the Premier and Minister for Reconstruction (Ms Bligh) to the Clerk of the Parliament correcting the parliamentary record in relation to an answer to a question without notice on 10 March 2011 regarding the Queensland Floods Commission of Inquiry

14 March 2011—

[4062](#) Response from the Minister for Main Roads, Fisheries and Marine Infrastructure (Mr Wallace) to a paper petition (1617-11) presented by Ms Bates from 180 petitioners requesting the House to urgently resume roadworks on Springbrook Road

15 March 2011—

[4063](#) Response from the Minister for Main Roads, Fisheries and Marine Infrastructure (Mr Wallace) to an ePetition (1477-10) sponsored by Mr McLindon, from 112 petitioners, requesting the House to create a seven kilometre connection road between the townships of Boonah and Kooralbyn

16 March 2011—

[4064](#) Response from the Minister for Primary Industries, Fisheries and Rural and Regional Queensland (Mr Mulherin) to an ePetition (1600-10) sponsored by Ms Darling from 965 petitioners requesting the House to have much stricter laws governing the sentencing of culprits found guilty of cruelty to animals

17 March 2011—

[4065](#) Response from the Minister for Primary Industries, Fisheries and Rural and Regional Queensland (Mr Mulherin) to an ePetition (1601-10) sponsored by Mrs Pratt from 12 petitioners requesting the House to reconsider the current Feral Deer Management Strategy 2010-2015 consultation draft

[4066](#) Response from the Premier and Minister for Reconstruction (Ms Bligh) to an ePetition (1541-10) sponsored by the Clerk of the Parliament in accordance with Standing Order 119(4) from 490 petitioners requesting the House to investigate the feasibility of utilising 30 minutes daylight saving year round in all of Queensland

[4067](#) Queensland Workplace Rights Ombudsman: Quarterly Report to the Minister for Education and Industrial Relations (1 July to 30 September 2010)—Activities carried out by the Queensland Workplace Rights Office

[4068](#) Response from the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) to a paper petition (1613-11) presented by Ms Johnstone from 11 petitioners requesting the House to implement a divisional system for the City of Townsville

[4069](#) Response from the Minister for Transport and Multicultural Affairs (Ms Palaszczuk) to a paper petition (1615-11) presented by Mr Sorensen from 87 petitioners requesting the House to extend the existing Kan-go bus service to include the Urangan area

18 March 2011—

[4070](#) Response from the Minister for Health (Mr Wilson) to an ePetition (1527-10) sponsored by Mrs Keech from 599 petitioners and a paper petition (1618-11) presented by Mrs Keech from 2,134 petitioners requesting the House to take steps to reduce the number of deaths from Sudden and Unexpected Death in Epilepsy by various measures

[4071](#) Queensland Nursing Council—Annual Report 2009-10 (final report)

[4072](#) Response from the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) to a paper petition (1616-11) presented by Ms Bates from 58 petitioners requesting the House to oppose the increase in exit fees for residents residing in retirement villages

[4073](#) Response from the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) to an ePetition (1507-10) sponsored by Mrs Stuckey from 364 petitioners requesting the House to amend the law so that all convictions are recorded, thus forcing judges to give priority to future innocent victims, not offenders

[4074](#) Response from the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) to an ePetition (1484-10) sponsored by Ms Croft from 15,985 petitioners requesting the House to regulate for responsible and reputable breeding, supply and sale of companion animals

[4075](#) Response from the Minister for Energy and Water Utilities (Mr Robertson) to an ePetition (1521-10) sponsored by Mr McLindon from 297 petitioners requesting the House to instigate a thorough review of the new water entities' pricing arrangements

21 March 2011—

[4076](#) Response from the Minister for Transport and Multicultural Affairs (Ms Palaszczuk) to an ePetition (1565-10) sponsored by Mr Powell from 225 petitioners requesting the House to fast track the new rail corridor between Beerburum and Landsborough and between Landsborough and Nambour

[4077](#) Response from the Minister for Transport and Multicultural Affairs (Ms Palaszczuk) to an ePetition (1599-10) sponsored by Mr Powell from 253 petitioners requesting the House to preserve the current services and timetables of the Nambour and Caboolture lines

[4078](#) Response from the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) to an ePetition (1519-10) sponsored by Mr Gibson from 157 petitioners requesting the House to amend the Queensland Sustainable Planning Act

[4079](#) Response from the Minister for Environment and Resource Management (Ms Jones) to an ePetition (1530-10) sponsored by Mr Gibson from 872 petitioners requesting the House to ensure that no vehicle access permit fee is imposed in the Cooloola recreation area

[4080](#) Response from the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) to a paper petition (1621-11) presented by the Clerk of the Parliament in accordance with Standing Order 119(3) from 25 petitioners requesting the House to reject passing a Bill to accept the issue of civil unions and same-sex marriages

[4081](#) Response from the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) to a paper petition (1620-11) presented by Ms Davis from 287 petitioners requesting the House to preserve the football field at the former QUT Carseldine Campus on Beams Road, Carseldine for sporting purposes

[4082](#) Response from the Minister for Transport and Multicultural Affairs (Ms Palaszczuk) to a paper petition (1622-11) presented by the Clerk of the Parliament in accordance with Standing Order 119(3) from 204 petitioners requesting the House to prevent the proposed park-and-ride facility at 2791 Beaudesert Road, Parkinson

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

City of Brisbane Act 2010—

[4090](#) City of Brisbane (Finance, Plans and Reporting) Amendment Regulation (No. 1) 2011, No. 14

[4091](#) City of Brisbane (Finance, Plans and Reporting) Amendment Regulation (No. 1) 2011, No. 14, Explanatory Notes

Local Government Act 2009—

[4092](#) Local Government (Finance, Plans and Reporting) Amendment Regulation (No. 1) 2011, No. 15

[4093](#) Local Government (Finance, Plans and Reporting) Amendment Regulation (No. 1) 2011, No. 15, Explanatory Notes

Prostitution and Other Acts Amendment Act 2010—

[4094](#) Proclamation commencing remaining provisions, No. 16

[4095](#) Proclamation commencing remaining provisions, No. 16, Explanatory Notes

Prostitution Act 1999—

[4096](#) Prostitution Amendment Regulation (No. 1) 2011, No. 17

[4097](#) Prostitution Amendment Regulation (No. 1) 2011, No. 17, Explanatory Notes

State Development and Public Works Organisation Act 1971—

[4098](#) State Development and Public Works Organisation Amendment Regulation (No. 1) 2011, No. 18

[4099](#) State Development and Public Works Organisation Amendment Regulation (No. 1) 2011, No. 18, Explanatory Notes

Justice and Other Legislation Amendment Act 2010—

- [4100](#) Proclamation commencing remaining provisions, No. 19
[4101](#) Proclamation commencing remaining provisions, No. 19, Explanatory Notes

Contract Cleaning Industry (Portable Long Service Leave) Act 2005—

- [4102](#) Contract Cleaning Industry (Portable Long Service Leave) Amendment Regulation (No. 1) 2011, No. 20
[4103](#) Contract Cleaning Industry (Portable Long Service Leave) Amendment Regulation (No. 1) 2011, No. 20, Explanatory Notes

Rural and Regional Adjustment Act 1994—

- [4104](#) Rural and Regional Adjustment Amendment Regulation (No. 2) 2011, No. 21
[4105](#) Rural and Regional Adjustment Amendment Regulation (No. 2) 2011, No. 21, Explanatory Notes

Vocational Education, Training and Employment Act 2000—

- [4106](#) Vocational Education, Training and Employment Amendment Regulation (No. 1) 2011, No. 22
[4107](#) Vocational Education, Training and Employment Amendment Regulation (No. 1) 2011, No. 22, Explanatory Notes

Mineral Resources Act 1989—

- [4108](#) Mineral Resources Amendment Regulation (No. 1) 2011, No. 23
[4109](#) Mineral Resources Amendment Regulation (No. 1) 2011, No. 23, Explanatory Notes

Motor Accident Insurance Act 1994—

- [4110](#) Motor Accident Insurance Amendment Regulation (No. 1) 2011, No. 24
[4111](#) Motor Accident Insurance Amendment Regulation (No. 1) 2011, No. 24, Explanatory Notes

SPEAKER'S PAPER TABLED BY THE CLERK

The following Speaker's paper was tabled by the Clerk—

Speaker of the Queensland Parliament (Mr Mickel)—

- [4112](#) Copy of correspondence relating to a matter of privilege raised by the Member for Gladstone on 25 November 2010 regarding the alleged deliberate misleading of the House by a Minister

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

Minister for Environment and Resource Management (Ms Jones)—

- [4113](#) Response from the Minister for Environment and Resource Management (Ms Jones) to an ePetition (1608-11) sponsored by Mr Cripps from 31 petitioners requesting the House to recognise the legitimate rights of North Queenslanders with established fishing huts within and adjacent to the Halifax Bay Wetlands National Park
[4114](#) National Environment Protection Council—Annual Report 2009-10

MEMBERS' PAPERS TABLED BY THE CLERK

The following members' papers were tabled by the Clerk—

Member for Caloundra (Mr McArdle)—

- [4115](#) Non-conforming petition from 20 petitioners regarding the decision to close the 10 palliative care beds at Canossa Private Hospital

Member for Cook (Mr O'Brien)—

- [4116](#) Overseas travel report—Report on an overseas visit by the Deputy Speaker and Member for Cook (Mr O'Brien) to London, Brussels and Cardiff from 14 to 26 November 2010—Report on an International Parliamentary Governance Seminar

Member for Hervey Bay (Mr Sorensen)—

- [4117](#) Non-conforming petition from 594 petitioners regarding the urgent need for reform of current Queensland domestic violence legislation

REPORT TABLED BY THE CLERK

The following report was tabled by the Clerk—

- [4118](#) Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

Mines and Energy Legislation Amendment Bill (No. 2) 2010

Amendments made to Bill

Short title and consequential references to short title—

Omit—


'Mines and Energy Legislation Amendment Act (No. 2) 2010'

Insert—

'Mines and Energy Legislation Amendment Act 2011'.

MINISTERIAL STATEMENT

Japan Earthquake and Tsunami, Motion to Take Note

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.34 am): It is a measure of our unsettled times that we begin our third sitting week with our third minute's silence for lives lost in a disaster. Just as we here in Queensland are beginning the path to recovery and the long road to rebuilding our state after our summer of sorrow, our close friends and neighbours in Japan are facing a terrifying winter of devastation. We have all been genuinely horrified by the images that have followed the horrendous 9.0 magnitude earthquake that struck off the coast of Japan on the afternoon of 11 March—an event that we know was rapidly followed by a huge tsunami, which hit the coast's north-east, bringing devastation and death in its path. The quake was the largest to ever hit Japan, the world's fifth strongest tremor since 1900 and the seventh strongest recorded in history. It triggered a tsunami warning for numerous countries in the Pacific area. Thousands of lives have been lost and countless homes, even whole villages, have been washed away. Infrastructure has been reduced to rubble and in the coming weeks we know that the death toll will continue to rise.

Over the past two days I have spent time with families who have lost loved ones and who have lost homes and livelihoods in our own recent disasters and I have been struck again how these tragedies go on to reverberate across whole communities and touch the lives of people who were not personally affected. I think if we stopped for one moment to contemplate the size and scale of Japan's tragedy and the incomprehensible loss of life, we can all begin to understand the grief that will reverberate right across our neighbour's whole community. We know that the earthquake and tsunami have been followed by a crisis in a major nuclear power facility, causing even more concern and problems for government and community leaders.


I think every member of this House knows that Queensland enjoys very close ties with Japan—close economic ties, close cultural and social ties, and close diplomatic ties. Thousands of Japanese schoolchildren study in Queensland schools and, likewise, Queensland students travel to Japan as a regular part of our language curriculum. That builds friendships for life and it has been happening for decades. Many Queenslanders are now living and working in Japan as a result of those ties.

Japanese tourists are so critical to our tourism industry. Last year we saw just over 220,000 visitors from Japan travelling to our state and many of those people were here for repeat visits, such is their affection for Queensland. Japan is Queensland's largest merchandise export destination, with exports growing at 12 per cent on average over the past five years. Japan has also been Queensland's largest overall trading partner for over half a century, with two-way trade now worth almost \$20 billion. Our economies are linked in vital and intricate ways. That means that the prosperity and wellbeing of the people of both Japan and Queensland are also inextricably linked. This devastating natural disaster changes the physical and social landscape of all the places that it has hit, but it does not change our ties of friendship.

The government and the people of Japan have a massive task ahead in order to recover from this natural disaster, and as they do they can know that they are not alone for Queensland will be one of the friends that will stand beside them. We have already committed to offering our assistance and we have already sent two sniffer dogs with their handlers to engage in the grim rescue efforts that are occurring. We have our urban search and rescue teams ready for deployment as part of the national Australian effort, which we expect to occur not only over many months ahead but likely over years ahead.

The Consul-General of Japan in Queensland is known to many people here in the House and he has been very active in developing and strengthening close Queensland-Japan relations. At a time such as this, we all reflect on our many friends in Japan and I think of Mr Makoto Hinei, the former Japanese Consul-General in Queensland, who returned to live in Japan only a few weeks ago at the completion of a very successful term here in our state. This is a terrible, devastating time for our friends in the country of Japan. I know that I speak for everyone in the House and for all Queenslanders when I say that we have watched the heartbreak and devastation with a particular sense of what is being experienced, having recently gone through our own sense of disaster. So I offer our condolences and, most of all, I offer our friendship and our assistance to the people of Japan at this very difficult time. I move—

That the House take note of the statement.

 **Mr LANGBROEK** (Surfers Paradise—LNP) (Leader of the Opposition) (9.39 am): I rise to speak to the condolence motion and to express deep sorrow for the people of Japan. We certainly have seen a summer where the devastation has gone from Australia around the Asia-Pacific to New Zealand and now, in unprecedented magnitude, to Japan. The Japanese people are suffering on a scale not seen since the Second World War. The massive earthquake and tsunami that hit Honshu on the Japanese archipelago has totally wiped out entire communities. As of yesterday, 8,100 people have died; at least 12,000 people are unaccounted for; 452,000 people are living in shelters; and 375,000 people are still without electricity.

Queenslanders have been hit by floods and cyclones and we can appreciate the feelings of total loss and desperation that tens of thousands of Japanese are now feeling. As the Premier said, they have suffered on an unprecedented scale. I do not for a moment pretend to understand how desperate the situation is and how bad the suffering is. Food, water and fuel for heating are in short supply. Thousands of people have been forced to flee from the radioactive fallout from the crippled Fukushima nuclear reactor. Volunteer technicians, virtually on a potential suicide mission, have stayed behind in a desperate attempt to stem the radiation leaks from the overheating fuel rods. These are brave people and we wish them every success.

I have been fortunate to have visited Japan on several occasions. I say without hesitation that everywhere that I went whilst there I was shown exceptional kindness and hospitality. I think that many in this parliament who have visited Japan would not fail to have been impressed by the country, by its people, by a society that embraces new technology, innovations and efficiencies in manufacturing whilst also retaining traditional values of honesty, politeness and respect for others and particularly respect for family. That is one reason why I encourage the Premier to form the Queensland parliamentary friendship group with Japan that I know she has the intention to. At the politicians' level it is something that would be highly valued, especially by our friends in Japan.

As we come to terms with the extent of the devastation in Japan we have heard reports of incredible survival—or miracles—as survivors were found against seemingly overwhelming odds. Just yesterday we saw poignant pictures of two people rescued, a grandmother and her grandson, after nine days. We also saw pictures over the past few days of the rescue of an elderly man who took refuge on his roof and members of a search and rescue team bringing to safety a baby buried under wood and mud.

The impact can be gauged by the fact that the Emperor spoke to the citizens of Japan through YouTube. Emperor Akihito expressed his concerns for the difficulties of those searching for survivors due to the cold weather and that of evacuees and victims facing food, water and energy shortages. Emperor Akihito reaffirmed Prime Minister Kan's words that the events have been the worst crisis since the Second World War.

Queensland enjoys long and very strong trading and cultural ties with Japan. The first Consul-General of Japan to this country was located in Townsville in 1896. Japan has been Queensland's largest trading partner, as the Premier has mentioned, for over 50 years. There are 22 sister relationships between Queensland and Japan. Queensland has been a long-favoured destination for Japanese holiday-makers and many Japanese have chosen to make Queensland their home, including on the Gold Coast where we recently had an Essence of Japan cultural day. Those people are an important part of the Gold Coast and Queensland society. Many Japanese individuals and companies have invested in Queensland. In short, we in Queensland have very strong ties with Japan. I share the sentiments of the Premier that Mr Makoto Hinei, the Consul-General, who has only just left, will find it very difficult as he returns home to the current situation that his country is facing, even though I know he is from a different part of Japan.


The recent natural disasters in Queensland are seriously affecting consumer confidence and I have heard the recent stories of cancelled flights and a lack of confidence in our tourism market. That, of course, pales into insignificance compared to the images of the devastation in Japan. It is hard to imagine where the recovery will start. But I do know this: the Japanese people are stoic, they are resilient and industrious and they will rebuild. To the people of Japan and to all those in Queensland with relatives and friends in Japan and in those areas so badly affected, on behalf of opposition members I offer our deep, heartfelt condolences and very best wishes for recovery.

Mr SPEAKER: In the spirit of the debate, I would ask honourable members to show their respect with a few moments of silence.

Whereupon honourable members stood in silence.

MINISTERIAL STATEMENTS

Royal Visit

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.45 am): It was a great pleasure on the weekend to see something that we have not seen in parts of Queensland for some months, and that was the smiles on the faces of locals in the towns affected by our natural disasters. Those smiles, of course, were brought by a very special visitor, his Royal Highness Prince William of Wales, who came to visit our flood and cyclone victims and their communities with a genuine concern, a genuine warmth and a genuine interest in what they have suffered and how they will recover. Prince William was representing his grandmother, the Queen, and whether one is a monarchist or a republican there is no denying that his mere presence in both Northern and South-East Queensland visibly lifted spirits and not only helped us through a very difficult time but buoyed those who have been suffering the long path to recovery and rebuilding.

During his visit, the Prince met many emergency service workers and volunteers involved in responding to the crisis and those who are working to rebuild our shattered communities. His presence was an acknowledgement of the invaluable service that they provide to Queensland. He arrived in Townsville on Saturday after visiting earthquake devastated New Zealand and immediately commenced a whirlwind two-day tour aimed at being in touch with as many of those affected by our natural disasters as possible. The Prince was determined that his visit be as informal and as low-key as possible. Given the excitement that his visit generated, it was never going to be low-key, but it did have a genuine informality that allowed literally hundreds of people to speak personally with the Prince. From Townsville he flew to Cardwell and Tully meeting the locals at Cyclone Yasi's ground zero. In private meetings with victims he was able to get a sense of the devastation and was particularly concerned about how those locals will get back on their feet and rebuild. He then moved to Cairns where he met with members of the Royal Flying Doctor Service and announced that that organisation, so dear to the people of Queensland, will be one of the five worldwide charities nominated by himself and his bride-to-be to receive donations in lieu of wedding gifts for his impending wedding.


Prince William then travelled to the Cairns Cruise Terminal where he participated in a function to reinforce the message that despite our recent disasters Queensland is indeed very much back in business. He took the opportunity to literally meet with hundreds of emergency workers and volunteers who had been so crucial to the Far North Queensland effort over the past several weeks.

On Sunday the Prince then travelled to the south-east where he attended gatherings of victims and relief workers, including helping to raise the spirits of those in Ipswich and the Lockyer Valley areas. Again he took the time to meet privately with those who had lost loved ones in the terrifying events in Toowoomba and throughout the valley. He then attended the Spirit of the Country concert in Toowoomba. I thank all of those country and western singers and star performers. It was a great line-up. They gave their time to come and lift the spirits of people with a concert that was free. They were not raising money; they were raising spirits. It was a great effort by them. This concert was an opportunity for the country music industry to support the southern Queensland flood victims and the communities that have been hit so hard by the recent devastation. The presence of the Prince at a fundraising event held in Brisbane on Sunday evening put additional funds into the Premier's disaster relief fund. I thank those who came along and dug deep. Some of them have certainly given already and they made an effort to make a second donation.

As the Prince moved through the community, again I was impressed by the inner resolve and strength of Queenslanders and by their determination to recover and emerge stronger from the difficult times they have faced. I was also very proud of our many emergency workers and volunteers as they were able to explain to this world figure their role and their experiences. I thank all the communities involved. I particularly thank the councils that, with very short notice, put on great events for the locals and the many participants for their enthusiasm for the visit by Prince William.

On behalf of Queenslanders, I thank Prince William for visiting our state and for his generous spirit. Throughout his visit, the Prince was clearly moved by the devastation he saw in the communities he visited and the personal suffering that it has brought with it. I was impressed by his determination to bring as much good cheer as he could. I am sure all members will join with me in wishing Prince William and his bride-to-be, Kate Middleton, the very best for their upcoming wedding.

North Stradbroke Island, Sandmining

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.49 am): Today is the beginning of a new era for one of Queensland's most iconic locations, a place very close to the hearts of many in South-East Queensland, including my own. Today I am pleased to announce the final plan for the end of mining on North Stradbroke Island. Last year we announced a vision for a stronger, greener future for North Straddie; a vision that saw all mining phased out by 2027 and a move towards a more sustainable economy focused on the tourism opportunities that this natural paradise has to offer. As a result of this consultation and our determination to stop mining in this beautiful place, I now announce that all mining will cease on North Stradbroke Island by 2025. Most significantly, Yarraman Mine, which accounts for 47 per cent of all mining, will close in 2015. Further, the mine known as Enterprise Mine, which accounts for a further 47 per cent, will close in 2019. That means that by 2021, after a two-year decommissioning and rehabilitation period, 75 per cent of the island will be declared national park. Leading up to 2019, Enterprise's operations will be constrained and limited to minimise the environmental impact within the existing lease areas. In 2025 the closure of Vance Mine, which accounts for the final six per cent of mining, will be the final piece of the puzzle. In 2019, 94 per cent of mining on North Stradbroke Island will cease.

North Stradbroke Island is a place that is special to many generations of Queenslanders. It is also a place of deep cultural heritage for which the Quandamooka people are the custodians. That is why the Quandamooka people are central to our government's vision for North Stradbroke's future. We have


been working closely with them to negotiate an Indigenous land use agreement and an Indigenous management agreement, which will provide the Quandamooka people with a key role in the management of their country through joint management arrangements for the proposed protected areas, as well as economic, social and cultural development opportunities.

Mining may have been a big part of North Stradbroke Island's past, but our government is determined that it will not define its future. To enable the transition and to deliver on our commitments, today the Minister for Environment and Resource Management will introduce the North Stradbroke Island Protection and Sustainability Bill, which will enshrine the timetable I have announced and ensure that the future of North Straddie is secured forever. This is a place that Queenslanders and visitors from around Australia and across the world should be able to come to to enjoy its remarkable beauty, its unique environmental features and its rich cultural heritage. This transition plan means that we can now start to build a strong and sustainable economy for North Straddie, where its natural features are seen as assets to protect and share with the world.

To support our vision for a nature based tourism economy on the island and the protection of what makes this place so special, we will be delivering on our commitment to make 80 per cent of the island national park by 2027. We want people who visit North Straddie to not only marvel at its environmental beauty and appreciate its past but also enjoy its many beautiful places. Our vision for North Stradbroke Island is for a people's place with new walking tracks to explore hitherto hidden parts of the island, with new camping grounds providing affordable accommodation for families, with just as many if not more opportunities to throw in a line off the beaches and with new recreational facilities for family barbies.

All of those elements make North Stradbroke one of Queensland's most special island getaways. Its location, right on Brisbane's doorstep, means it is one of our most accessible islands. The potential for North Stradbroke Island is enormous and I am very pleased to say that its future is now protected.

North Stradbroke Island, Sandmining

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (9.54 am): This morning the Premier has announced the final transition plan to see an end to mining on North Straddie fast-tracked, with three-quarters of the island to be declared national park in the next 10 years. One of the most important elements of this plan is the closure of the largest mine in 2019 to pave the way for the declaration of 75 per cent of the island as national park by 2021. In fact, 50 per cent of the island will be declared national park by the end of this year. That was a commitment we announced last year as part of our vision and it is a commitment we are well on track to meeting.

This is a huge win for conservation in Queensland. It is a courageous step to ensure that one of our state's iconic places, with such incredible potential as a nature based holiday destination, is protected for future generations to enjoy. North Straddie is an island of rich and vast habitat with mangroves, wetlands, heathlands, freshwater lakes, rainforests, old-growth forests and woodlands. It is the second largest sand island in the world, with the most diversity of wetlands known in one place in Queensland. It is also home to a rare perched lake known as Brown Lake, as well as the spectacular Blue Lake. It is a special place that is well worth protecting and one that we want to share.

That is why our plans for national park declaration involve significant investment in the management of those parks. Most importantly, we are working closely with the Quandamooka people to provide a joint management approach that will allow the traditional owners to provide leadership on the protection of their country and ensure they have access to economic opportunities on their land. Two new rangers have already started work on North Stradbroke, both of whom are Quandamooka people. In total, we will be appointing 12 new rangers to manage the increased national park estate on the island, working closely with the Quandamooka and the Redland City Council to ensure the area grows into a new world-renowned national park.


We want to achieve the quickest and most practical end to mining on Straddie while also allowing enough time for a smooth and effective economic transition for all of the island's residents and, very importantly, the workers. The bill that I will introduce today will give certainty to anyone who has a stake in Straddie's future. We know that providing a period of transition for workers and the island's economy is essential. People need certainty in order to make choices for their future and that is what we are providing through this plan.

We do not approach this transition half-heartedly. A key plank in our plan is the appointment of an economic transition task force. We know there is huge untapped potential for North Stradbroke to be a tourism mecca for South-East Queensland, with many different niche markets including ecotourism, education camps, spa retreats and classic family getaways such as caravan parks and camping. The

task force will be focused on working with local businesses, local workers and local families, as well as new industries and the wider tourism sector to ensure all the island's sustainable economic opportunities are realised.

We know that North Straddie is a very special place. By ending mining and protecting more than three-quarters of the island, we can ensure that more people have the chance to get to know what makes North Straddie so precious and the island's economy will be secured for the future.

Liberal National Party Leadership

 **Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (9.58 am): I know that, like me, many members of this House are deeply concerned following revelations over the weekend about allegations of serious corruption at the highest levels of the LNP. It was reported that LNP president, Bruce Mclver, offered the member for Moggill various plum jobs, including the position of Queensland's Agent-General in London, under a future LNP government were he to vacate his seat.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left, the Attorney-General has the call.

Mr LUCAS: It was alleged that Mclver is seeking a safe LNP seat for the Lord Mayor of Brisbane in an attempt to oust the current leader, the member for Surfers Paradise. What makes this serious is that there are clear examples of corroboration. Chiefly, the leaked polling over the weekend shows—

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting. The honourable Attorney-General has the call.

Ms Simpson interjected.

Mr SPEAKER: Order! The member for Maroochydore, that is No. 1.

Mr LUCAS: Chiefly, the leaked polling over the weekend shows that the LNP is surveying Queenslanders on alternative leaders, including the Lord Mayor. If this deal was not inked, why would there be polling? In a startling new development, in today's *Townsville Bulletin* we see revelations that the SMS about the polling came from the former federal MP for Herbert, Peter Lindsay, whose daughter in fact works for the Lord Mayor. When first confronted with this, Mr Lindsay denied it. Then, when confronted with the fact that the text came from his mobile number and under his name, he said he had no comment. If these allegations are true, there are serious questions of official corruption to be answered. Section 87—

Mr Seeney interjected.

Mr LUCAS: I take the interjection of the member for Callide. He might want to go along and tell his story if he wants to deny it.

If these allegations are true, there are serious questions of official corruption to be answered. Section 87 of the Criminal Code is clear. It states that it is an offence to corruptly promise or offer to confer upon a public officer, such as the member for Moggill, any benefit on account of any act or omission on the part of a public office holder. That is official corruption. I am advised that the state secretary of the ALP, Mr Anthony Chisholm, has referred this matter to the CMC for its investigation. It is now up to the CMC to investigate these matters to the full extent of its powers to get to the bottom of these allegations.

I call on the Leader of the Opposition, who yesterday admitted on Madonna King's program that he was being undermined by faceless men, to refer this matter to the CMC immediately if he has any information about these dealings. If the member for Moggill says he was not involved, he should give a full and frank account of what happened. We all know that chief among the faceless men of the LNP is Bruce Mclver, and he is up to his old tricks. Mclver was investigated by the Australian Federal Police last year on allegations that he attempted to blackmail former federal member for Ryan, Michael Johnson, in an attempt to have Mr Johnson resign his seat. These are not empty allegations; the AFP actually referred the matter to the Commonwealth Director of Public Prosecutions for consideration of charges against Mr Mclver.

This is not the first time that these kinds of allegations have been investigated or prosecuted in Australia. I draw the attention of the House to the successful prosecution, under analogous provisions of the Tasmanian Criminal Code, of businessman Edmund Rouse for attempting to bribe Tasmanian Labor member of parliament Jim Cox to cross the floor to vote in support of a Liberal Premier, and also to the

New South Wales ICAC investigation which found former Premier Nick Greiner had corruptly offered a Public Service position to the member of parliament Terry Metherell in return for vacating his seat. The parallels are clear. These allegations must be thoroughly investigated and anyone found to have been involved must face the full force of the law.


Mr Seeney interjected.

Mr SPEAKER: The honourable member for Callide will cease interjecting. That is your first warning.

Honourable members interjected.

Mr SPEAKER: Those on my left! The Deputy Premier and those members on my left will cease interjecting.

Japan Earthquake and Tsunami

 **Hon. AP FRASER** (Mount Coot-tha—ALP) (Treasurer and Minister for State Development and Trade) (10.02 am): It seems that the member for Callide is in a state of anticipation today. The Leader of Opposition Business is in a heightened state of expectation. I want to join with the Premier in offering our condolences and the thoughts and best wishes of all Queenslanders to the people of Japan. It is challenging and confronting in the extreme to comprehend the scale of what has taken place in Japan over the past fortnight. Any incident of this scale, with such monumental loss of life, is deeply tragic. It is times like these—times that test us as individuals and as a community—when we are reminded of our most important relationships. Amongst the most significant for our state during the last two generations has been our relationship with Japan.

My recent trade mission to Japan was completed on the Friday before the devastating earthquake. Our state had received the generosity of so many in Japan as well as their best wishes and their concern. Just one week later, the situation was so dramatically reversed. Our ties with Japan are firm and longstanding. Our trading relationship with Japan has allowed us to forge a reputation on the broader regional economic stage. For a long time now Japan has been our No. 1 trading partner, our No. 1 destination for exporting coal, our No. 1 export market for beef and our No. 3 market in terms of inward-bound tourism. The immediate past Japanese Consul-General to Queensland, Mr Hinei-san, played an integral role in reinforcing the strength of this relationship. Mr Hinei is a great friend of Queensland and our hearts go out to him, his family and his colleagues during this time.


As trade minister, my immediate concern was for the condition of the Trade and Investment Queensland staff in Tokyo. I can inform the House that Trade Commissioner Tak Adachi, well known and well regarded by both sides of the House, and his staff and his family all escaped unharmed. At this stage the staff have not returned to the building in which Trade and Investment Queensland is now based. The building has sustained some damage and Trade and Investment Queensland is awaiting a report from the building's landlord on the overall condition of the building. As such, trade staff will continue to work from other locations until the building is given the all-clear. Commissioner Adachi has maintained a 24-hour presence in Tokyo, providing the government with constant updates on the situation. I would like to publicly thank him for his leadership throughout these trying, desperate circumstances.

At this point it is too early to accurately estimate the economic impact on Queensland from the devastation to Japan. Yesterday a report from the World Bank estimated total damages in Japan to be in the order of US\$235 billion. To put that in perspective, that is roughly the size of Queensland's entire gross state product. As I said earlier, Japan has long been, and remains, Queensland's No. 1 trading partner.

Japan accounted for around 22 per cent of Queensland's value of overseas merchandise exports in the last financial year—well above China at 14.7 per cent. On Friday, Consensus Economics released its March estimates for major trading partner growth. Currently, Queensland's major trading partners are expected to record growth of around 3.8 per cent in 2011. The forecast for Japan for this year was for moderate growth of 1.4 per cent. However, this data was gathered before the effects of the Japanese disaster could be fully taken into account. Therefore, we can expect a downward revision of this number. Make no mistake: because of our ties, a hit to Japan's economy is a hit to the Queensland economy.

The Japanese are a determined people. They have a history of responding to disasters on this scale. After the Kobe earthquake in 1995, Japan's economy was largely back on its feet inside 18 months. We can only hope for a recovery of similar terms. We will stand shoulder to shoulder with our friends and business partners in Japan during these most difficult times.

Queensland Health

 **Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Health) (10.06 am): As members would be aware, this government's expenditure on health is at record levels. This year the Queensland Health budget is a record \$9.99 billion. That equates to more than \$27 million each and every day. The Health budget grew by 10.5 per cent this financial year. That is nearly a billion dollars more that has been spent in Health this year than last year. There is more money going to the front line—our hospitals and health services—than at any time in Queensland's history. Our health service districts all received budget increases this financial year.

Since 2005 we have doubled the Health budget and we have nearly doubled the number of doctors, nurses and allied health professionals. We have also had the largest Health capital works program in the country at \$7.33 billion—\$1.6 billion this financial year. That is billions towards delivering better services and better hospitals.

Some members may have seen media reports that Queensland Health facilities are facing funding cuts. Nothing could be further from the truth. Health districts have record budgets and they must spend those budgets responsibly and in the most effective way. Queenslanders expect quality health services and responsible financial management to ensure the effective delivery of those services. Queensland Health and its districts need to be constantly striving to make smarter and better choices with our record spending in health and become more innovative in everything we do.

All across Queensland, our Health workforce is engaged in innovative work to deliver better health outcomes for patients by spending Health funding more effectively. For example, in some hospitals our acute wards use subacute step-down facilities to ensure patients in recovery receive appropriate care in an appropriate environment, freeing up vital acute capacity. This also allows each Health dollar to go further. In other hospitals our emergency departments use transition lounges to improve patient flow, that is, moving patients through EDs faster and freeing up beds for others while maintaining quality health care. Again, that allows each Health dollar to go further. Our specialists are also taking consultations over the world's biggest telehealth network right here in Queensland. Patients can stay closer to home and specialists are able to see more patients across more of Queensland. Again, each Health dollar is able to go further.

Community care, hospital in the home, 13HEALTH—these are all innovative programs provided by Queensland Health to deliver flexibility, efficiency, quality and volume of services to an extent that has never been experienced before. Each of these programs helps maintain and improve health services, drives each health dollar further and treats more patients, more often, more effectively.

I want to congratulate our front-line staff who are looking for the smarter ways for more effective delivery of health services. Their ideas are invaluable and should be harnessed by each health district to ensure innovative practices in one hospital are shared across the district and across Queensland. This can be a strong partnership between all staff that can successfully deliver smarter and better health care.


The health districts that are looking for ways to balance their budget are to be encouraged to comprehensively review all options that ensure they maintain quality health services and are adopting new innovative practices and working smarter to get more value for money for Queenslanders. There are health districts on track to come in on budget, and a number of others are meeting the challenge of financial management in delivering efficiency, including the Townsville and Gold Coast districts.

I have made clear to the director-general, and he has made clear to health service district CEOs, that proposals to improve district budget positions will not be approved without clear evidence from the districts that they have comprehensively and exhaustively explored all options for the smarter delivery of health services and maintaining healthcare services.

That is why Queensland Health has also implemented, under the direction of the director-general, a 'best practice team'—established to help districts identify smarter and more efficient strategies to deliver patient services. This team will work closely with the dedicated Centre for Healthcare Improvement. The team will comprise a mix of independent and Queensland Health experts.

Let me reiterate: Queensland Health has a record budget this year, and the government's commitment to spending on health services is second to none. We are spending a record amount on health services for Queenslanders. Queenslanders expect to get even more and better care for their money.

Solar Hot Water Rebate Scheme

 **Hon. S ROBERTSON** (Stretton—ALP) (Minister for Energy and Water Utilities) (10.11 am): Thousands of Queensland families lost everything when Cyclone Yasi and flooding recently devastated vast areas of our state. While many are getting on with the job of rebuilding their lives and their homes, others are still doing it tough. They all need practical help, and that is what the Bligh government is delivering.


Today I am announcing new assistance for Queenslanders forced to replace household hot-water systems damaged or destroyed during the cyclone or the floods. The government's Solar Hot Water Rebate Scheme offers rebates up to \$1,000 for eligible Queenslanders to replace existing electric hot-water systems with a solar hot-water system. Until now, only householders replacing an electric hot-water system were eligible for the rebate. Today I announce I have extended the scheme's eligibility criteria to help those Queenslanders rebuilding after the floods and cyclone.

Every householder directly affected by the recent natural disasters can now apply for the rebate to replace an existing electric, solar or gas hot-water system with a solar system. The rebate available is \$1,000 for pensioners and low-income earners or \$600 for other eligible applicants. To be eligible, affected households must be in a Queensland local government area that was subject to natural disaster declaration as a result of recent cyclone or flood events. This is about the government helping families rebuild their lives and their homes and, at the same time, assisting them to install an energy efficient solar hot-water system.

The government's strong response to the reconstruction task has encouraged a number of private companies in the solar industry sector to also offer help to disaster affected Queenslanders. For example, I am advised Solahart is matching the government's \$600 standard rebate for disaster affected customers to install a solar hot-water system. Apricus Australia is offering \$15 million worth of replacement solar hot-water units to Queensland residential property owners affected by the floods and cyclone, at little or no purchase cost.

Together with the solar rebate, these industry offers provide a low-cost option for Queenslanders affected by recent natural disasters to help rebuild their lives and reap the benefits of solar energy through reductions on their future power bills.

Solar Kindergartens Installation Program

 **Hon. CR DICK** (Greenslopes—ALP) (Minister for Education and Industrial Relations) (10.13 am): The Bligh government is committed to providing a world-class education system for our children. In recent years, the government has overseen significant reforms in education—including the introduction of full-time prep, the establishment of the Queensland Certificate of Education, and we have begun the rollout of universal access to kindergarten services. We are also committed to protecting our environment and making public buildings more sustainable and environmentally friendly.


These twin objectives converged yesterday at the C&K Moorooka Community Kindergarten. I visited the kindy and was joined by the Minister for Government Services, Building Industry and Information and Communication Technology and member for Yeerongpilly, Simon Finn, and the CEO of the Creche and Kindergarten Association of Queensland, Mr Barrie Elvish.

I was delighted to be able to announce that the Bligh government will retrofit 166 kindergartens with solar power units as part of our solar kindergartens installation program. These units will help create sustainable learning and play environments for our children. They will also reduce the amount of greenhouse gas produced by each kindergarten and help to reduce electricity bills by up to \$400 each year at each kindy. This is great news for parents and for kindergarten operators.

As well as providing solar power to the C&K sites, the Bligh government will also install 1.5 kilowatt solar power units at up to 240 new kindergarten services. These 240 services are part of our government's commitment to ensure every Queensland child of kindergarten age will have access to an early years program delivered by a qualified teacher. This means that within four years more than 400 kindergartens in Queensland will be powered by the sun.

These solar installations will generate enough energy to power 125 Queensland homes and save 877 tonnes of carbon emissions each year—the equivalent to taking almost 200 cars off the road. The program builds on the government's solar schools program, which has resulted in solar panels being installed in 1,164—or more than 94 per cent—of all state schools in the past three years. This initiative is further demonstration of the Bligh government's commitment to both education and the environment.

Tourism Industry

 **Hon. JH JARRATT** (Whitsunday—ALP) (Minister for Tourism, Manufacturing and Small Business) (10.15 am): Almost 200 international and domestic media representatives have arrived in Queensland today to take part in one of the largest single, simultaneous media familiarisations in Australian history.

The global media famil was one of the recovery initiatives outlined by the Premier and the then Acting Prime Minister as part of the joint \$10 million global tourism recovery strategy, which aims to help us tell the world that nothing beats Queensland.

The week-long event will see hand-picked journalists from some of the world's highest circulating publications, TV, radio and online news services visit every region in Queensland to boost destination awareness and show the international media that nothing beats Queensland—nothing beats our spirit, our state or our sensational holiday packages.


The gravity of our natural disasters earlier this year attracted worldwide media attention. So we now want to tell the world just how well Queensland has bounced back. And the best way to do that is to have the world's media see firsthand that Queensland really is where Australia shines.

Groups of journalists will complete 25 itineraries covering the length and breadth of the state, including scuba diving on our iconic reef, sailing the idyllic Whitsunday islands, revelling in the thrills of the Gold Coast, riding a horse through the outback or simply kicking back and enjoying a robust Queensland red wine. These journalists will see and do almost everything Queensland has to offer.

The output of this campaign will be enormous. Across Australia and worldwide, travel writers, airline magazine contributors, online reviewers and radio broadcasters will be retelling their personal experiences about beautiful Queensland. Each will leave with their own unique story and will tell the world about their adventurous, indulgent, luxurious and exhilarating time in Queensland.

The intensity and reach of this media coverage will be a real game changer for our operators now working to overcome the mistaken image of Queensland as a broken state. Tourism operators know better than any of us that now is the time for Queensland to shine. And I am sure that, true to the Nothing Beats Queensland campaign slogan, this incredibly tough industry will be working overtime to give the touring journalists a truly unbeatable experience.

Jobs

 **Hon. SJ HINCHLIFFE** (Stafford—ALP) (Minister for Employment, Skills and Mining) (10.18 am): The Bligh government is investing in Queensland to help Queenslanders into jobs. We know that the Far North region was hit hard by the GFC and more recently by Cyclone Yasi. It takes strong leadership and a strong government to rebuild this state. Every day since the natural disasters hit Queensland, the Bligh government has been working to rebuild the damage and help people rebuild their lives.


We are investing \$4.8 million in the Cairns and the Far North Queensland region to help more than 700 people with job opportunities. This includes \$1.1 million to deliver 12 industry recovery officers to assist the agricultural industry and small businesses; half a million dollars to assist 85 people into earning or learning through the Get Set for Work program; \$486,700 to assist 110 long-term unemployed people through the Participate in Prosperity program; \$315,850 to assist 98 people to gain qualifications in areas where there are skills shortages; and \$2 million to help 367 people through the Skilling Queenslanders for Work initiative. This comes on top of other investment in significant infrastructure such as the Cairns Base Hospital which is supporting almost 2,650 jobs over the life of the project.

Our commitment right around the state includes areas with a large contingent of seasonal workers such as on the Gold Coast. Despite media reports to the contrary, the number of women employed on the Gold Coast actually grew by 4,000 during February. This is balanced against 500 women—not 1,500, as reported in local media—who became unemployed. All in all, the unemployment rate on the Gold Coast fell from 6.9 per cent in January to 6.7 per cent in February. But this is still way above the state average of 5.7 per cent. That is why we are doing what we can to help.

Latest grants in the Gold Coast area include \$540,000 to SCISCO Career Pathways to help 90 people; \$186,000 to Hope College to help 85 people; \$67,500 to Career Employment Australia to give 30 local participants a certificate II in retail; and \$35,360 to Kwa Deo Ministries to help 30 people. The latest grants bring the total funding for the Gold Coast under Skilling Queenslanders for Work to \$5.54 million for the current financial year. That is 29 projects funded by the Bligh government to help around 1,260 job seekers with opportunities to move into jobs or further training.

Jobs and job creation are priorities for the Bligh Labor government. Rebuilding Queensland is not an easy job, but that is what this government is focused on doing.

Natural Disasters, Road Infrastructure

 **Hon. CA WALLACE** (Thuringowa—ALP) (Minister for Main Roads, Fisheries and Marine Infrastructure) (10.21 am): Substantial areas of Central, Northern and North-West Queensland are still experiencing flooding and much of our road network is underwater. Last week alone, weather impacted on nearly 4,000 kilometres of roads already hit hard this summer. That equates to much more than a journey from Brisbane to Cairns and back again. It has hindered our good progress, but it has not dampened our determination to get these roads safe again for communities.

As soon as we can gain access to flooded roads we are getting in there to carry out inspections and carry out emergency works. My department is working hand in hand with local governments and contractors and we are going to get our roads safely reopened as fast as we can.

In the Far North, continuing heavy rain and flooding means that access to roads like the Peninsula Developmental Road is impossible, and the Bruce Highway, Kennedy Highway and Kennedy Developmental Road have received further damage due to heavy rain. A huge team of 150 Transport and Main Roads, council and local contractor staff has worked around the clock for the past two weeks to get as many of the roads repaired as possible.

Mr Cripps: Its been a very good effort.

Mr WALLACE: Thank you. I take the interjection from the member for Hinchinbrook. He would know firsthand that these blokes and ladies have been working around the clock.

In Mackay-Whitsunday heavy rain over 13 and 14 March has meant many road closures, most notably the closure of the Peak Downs Highway. An army of more than 170 staff has worked hard to carry out emergency repairs to potholes and weakened surfaces. In North-West Queensland we have had heavy flooding throughout March, meaning that many major roads have been closed for several days—most significantly the Flinders and Landsborough highways. The Flinders Highway between Julia Creek and Cloncurry was closed for approximately three days.

In North Queensland we have had around 25 crews working across the region. At the Gairloch floodway, which the member for Hinchinbrook would be so familiar with, on the Bruce Highway, the road has been completely undermined, with earthworks completely washed away and major damage to the culvert structures. Our RoadTek crews worked through very heavy rain to get that road open at 7 pm last Saturday. Our Transport and Main Roads crews are putting in long hours and making a tireless effort to make our roads safe and reopened for our regional communities and businesses. I want to pay tribute to them. I am sure that many members will join me in doing that. I thank those hardworking men and women for keeping our roads open in this wet season.

Natural Disasters, Urban Search and Rescue



Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.24 am): One month ago today a damaging earthquake shook the city of Christchurch on New Zealand's south island. The quake wreaked havoc on the city, reducing many buildings to rubble and tragically taking at least 160 lives. Many people are still listed as missing.

Within hours of the earthquake striking, Australia deployed a rescue team from New South Wales, closely followed by Queensland's Urban Search and Rescue personnel. The Queensland team included 70 internationally accredited QFRS technical rescue officers, which included six specially trained paramedics. Ten days later, a second team of 16 Queensland USAR specialists travelled to Christchurch as part of a 70-strong composite Australian team led by New South Wales.

I am pleased to report to the House today that all Queensland USAR personnel have returned home safely. I had the pleasure of welcoming each of the team members home and, on behalf of the Queensland community, to personally thank them for their significant contribution to the response and recovery efforts in Christchurch. Having spoken to many of the officers, I know that the difficult circumstances which confronted them in Christchurch will stay in their memories for many years.


It was tough, demanding work—burrowing into collapsed buildings trying to find survivors and recovering the bodies of the deceased. It was challenging and dangerous work, but this is what these professional and dedicated men and women have trained for.

I am pleased to advise the House that, as a lasting reminder of their contribution to the people of New Zealand, Queensland's Urban Search and Rescue team helped construct a park bench memorial in Latimer Square in Christchurch which was the site of the Australian base of operations. The bench was made from materials retrieved from the rubble of destroyed buildings, including the Christchurch Cathedral.

Two privately owned sniffer dogs and their Queensland handlers who have been part of a New South Wales led urban search and rescue team deployed to Japan are also expected to arrive back in Brisbane in the next 24 hours. On behalf of the people of Queensland, I also thank them for their efforts in helping the Japanese people in their hour of need.

Queensland's Urban Search and Rescue personnel were the first in Australia, and only the eighth in the world, to achieve United Nations accreditation as a heavy deployable rescue team. So highly regarded is the Queensland team that three of its officers are now accredited to assist in the accreditation of other international USAR teams. Our USAR teams are a credit to our state and our nation and I again thank them for the magnificent contributions they have made towards community safety in Christchurch and Japan.

Natural Disasters, Recovery Assistance

 **Hon. KL STRUTHERS** (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (10.27 am): I am sure members of the House are keen to hear about how the Bligh government has been rolling out temporary housing in the wake of the state's worst ever natural disasters. Many members will recall that one of the worst hit towns was Theodore, where the whole town was evacuated.


I have good friends, Jean and John Brian, who live in Theodore. Last year when I visited Theodore they showed off to me their new place in the HACC complex. They proudly opened the back door and said, 'Look at that little creek, but it is dry. It never gets wet out there.' Sadly, they were one of the families evacuated. They are now living on a property about 20 kilometres outside Theodore. We have been busy at work. We have put temporary accommodation in Theodore. Many people are now happy with their very comfortable temporary homes. We have also installed a recreation building in the town.

In the Lockyer Valley we have helped many people into private accommodation and provided three two-bedroom homes and a three-bedroom factory built home in Grantham. Similar homes have gone into Gatton, Murphys Creek, Emerald and Condamine. Since the cyclone we have assisted around 1,400 others through our RentConnect program. This includes payments of bond loans and rental payments for private accommodation. In Cardwell we were able to help with six four-bedroom homes, workers style accommodation at the sports ground, toilets and laundry facilities and community kitchen and recreation facilities. I saw firsthand in Tully and Mission Beach the quality of our factory built housing.

In the Tully Caravan Park there are eight self-contained units, four ensuited caravans and four four-bedroom homes—very comfortable homes. On the beachfront in Mission Beach there are some very comfortable single accommodation units and double units. I think all members of the House would acknowledge that it has been an amazing effort by all Queenslanders helping each other out in their darkest hour.

SCRUTINY OF LEGISLATION COMMITTEE


Report

 **Mrs MILLER** (Bundamba—ALP) (10.29 am): I table the Scrutiny of Legislation Committee's *Legislation Alert No. 3 of 2011*.

Tabled paper: Scrutiny of Legislation Committee, Legislation Alert No. 3 of 2011 [\[4119\]](#).

NOTICE OF MOTION

Seafood Industry

 **Mr MESSENGER** (Burnett—Ind) (10.29 am): I give notice that I will move—

That this House notes that:

- 1) An unprecedented crisis caused by state and federal government laws and regulations exists in the Queensland seafood industry, with many operators and fishing families facing financial ruin.
- 2) Imported seafood which fails to meet the same health, food quality, sustainability and environmental standards required of local and exported Queensland seafood product significantly contributes to the crisis.
- 3) Excessive Labor government regulations, fishing closures, licence fee increases and other red tape also significantly contribute to the crisis.

And calls on the Premier and the Leader of the Opposition—

whoever that may be—

to acknowledge the crisis, develop bipartisan policies which limit the impact of inferior quality imported seafood imports and reduce and wind back government regulations, fishing closures and licence fee costs.

SPEAKER'S STATEMENT

School Group Tours

Mr SPEAKER: Today we will be joined by the students and teachers and family members of the Citipointe Christian College in the electorate of Mansfield and the students and teachers of the Manly West State School in the electorate of Lytton.

QUESTIONS WITHOUT NOTICE

Mr SPEAKER: Now, let us all take a deep breath—question time. I call the Leader of the Opposition.

Government members interjected.

Mr SPEAKER: Order! Those on my right! I have called the Leader of the Opposition.

Natural Disasters, Bureau of Meteorology

Mr LANGBROEK (10.30 am): My question without notice is to the Premier. After two months of opposition pressure, the Premier has finally and quietly posted onto her website the cabinet minutes from the day the government was warned by the Bureau of Meteorology that Queensland was potentially facing one of its worst natural disasters ever, and I table a copy.

Tabled paper: Cabinet minute, dated October 2010, regarding briefing of cabinet by the regional director of the Bureau of Meteorology [4120].

My question is: given that there is not one single action identified in this cabinet minute, will the Premier explain why she refused to take any action and give any directives other than stand in front of yet another television camera?

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order.

Ms BLIGH: This is a very serious issue. I can advise the House and the people of Queensland that, when the Bureau of Meteorology approached the director-general of my department and sought the opportunity to brief the director-general and the gravity of the news that it had to share with him became clear, I made it my business to make sure that every member of my cabinet understood what we may be facing over the summer period. So I invited in an unprecedented move—I do not think there is any precedent for it—the head of the Bureau of Meteorology, Jim Davidson, to come and address the cabinet. I have made available to the opposition and to the public the material that he provided to the cabinet, and of course anyone who has had anything to do with Jim Davidson will know that he actually does a very good job of explaining what is quite complex technical material in words and ways that a layperson can understand. As a result of that cabinet briefing, there were a number of actions taken by the government. Firstly, I wrote to every minister and every director-general of the government—and I table a sample letter; this one in this case was to the Minister for Emergency Services—advising them of the information and seeking from them a number of actions to ensure continuity of business and preparedness for what might be a very difficult summer.

Tabled paper: Sample letter to all ministers, dated 25 October 2010, regarding the briefing of cabinet by the regional director of the Bureau of Meteorology [4121].

Those agencies were then charged with the job of ensuring that plans were put in place so that we were as ready as we could be. For example, the department of health made sure that local and district disaster management plans were in place with arrangements for staff to respond to emergency situations and had teams of environmental staff ready to assist local governments. The department of police had put in place preparations to establish a major incident room should it be required, and as we know it was required. Extra police were rostered and deployed and were on call during peak periods. The Department of Infrastructure and Planning, which administers the Restoration of Essential Public Assets relief measure under the NDRRA, put in place arrangements to ensure it was ready, and the list goes on. We took this seriously. We are being recognised around Australia and around the world—not our government alone but our local governments working with us—as very ready and very capable in the response phase, and that is what we will seek to achieve in the recovery phase.

I would not talk if I were the Leader of the Opposition about television appearances, because we know that the Leader of the Opposition has consistently sought to hide from the people of Queensland. The last parliamentary sitting went by without a single appearance from the Leader of the Opposition, as did the week before that and the week before that. We will always talk to the people of Queensland and give them the information that they need when they need it. We will not hide from that.

Queensland Health, Payroll System

Mr LANGBROEK: My second question without notice is to the Minister for Health. I refer the minister to the state Labor government's bungling of the Health payroll system that left thousands out of pocket and without pay. Last June at the height of the payroll disaster the number of payroll adjustments necessary to give Health workers their proper pay was 6,630. After nine months and countless millions of dollars spent, will the minister explain why the number of payroll discrepancies has only slightly reduced and still stands at over 4,000?

Mr WILSON: I thank the honourable member for the question. I reject the premise of the question. There is no basis for the implication that there has not been a significant reduction in the number of corrections being made in the payroll as it presently is being paid. There is no evidence to support the proposition being put by the Leader of the Opposition. Indeed, what has been done has been remarkable by the employees and the staff of Queensland Health who, in very trying circumstances, have manned up in the payroll hubs and managed the difficult and complex rostering arrangements and made a significant number of the corrections that need to be made as advised by all of the independent advisers to Queensland Health about what needed to happen with the payroll system, and they were not just doing that in a vacuum. They were doing that on the back of an Auditor-General report—and all of the recommendations were accepted—and on the back of a report by independent Ernst & Young. All of those recommendations are being implemented and the figures that are being produced now show a dramatic reduction on what was happening six to nine months ago.

The opposition would like us to do nothing. That is what it would like us to do. What it needs to know is that there are hundreds and hundreds of dedicated employees of Queensland Health who are doing an absolutely sterling job of implementing the Auditor-General's recommendations and those of Ernst & Young so that we have a significantly reduced number of corrections and alterations to the payroll system. It is a payroll system that pays \$200 million a fortnight to 80,000 employees working a 24-hour, seven-day roster arrangement across 15 to 20 EBAs or industrial agreements or awards—the most complex industrial relations arrangements that one would find in any industry in Australia. I think they are doing a remarkable job and have produced a remarkable result.

Natural Disasters, Tourism Industry

Ms BOYLE: My question without notice is to the Premier. Can the Premier update the House on what is being done for Queensland's critical tourism industry after our devastating floods and cyclone?

Ms BLIGH: I thank the member for Cairns for her question. The member for Cairns knows only too well that there are thousands of people right across this state whose livelihoods depend on a healthy and thriving tourism industry, and that means we need visitors and we need bookings. After any disaster anywhere in the world one would expect to see bookings and visitors drop off, and that is what we are seeing, unfortunately, in far too many of our great tourism destinations. But we are not going to take this lying down. We launched the Nothing Beats Queensland campaign during the last sitting of the parliament. Since then we have launched the Million Dollar Memo campaign. This is a global competition for workplaces. It builds on the success of the Best Job in the World campaign and it invites any workplace or company to enter, whether they are from Queensland, Australia or anywhere in the world.

All that is necessary is for them to have three or more employees and to make a 60-second video, which will then be posted, telling us what is great about their workplace and what is great about coming to Queensland. The Best Job in the World generated a level of global advertising for Queensland that no nation could ever afford to buy, because it simply went viral. We are starting to see exactly the same with the Million Dollar Memo. I encourage all members to talk to workplaces in their electorates. There is no reason a Queensland company cannot win this.

Since these disasters have afflicted us, we in our government know that when we talk about tourism we are talking about the livelihoods of thousands of families. Our new Minister for Tourism, the member for Whitsunday, has spent every waking moment working with the industry, working with businesses, working with Tourism Queensland and working with Tourism Australia to make sure that we are taking every possible opportunity to bring more people here to Queensland.

In stark contrast, what have those on the other side been doing? It is now clear that those opposite have spent the same weeks that we have spent trying to resurrect the tourism industry plotting. They have spent their time embroiled in a leadership coup. At the very time when they should be looking at and caring about the people they represent, the LNP has been caring about and looking at themselves. What does the LNP stand for? It is in an absolute mess. All they have done is think about themselves and their own careers. It is shameful.

Mr Seeney interjected.

Mr SPEAKER: Order! The member for Callide will cease interjecting.

Mr Lucas interjected.

Mr Fraser interjected.

Mr SPEAKER: Order! The Deputy Premier and the Treasurer will cease injecting.

Mr Seeney interjected.

Mr SPEAKER: Order! The member for Callide will cease interjecting.

Ms BLIGH: The people of Queensland deserve better than the Liberal National Party is serving up to them—a leadership coup, factional brawling at a time when we should be rebuilding.

Queensland Health, Budget

Mr NICHOLLS: My question is to the Minister for Health. I refer the minister to a memo from the district chief executive officer of the metro south region of Queensland Health. Issued only last week, the memo states that the regional office has been amassing a structural debt which is due 'to unfunded cost increases'. As a result of Labor's economic mismanagement, how many other health regions have structural debts caused by unfunded cost increases?

Mr WILSON: There you go. I thank the member for the question. It does pay to embrace any question asked by anyone on the other side with great caution. I do not accept what is being implied in the question asked. What I do say is that, yes—

Mr McArdle interjected.

Mr SPEAKER: Order! A question has been asked and, as far as I can tell, the minister is attempting to answer that question. He is therefore within the standing orders and he has the call.

Mr WILSON: Mr Speaker, I thank you. I can say that none of what was reported in the newspaper has been approved by the director-general, none of what has been proposed by the CEO of that health district has been approved by the director-general and none of what may be proposed for any health district will be adopted unless it is approved by the director-general.

On what basis will a director-general approve a strategy going forward? It will be on the basis of identifying, firstly, that the CEOs at district level maintain the quality and delivery of healthcare services; secondly, that they are able to demonstrate responsible financial management within their district; and, thirdly, that they have comprehensively and rigorously examined all options available to them to introduce new and innovative ways of delivering healthcare services, adopting best practice wherever it has already been demonstrated and working with the best practice team that I spoke of earlier this morning that brings experts together, and working with the district CEOs on identifying ways in which Queenslanders can be assured that they are getting value for money as well as getting the best quality health services.

If the members opposite were genuinely interested in improved health care, including dental care, why did LNP senators in Queensland fail to stand up for Queensland and block \$52 million of federal funding coming into Queensland to reduce the waiting list for public dental health services by 187,000 treatments? Why did they do that? Because they are not serious when they talk about improved health care for Queenslanders. That is why.

Natural Disasters

Mr SHINE: My question is to the Premier. How can Queenslanders pay tribute to those people who gave selflessly in a variety of ways during our floods and cyclone crises?

Ms BLIGH: I thank the member for the question. This member knows more than others what a real hero is: he comes in the shape of a young boy in Toowoomba. We all know that throughout our disasters we saw many, many people step up and take on tasks that many of them had never done before—coming together to help their neighbours, to help their friends and, in many cases, to help complete strangers. I want to thank not only everyone in this House who represents an affected electorate but also the mayors and councils and the communities that did so well.

During the last sitting I spoke about the local heroes program. I remind members that applications close on 1 April. I have had a number of nominations come through my own electorate office. They are all great people and I am looking forward to honouring them. All of them made a great contribution. But I really would encourage everybody to get out there and talk to their local papers and talk to their local groups. None of us wants to see those people who made a significant effort left behind as we go through the process of honouring those who did so much. They did it because they had a very human urge to come together and help people who were suffering.

As I said, what we now know is that, as communities came together, as individuals rose to a challenge the likes of which they had never seen, as people banded and bonded together, those opposite were doing the exact opposite. We know that the Liberal National Party now for weeks has been involved in secret polling, in secret meetings, in leadership brawls. What an extraordinary event: we are in this chamber on a parliamentary sitting day—one of the days when the opposition gets to hold this government accountable—and we are not more than 15 minutes into question time yet neither the opposition leader nor the opposition deputy leader can be bothered to be here.

Mr SPEAKER: Order! I say to the honourable the Premier that it is not within the conventions to refer to the absence of members.

Ms BLIGH: I would suggest that there are a number of things—

Mr Nicholls interjected.

Mr SPEAKER: Order! The member for Clayfield. I have made a ruling and it is a ruling that I have applied to both sides of the House from time to time.

Ms BLIGH: Thank you, Mr Speaker, and I respect your ruling. But it seems that there are a number of conventions that are about to be broken and that the next leader of the Liberal National Party will not be present in the chamber for 12 months. There will be a permanent absence. We will go through every question time without a leader. There will be someone here perhaps who will channel Campbell—and the member for Callide is uniquely qualified.

Mr SPEAKER: Order! Premier, I will deal with that set of challenges if and when it arises.

Princess Alexandra Hospital

Mr McARDLE: My question is to the Minister for Health. I refer the minister to this memo to the chair of surgery at the Princess Alexandra Hospital which reveals that the hospital has been 'instructed to reduce activity where possible by 10 per cent'. The memo asks staff to consider how they could fairly achieve a 10 per cent reduction in surgery lists that include overnight patients. As it is this government's economic bungling that has resulted in cuts to surgery, will the minister explain Labor's policy on how these cuts to surgery can be fairly achieved?

Tabled paper: Memorandum, undated, from Professor Lynch, Division of Surgery, Executive Office, Princess Alexandra Hospital regarding the financial position of health districts [4122].

Mr WILSON: I thank the honourable member for the question. Did the honourable member not get the email from Mr Dickson? Did he not get that email? If we are on about emails, what was that email about? That was an email, I understand, saying that the member for Gaven ought to be the health minister.

Honourable members interjected.

Mr SPEAKER: Both sides of the House will come to order!

Mr DICKSON: I rise to a point of order. I take offence to what the member has just stated. I don't like people lying in parliament and I ask him to withdraw.

Mr SPEAKER: I will deal with it in order. The word you have used is unparliamentary so you will withdraw that first up.

Mr DICKSON: I withdraw, Mr Speaker.

Mr SPEAKER: Dealing with the second point, you have asked for a withdrawal from the minister.

A government member: There was no personal reflection.

Mr DICKSON: There was personal reflection in that the member has misled the House using my statements and I take offence to that and I ask him to withdraw.

Government members interjected.

Mr SPEAKER: It will make the job of the House easier if you just withdraw and we will get on with life.

Mr WILSON: I am happy to withdraw the words I used.

Mr SPEAKER: Thank you. Let us move on.

Mr WILSON: It is the case, however, that in an article published on Monday, 21 February in the *Sunshine Coast Daily* it was reported and attributed to the member for Buderim, Mr Steve Dickson, that he said words to this effect—

Health is a poisoned chalice. They don't know how to fix it and I don't think they have the ability to fix it. If they want to get someone to fix Queensland Health, they should look at Alexander Douglas. He's a doctor and probably one of the brightest lights we've got. He knows everything there is to know about the health system.

I table the article in the newspaper.

Tabled paper: Article in the *Sunshine Coast Daily* of 21 February 2011 titled 'New cabinet attacked' [4123].

I want to know, and I think Queenslanders want to know, about the imminent reshuffles that are going to take place—not one, but probably multiple ones—on the other side of this chamber. Because we already have a recommendation from a grassroots member, the honourable member for Buderim—

Honourable members interjected.

Mr SPEAKER: Both sides of the House, the minister is answering the question. There is too much interjection on both sides. I am listening to the minister. The minister has the call.

Mr WILSON: I thank the Speaker for the time. The fact is that there are many people who think that the front bench of the opposition is not up to it, including their own members in their own caucus. The member for Buderim clearly believes that the shadow spokesperson for health, the member for Caloundra, is not up to it.

Mr DICKSON: I rise to a point of order. Again I take offence and I ask the minister to withdraw. He is misleading the House.

Mr SPEAKER: The member has asked for withdrawal.

Mr WILSON: The offending words I happily withdraw. Can I return to the theme, and that is that the member for Buderim has expressed his view that the member for Gaven, Dr Douglas, is the best person to be the shadow person for health and ultimately to be the Minister for Health. I consider that a vote of no confidence by him in the shadow spokesman for health.

Mr SPEAKER: The minister's time has expired.

Local Government, Electoral System

Ms MALE: My question is to the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State. I refer to the requirement that local government councillors must resign their office in order to contest a state election. Can the minister outline the government's rationale for this position and is the minister aware of any alternative policies?

Mr LUCAS: As a matter of fact I can. The government believes as a principle that councillors who are elected to that high office should serve their full term. The government indicated very recently that if a person wanted to run for state parliament they should be treated no differently from state parliamentarians who wish to run for federal parliament and be required to resign their seat. So we will see, with the announcement today that Lord Mayor Campbell Newman wants to run for Ashgrove, if he meets the first principle and resigns today so that there can be a by-election for the people of Brisbane to vote for a new Lord Mayor.

The LNP does not agree with this. A media release from the member for Warrego—that giant of rectitude in local government matters—states that the opposition would change the policy to allow it to happen. In fact, we know that is the case because the Leader of the Opposition has, in fact, in the LNP's recently released local government policy, confirmed it. It is on its website. Ironically it is on the website below a picture of the current Leader of the Opposition and a picture of City Hall. So he has got City Hall just below him at the moment and he is soon to go under City Hall. I table that page from the website.

Tabled paper: Printout of web page at www.jplangbroek.com regarding local government [4124].

We have gone from 'Can do' Campbell to 'Will do' Langbroek as the Leader of the Opposition. The writing has been on the wall for the past four days. How can you have a situation with an extra-parliamentary opposition to the government? It reminds me of what is going on in the Middle East except that it is in reverse. In the Middle East they are having a revolution in favour of parliamentary democracy; in the LNP they want to actually abolish it. They want to privatise the parliament. The opposition leader will come from outside the parliament and run the Leader of the Opposition's office like an emir does in the Middle East. That is what those opposite want to do.

We saw the former member for Herbert the other day talking about the polling that he released on his mobile phone that he did not know about—yeah, but no, but yeah, but no—and he did, but what does this say? It says about Bruce McIver, the president, that no-one is fit in his opinion to lead the Liberal National Party. The member for Callide is not, the member for Maroochydore is not, the member for Surfers Paradise is not, the member for Southern Downs is not, the member for Caloundra is not, the member for Clayfield is not—fair enough about the member for Warrego; he is probably right on that. This crowd is totally bereft and moribund. They do not deserve the privilege. We are now faced with a situation in this city and this state where we have massive flood and cyclone issues to deal with and we have a Lord Mayor who is more interested in getting a new job than his old job, we have a Leader of the Opposition who has no idea what job he has and we have a parliamentary team in the LNP who have no idea who will be their leader into the future, who decides what happens in the LNP and who decides what happens in the parliament.

Queensland Health, Payroll System

Mrs STUCKEY: My question without notice is to the Minister for Health. In January there were still 243 Queensland Health workers needing to seek emergency payments because they were still not getting paid properly by this Labor government. Will the minister give the updated figure on the number of people who, after almost a year since Labor's failed health payroll system went live, are still seeking emergency payments simply to make ends meet?

Mr WILSON: I thank the honourable member for the question. This is a genuine issue and I respect the fact that she has asked about it. I can advise the House that, as is generally known, in late November 2010 we unveiled a comprehensive 18-month blueprint for finalising the payroll improvement project by mid 2011. In the three months since Queensland Health has continued the rollout of improvements delivering better accountability and efficiency in the payroll system, this has been the result: staff payroll inquiries have now come down by more than 80 per cent since the system went live in March of last year—that is down to fewer than 500 calls from over 80,000 staff; the outstanding adjustments backlog has been virtually eliminated; the number of staff seeking interim payments who received an incorrect pay is down by more than 90 per cent to approximately 240 in January; the total number of staff reporting no pay is down to a fraction of one per cent in the last cycle—33 out of 80,000 staff.

That is the outcome of the concerted effort of hundreds and hundreds of payroll staff and staff involved in rostering to implement the recommendations of the Auditor-General and Ernst & Young. That should be considered against the backdrop of the extraordinary complexity of a payroll system for 80,000 workers, working 24-hour cycles, seven days a week, under about 15 to 20 industrial agreements or awards, with a high level of casual employment, covering appropriate industrial leave, paternity leave, maternity leave and other leave arrangements. It is a highly complex system. Of course, the bottom line is that every member of staff of any employer is entitled to the proper wages and conditions under their award or their industrial agreement and should be paid in accordance with those arrangements or in a timely fashion. If there needs to be any corrections, they should be adjusted as quickly as possible. Within any large payroll system, there is a naturally occurring process for adjustments, one pay cycle to another, that have no connection to the figures that I have put forward—

(Time expired)

Trade and Investment Queensland, Cadets

Ms O'NEILL: My question is to the Treasurer and Minister for State Development and Trade. Would the Treasurer and Minister for State Development and Trade inform the House of any programs that support young Queenslanders to build promising careers and strengthen our trade relationships?

Mr FRASER: I thank the member for Kallangur for her question and for her commitment to ensuring that young Queenslanders with talent get a go at securing a new career and supporting the vitally important trade relationships for our state. Today, Trade and Investment Queensland can announce that another five new cadets will be placed with Queensland offshore companies such as eco-Kinetics and Clinical Network Services in cities around the world, including Abu Dhabi, Shanghai and Guangzhou. The cadets will work with those companies to develop their own careers and to develop the interests of companies and our major trading partners.

It seems to be a day for career development. Today, on the other side, we see one of the most farcical episodes of the parliament surely drawing to a close. Surely the excruciating chapter of this Leader of the Opposition will draw to a close today. What else would one expect? Yesterday, of course, we saw his putative rally against the faceless men. Like all great stands from the Leader of the Opposition, how long did this one last? It lasted but a couple of minutes! What would we expect from someone who fell at the feet of Drew Hutton after three direct questions? Today, finally, the Leader of the Opposition falls away and, finally, the Deputy Leader of the Opposition will fall away with him. As of today, we can see that the real leader of the LNP is faceless to this parliament. What a farce. Perhaps we should invite Mr McIver to come to the bar and inform the parliament of the contempt that he holds for this democracy.

Today, the Lord Mayor has announced that he will seek to contest the seat of Ashgrove at the next election. We say, bring it on. In the Minister for Environment, we have a candidate who will wipe the floor with the Lord Mayor. What we see now is high farce. Mr Speaker, normally it is you who comes in here with a message from Her Excellency the Governor. As of tomorrow at question time, the member for Callide will present a message from His Excellency the Lord Mayor, who wants to be the leader from outside the parliament.

If the LNP leadership cannot find one of these bed-pressers to be worthy of leading the party inside this chamber, the people of Queensland should ask themselves why any of them are worth voting for. If your own party holds you in contempt, why should the people of Queensland hold you in anything other than contempt? If your own party does not think that you are worth voting for, why should the people of Queensland vote for you? The reality is this: they have descended into a crumbling debris of an opposition. This government remains united and ready to provide leadership; those people fall apart.

State Disaster Management Group

Mr SPRINGBORG: My question without notice is to the Minister for Police, Corrective Services and Emergency Services. The Disaster Management Act specifically requires that, at the end of each financial year, the State Disaster Management Group must prepare and give to the minister a written report about disaster management in the state. Those reports were routinely tabled for the public to inspect until 2008. I ask: have any additional reports been compiled since 2008 and, if so, why has this Labor government not ensured that they are tabled for the public to see, as was done previously?

Mr ROBERTS: The State Disaster Management Group produces an annual report and it reports to me regularly. As the shadow minister is aware, the State Disaster Management Group is responsible for overseeing the development of policies, procedures and protocols for the overall direction of disaster management in Queensland. That group meets regularly. In recent times, it has met as a result of the recent disasters. It was activated a number of times through Cyclone Yasi and also in response to the recent floods. As I have indicated, it produces a report. That report can be made public. I will follow up on the details as to when that last happened. I assure the member that the annual report and the operations of the State Disaster Management Group are not a secret. I will follow that matter through.

I take this opportunity to again highlight the great work that the State Disaster Management Group and, indeed, the district and local disaster management groups undertook during the recent disasters. As we are all aware, in Queensland the foundation of our disaster response system is local government. However, it is very ably supported by district disaster groups, which are headed by the Queensland Police Service, and the State Disaster Management Group, which is chaired by the director-general of the Department of Premier and Cabinet.

It is interesting that, in terms of the LNP, we will now have leadership from outside the parliament. That has recently been announced.

Ms Bligh: He's got to be preselected first and then he has to be elected.

Mr ROBERTS: He does have to be preselected. I am quite fearful of what Campbell Newman will do to the LNP, which has enjoyed a semblance of unity under the current leaders. He delivered the Clem7 tunnel, which has gone bust in a very short period. He has absolutely stuffed King George Square. King George Square is a concrete jungle, but it used to be quite a pleasant place to visit. He has delivered to Queenslanders a failed bicycle hire scheme, a botched broadband in the sewerage system. We look forward to dealing with the matters that the future leader of the LNP will offer Queensland. It is very disappointing that, obviously, the members on that side of the House do not have confidence in any of their front bench. Mr Gibson is looking very chuffed at the moment. I am sure that he is looking forward to his position on the front—

(Time expired)

Bullying

Mr WATT: My question is directed to the Minister for Education and Industrial Relations. Can the minister please update the House on the Queensland-led campaign against the highly topical subject of bullying?

Mr DICK: I would like to acknowledge the honourable member for his question and for his strong stance against bullying. Last week was a week when all Queensland communities and all Queensland schools came together to say no to bullying. I am very proud of the role that the Queensland government has played in putting our campaign against bullying front and centre in what we do in schools.

Last Friday we had the National Day of Action Against Bullying and Violence. This was a day that Queensland pioneered last year. I am very pleased to report to the parliament that that day of action was taken nationally this year. It was a Queensland initiative. Queensland put it front and centre and now it has been taken up nationally.

There was a whole range of activities last Friday. The honourable member for Everton and I were at Everton Park State High School, a great high school on the north side. We were live on radio station 97.3 with Robin, Terry and Bob, one of our valued partners along with the *Courier-Mail* and the Nine Network, promoting antibullying in schools. People wore orange and took the pledge. A two-day symposium was held last week. We partnered with The Alannah and Madeline Foundation to roll out the eSmart program in schools. We want to take bullying out of the shadows and put it into the light and stand up against bullying.

I am reflecting on what happened last Friday and the contribution that the LNP made to bullying and antibullying. What did its members demonstrate? That they are world-class champions when it comes to cyberbullying. We know that the former federal member for Herbert sent a *Gossip Girl* blast out on the text message to undermine the Leader of the Opposition. Thanks to my sources I was able to get a copy of the text. It said, 'Like, hey, wassup JPL? So, like, no-one likes you. We're through. My bromance with the Lord Mayor is, like, totally back on. XOXOXO. Your former friend/bully Bruce McIver.'

Nobody in this House trivialises bullying, and we all stand up against it. It is a very serious issue. Another very serious issue is the implosion of the Liberal National Party. While this government is getting on with the process of rebuilding Queensland, the other side is wrecking. They are self-destructive. They are not interested in rebuilding Queensland. They are interested not in Queensland jobs but in their own jobs. Not one of the 32 members of the Liberal National Party is fit to lead the opposition in this place—including the Leader of the Opposition himself, the member for Surfers Paradise. This is unprecedented in Queensland political history. We now know and we now understand that both the member for Clayfield and the member for Gympie want to challenge and take on the leadership. They are not going to give it away to someone outside the parliament. This government will get on with delivering for Queensland: delivering jobs, building a stronger economy, building a better education system and standing up for Queensland—worrying about Queenslanders and not worrying about our own political self-interest, unlike honourable members of the Liberal National Party.

(Time expired)

Premier's Disaster Relief Appeal, Allocations

Mr RICKUSS: My question is to the Premier. I continue to receive representation from my constituents in the flood affected Lockyer Valley regarding difficulties and inequities in receiving assistance from the Premier's Disaster Relief Appeal fund and state grants scheme. I table a letter from Brendan Ronkovich.

Tabled paper: Letter, dated 17 March 2011, from Ian Rickuss MP to the Hon. Dr David Hamill AM, Distribution Committee Chair, Premier's Disaster Relief Fund Committee, in relation to funding available under the Premier's disaster relief fund [4125].

Will the Premier explain why home renters and others are being knocked back for vital assistance from the Premier's fund?

Ms BLIGH: I thank the honourable member for his question. As the member knows, I was out in the Lockyer Valley last weekend. I spent time individually with some of the families whose lives have been shattered by the tragic deaths and loss of family members.

There are a number of components to the allocation of the Premier's disaster relief funds. I will take one moment to look at the material the member has tabled. I think I am right in my understanding that the person concerned has expressed their dismay that the second round of disaster relief funds will not be available to those who are renting.

The disaster relief funds are provided to assist those people who have been rendered homeless by this event. Those people who do not own the building that was damaged by either the flood or the cyclone are able to secure rental accommodation in another home. It is true that many of them have lost some or all of the contents of their home. I understand the frustrations that they feel with the circumstances they are in, particularly if they were not insured. Many people face a very dire and desperate situation. We know that some 22,000 homes have had some form of serious structural damage and that some 4,000 of those will require demolition and a complete rebuild.

I am very proud of the way that Australians—individuals and families—and corporate Australia have come to our aid with the money they have donated to the Premier's Disaster Relief Appeal, which at this stage stands at about \$240 million. That means it is simply not possible to give every single person everything that will help them to rebuild their lives. What we are doing—and I thank the member for Gregory, the member for Rockhampton and the others who serve on this committee—is going through a very difficult process to determine the best and most equitable way to help the people who are most at risk of homelessness as a result of these disasters.

I am very happy to look at the material the member has provided. If there is any way we can provide some other form of assistance, I will not hesitate to do so. I would encourage not only the member for Lockyer but also other members who are aware of people in desperate hardship to seek out other government programs—not disaster relief programs—that might be able to provide them with some form of assistance. I give the member for Lockyer and the people of Queensland this guarantee: when it comes to looking after the people who have been hurt by this disaster, our government will do everything that is in our power to rebuild their lives.

North Stradbroke Island

Mr CHOI: My question is to the Minister for Environment and Resource Management. This morning the Premier outlined the final plan to fast-track an end to mining on North Stradbroke Island and declare three-quarters of the island as national park by 2021. Can the minister advise the House what economic opportunities will open up for this island, particularly for the tourism and hospitality industries?

Ms JONES: I thank the honourable member for the question. I, too, have a major announcement for Queensland today. As honourable members have heard, North Stradbroke Island is an island that we on this side of the House want to protect for future generations to enjoy. That means that we need to make tough, decisive decisions about that future. That is why, as honourable members would have heard the Premier announce today, we have decided on a pathway to phase out mining on North

Stradbroke Island. As part of that transition we will be setting up an economic task force to make sure that we make that transition as smooth as possible for the people who live and work there. I am very proud that the member for Capalaba has been a major supporter of this initiative and also has lobbied on behalf of his constituents to make sure that that transition is done as smoothly as possible.

What have we seen with regard to this policy from the split, divided LNP in Queensland that is too busy fighting amongst themselves to focus on the real things that we need to deliver for the people of Queensland in the future? At the time the Premier and I made this announcement last year, the then shadow Treasurer, Tim Nicholls, said that he welcomed this decision and that he would back it. Since then we have seen a lot of backtracking from the LNP when it comes to its environmental credentials. Also just 11 days before we made the announcement we saw the member for Cleveland say that he supported an expansion of national parks. What did the member for Cleveland say at that point? He said—

North Stradbroke Island is a place of fantastic and natural beauty and home to a significant population and good number of plant and animal species that are unique to the area.

...

There is also the need for a national park, which I continue to call for, for North Stradbroke Island.

This side of the House has delivered on that commitment, and what have we seen the member for Cleveland do? Scuttle away. As I have seen members opposite do time and time again, they might purport to have environmental credentials but when it actually comes to delivering they scuttle away. They walk away from it. The member for Cleveland said—

I think sandmining on the island will find its own level with time. I mean, you know, it's not normal to artificially and prematurely shut down mining.

What we have done is give a clear pathway forward. We are delivering an economic transition and an environmental transition for North Stradbroke Island. This is the second largest sand island in Queensland. It is not an area suitable for mining, and that is why we as a government are taking the right actions to make sure that we protect this economic asset and iconic natural place for future generations to enjoy, to open it up to the people of Queensland so they can see it for themselves.

Carbon Tax

Mrs MENKENS: My question without notice is to the Minister for Finance. I refer to Labor's proposed carbon tax which will be a tax on Queensland food, a tax on Queensland jobs and a tax on fuel. Based on government modelling, will the Minister for Finance explain what impact Labor's carbon tax will have on the cost of living for battlers in areas such as Ipswich?

Ms NOLAN: I can assure the member for Burdekin that I will at all times do my utmost to protect the financial and other interests of the people of Ipswich as, indeed, I have always done. I can assure the member for Burdekin similarly that I will remain true to the things that I and the Labor Party believe in, and one of those things in which we believe is the overwhelming majority of scientists who say that our world, our natural environment, our quality of life and our economy are endangered by climate change. I believe that they are right. I believe those economists who say that, if climate change continues unabated in our world, farmers like those the member for Burdekin represents will have their livelihoods irreparably damaged. I believe those scientists who say that, if climate change is allowed to continue unabated, extreme bad weather like the cyclones by which the member for Burdekin's electorate is afflicted will only get worse. So I believe that it is incumbent on those of us who are right thinking people with a fundamental belief that the science of climate change is real to step up, to lead and to do something about it.

The Queensland government's position is that we do believe that action needs to be taken on climate change and that in the negotiations which take place around the federal government's proposal we will ensure that Queensland's interests are protected. We will ensure, for instance, that our trade exposed industries are protected. We will ensure that households are protected in terms of their financial interests. We will stand up for Queenslanders, because we are here to govern and we are here to lead. That is how we stand in contrast to the other side who, when we have seen incredibly difficult times in this state, have spent their energies not leading, not seeking to represent people, but tearing themselves and one another apart. Where should our priorities be? They should be dealing with our generation's great challenges. They should be dealing with climate change. They should be responding to floods and cyclones. They should be looking after people's economic interests. That is what we are doing and how we stand in contrast to them.

(Time expired)

Road Infrastructure

Mrs KIERNAN: My question is to the Minister for Main Roads, Fisheries and Marine Infrastructure. Can the minister please inform the House about the work to get Queensland's vital freight routes open again?

Mr WALLACE: I thank the honourable member for Mount Isa for her question. She knows that Queensland does not begin and end in Brisbane. She knows just how important regional Queensland is to this state. Unlike some not in this place, she knows the importance of regional Queensland to our economy. She also knows that our roads are the lifeline and the lifeblood of our economy.

The widespread destruction to our transport infrastructure has meant that businesses and communities have been isolated from markets and supplies for weeks at a time. My department has worked shoulder to shoulder with industry to keep our economy moving by reopening our roads as quickly as possible. Our priority was to support the freight industry and to re-establish the freight network across our state. We need to resupply communities and ensure Queensland products such as coal, grain and timber are delivered around Australia and the world. I am pleased to inform the House that, due to the extraordinary recovery effort, we have 99 per cent of our major freight routes now accessible and safe.

A Flood Recovery Road Access Group was established to resupply and enable economic recovery across regional Queensland. This group is assisting industries by providing information on wet weather affected roads and flooding restrictions such as load limits and how to apply for flood recovery permits. A dedicated freight and heavy vehicle hotline and direct email were established to provide this assistance. Since forming, over 700 calls and 360 emails have been received, resolving hundreds of issues with 45 special flood recovery permits waiving fees for heavy vehicles assisting the recovery effort.

In addition to this specialist freight support unit, our RoadTek depots and regional offices have been working to restore the road network. My department is undertaking a three-phase approach across all transport nodes—incident response, recovery and restoration. To support the supply chain and economic recovery, our approach has been to ensure that the road network can open at posted speed limits, that our ports are navigable, that we re-establish essential connections to airports and that we return the rail network to full operations.

As you can see, Mr Speaker, it is a very busy time for Transport and Main Roads getting our roads open, keeping our ports open and getting our airports open. We have been concentrating on the roads unlike those opposite. They have been too busy concentrating on their mobile phone SMSs. We saw the former federal member for Herbert, Mr Lindsay, who photoshopped his head at a war memorial before he left parliament, send out an SMS on Friday telling one and all that the current Leader of the Opposition was a dead man walking. And what is going to happen? Someone from Brisbane who is not even here is going to make the decisions that affect regional Queensland come the election. It is a disgrace—a disgrace!

(Time expired)

Hospital and Emergency Services Levy

Mr FOLEY: My question without notice is to the Minister for Transport. Will the minister's department consider exempting the hospital and emergency services levy from vehicle CTP insurance and registration renewal if there is more than one vehicle in the same entity name?

Ms PALASZCZUK: I am happy to look into that matter for the honourable member. I am not aware of those details at the moment, but I am happy to provide more information and have a meeting with him following question time.

Natural Disasters, Recovery Assistance

Mrs ATTWOOD: My question is to the Minister for Community Services and Housing and Minister for Women. Would the minister please advise the House what support is being offered to people in flood affected areas to rebuild their lives and their homes?

Ms STRUTHERS: I thank the member for Mount Ommaney for her question. She was active before the floodwaters rose and then immediately after. I was certainly on the phone to her to find out how she was going in her area, and I saw her on many occasions at the community recovery centres at Jamboree Heights and around Corinda and other parts of her electorate.

We are continuing our recovery effort. Many people affected by the floods in South-East Queensland are experiencing their darkest days. Many people are still paying off goods that they do not have anymore—fridges that went down the river and furniture that is gone—and they are paying off

houses that they cannot live in. These are tough times for a lot of people. That is why the Department of Communities is holding housing information sessions for people across the western suburbs and Ipswich.

People will be able to hear about a range of housing assistance including bond loans, our rental grants, our RentConnect program and the \$20,000 mortgage relief loan that we are offering. That loan is interest free with no repayments for 12 months—a great way of helping many people get back on their feet. They will be able to hear from experts about their homes—how to negotiate with builders, how to deal with bankers and councils. We will have other non-government agencies there on hand to help people with their emotional recovery as well.

This is as much a physical recovery as an emotional recovery. There have been 3,000 staff from the Department of Communities out across the state helping people with that financial aid and that housing assistance. Forums are being held over the next few days in Ipswich, Karalee, Rocklea and Jindalee. The first one is being held tonight at the rugby league club in Goodna. Further details on these forums are on the website of the Department of Communities or people can phone—I seek the indulgence of the House to read the number—13QGOV.

We are getting on with the job. I have sat here this morning listening to the disgraceful activities of the members opposite. I have many people in my local area of Pallara dealing with local planning issues. They have asked the Lord Mayor for a meeting and they have said to me, 'He won't come and meet with us.' I now know why. I can tell them why. He has been too busy meeting with Mr McIver. He has been too busy meeting with members of this House.

The Lord Mayor does not care about Brisbane. He has actually been very busy working out his future career. If no-one on the other side of the House can lead Queensland then they are in a very sorry state. We have had a leader who has been up to it. We have had a leader who is getting praised internationally for her efforts. This is what a leader does. A leader takes people through a difficult recovery. A leader understands that this is as much a physical recovery as an emotional recovery.

What are those opposite doing? They are needing a little recovery themselves because they are bashing themselves around. It is an absolute disgrace.

Mr SPEAKER: Order! The time for question time is over.

MATTERS OF PUBLIC INTEREST

Queensland Children's Hospital



Mr McARDLE (Caloundra—LNP) (11.31 am): Today Queenslanders face many questions concerning the delivery of health services. These questions are too many to list here today—

Government members interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Stop the clock!

Mr McARDLE:—and raise significant concerns that will have a lasting impact upon the people of this state.

Mr DEPUTY SPEAKER: Order!

Government members interjected.

Mr DEPUTY SPEAKER: Order! I am on my feet! The member for Caloundra has the call.

Mr McARDLE: There is one that I wish to discuss briefly. It involves a topic I have raised many times—that is, the conflict between the Queensland Children's Hospital and the Royal Children's Hospital.

On 27 October 2010 I rose in this House and outlined the history of the hospital, pointed out some of the issues surrounding it and highlighted that there are legal contracts in place that simply cannot be undone concerning the construction of the new hospital. I concluded by stating the fact that the LNP is acutely aware of this and will need to take great caution in what it did with respect to future policy development.

There have been a number of reports going back many years dealing with the hospital, how the site was selected and, more importantly, whether the site would be appropriate. However, as I said, significant work has already been undertaken on the site, but the issue still exists of whether or not this site is a suitable location for the full hospital. This also raises the question as to whether the Royal Children's Hospital site should continue to be utilised given the significant resources and research capacity located thereon.

I want to briefly refer to a document headed 'Impact statement—hydrotherapy services for the Queensland Children's Hospital' which the LNP obtained under right to information legislation. It has been generally accepted that there will be no hydrotherapy pool on the current site of the QCH. The document breaks down the availability of a number of hydrotherapy pools estimated to be within a short distance of the QCH facility. I table a copy of that document.

Tabled paper: Document, released under right to information, titled 'Impact Statement: Hydrotherapy Services for the Queensland Children's Hospital' [\[4126\]](#).

The document is clear when it says the following—

There are no identified suitable paediatric hydrotherapy facilities close to the QCH that will meet the standards required.


The document begins with this comment—

Aquatic Physiotherapy also known as Hydrotherapy is a valuable treatment intervention utilising the properties of water designed by a suitably qualified physiotherapist specifically for an individual to improve function, carried out by appropriately trained personnel, ideally in a purpose built and suitably heated hydrotherapy pool.

I am also aware that there is some academic debate as to the true and full value of such treatment. One other issue is the scant capacity of the Queensland Children's Hospital site for research to be undertaken—research that is comparable to that performed at the Herston campus. It therefore leaves a number of questions that need to be dealt with. Obviously, the Queensland Children's Hospital will be constructed, but it is equally obvious that there is room for a debate that the Royal Children's Hospital be incorporated into what is commonly referred to as a dual campus hospital, each providing complementary but different services to children.

This duality occurs in other states in this country. I understand that it occurs in New South Wales and Victoria. This is an approach the LNP will consider in some detail. I make it quite clear that this is not without difficulties. But the more one learns of the capacity of the Queensland Children's Hospital in particular, but not limited to research, the more one is convinced that this method must be closely investigated to ensure the long-term viability of the provision of health services to children in this state. It indeed means that the decision must be made with a view to outcomes for the future generation of children in this state and not through political eyes alone.

Education System

 **Dr FLEGG** (Moggill—LNP) (11.35 am): In the area of education in Queensland there is an elephant in the room. That is, the government's inability to make a decision on the move of year 7 to high school. Its dithering over this decision has now injected considerable uncertainty in schools that were expecting a move and, in many cases, had prepared or even begun the move. In some ways, the worst aspect of the government's handling of this very major issue is its inability to make a decision.

Last year in the green paper *A Flying Start* the government proposed a 2014 move of year 7 to high school because this would be the easiest transition year because it involved the first cohort to go through the prep year. In effect, it was a smaller group of students to move. The government's dithering on this matter means that this deadline has now well and truly passed it by.

I understand that cabinet may have considered the move for 2015. But again no decision has been announced. Presumably, the Cabinet Budget Review Committee has looked aghast at the pathetic attempts to estimate the costs of this move contained in the green paper.

The green paper *A Flying Start* had two huge glaring omissions. Middle schooling was not even mentioned in that green paper. How can it propose to move year 7 into high school and not even mention middle schooling? There is an even bigger hole that I am sure the Cabinet Budget Review Committee has now woken up to. That is, there was no mention of recurrent funding in that document.


On 24 March last year I made the LNP's position on moving year 7 crystal clear when I released my response to the government's green paper. Those opposite love to say that there are no policies on this side of the House. It is a year ago that I made our position clear. I have reaffirmed our position recently.

The LNP understands that there are good, cogent reasons for moving year 7 into high school, not the least of which is the national curriculum. But we also believe, particularly in light of the government's procrastination, that this cannot be done overnight. The government suggested that \$350 million in capital works and no additional recurrent funding being mentioned might achieve this move. It is not even close. My estimates of the cost would be over \$1 billion.

We have numerous overcrowded high schools that would be expected to take an increase of 20 per cent in their enrolments. We simply cannot do this without building more schools. There is a huge capital requirement.

It costs more to educate a child in high school than it does a child in primary school. We cannot ignore the recurrent expenditure that would be part of this. There are some 50,000 grade 7 students. How can we produce overnight nearly 2,000 more high school teachers in specialised areas like maths, science and languages and deal with the disruption resulting from grade 7 suddenly disappearing from our primary schools? It cannot be done, and that is to not even mention the effect on remote areas. The LNP believes that a move should be driven by schools, that schools should be consulted about when they are in a position to accept students or lose them, and that such a move should be done progressively between 2015 and 2020. ACARA would need to build this into the curriculum for grade 7 because some Queensland students will continue to be in primary school. It is too important to get this move right and it is so critical to resource it adequately with this sort of careful approach and to ensure that schools themselves are ready and are consulted; otherwise we are just dealing with Dick's dithering because of his failure to make a decision on this matter.

Toowoomba, Community Cabinet

 **Mr SHINE** (Toowoomba North—ALP) (11.40 am): I was very happy that the cabinet came to Toowoomba for a community cabinet the weekend before last. This is always an opportunity for a regional area to put forward its case and to express its needs and wants. In our case, in respect of issues relating to the second range crossing, the Warrego Highway and issues arising out of the flood recovery projects generally, it was a welcome opportunity. It is also, however, an opportunity for the government to acknowledge in a very tangible way the needs of our local community or any local community for that matter, and Toowoomba did not miss out in that context on this occasion. I want to list some of the many examples of government interest in our area as shown by tangible decisions made at that community cabinet.

The first I want to mention is the \$3 million grant to the Cancer Council Queensland that has helped that organisation purchase a former Toowoomba motel which will now be refurbished as an accommodation and support lodge for regional cancer patients. This is the first facility of its kind in Toowoomba dedicated to providing regional cancer patients with a place to stay during their treatment. Patients and their carers or loved ones will stay at the lodge at no cost. It really is a home away from home during treatment, which is very important for patients and families at a very stressful time in their lives. The accommodation will comprise 21 twin-bed room accommodation, and this is great for our region. Refurbishment work is expected to be completed in the middle of this year and the lodge will have the capacity to accommodate up to 42 people. The lodge will potentially provide more than 15,000 total bed nights for patients, family members and carers. This is a significant investment by the Bligh government in a critical facility to support regional health.


I also want to mention a decision by the community services minister to grant funding to the Wilsonton Heights Community Centre. I have raised the future of the centre with the minister over a period of time. The funding of \$232,570 over three years is fantastic news for this community. The Toowoomba community could not afford to lose the wonderful services the centre provides and even a reduction in services, let alone a closure, would have a dramatic impact on the wellbeing of the whole community. The extra funding not only allows the continuation of services but also enables the centre to provide improved services. It is an example of a stronger partnership with the Harlaxton Neighbourhood Centre. This local partnership will help build people's confidence and personal skills so that they can feel better equipped to raise their children or manage day-to-day living while offering emotional support to ease their anxiety. Wilsonton Heights Community Centre is managed by Safer Toowoomba Partnership Inc. and operates from a Department of Communities owned building. I want to acknowledge the work of the Safer Toowoomba Partnership, particularly its chair, Peter Swannell, and the great work done by Geoff Holmes over many years, together with the work of community activists at Wilsonton—Vivienne English in particular.

I also acknowledge that the Deputy Premier, Mr Lucas, opened the \$10.4 million refurbishment of the Toowoomba Court House. I was particularly pleased about this because the instigation of this work commenced when I was Attorney-General. This provides the local community with contemporary justice facilities now and well into the future, as well as delivering 80 jobs. It will cater for the needs of vulnerable people as well. The refurbishment included a complete refit and refurbishment of the Children's Court, two magistrates courts, a jury room and associated chambers with new joinery. The Children's Court was enlarged and new rooms provided for the victims of family violence and court support services. All public waiting areas were fully refurbished and the court registry and local offices of the State Reporting Bureau and the DPP were completely made over. The project also included the installation of two prisoner lifts and construction and extension of a fire stair and fire services upgrade.

I also want to mention the work being carried out on the Warrego Highway on the range. Some \$20 million as well as an amount of \$11 million has been devoted to the upgrade of James Street in Toowoomba. Although it is a federal road, the state government is investing \$11 million to cater for traffic ease at the corner of Bridge and Tor streets and the Geddes Street intersection with James Street, Hume Street and Neil Street. This money will be greatly appreciated.

(Time expired)

Emergency Services


 **Mrs KIERNAN** (Mount Isa—ALP) (11.45 am): Today I want to pay tribute to Queensland's emergency services personnel who are still assisting communities affected by the events of this year's incredible summer. This year's wet has seen towns within my own electorate remain isolated, from Birdsville and Bedourie in the south and Burketown, Gregory, Normanton, Karumba and Doomadgee isolated for many weeks in the gulf. The small town of Urandangi is completely surrounded but, along with all of our towns, it is coping very well. The local disaster management groups in all of these communities continue to respond to requests for assistance. As with many communities, the weather is wreaking havoc with phone communications and many communities have helicopters on stand-by to assist when required. Flood warnings are still in place for several rivers in the Central and Western Queensland region. Emergency Management Queensland and associated emergency services staff remain on stand-by to assist.

While attention might rightly turn to other areas of the globe with the recent earthquake disasters in Christchurch and Japan, we should remain aware of the continuing disaster and recovery operations at home. The role of the State Emergency Service has been ongoing since before Christmas 2010 and these volunteers are continuing their truly wonderful and tireless work in our communities even as we speak. The wet season and the aftermath of floods and Cyclone Yasi will be with us for a long time. Just this past weekend the SES received more than 100 calls for assistance and, as it does, it was there to provide it. I also want to add my vote of thanks to the men and women of Queensland's emergency services who have responded to so many events this season with urgency and professionalism. One of Mount Isa's own emergency services officers has been doing his part in helping the people of Christchurch. Firefighter Des Adams left Mount Isa and his family on 3 March as part of a specialised rescue and recovery team deployed to the devastated New Zealand city. Mr Adams's skills as a specialist in urban search and rescue, along with 15 other Queenslanders as well as emergency services personnel from New South Wales and the Australian Capital Territory, were vital in helping a stricken city get back on its feet.

It was my great pleasure recently to welcome the addition of 35 new advanced care paramedics to the ranks of the Queensland Ambulance Service at a ceremony here in Brisbane. These graduates are part of the 75 additional ambulance officers to be funded this financial year. The new officers will work in QAS regions right across the state. In my own electorate I was pleased to welcome back Melissa Webster to the Mount Isa Ambulance Station. Melissa completed much of her training in the community and I was pleased to know that she would be remaining in the north-west working with a wonderful and dedicated team not only in Mount Isa but also right across the region.

The new officers are another example of the state government's commitment to the safety and security of all Queenslanders. While I am on my feet, I would also like to congratulate the government on its ambitious but achievable new target to increase the number of permanent female firefighters to 150 by 2015. The Queensland Fire and Rescue Service will actively target additional quality female applicants without compromising its stringent selection process. There is no doubt that a career as a firefighter carries a significant risk, but there is also the potential of great reward. We know the capability of women in our emergency services. We have a high number of women also currently serving in our auxiliary fire brigades throughout Queensland. I will be working right across the areas that I visit through Queensland to encourage Queensland women who think they have what it takes to visit the website for more information about how to join.

Natural Disasters, Recovery Assistance

 **Mr DOWLING** (Redlands—LNP) (11.50 am): Today I speak for the victims of the floods about the Premier's flood relief fund and about the Reconstruction Authority. Tonight, tomorrow night and the many, many more tomorrow nights that come, hundreds of people will be living rough in the remains of what were their homes and their dreams. Winter will be here before we know it and those homeless Queenslanders will still be living in the broken remnants of what were their futures. It appears that this government is forcing people to live the way Labor lives: well beyond their means, beyond that which they can afford, driving up the cost of living and at the same time failing to support jobs, failing to help people rebuild their lives, failing to distribute the funds so generously donated by Queenslanders for Queenslanders.

Over two months have passed since the Premier's flood relief fund was commenced and it is failing to provide the very thing it set out to provide: relief. Hundreds of businesses have received little or no support in opening or reopening their businesses, keeping Queenslanders in work, providing hope for families. That needs to be the priority. That needs to be the focus: rebuilding Queenslanders' lives.

Businesses are struggling to regain momentum. People who used to be employed are now no longer there and are consigned to a life of uncertainty. Towns like Woolooga had to fight for help against bureaucracy. That town became a victim a second time—once by the flood and then through the process of getting support. That was played out in the *Courier-Mail* and, thanks to the work of a good local member, the member for Callide, and Major General Mick Slater, the issue has been resolved.

A failure to assist renters and/or rental property owners is another failure of this government. The Premier cannot have it both ways. People who rent need help. People who own rental properties need help to provide homes for renters. As I understand it, Victoria was able to distribute the majority of its bushfire funds in the first month, yet this Labor government is still sitting on the majority of its funds, failing Queenslanders in need.

The Premier talked about the events of the past three months as being about Queenslanders, about being above politics and about being bipartisan. She said that she would be working with the LNP and allowing the LNP full access to Major General Mick Slater for briefings and/or updates. I have been asking for briefings with Major General Mick Slater for the past three weeks—first through his aide, who I am advised passed on my request, then via email and followed up with a hard copy—for him to provide me with an update and for me to pass on my observations from travelling the length and breadth of flood affected Queensland.


I requested that meeting via the normal process—through the major general's aide, who in turn passed that on to the Premier. That was back on 1 and 2 March. I then followed up with an email and then a letter directly to the Premier's office on 10 March. My question to the Premier and the Minister for Reconstruction is: how long is it supposed to take before I am allowed to be briefed by Major General Mick Slater and when did bipartisanship fly out the window?

I am also concerned about why we are not asking for more support from our military to help our citizens in a more practical, ongoing way. Why can't the Army rebuild roads, bridges, telecommunications et cetera? Why can't the Army work on the land to reinstate farm structure, head ditches, drainage, irrigation, fencing, ring tanks and levy banks? These are the types of tasks our military would be called upon to perform in any other circumstance internationally, in any other example where they are dropped in to rebuild. This is about rebuilding the economy and the infrastructure and about re-establishing social networks. I say to the Premier: use the Reconstruction Authority to rebuild Queensland. Use it. That is what it is there for.

Queenslanders mistakenly placed great weight on the Premier's ability to relay messages during the floods and the cyclone—hourly and two-hourly updates, advance warnings of impending doom in place of an emergency services person, weather reports in place of the Bureau of Meteorology, evacuation procedures in place of the Police Service. When it counts the Premier and Minister for Reconstruction has let down Queensland. Stage 1 is about warning and life preservation.

(Time expired)

Public Transport

 **Ms FARMER** (Bulimba—ALP) (11.56 am): Transport is the lifeblood of any community. It enables us to work, live, study and play and it supports our economic prosperity. That is why it is so important to get our transport infrastructure right. In a region like South-East Queensland, where the population is increasing by 80,000 people a year, it is imperative that we understand the needs of our commuters, both now and in the future, and that we are responding to those needs.

It is clear from figures released by the Minister for Transport and Multicultural Affairs last week that we are getting things right. The figures for the October-December 2010 quarter simply showed that more and more people are taking up public transport. Train patronage increased by six per cent, or 825,000 trips, to nearly 14.5 million trips; bus patronage increased by 600,000 trips, or more than two per cent, to over 29 million trips; and go card usage increased to 64.2 per cent of trips for the quarter. This is surely a clear reflection of the many initiatives that are in place to provide the best and most effective transport system possible.

Last year more than 300,000 seats per week were added to the public transport network, and there is a plan to add another 300,000 in the coming year to meet the demands of our growing population. A new timetable will be in place by the middle of the year to provide more frequent and reliable services. On-time running during the peak period for both train and bus in the quarter described remained above the respective benchmarks set by TransLink. But it is some of the infrastructure programs for transport that will make an even bigger difference to commuters in the future.


There is the government's \$174 million program to continue building three-carriage passenger trains and the infrastructure proposed in *Connecting SEQ 2031: an integrated regional transport plan for South East Queensland*, which identifies rail as the backbone of the transport network. I know that there is great interest from residents in the Bulimba electorate in the proposal in this plan to consider a metro for Bulimba as part of the Brisbane subway. The other major initiative which is impacting right now is the \$200 million station upgrade program, comprising 50 stations across the network, which is part of Queensland Rail's drive to make rail travel more comfortable and more user-friendly for commuters.

I am pleased to say that Morningside Railway Station, which sees almost 2,000 commuters per day going through it, is set to be one of the beneficiaries of this program. The \$1 million rejuvenation, which will start at the station in the next month, is due for completion by June 2011 and will comprise the installation of LCD monitors so that passengers can see the latest train service information, new seating, refurbished ticket offices, upgraded toilets, new station signage, landscaping and industrial cleaning. I am very pleased to say that it will also comprise some work that has been suggested by local commuters. This will make entries and exits on Richmond Road more closely reflect the way commuters utilise the station. I thank local residents for their really constructive feedback about this issue, as it is only a user who can really understand the need for it. Thanks to their suggestions, with a bit of planning and a bit of landscaping, we can make another very practical difference to the way people use the station.

An aspect of the 2020 station enhancement program that will be the icing on the cake is the partnership between Queensland Rail and local schools to develop mural artwork for their own local stations. Through this initiative, graphic designer Michael Montgomerie is working with school students, who are local to whichever station is receiving an upgrade, on a futuristic scheme for these murals. Locally, this has seen Michael working with year 7 students from Morningside State School to develop the mural for Morningside station. Morningside is one of the oldest schools in the local area and is certainly the closest to the station. However, most importantly, and thanks to the tireless energy of principal Jann Simmonds and the dedicated work of the teachers at the school, it is a dynamic school which has forged close links with its local community. I thank Jann for letting me come to the workshops that Michael ran with the students last week to start the initial design work and Barb Abey for allowing me into her classroom while this was happening and, of course, particularly the students themselves who are doing some incredible designs which I never would have thought of in a million years myself. This artwork will be part of a continuous theme across the newly upgraded stations in the SEQ rail network and will rightly brand the stations as stations of the future.

While I am talking about the Bligh government's commitment to transport, to public transport in particular and to rail more particularly, I cannot refrain from mentioning the trial that the minister referred to only recently to ensure our railway crossings are as safe as they can be. This is another piece in the jigsaw of ensuring rail travel is safe and user friendly. It will see CCTV cameras installed at stations where there is a high incidence of breaches at these crossings. These breaches are such a threat to human life and, on a lesser but still important perspective, a threat to local rail infrastructure. I welcome this initiative, especially for the benefit it will have for Murarrie station, which unfortunately attracts one of the highest numbers of breaches in Queensland. These initiatives are about the Bligh government putting its money where its mouth is and planning for the future. I am proud to be part of that team.

Queensland Health, Bullying

 **Ms BATES** (Mudgeeraba—LNP) (12.01 pm): I rise today to publicly acknowledge the vindication of yet another bullied nurse who has beaten Queensland Health and WorkCover by having her claim overturned by Q-Comp. I table the decision.

Tabled paper: Correspondence, dated 28 February 2011, from Nicolle O'Connor, Review Officer, Q-Comp, to an unidentified applicant outlining reasons for decision regarding a WorkCover claim [\[4128\]](#).

It is clear that the reviewer was satisfied that the applicant's injury arose out of actions taken in an unreasonable way and as such has set aside the decision by WorkCover to reject the applications for compensation and to substitute another decision that the applicant's application is one for acceptance.

Queensland Health tried to hide the severity of the allegation of serious sexual misconduct against this nurse by a doctor, but to add insult to injury all of her sick leave, annual leave and long service entitlements were used up because of the callous nature in which her supervisors dealt with this atrocious situation. Now it seems that Queensland Health has been forced to reinstate all leave entitlements when it should have stood both staff down on full pay whilst this issue was investigated. In an email to the nurse, WorkCover stated the following—

Your employer is required to reinstate any leave entitlements taken as a result of your injury. Queensland Health has been advised and is aware of this.

I table the email.

Tabled paper: Email, dated 15 March 2011, from Elisha Veldhuijzen, Claims Representative, WorkCover Queensland, to an unidentified recipient in relation to a WorkCover claim [\[4127\]](#).

But what did Queensland Health do? It intimidated the nurse, who was emotionally distraught, into a performance improvement plan instead of taking the issue seriously and made her take all of her leave entitlements from an injury caused through the workplace. This nurse has relied on me to be her

voice here in this place and today I would like to read her words to honourable members so that they too can appreciate the pain and suffering this young woman has had to deal with since reporting the rape to senior management in May last year. She states—

I feel relieved and vindicated on receiving Q-Comp's decision. However, I have gone through far more than anyone should ever have to. Not only was I the victim of an assault of the worst kind, by one of Queensland Health's medical staff, but I was then subjected to intimidation, bullying and total insensitivity by their managers instead of given the support that I deserved.

I was a hard-working, dedicated nurse for Queensland Health for nine years. And then when I was suffering through one of the worst events of my life, I was treated like nothing more than a nuisance and a problem by them.

I was forced to take my long service leave, sick leave and annual leave in order to avoid the bullying and unfair terms my managers were trying to enforce on me. I begged and pleaded for them to stop, and told them I could not cope and they just continued to treat me this way.

I told them I was struggling to deal with the assault that had occurred to me and I asked them to be understanding and compassionate. I asked them to place me in a less stressful environment and all my requests were ignored.

These managers made me feel unwelcome and uncared about. I felt like what had happened to me didn't matter and that all the hard work I had put in over the years didn't count for a thing.

My career has been destroyed within Queensland Health. I loved my job, and now because of my managers I feel I can never return to that job.

I have fought long and hard just to stand up for what was right, and for my rights and the rights of any other nurse or staff member who may be treated this way.

I had people turn a blind eye on what was happening. I had friends and colleagues turn their backs as I stood up for myself, as they were more worried about saving their own jobs. I lost a lot from this ordeal. All I will now get back is my leave entitlements.

I will not get a big 'payout' as some people will assume, and that is not what any of this has been about for me. It has been about right and wrong. It has been about standing up for myself and not allowing them to treat me or anyone else like this. I had been subjected to this before, but never to the same degree.

I had always given in as it was too hard to stand up, but in this case I just could not allow them to do this to me.

This is a health system that declares that they have a 'zero tolerance' for bullying, yet they have treated me worse and more inhumane than anyone could ever expected to be treated by their managers.

They caused me extreme distress and anxiety, and made me feel completely worthless and helpless. Even the HR department failed to help me when I called upon them. It seems that there are no systems in place to protect staff, only ones in place to allow managers to bully their staff and then make excuses for it.

So people may ask, am I happy about this decision? In a way, yes. I'm happy that there has been some vindication. I am happy that finally someone has properly acknowledged that the way I was treated was unfair and wrong. But to be honest, nothing about this situation makes me happy.

This should never have happened. None of it. I should never have had to fight and stand up against these managers while I was already dealing with one of the worst things that has ever happened to me. I should never have had to go through this process, this long, stressful and soul destroying process to stand up for myself and protect my pride as a nurse.

Did I want to do this claim?

No. Do I feel better now that it's over? No. Am I pleased to get my leave entitlements back? No—I should never had to use this leave in order to avoid the poor treatment by my managers.

All I wanted was to be respected, supported and treated fairly by my managers.

...


This should never happen to anyone. And something has to be done about this health system that allows its managers to treat its staff like this.

...

And in the end they still win. They got what they wanted. They wanted me gone. And so I might have my leave entitlements back, but I would have preferred to have my job, doing what I loved and not made to feel so worthless and helpless at such a very difficult time.

I congratulate this nurse for her courage.

Cairns, Premier's Disaster Relief Appeal

 **Mr WETTENHALL** (Barron River—ALP) (12.06 pm): At the weekend three Cairns based bands—Tropical Brass, the Cairns Youth Stage Band and the Cairns Concert Band—staged a free concert at the Cairns Civic Theatre. Entry was by gold coin donation with all of the donations going to the Premier's Disaster Relief Appeal. I had the pleasure of compering a wonderful afternoon's entertainment showcasing the talent of local musicians from teenagers to octogenarians. The event was supported by Cairns Regional Council, which provided the venue at no cost, and sponsored by the Fitzroy Island Resort, which also provided the raffle prize.

There have been numerous other fundraising events held in the region and literally hundreds throughout Queensland. Each and every one of them has been motivated by the desire of Queenslanders to help each other in a time of tragedy, loss and devastation. As Queenslanders we

know that natural disasters can befall any of us at any time and that individuals and communities who have suffered loss and damage need the support of other Queenslanders to help them get their lives back on track. Today I want to thank every single person, organisation and corporation that has made a donation, however modest or however large. I want to thank everyone who has been involved in organising or has taken part in a fundraising event. Like the members of the Cairns bands, you have performed a great service to your community and the state.

Over \$240 million has now been donated to the Premier's Disaster Relief Appeal for distribution to people in need, and there are plenty of them. There have been 22,000 applications for assistance received and some \$34 million has already been distributed in the first round. The scale of the disaster that has befallen our state is unprecedented in our history. The floods and Cyclone Yasi have affected 56,400 properties and generated some 97,000 insurance claims worth \$2.75 billion. Over 50,000 of those have been from Cyclone Yasi. The cyclone damaged 35 per cent of all properties between Silkwood and Cardwell, including 108 buildings that have been totally destroyed. It has caused over \$1 billion in losses to primary producers.

As Queenslanders have been showing their generosity and their indomitable spirit during this crisis, the government has been getting on with the job of supporting communities recover and rebuild. I want to record today a couple of initiatives that are especially important for the people of Tropical North Queensland.

As members will appreciate, the tourism industry, which is already struggling to compete against the handicap of a sustained high-value Australian dollar, now has had to bear the consequences of the negative perceptions about Queensland that have swept the market in the wake of the floods and cyclones. At times like these, government support is critical to help the industry through this very difficult period of cancelled bookings and deferred travel. That is why the Bligh government has contributed an extra \$5 million toward a \$10 million marketing campaign that is aimed at informing the world that Queensland is open for business and ready to welcome visitors. This injection is on top of the \$57 million provided to Tourism Queensland for its marketing activities.

In the week following Cyclone Yasi, I visited the affected areas with the Deputy Premier and arranged a number of meetings with tourism operators and industry stakeholders. The tourism industry delivered three key messages, particularly in relation to smaller businesses: they needed immediate on-ground support to help determine their recovery needs; they needed additional support to be able to get their product to key market and trade shows, both domestically and internationally; and they needed support to boost their capacity to use the internet and social media to counter the negative perceptions that I have referred to and to promote their product. I am delighted that our government has heeded the message and, in conjunction with the federal government, has delivered a further funding package worth \$2 million that is specifically designed to help tourism operators boost their businesses through a road show to promote Queensland and provide access to interstate and international trade shows, technology workshops, trade advisory support and a range of other initiatives. As well, two additional industry recovery officers have been posted to the region to specifically assist tourism operators affected by Cyclone Yasi. Our government is standing shoulder to shoulder with Queenslanders as we rise to the challenge of rebuilding our great state.

Fraser Coast Health Services



Mr FOLEY (Maryborough—Ind) (12.11 pm): I rise to bring the attention of the House to one of the problems that exists in our area which is that, often when it floods, the Hervey Bay-Maryborough road and the Torbanlea-Pialba Road are cut. That has become a major problem. I table an article from the *Fraser Coast Chronicle* about a gentleman who, on Sunday night, was stranded on the roof of his car having been caught in flash flooding on the Torbanlea-Pialba Road. Obviously, if that can happen so quickly one can imagine what has happened following the sustained rainfall in our area during the recent flood events.

Tabled paper: Article from the *Fraser Coast Chronicle* dated 22 March 2011 titled 'Stranded in flood water' [\[4129\]](#).

My constituents know very well the argument that I continue to prosecute in this House that, when the Hervey Bay-Maryborough road gets cut, usually the Torbanlea-Pialba Road is also cut. That puts our community at risk because there are no after-hours anaesthetic services available in Maryborough. That is a real problem. Let us look at that logically. For example, someone who lives on the side of Tiaro, somewhere such as Glenwood or Bauple, may have to drive for 40 minutes in a medical emergency to reach the nearest hospital, which is at Maryborough. Of course, as no after-hours anaesthetic services are available at that hospital, if that emergency service is required they will be sent to Hervey Bay. Of course, if the Hervey Bay-Maryborough road is cut, the citizens of Maryborough and surrounds are in a very parlous state in terms of health emergencies. That has happened.


In recent times, I put a question on notice to the relevant minister and have been advised of a number of road closures during the recent flood events. I think there were about four each, but I have to go through the detail of the answer. It is a problem when a whole area is cut off and specialised services

such as after-hours anaesthetics are cloistered in the Hervey Bay Hospital. The Hervey Bay Hospital needs those services, but the Maryborough Hospital's accident and emergency department is the most strategically located, as it sits at a geographical hub. I can only imagine people's dismay when they have to drive past the Maryborough Hospital and travel another 30 minutes to Hervey Bay.

On a number of occasions I have spoken to the member for Hervey Bay about this. We do not want the Hervey Bay Hospital clogged with people from the Maryborough Hospital. There is spare capacity at the Maryborough Hospital. We are saying that with some support for after-hours anaesthetic services, the Maryborough Hospital could look after complex cases and not tie up the resources of the Hervey Bay Hospital. In a nutshell, we need a high-functioning accident and emergency department, both at the Hervey Bay Hospital and at the Maryborough Hospital. When Hervey Bay is cut off, effectively it becomes a cul-de-sac, as you can only get to Hervey Bay via the Hervey Bay-Maryborough road or the Torbanlea-Pialba Road. If both of those roads are cut, that represents a potential medical emergency in our area.

The second thing that I wanted to bring to the attention of the House is that on occasions the residents of the rural township of Curra have waited for hours for emergency services to come from Tiaro, Maryborough or Hervey Bay, even though the township is located approximately 10 minutes from Gympie. Later in the week I will ask the emergency services minister when he will allocate those services to the Gympie emergency services region, rather than the Fraser Coast region. It takes so long for emergency services to get there that it is unworkable. People from emergency services as well as residents from Curra have complained about this on numerous occasions. In my office I have a file on this particular subject that one could barely jump over. Those two issues need to be addressed and I look forward to the minister's responses on both of those questions.

Logan Hospital, Expansion

 **Mr MOORHEAD** (Waterford—ALP) (12.16 pm): Under the Bligh government, the Logan Hospital will see its largest ever expansion with the exciting announcement of a \$230 million construction program to commence this year. Last Thursday I was delighted to join the federal health minister, Nicola Roxon; the Queensland health minister, Geoff Wilson; and my fellow Labor members of parliament who represent Logan for this historic announcement at the Logan Hospital. What great news it is for Logan. It is exactly what Logan residents wanted to hear. The existing funding for a \$58 million expansion has been more than tripled thanks to cooperation from Nicola Roxon and the federal government.

The announcement will mean a massive increase in the development of the emergency department, including the construction of a dedicated paediatric waiting area for children awaiting services. The new emergency department will be part of a multistorey building, with increased capacity, up to 300 new car parks and levels of undercover parking, and direct emergency access to Loganlea Road. Not only will our new emergency department provide more and better services, it will also provide local residents with better access to services. Unlike some other tertiary facilities, by far the majority of emergency department presentations at the Logan Hospital emergency department come in under their own steam, generally by driving. The train station provides good public transport access for many, but parking at the hospital will mean that those who have to drive can more easily access the new services coming to the Logan Hospital.

As well as increases to the emergency department and its services, the expansion will increase the services available in wards and the capacity of those wards to ensure that patients admitted to the emergency department can be moved into wards as soon as their medical circumstances allow, providing for a better flow through the emergency department and into specialised ward services. Those new services include 14 new paediatric overnight beds for children, 12 new in-patient beds, two new procedure rooms and six new day-ward recovery spaces in a new ward supporting elective surgery. The expansion is so massive that it will include a 23-hour-care ward for those people requiring only a short stay.


As well as ensuring the emergency department can allow more people to be admitted, the expansion will include a new rehabilitation ward including 24 rehabilitation beds, day therapy and a gym. Those services mean that local people seeking services can get back on their feet and back in their homes, allowing the services to be used by others. The Logan Hospital has been under pressure from the demands of a growing community. In the time that I have been a member of parliament, I have been joined by Margaret Keech, Barbara Stone, Desley Scott and the Speaker, John Mickel, in lobbying for more and better health services for our area. Together we have been successful in delivering a refurbishment of the former Logan private hospital annexe, and providing more and better facilities for out-patient specialist services in a purpose designed building. Today, visitors to the Logan Hospital site at Meadowbrook will see a major construction project underway, delivering on our promise for 25 new beds to support people with a mental illness. Hospitals are more than emergency departments and wards, and these initiatives mean that we can better support people's health while they live in the community.

Since 2005 the Queensland government has been investing in the Logan Hospital. From that time until the end of 2010, Logan Hospital has employed an extra 495 doctors, nurses and allied health professionals—a 50 per cent increase in only five years. This investment has also seen a quarterly hospital performance report showing that there were no patients on the list of long-wait elective surgery patients in December 2010. There is always more work to do here at Logan, but our investment has made real differences for patient services.

Unfortunately, the Queensland government investment in those years was not matched by Tony Abbott as health minister in the Howard government, who only served to withdraw funding from our public hospital system. In the federal Labor government we have a government that will work with the Queensland government to provide better health services, putting blame and politics aside in the interests of a healthier Queensland community. This has delivered the Surgery Connect initiative, tackling elective surgery lists in Logan, particularly in the endoscopy clinic. But this announcement of more than \$175 million is an investment that is only possible when two levels of government both take responsibility for health services. Logan residents will see the real results of this cooperation as this project gets underway this year. They will see construction workers on site building a hospital that will deal with growth pressures now and into the future.

I also want to thank the staff at Logan Hospital. Logan Hospital is one of the state's busiest hospitals and the thousands of hardworking staff have delivered great services. This expansion means that we can build on their great work for the benefit of Logan residents.

Asian Honey Bees

 **Mr HOPPER** (Condamine—LNP) (12.20 pm): I rise to speak about the failure of this government to take the threat of the spread of the Asian honey bee seriously. Asian honey bees were first found in Far North Queensland in 2007 on the mast of a yacht in Cairns Harbour. Asian honey bees are host to the varroa mite. However, because of this half-baked government and the attitude and laziness of the primary industries minister, this mite will destroy wild and commercially kept European honey bees which help to create one in every three mouthfuls of the food we eat by pollinating plants. It is estimated that European bees and about \$4 billion worth of food production in this nation will be put at real risk if varroa mites become established in Australia.

What is this state government doing about it? I will tell honourable members. It is doing very, very little. Under this lazy minister, about 30 field staff, who were locating, capturing and destroying swarms of Asian honey bees, were sacked last November.

Mr Wettenhall: That's not true.

Mr HOPPER: Now only 11 staff remain. I am informed that funding for their minimal role finishes at the end of this month, on 31 March. That is true.

Mr Wettenhall: Not true.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Barron River, return to your seat, please, if you are going to make comment.

Mr HOPPER: What this government is doing is very little and it is going to do even less.

This is a critical environmental and food security issue. It has been totally and absolutely ignored. I understand that funding in the order of about \$3 million is required—that is all—to upgrade and put in place a proper search and destroy program for the next 12 months. Instead of sacking staff and winding back a minimal program, this government should be ramping up the whole program and pressuring the federal government for proper funding under the national quarantine protocol.

It is no exaggeration to say that every fruit and every grain that we put on our tables requires the pollination services of commercial and wild European honey bees and we need to protect these bees from varroa mites, which are hosted by Asian bees. Leading scientists say that at least 65 per cent of our nation's agricultural crops are at risk from reduced pollination. Apples, avocados, blueberries and rockmelons are threatened. So, too, are cherries, pumpkins, cucumbers, kiwifruit, mangoes, macadamia nuts and grapefruit, as are vegetables including broccoli, cabbage, cauliflower, celery and onions and of course grain crops including canola.


We need to ask why this government has been so lazy and so complacent about this frightening pest. It is one thing to blame Canberra but it is another thing to sit idly by and sack key staff and not provide funding for the remaining 11 staff beyond the end of this month.

When the 30 staff were sacked last November I called for assurances from the minister that Asian honey bees were no longer a threat to commercial bee producers and that the 300 hives and swarms that had so far been destroyed were definitely the last in the region, stretching from north of Cairns, south to Innisfail and inland to Lake Eacham, Malanda and Mareeba. When this minister and his government have blown hundreds of millions, if not billions, of dollars on their failed water grid and

desalination plant, we need to hear why they cannot and will not find a mere \$3 million to contain and rid our state of Asian honey bees. What has been stripped from Biosecurity under this minister is absolutely disgusting. It is threatening the food security of this nation and especially this state. This is a perfect example of what providing no funding can do. We had good staff locating these hives. It was a good program that was put in place. That money was withdrawn and those staff were sacked. Now we are calling for a mere \$3 million to protect the agricultural industry in this state as these bees swarm and continue to populate.

We have seen our scientists sacked. When Goss took over government there were over 600 scientists. Now there are fewer than 50 in Queensland. We have seen an absolute stripping of the DPI. We have seen the sale of assets. Our only tropical research dairy herd in Queensland went last year. We have seen our agricultural colleges destroyed. If we keep going like this, why have a DPI?

Mareeba Hospital

 **Mr O'BRIEN** (Cook—ALP) (12.25 pm): I am pleased to advise the House that the west ward of the Mareeba Hospital will be opened. As I advised the parliament last year, the Mareeba Hospital is an essential and important part of that community and the people there are determined to see facilities and services constantly improved. At that time I tabled a non-conforming petition signed by over 2,000 citizens calling for the ward to be opened. The west ward was refurbished in 2008 and it annoyed people in Mareeba that the improved space was not utilised to its full extent straight away. Since the Mareeba district was brought into the electorate of Cook, I have campaigned constantly to have the west ward open, nominating it as my No. 1 priority for the electorate. The Mareeba community told me that this was their top priority. I am absolutely thrilled that we have achieved what we have worked so hard for.

That is why it was pleasing for everyone in the Mareeba district when two weeks ago Queensland Premier Anna Bligh and Commonwealth Minister for Health and Ageing, Nicola Roxon, announced that eight subacute beds would be open to provide rehabilitation and care to elderly patients in the west ward of the Mareeba Hospital. The new beds will open this month and approximately 100 patients are expected to benefit every year. The new beds will provide a vital service to elderly patients who currently have to travel to Cairns to receive the services that they need. The new beds are tangible evidence of the Commonwealth and Queensland governments' health reforms delivering benefits to patients. These new beds mean more people can be treated locally. That is great news for patients and, just as importantly, for their families in Mareeba and outlying places such as Chillagoe, Mount Molloy and Julatten.

The west ward will have additional dedicated rehabilitation staff to work with patients to increase their flexibility, rebuild their strength, improve walking and self-care skills, and generally transition them through the recovery process. The new services will assist recovery and reduce re-admissions to the hospital as a consequence, as well as cut down on referrals to residential care facilities. It will also mean that elderly patients who are discharged are more able to make a smooth transition back to their normal, everyday life. This is the kind of service that these elderly community members deserve, some of whom have spent their whole lives living in the local community.

It is important that elderly people can receive the care they need close to home with their loved ones close by. Opening a service like this was a priority for Queensland Health. That is why we sought funding from the Commonwealth. This funding has now been granted. The federal government has made provision under the national partnership agreement for improving hospital services to allocate \$7.77 million over four years for this ward. The announcement is just one element of the Commonwealth's commitment to deliver 265 additional subacute beds to Queensland as a result of the historic health reform agreement signed between the Commonwealth and the states.

The Mareeba community strongly supports the provision of this service at the hospital, which already provides a range of services, including medical and emergency, surgical, palliative care, paediatrics, maternity, community and Indigenous health, aged-care assessment and rehabilitation, radiology and diabetes education. Currently, the eight-bed ward is being used by family members who spend the night to be close to relatives who are in hospital for palliative care. It has at other times been used by the Red Cross to collect blood from donors. Families who still need to stay close to their loved ones will continue to be accommodated in this facility. The new ward would separate subacute from acute beds and improve the flow of patients through the hospital. This is another great example of what Queensland Health is doing to increase access to high-quality public health services in the Cairns and hinterland health district.


Over the last couple of years there have been some important improvements to the service delivery of the hospital. The establishment of a new senior medical officer and principal house officer has increased the hospital's medical workforce to eight doctors. The operational budget for the hospitals increased by over \$4 million over the last four years.

I would like to thank the former Minister for Health, Paul Lucas, and in particular his staff members Cameron Crowther and Joshua O'Keefe for their tireless efforts in supporting me and the Mareeba community in getting this job done. Now, with the opening of the west ward, people in Mareeba and surrounding towns can be assured that their hospital service is very good and getting better.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! The time for matters of public interest has expired.

REVENUE AND OTHER LEGISLATION AMENDMENT BILL

First Reading

 **Hon. AP FRASER** (Mount Coot-tha—ALP) (Treasurer and Minister for State Development and Trade) (12.30 pm): I present a bill for an act to amend the Aboriginal Land Act 1991, City of Brisbane Act 2010, Duties Act 2001, First Home Owner Grant Act 2000, Judicial Review Act 1991, Land Tax Act 2010, Local Government Act 2009, Payroll Tax Act 1971, Queensland Competition Authority Act 1997, Right to Information Act 2009, Royal National Agricultural and Industrial Association of Queensland Act 1971, South East Queensland Water (Restructuring) Act 2007, Sustainable Planning Act 2009, Taxation Administration Act 2001, Water Act 2000 and Water Supply (Safety and Reliability) Act 2008 for particular purposes, and to repeal the Advance Bank Integration Act 1997, Bank Integration (Bank of Queensland) Act 1993, Bank Merger (BankSA and Advance Bank) Act 1996, Bank of New Zealand (Transfer of Undertaking) Act 1997, Challenge Bank (Transfer of Undertaking) Act 1996, Debits Tax Repeal Act 2005, Iconic Queensland Places Act 2008, New Tax System Price Exploitation Code (Queensland) Act 1999, State Bank of South Australia (Transfer of Undertaking) Act 1994 and Tobacco Products (Licensing) Act 1988. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.


Motion agreed to.

Bill read a first time.

Tabled paper: Revenue and Other Legislation Amendment Bill [\[4130\]](#).

Tabled paper: Revenue and Other Legislation Amendment Bill, explanatory notes [\[4131\]](#).

Second Reading

 **Hon. AP FRASER** (Mount Coot-tha—ALP) (Treasurer and Minister for State Development and Trade) (12.31 pm): I move—

That the bill be now read a second time.

The Revenue and Other Legislation Amendment Bill 2011 includes amendments to the state's revenue legislation to maintain its currency and ensure it operates as intended. Several of the amendments provide new or extended exemptions and concessions. Other amendments clarify the operation of the legislation which will assist both taxpayers and the Office of State Revenue. The remaining amendments are necessary to protect the integrity of the tax system.

The amendments to the Land Tax Act 2010 and an amendment to the Duties Act 2001 in relation to vehicle registration duty are beneficial to taxpayers and will have retrospective effect, reflecting the fact that they have been operating under administrative arrangements.

The amendments to the Land Tax Act 2010 will remove an unintended consequence of the new extended payment arrangements which arises in limited circumstances where a reassessment to decrease the tax payable is made. The Commissioner of State Revenue will also be able to extend the use requirement period for vacant land acquired by a charitable institution when making an initial assessment, bringing this arrangement into line with that under the previous land tax legislation.

The retrospective amendment to the Duties Act 2001 provides a new vehicle registration duty concession where a vehicle has been modified for a person with a disability. Several amendments to the Duties Act 2001 will give prospective effect to existing administrative arrangements. The bill provides a transfer duty exemption for the trustees of special disability trusts acquiring homes for severely disabled persons, giving legislative effect to an initiative of the 2010-11 state budget. Transfer duty relief will also be available for certain transfers of land in relation to native title claims under the Commonwealth Native Title Act 1993. In addition, the transfer duty home concessions are being extended to include acquisitions by way of a vesting under statute or court order.

The other beneficial changes being made to the Duties Act 2001 remove the requirement for a person to pay duty before being entitled to a concession under the cancelled transfer provision or section 499, supplant the Commissioner of State Revenue's discretion in relation to whether or not a trust qualifies for the family trust concession with clear qualifying conditions, and continue the concessional vehicle registration duty arrangements for special vehicles following commencement of the Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010.

Other beneficial changes being made by the bill ensure that payroll tax is not payable on benefits exempt under the Commonwealth Fringe Benefits Tax Assessment Act 1986, and remove the requirement under the Payroll Tax Act 1971 to group a company with another company as related corporations where one of the companies holds its interest in the other company on trust. Both measures will improve harmonisation of payroll tax arrangements with other states and territories.

The bill also contains important measures to ensure that the integrity of the revenue laws is protected and the revenue legislation operates as intended. It does this by extending the conditions for the change of trustee exemption to require that transfer duty has been paid on all previous dutiable trust surrenders for the trust and amending the definition of resale agreement in the cancelled agreement provision of the Duties Act 2001 to cover cases where a related person of the transferee receives a financial benefit. In addition, the circumstances in which the commissioner can impose administrative penalties as an alternative to prosecuting for an offence for certain duties self-assessment matters are extended. This will enable the commissioner to apply the appropriate sanction, taking into account the circumstances of the case, with prosecution usually being reserved for serious noncompliance.

The First Home Owner Grant Act 2000 will be amended to extend to five years the time for commencing a proceeding. This will align the prosecution time frame with that under the Taxation Administration Act 2001, which provides a five-year period for commencing a prosecution for offences relating to duties, land tax, payroll tax and the Community Ambulance Cover. It will also more closely align the prosecution time frame under the First Home Owner Grant Act 2000 with those applying under corresponding interstate legislation.

The Payroll Tax Act 1971 will be amended to ensure that, where two or more members of a group together have a controlling interest in a business, all the members of the group and the persons who carry on the business together constitute a group. The employee share scheme provisions of the Payroll Tax Act 1971 will also be amended to reflect changes to Commonwealth employee share scheme legislation. Consultation with the other state revenue offices was undertaken in developing the employee share scheme amendments, and the legislative changes harmonise with those being made by the other jurisdictions.

Other measures in the bill will clarify the operation of the corporate reconstruction duty exemption, the duty provisions relating to partitions of property and the meaning of registered managed investment scheme in the Duties Act 2001.

The bill will also repeal a number of acts. The Debits Tax Repeal Act 2005 will be repealed following abolition of debits tax on 1 July 2005 and the winding up of all outstanding matters. The Tobacco Products (Licensing) Act 1988 is also being repealed following a High Court decision in 1997 which invalidated comparable New South Wales legislation and cast doubt on the validity of Queensland's act. The confidentiality provisions under the Tobacco Products (Licensing) Act 1988 will be continued in the Taxation Administration Act 2001. Consequential amendments to the Judicial Review Act 1991 and the Right to Information Act 2009 are required as a consequence of the repeal of these acts.

The bill repeals the New Tax System Price Exploitation Code (Queensland) Act 1999. The price exploitation code was introduced to provide protection to consumers during the transition to the new tax system which introduced the goods and services tax.

During the 1990s there was a significant restructure of the banking industry in Australia following on from the re-regulation of the industry by the Commonwealth government. The state banking acts now being repealed were originally passed by parliament to assist with either the integration, merger or transfer of undertakings from one bank to a successor bank and addressed such matters as the transfer of ownership, the registration of assets and the assumption of liabilities. The acts have achieved their purpose and are no longer required.

In addition, the bill will repeal the Iconic Queensland Places Act and consolidate the protection of iconic places into the Sustainable Planning Act framework. The Iconic Queensland Places Act commenced in March 2008, its purpose to protect the four declared iconic places in Queensland: Noosa, Port Douglas, Blackall Range and the Central Capricorn Coast.

The act required the minister to review, within three years, the operation of the legislation, in particular the effectiveness of the iconic place development assessment panels. The review, which was carried out in 2010 and tabled in this parliament in December 2010, found that the intervention of iconic place panels in development assessment is not the most effective mechanism available for the protection of iconic values and that councils are already doing an excellent job in this regard. However, the requirement for councils to prepare a report for the minister's consideration on the impact of any proposed change to the provisions in local planning instruments that protect iconic values was found to be valid and will continue.

The bill proposes a new role for iconic panels as advisory panels to council in preparing its report on the impact on the iconic values when making or amending local planning instruments. In this way, the minister can be better informed about whether the iconic values have been appropriately considered and protected in the new planning instruments that will regulate and guide future development.

The bill proposes that when the council's amalgamated planning scheme that addresses the iconic values to the minister's satisfaction takes effect, the advisory panel will be abolished. This means that councils will then have full responsibility for future planning and development decisions affecting their iconic places. I am sure that councils will welcome this approach, and will continue to oversee our iconic Queensland places in accordance with their widely accepted role.

This bill proposes amendments to a number of pieces of legislation, to which I now turn. Late last year the government announced a number of measures to maximise bulk water efficiencies across the South-East Queensland water grid and help reduce the state's portion of household water bills. This included the further rationalisation of the bulk water sector with the merger of the region's two bulk water authorities—Seqwater and WaterSecure—into a more streamlined, cost-efficient operation. Other measures included revising down government's 10-year price path for bulk water sales to the council owned retail water entities, and moving parts of manufactured water assets into stand-by mode in acknowledgement of higher levels of water security.

To facilitate the merger of Seqwater and WaterSecure, the amendments to the South East Queensland Water (Restructuring) Act 2007 will incorporate a regulation-making power modelled on the Government Owned Corporations Act 1993. This will enable the transfer of assets, liabilities, instruments and employees from WaterSecure to Seqwater. This provision will also enable future transfers between bulk water authorities and other government entities, such as the special purpose vehicle construction companies established to deliver key water grid assets. The government has committed to no forced redundancies for EBA or award staff resulting from the merger, and the amendments include provisions enshrining this guarantee for three years.

The proposed amendment to the Royal National Agricultural and Industrial Association of Queensland Act 1971 will enable the Royal National Agricultural and Industrial Association of Queensland, the RNA, to maintain an Australian Taxation Office endorsement as an income tax exempt charitable institution under the Income Taxation Assessment Act 1997. The endorsement is necessary to facilitate the financial stability of the association as it commences redevelopment works at the association's Ekka site.

The Australian Taxation Office's private ruling about the eligibility for the charitable institution endorsement requires the removal of any opportunity for the members of the association to benefit from the distribution of surplus assets in the event of an insolvency event or the winding up of the association. The bill achieves that aim, enabling compliance with the private ruling and allowing the endorsement to be maintained.

The proposed amendments to the Local Government Act provide the local government change commissioner with greater discretion in calling for submissions and conducting public hearings when assessing an application for a change to a local government's boundaries, divisions, number of councillors, name and classification. Some applications, like a minor boundary change, are minor and unlikely to generate a significant level of public interest. The minister may also direct the commission in the assessment of an application if the circumstances of a particular application warrant it.

The proposed amendments to the Local Government Act and the City of Brisbane Act also facilitate the merger of the Local Government Superannuation Scheme and the Brisbane City Council Superannuation Plan under the Local Government Act. The combined fund will benefit members due to lower costs and improved services, including access to a larger number of investment options than was previously available.

The proposed amendment to the Aboriginal Land Act 1991 is required for the Cape York Peninsula tenure resolution program, which is coordinated by the honourable Minister for Environment and Resource Management. Through this program the government is establishing joint management of national parks with Aboriginal traditional owners and returning homelands to Aboriginal people on Cape York Peninsula.

The amendment will change the designation of areas in and near Mungkan Kandju, Lakefield, Iron Range, Cape Melville and the Flinders group national parks on Cape York Peninsula from 'claimable' to 'transferable'. Other national parks on Cape York Peninsula were made transferable in 2007. The proposed amendment will enable these five parks to be converted to jointly managed parks and enable adjacent areas to be granted as Aboriginal freehold land. Making the amendment at this time is necessary to prevent delays in this program, which has significant benefits for conservation and for Aboriginal people.

The bill contains amendments to section 20 of the Water Act 2000 to provide a mechanism for the state or local government to take water for the purpose of construction or maintenance of state infrastructure—for example, public roads, state railways, pipelines—across multiple water sources without a water licence or permit. This is an important amendment as it will significantly reduce the regulatory administration and burden on constructing authorities and the department by removing the need for obtaining a water licence or permit under the Water Act before accessing water necessary for construction activities.

The amendment will enable more timely access to water by these authorities for the maintenance and construction of community infrastructure in ordinary circumstances. However, significantly, this amendment is well timed as it will greatly assist in rapidly progressing the much needed recovery operations following the recent natural disasters in the state.


Urban water regulatory arrangements that apply outside the South-East Queensland region are being reviewed by the Department of Environment and Resource Management to ensure the regulatory framework continues to deliver safe and reliable water and sewerage services while achieving regulatory efficiency and reducing regulatory burden on service providers. The bill makes changes to the Water Act 2000 and Water Supply (Safety and Reliability) Act 2008 to defer or remove certain planning and reporting requirements to reduce unnecessary regulatory burden on urban water service providers, which in most areas of Queensland is the relevant local government.

Specifically, these changes will reschedule the due date for preparation of system leakage management plans by service providers to 2013; remove the annual reporting requirements relating to issuing water advices to residential tenants; and remove the requirement for the preparation of outdoor water use conservation plans, other than where the regulator is satisfied a service provider faces a water security risk and has not implemented adequate water efficiency measures. I commend the bill to the House.

Debate, on motion of Mr Dempsey, adjourned.

NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY BILL

First Reading

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (12.46 pm): I present a bill for an act to provide for the ending of mining in the North Stradbroke Island region, and to amend particular other acts to provide for Indigenous joint management of particular land in the region. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.


Motion agreed to.

Bill read a first time.

Tabled paper: North Stradbroke Island Protection and Sustainability Bill [\[4132\]](#).

Tabled paper: North Stradbroke Island Protection and Sustainability Bill, explanatory notes [\[4133\]](#).

Second Reading

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (12.46 pm): I move—

That the bill be now read a second time.

I am pleased to introduce the North Stradbroke Island Protection and Sustainability Bill 2011 which provides the foundation for implementation of the government's vision for a more economically and environmentally sustainable North Stradbroke Island. This bill provides certainty about the phasing out of mining on North Stradbroke Island, mandates an end to large scale sandmining on the island by 2019 and all mining by 2025, limits the path of the island's largest mine to minimise its environmental impact, establishes processes for dedicating national parks and other protected areas over freehold title under the Aboriginal Land Act 1991 and establishes a joint management framework between the state and the traditional owners, the Quandamooka people, in the management of those protected areas.

Mining on North Stradbroke Island will end forever in 2025. Through this bill, the island will transform into an ecotourism hot spot, ideally located on Brisbane's doorstep. For generations its economy has been fuelled by sandmining that has created an unsightly footprint on the island's landscape. This bill will reshape the island's future. Instead of trucks and earthmoving equipment, we will see tour vehicles, four-wheel drives and campsites taking in the island's natural assets, not its finite

resources. For the first time, large sections of the island will be open for families, nature lovers, walkers and campers to explore and enjoy. We want to see whale watching, great walks, all manner of water activities, campgrounds and island tours in the island's new economy.

The phase-out will occur through three main stages: the closure of Yarraman Mine as announced by the mining company will occur in 2015; all heavy mineral sandmining will cease with the expiry of the mining leases on Enterprise Mine by the end of 2019; and the expiry of mining leases at the smaller Vance mine, which is a silica mine and involves a much smaller disturbance of land, in 2025 signals the permanent end to mining activities on the island.

To provide certainty to all stakeholders regarding this timetable, several mining leases not being used for active mining will be terminated prior to their current expiry date. However, no mining leases on which mining is actively occurring will be terminated in advance of the company's own intended cessation dates. Enterprise Mine is currently operating in accordance with the provisions of the Mineral Resources Act 1989 on expired leases that are the subject of an application for renewal. This bill renews those leases for a limited period to the end of 2019, providing certainty for the mining company and mineworkers. Where a lease is needed for ancillary purposes such as access roads, it will be renewed for those purposes only and no further extraction will be permitted.

The mine path of Enterprise will be restricted to a limited area to minimise impacts on areas of high environmental significance both on and surrounding Enterprise. The mine path will limit mining activities as much as possible to areas already disturbed by mining. I seek leave to table some maps which indicate this restricted mining path.

Leave granted.

Tabled paper: Map NS11—Map of North Stradbroke Island Region [4134].

Tabled paper: Map NS12—2019 Restricted Mine Path [4135].

Ms JONES: To ensure that this mine path only allows extraction to continue at current rates, the bill provides a three-month window for me as the minister to approve an application by the operator to expand or move the mine path if it is demonstrated that the path does not allow for sufficient resources for mining activity to occur until 2019. An amendment of this type cannot include moving into areas of high ecological significance, such as an endangered regional ecosystem. This amendment provides a balance between ensuring a viable mining operation until the end of 2019 and limiting the environmental impact of that mining. Mining leases associated with the last mine, known as Vance, will be allowed to continue until they expire on 31 October 2025.

The bill also provides that no new mining interests can be applied for or granted in the North Stradbroke Island region. This includes prospecting permits, mining claims, exploration permits, mineral development licences or mining leases. On this basis, the bill enshrines the protection and restoration of environmental values on North Stradbroke Island. This will occur through the staged creation of protected areas on North Stradbroke Island as mining leases expire in accordance with this legislation. By the end of 2011, 50 per cent of the island will be national park; by 2021 this will increase to 75 per cent; and by 2026, 80 per cent of the island will be protected.

The bill gives direct effect to those land tenure outcomes agreed by the state and the Quandamooka people by introducing a new model for tenure and protected area status. The outcome is the same as the model introduced by the Cape York Peninsula Heritage Act 2007, which is for national park to co-exist with Aboriginal freehold land in perpetuity and for joint management of that national park by traditional owners and the state. This bill, however, achieves the same outcomes in a slightly different way to cater for the differing circumstances on North Stradbroke Island. It involves declaring as transferrable under the Aboriginal Land Act land that is to become protected area by the end of 2011. This enables freehold title over land that is to be granted to the Quandamooka people that is also to be jointly managed as protected area in perpetuity.

The Cape York Peninsula Heritage Act introduced a new class of protected area known as national park (Cape York Peninsula Aboriginal land). Section 19AA of the Nature Conservation Act 1992, which was introduced by the Cape York Act, provides that national park (Cape York Peninsula Aboriginal land) is to be managed as national park and, as far as practicable, in a way that is consistent with any Aboriginal tradition applicable to the area, including any tradition relating to activities in the area. These management principles will be applied in the North Stradbroke Island region, but several other classes of protected area will be applied in addition to national park depending on the starting condition of the land and the need to facilitate appropriate recreational uses.

National park (recovery) and small areas of conservation park are both expected to be dedicated. The bill therefore allows the declaration of any of these classes of protected area in the North Stradbroke Island region as Indigenous joint management areas. National park (scientific) is also eligible in case it should be used in the North Stradbroke Island region at some point in the future.

Consistent with the Cape York arrangements, the bill amends the Nature Conservation Act to ensure that an Indigenous management agreement must be entered into between the traditional owners on North Stradbroke Island and the state prior to dedication of an Indigenous joint management area. The joint management of national parks on North Stradbroke Island and Peel Island between the Quandamooka people and the Queensland government will see the benefits realised on Cape York being experienced in South-East Queensland. The Quandamooka will be actively involved in all decision making, from the long-term strategic to the day-to-day necessary.

Additionally, traditional owners will be employed as park rangers under the Nature Conservation Act framework. This will benefit the Quandamooka people, who, in addition to obtaining freehold title to their land, gain opportunities to play a formal role in caring for that land. It will also benefit the Queensland Parks and Wildlife Service, which will be enriched by the unique knowledge and experience of those who have known the land for millennia. It also benefits the park-visiting public, who will have confidence that the national park will be managed in the most holistic way possible, protecting not only the physical landscape but also the traditions and activities that have co-existed with that landscape for those millennia.

The government has allocated \$27.5 million over five years to fund the establishment and management of protected areas on North Stradbroke Island, including investment in corporate governance and training and development to build the capacity of the Quandamooka people to jointly manage those protected areas and to further broaden their aspirations. This bill is a balanced approach to the future of North Stradbroke Island. It provides for an orderly and staged approach to the end of mining, which will allow for the economy to adjust from a mining base to a sustainable tourism base and other new opportunities yet to be envisaged on the island. Through the joint management of protected areas, the broader Queensland community will have greater access and more opportunities to experience and learn from traditional owners and traditional interpretation information that will be made available.


As I said, this is a bill that provides certainty for the people of North Stradbroke Island and certainty for the Quandamooka people and also provides the vision that we want to see to ensure that North Stradbroke Island is an area that is now open and available to the people of Queensland to enjoy and that it is protected for future generations to admire and to see its beauty and its full potential. I commend the bill to the House.

Debate, on motion of Mr Dempsey, adjourned.

Sitting suspended from 12.58 pm to 2.30 pm.

MINISTERIAL STATEMENT

Lord Mayor Campbell Newman

 **Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (2.30 pm), by leave: In an extraordinary turn of events today, Campbell Newman has announced that he wants to run for a seat at the next state election, that he wants the leadership of the LNP and that he wants to do all of this whilst still Lord Mayor of Brisbane. It is remarkable that, despite today's revelations, Councillor Newman has refused to immediately resign from the Lord Mayoralty. It is a position that he has concocted solely for the LNP's political benefit and it is not in the interests of Brisbane ratepayers or Queensland residents. He tries to justify his position by saying that he will resign if preselected by the LNP, but this is a farce. The facts are clear: he has clear backing from the LNP administration to be preselected in the seat of Ashgrove and also for the parliamentary leadership of the party. The formality of this process is just a technicality. If the faceless men of the LNP can so successful destroy the member for Surfers Paradise and the member for Southern Downs, then Campbell Newman can be assured of securing preselection.

Mr DEMPSEY: I rise to a point of order. I know this is a ministerial statement, but there is a lot of innuendo and hindsight and as far as providing any real evidence in what the Deputy Premier is saying—

Madam DEPUTY SPEAKER (Ms Farmer): Order! There is no point of order.

Mr LUCAS: Of course, the honourable member opposite would take that sort of ridiculous point of order. He does not like to hear what I am saying.

The formality of this process is just a technicality. If the faceless men of the LNP can so successful destroy the member for Surfers Paradise and the member for Southern Downs, then Campbell Newman can be assured of securing preselection. So the point is moot. In the eyes of the LNP, he has already been preselected. His true reasons for resigning are obvious. Were he to resign today, there would be a by-election for the position of Lord Mayor.

The City of Brisbane Act is clear. Section 164 states that if the mayor's office becomes vacant 12 months or less before quadrennial elections are required to be held, the council may appoint another councillor to the office or otherwise there must be a by-election. With the next council election scheduled for 31 March 2012, this confirms that if the Lord Mayor were to resign on or before 30 March 2011, a by-election would occur. If he resigns after this date, the LNP councillors can use their numbers to choose one of their own without reference to the people of Brisbane.

Of course, the Lord Mayor has the right to stand for a state seat, but he owes it to the people of Brisbane to do it in the right way. Campbell Newman should show principle, immediately resign as Lord Mayor and not hide behind the calendar and I challenge him to do it today. The people of Brisbane have a right to expect that their mayor will be focused on the job he has, not the job he wants, and in the wake of the worst natural disaster in Brisbane's history this is all the more important. This city deserves a mayor who is focused on post flood reconstruction, not fixing his political future. By delaying his exit from the Brisbane City Council, he is doing the people of Brisbane and Queensland a great injustice.


Right now, we have a mayor who does not want the job but who will not give it up—at least not yet. On top of that, we now have an interim opposition leader in the member for Callide who will collect an extra \$61,000 salary as the opposition leader whilst Campbell Newman does the job. If the LNP gets its way, it will soon appoint a new Lord Mayor without reference to the people of Brisbane. Ratepayers will have no vote, no say. Campbell Newman should do the right thing and resign now so that the people of Brisbane are able to pass judgement on the LNP and choose for themselves his replacement.

ENVIRONMENTAL PROTECTION AND OTHER ACTS AMENDMENT BILL

Second Reading

Resumed from 10 March (see p. 597), on motion of Ms Jones—

That the bill be now read a second time.

 **Mrs PRATT** (Nanango—Ind) (2.35 pm): I rise to speak very briefly to the Environmental Protection and Other Acts Amendment Bill 2009. I want to clarify exactly what we are dealing with here. We are talking about offsets. I want to have a true understanding of exactly what that is all about.

As we know, the environment is extremely important. Over the years there have been instances where the activities of some companies have perhaps unavoidably had a negative impact on our environment. Sometimes I wonder if those companies knew that their activities had an impact on the environment but they went ahead regardless. I just want to make sure that I have this correct. A company, after ensuring that it undertakes all mitigation processes, et cetera, might have to mitigate against perhaps unforeseen damage or damage that may occur because they need to go ahead with some sort of project. Therefore, they can offset that damage by possibly obtaining land somewhere else and using that land in a way that offsets the damage they do. It is a trade-off.

Ms Jones: After they avoid and minimise.

Mrs PRATT: Okay. Say, for instance, we use Cougar Energy—a mining company—which has procured a lease in the Kingaroy area. Perhaps that company is not able to use that land in the near future—if ever. Is it possible for that company to obtain and operate somewhere else and use that land as a possible trade-off?

Madam DEPUTY SPEAKER (Ms Farmer): Order! I point out to the member that the time for questions is—

Mrs PRATT: Madam Deputy Speaker, I am aware of that. I am just outlining a scenario so that the minister can perhaps say something to that effect in her summing-up. While I am talking about Cougar Energy, I table a non-conforming petition that is opposed to Cougar Energy's production in the South Burnett, which perhaps should have been tabled a long time ago but I will do that now.

Tabled paper: Non-conforming petition relating to the trial of underground coal gasification taking place at Kingaroy [\[4136\]](#).

So it is possible that a company could obtain fairly good agricultural land—as the member for Gaven stated—hundreds of kilometres away from its project, shut it up so that it is never utilised and can lay dormant for the term of the project. That land would be lost to good agricultural use. That is how I am perceiving this bill could work and that is how I understand the member for Gaven feels that it could work as well.

I do not know how many members heard it yesterday, but on the radio—on the ABC I think it was—as I was travelling down, and I had a pretty broken trip so I cannot remember exactly what time it was, a person was talking about prime agricultural land and future production in that our horticultural production has to increase quite substantially before 2050. I am concerned that, if the scenario I have

painted is allowable under this legislation, we are going to lose a lot of prime horticultural land in that it will be sacrificed for the sake of mining companies or other ventures. Residential estates could even be built. So there are offsets that can be made under any sort of scenario. If we lose that land and we have to have this marked increase in horticultural production, are we not, in fact, robbing Paul to pay Peter, so to speak, and destroying our opportunities in the future for crop cultivation?

I also have concerns in relation to how companies will be monitored in the future. Will it be a body that acts on a report from individuals, neighbours or anyone else or will it be total monitoring to ensure that the offset does in fact offset what it is supposed to offset—that is, their practices? When will this monitoring be carried out? Will it be after the event or during the set-up process? For instance, if a company wants to undertake a venture in a particular area and it is highlighted prior to the start-up date that it may have been misleading a community, would that be taken into account as to whether or not it would be trusted under this type of scenario with regard to the offsets? I table documents in relation to that.


Tabled paper: Bundle of documents relating to concerns regarding wind farm [\[4137\]](#).

It has been reported to me that during the consultation process AGL constantly stated that it had only ever had one complaint with regard to a wind farm at Hallett in South Australia. From the documents I have tabled I believe that there are 12 complainants with regard to that operation.

For me, that brings up a doubt as to whether or not a company is truly representing the facts in any given situation. If there is a trade-off with a company in terms of some sort of offset, we really need to make sure it is a very trustworthy company to ensure this trade-off occurs. I do not actually like trade-offs because I think there is a cost to the community as a whole. We know that some things have to go ahead and that there are unavoidable consequences as a result, but I believe that they need to be in areas where they do not impact negatively on local communities and farming practices.

It is essential that we preserve those types of practices for the future because we know that, in Australia particularly, the number of people on the land is reducing at quite a considerable rate. The age of horticultural farmers is up around the sixties. We need to preserve the environment for them and ensure that if a parcel of land is taken as a trade-off it is not prime agricultural land or even marginal agricultural land because we need every resource that we have in Australia. Our growing land is minimal at the best of times. If we are going to go to trade-offs—and this is a scenario that could indeed happen—we need to look at residential areas being in what we would call tiger country. Honourable members have probably never heard that expression in Australia. Where I come from we often call rubbish or scrap country tiger country, only fit to be used for anything other than horticulture or grazing. I do not think anyone would mind if houses were built on that kind of country. We probably would not even mind if it was used as an offset for ventures that mining companies undertake.

All these things need to be looked at. If my understanding of this bill is correct, I would like to know that the following issues are taken into consideration: one, that no agricultural land be used as a trade-off and be non-productive under this type of legislation; and, two, that consideration be given to residential areas being put in country that is not suitable for any kind of agricultural undertaking. I will be interested to hear what the minister has to say.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (2.44 pm): I rise to speak to the Environmental Protection and Other Acts Amendment Bill 2009. It has taken some time for this bill to reach the point for debate. This bill deals specifically with environmental offsets in a number of varying circumstances: one is mining and the other is in authorised activities. The purpose of the bill is to allow for a company or an entity that is carrying on an activity to provide an environmental trade-off—that is probably the more accurate name for it—in another location, on my interpretation, if the degradation of the site on which they are carrying out that activity is such that its environmental values are lost. Almost inevitably with mining and many other authorised activities those environmental values are lost.

I note that west of my electorate there is a lot of mining. We have some localised mining in my electorate in terms of limestone, shale oil and similar things. Predominantly, the offset process used in my electorate has been specifically in relation to port activities. It has been a frustration for many in the community that if an individual harms a mangrove, takes a mangrove out or in some way destroys it, they are often prosecuted quite strenuously, but there are industries in my electorate who clear significant areas of mangroves with an environmental permit. That frustration, I think, will continue to simmer for many years to come.

The irony of the offset principle is that in the most publicised offset in the electorate of Gladstone, which was for the port and was because of the development on the harbour, was allowed up at Port Alma. I think one of the weaknesses of the offset process is that if the area that is going to be used as a replacement for the environmentally harmed area is located a considerable distance from where the environmental harm occurs—albeit approved environmental harm—then the community really does not get any benefit. The environment may get a benefit but the community affected does not get any benefit.


In the instance of the clearing of the port area and precluding community access to the port in those heavily developed parts of port activity, the offset up at Port Alma did nothing. It might have made the development entity feel good and it might have made the government feel good, but as far as any community benefit was concerned—the knowledge that a new crustacean nursery had been established that would benefit people in the Gladstone electorate—Port Alma was too far away. I think there should be a quid pro quo in that any offsets should be in an area that is recognisable by the community adversely affected such that the offset is seen to be of benefit to them in the short, medium or longer term.

The bill also provides that where an environmental offset cannot be met by a developer then another methodology for achieving that offset is by a financial contribution to the Balance the Earth Trust, which is administered by Ecofund. In her second reading speech the minister states—

One of the ways an environmental offset requirement can be met by developers is by making a financial contribution to the Balance the Earth Trust, administered by Ecofund to provide funds to increase our national parks estate.

We have seen a significant increase in national parks right across Queensland. I do not dispute the benefit of that to the community in the long term. But hand in hand with increasing the national park area has to be management and administration. That has not been keeping pace. Significant areas have been made national park, which is admirable, but they have not been managed. Park rangers have not been put in place and fire attenuation and fire management risks have not been properly managed. As the build-up of fuel continues—and we have had a phenomenal period of time this year and the end of last year—that management regime will be critical to the ability of adjoining landowners to properly manage their own properties in terms of stocking and stockfeed.

The offset principle is fine, but it needs to be acknowledged that those who see destruction of the environment in the area in which they live need to see an offset within the same area, so while they may suffer a loss they will also gain a benefit. While making a contribution to the earth trust, the management, administration and proper care of the national park that is increased must go hand in hand with the administration of that fund. I support the legislation.

 **Ms GRACE** (Brisbane Central—ALP) (2.50 pm): I rise to support the Environmental Protection and Other Acts Amendment Bill 2009. The bill supports the Queensland Government Environmental Offsets Policy and specific issues policies for environmental offsets. One of those policies is contained in the *Mitigation and compensation for works or activities causing marine fish habitat loss*, published by Fisheries Queensland in 2002. The policy applies when a proposed development will unavoidably impact on marine fish habitat. Unfortunately, when developments are approved often they have an environmental impact. I fully support this legislation and the amendments to it, which go towards trying to insulate against that impact as best as possible. I believe that the outcome will be a win for the development industry and, of course, a win for the environment, which sometimes inadvertently suffers because of that development.

Our state has a strong fishing industry and a strong cohort of recreational fishers. Therefore, I believe this policy will play an important role in ensuring appropriate breeding habitat for fish species, which is so important. We have seen so many species either under threat or declining and often that happens because of habitat loss. I believe that any legislation that can put in place offsets, so that the developers or the industry impacting in an area can get together and talk about how best to manage and offset what is going to happen, has to be a win for the fishing industry, a win for the fish habitat environment and, of course, a win for the development industry as well. The alternative is that there will be no development at all in an area. With offsets and a dedication to ensuring that the fish habitat is preserved, often we can have a win for both of those competing interests.

Fisheries Queensland has already had a number of environmental successes through its application of offsets when assessing and approving coastal development. I will discuss in detail a number of those examples, which I think demonstrate that those things do work. I welcome the fact that this bill will strengthen the government's offsets policy and the current legislation. It gives the legislation the power to clarify the ability to use offsets as an enforceable condition on approval. The key is that it becomes an enforceable condition that strengthens the legislation so that these things can come about in the manner in which the offsets were agreed or determined. It improves legal certainty, which I think is important. It makes the legislation clearer for state and local government decision makers so that, according to the legislation, the decision makers will know exactly what they are able to do and what they are not able to do under the legislation. It makes it clearer. We all welcome clarity in legislation. I support any amendments that bring about a clearer position. Of course, I also believe it will result in a clearer position for the development industry, which has an interest in this matter because it will be going into these areas and negotiating the offsets, and the community will benefit as well.

I acknowledge the issues raised by the member for Gladstone. When arrangements are made, we hope that the community will see that the offsets will be of benefit to them and that it is not about losing a habitat without seeing the outcome of the offsets. Through education and a clearly defined position on what is happening, with the community, local governments and state governments being

able to say clearly exactly what is going to be enforced, this has to be a benefit to the community. You may know that something is happening in your backyard, but you will also know that an area is being protected with offsets and the like. That has to be of benefit to the community in the long run. The bill supports the legislative implementation of the policy. It makes sure that the policy is implemented in the manner in which we would like it to be implemented. Legislation that supports that is a way forward.

I come to some examples of the application of offsets. One such example study concerns the Bluewater Harbour development at Half Moon Creek in beautiful Cairns. It is a multiuse development for a harbour, a canal estate and a residential estate. I believe it is an area where a lot of locals would love to live and it is a development that we would all like to be a part of in the beautiful area of Cairns. As part of the assessment process, a coordinated offset package was developed through discussions between the proponent and the developer, the Environmental Protection Agency and Fisheries Queensland. The proposal was approved subject to conditions, including the provision of an offset package. One of the offsets involved funding for two years to conduct fisheries research into recovery within the rehabilitation of East Trinity wetlands, which is a government initiative led by the Department of Environment and Resource Management. Therefore, we have a great arrangement where they are actually doing research into this habitat area. One of the fisheries projects highlights the successful return of approximately 50 finfish species, prawns and mud crabs as the rehabilitation gains momentum. It has to be a step in the right direction if you see the return of species because the habitat has been protected and research is going on. It has to be a plus for the community at large. The funding allowed the fisheries component of the rehabilitation initiative to be addressed and documented. Some great research came out of a development that otherwise would not have occurred had we not been able to enforce those offsets as per the legislation. This legislation ensures that habitat is protected.

I listened to the contribution of the member for Burnett in relation to this bill. He made some extraordinary claims. He used words such as 'government revenue raiser', 'mafia protection money', 'bribes' and 'extortion money' in relation to an offset policy. I found that to be quite extraordinary. As I come from an Italian background, I know some members opposite point at me and maybe imply that I know a little bit about some of the claims made. However, I assure the House that I have no idea about them. It was an extraordinary way of describing something that I think can bring about a win-win situation. It does not stymie developments from going ahead. It brings about an environmental consciousness that often is not there and we can achieve results such as have occurred in some of the examples that I am going to go through. I thought that his claims were over the top. I do not believe that there is any basis for some of outbursts made by the member for Burnett, who can be known for his outbursts.

Another example of the successful fish habitat offset is Calypso Bay at Jacobs Well at Pimpama.

Mrs Smith interjected.

Ms GRACE: I thank the member for Burleigh for the pronunciation. This development is a canal and residential estate which was approved, again subject to conditions, including provision of an offset package. The offset involved the proponent relinquishing title on an adjacent lot in exchange for approval of the development. So once again there was an offset in exchange for approval in this area. The adjacent lot consisted of approximately 85 hectares which was previously the subject of the separate Lagoons of Pimpama proposal. As part of the offset package the lot was taken over by the Gold Coast City Council, which worked with Fisheries Queensland and the Department of Environment and Resource Management to relocate the existing flood mitigation levy on the lot to a new location landward and away from the banks of the Pimpama River. This allowed tidal inundation to return to what were previously tidal habitats so that the entire site regained its previous tidal fisheries and related wetlands values and functions. That has to be of benefit to the environment community, and I see the member for Burleigh nodding her head in agreement. That has to be a win-win for the development and for that environmental habitat that lacked the inundation from tidal waters needed to maintain a breeding habitat for fish in that particular region.

Another example is the Port of Airlie development, which also involved the successful use of environmental offsets to obtain appropriate outcome for fish habitats. This development involves a harbour, canal estate, light industry and residential development at Muddy Bay in another beautiful part of Queensland, Airlie Beach. The development was approved on the condition that the proponent provide funding for seagrass monitoring and for impacts of the development on fisheries, fish habitats and other projects.

The Fisheries Queensland offset policy has proven successful in managing the residual unavoidable impacts of coastal development and has been revised to align with the Queensland Government Environmental Offsets Policy. As I said before, I believe that this is a step in the right direction. These particular developments that I have cited are good examples of how these offsets and developments can work together in not only improving habitat but also protecting environmental habitat.

There are many conservation organisations in Brisbane and many of them do outstanding work. While addressing this legislation and the offsets, I will take a bit of time to mention that many of them would welcome these offsets not only for fish habitat but also for fauna and flora. For example, the Bob


Irwin Wildlife Fund is a not-for-profit conservation organisation affiliated with the Royal Society for the Prevention of Cruelty to Animals in Queensland. It is dedicated to the preservation of wildlife and its habitat for future generations. The fund was inspired by Bob's son, Steve Irwin, and his passion for conservation and his commitment to continue his vision to leave this world in a better place. It is organisations such as this that are going to benefit from strengthened legislation, which this bill will provide.

I also want to pay tribute to other organisations such as Greenfest, which is an annual festival held in Brisbane's Botanic Gardens that talks about flora preservation in Queensland. It does a great job in highlighting issues around the habitat for particular species as well. One of my favourites would have to be the Northey Street City Farm, which is surrounded by development. They run courses and workshops on permaculture, organic gardening and art and craft. Classes are held outdoors weekly in what, I might add, is a new, beautiful building at the Northey Street City Farm. I am a big supporter of it. It is an oasis in the middle of a very heavily developed area of Brisbane. It survives because it has community support and it does so in an area that is undergoing extreme development, particularly due to the Airport Link project. It is an oasis in the middle of the city providing some fantastic community activity around organic gardening and preservation of the environment. They can train people to set up a city farm in their own backyard as well.

Another one I like is the Pullen Pullen Catchments Group. It is a community based volunteer landcare group operated under the umbrella of Landcare Australia. Landcare Australia is also located in my electorate. It does some fantastic work in landcare throughout Queensland. It welcomes these offsets where development is taking place that could impact on the environment and on the land that surrounds the development. I know that that group would gladly work with any offsets policy to ensure that habitat is protected, along with the Pullen Pullen Creek and Farm Creek area.

There are many organisations throughout Brisbane that will benefit from this legislation. I know that the Queensland Conservation Council also has an interest in this legislation. It ensures that when we are amending legislation conservation is at the forefront to ensure that any amendments can be strengthened and enforced. I know that they would support this, as would the Wildlife Preservation Society of Queensland. I mention just a few of these environmental groups because I know that they work very hard. I commend them for their work in not only protecting the environment, our fauna and flora but also conservation, sustainable development and ensuring that Queensland and Australia remain a very strong and secure conservation base.

As I said, in my assessment there are many good things coming out of this piece of legislation. The bill strengthens the Queensland government's offsets policy and other specific-issue offset policies. The bill ensures that they are enforceable, that the conditions that are set are enforceable and that these can be imposed on the approvals that have been given. Now we have a clear position for the development industry, for state and local government and for the community. I cannot think of a better outcome from the amendments that are included in this legislation. I do not see it as extortion. I do not see it as revenue raising. I see it as a benefit for the management of natural habitat and environmental impacts of development. I commend the bill to the House.

 **Mrs SMITH** (Burleigh—ALP) (3.07 pm): I rise to make a shorter but no less heartfelt contribution to this debate. The intent of the Environmental Protection and Other Acts Amendment Bill is to further strengthen our ability to protect our natural resources by requiring developments to offset activities. The electorate of Burleigh is blessed with an abundance of natural beauty. Our natural environment is an integral part of our lifestyle on the southern Gold Coast. Preserving and protecting it is an important priority.

Burleigh is home to the Burleigh Headland National Park, or Jellurgal as it is known to the traditional owners. Locals and tourists alike enjoy the benefits of a national park in our backyard. The area is home to historical and cultural treasures such as shell middens and the rocky fingers of Jabreen. This site has cultural significance for the Kombumerri people and it is said that Jabreen, the creator of Jellurgal, was a huge man. One day, after feasting on a sugarbag he stood up and stretched out and the rocks followed his hands skyward and formed Jellurgal.

Jellurgal is situated on the banks of Tallebudgera Creek, a popular venue for swimming, water sports and fishing and is home to an abundance of wildlife and native plants. Both the national park and the headland are under increasing pressure from urban development. A report prepared for SEQ Catchments, a non-government organisation that seeks a sustainable future for South-East Queensland, recently found that, despite the significant efforts of government, business and the community to improve the environment management in South-East Queensland, the condition of critical natural assets is still declining. Key drivers of this decline are population growth and the associated economic activity, including urban development.

The need to care for our environment is vitally important. Ongoing construction and development puts areas such as catchments and parks at risk of damage daily from stormwater run-off, contaminants and the ever-increasing need for land. Ultimately, households will bear the majority of the costs of declines in resource condition both directly and indirectly. House values are likely to be negatively impacted as amenity levels decrease.


This brings me to an issue that is currently causing much angst in part of the Burleigh electorate. There is a proposal by Boral Resources to establish a new extractive industry operation on a greenfield site in the Mudgeeraba electorate. This site borders a residential development in Burleigh, and the affected constituents and I are very worried by the proposal. Residents have lived for many years with an existing quarry in close proximity and were hopeful that, with the end in sight for the Burleigh Heads quarry, peace would return to their neighbourhood. Not so!

Boral Industries has held a public meeting and provided residents with information on the proposal, as well as assurances that the impact of the quarry would be minimal. But the residents are adamant: they do not want a quarry on their doorstep. I can understand this. I certainly would not want a quarry in my backyard.

The Coordinator-General has declared the project to be a 'significant project' for which an environmental impact statement is required. Residents can have their say on the terms of reference, but they must be received in writing by 5 pm on Friday, 1 April 2011. I urge residents to take this opportunity.

This development has the potential to significantly affect the quality of life for the residents in Old Burleigh Town, and I wish to assure this House that I will be standing with residents on this issue. The need to balance development with lifestyle has never been more important. My constituents have an area of greenspace on their doorstep and they do not want to see it turned into a quarry. I am committed to ensuring they have a voice on this matter.

I understand environmental offsets can potentially secure more land for nature conservation and public recreation. This in itself is a good thing—even better would be that developers work to ensure that projects have no negative environmental impacts. I commend the bill to the House.

 **Mr GIBSON** (Gympie—LNP) (3.11 pm): I rise this afternoon to make a contribution to the Environmental Protection and Other Acts Amendment Bill. I note that the explanatory notes accompanying the bill state—

The principal objective of the Bill is to include conditioning powers to place beyond doubt that environmental offset conditions may be imposed on development approvals, environmental authorities and other approvals for development.

They state further—

These conditioning powers are administered through the Queensland Government Environmental Offsets Policy (QGEOP), which commenced—

as we all know—

on 1 July 2008 ...

I commence by raising some concerns with regard to the Queensland Government Environmental Offsets Policy. The concept of offsets as we have heard explained by many within this House is a trade-off whereby there is a view that we can have an offset and enable a project to go forward. I take a slightly different view than has been put forward—that is, if a project is going to have an adverse environmental impact then clearly we should make a decision that the project should not go ahead regardless of what it is and accept that decision, or we should decide that the environmental impacts are not adverse and allow the project to continue. There should be, in my view, very few occasions where we do need to pursue environmental offsets.

I started to think about it, because those opposite speak about offsets with a religious fervour. They are there embracing this concept. I thought: is it the case that perhaps I am out in left field here? Perhaps I am not following the views of my colleagues over on the Left. So I did some research. I looked at what is being said about environmental offsets. I came across this concern that was raised in a submission to the government that was submitted only last year on 12 March. It is from a group that says—

We do not support the use of offsets in all but the most limited circumstances—

this was with regard to the environmental protection policy—

We advocate for offset rules that contain clear, defensible, scientifically based method for quantifying the relevant value to be offset ... Again, we strongly oppose a clause in an EPP that permits financial contributions being paid in lieu of an approved cropping offset.

As I read that, I thought: I am not alone here. I am not by myself in opposition to this revenue raising—as we have heard from some denying it, but I believe it is the case—we are seeing being couched in the terms of environmental offsets.

Where did I draw that information from? Which right wing think tank did I turn to to find that opposition to environmental offsets? The Environmental Defenders Office—well known for their commitment to the right of politics, hardly! But here they are just over 12 months ago putting forward their concerns about the very model that we see in this legislation being put forward. That got me thinking about the religious fervour.

What we have with offsets is nothing new. Indeed, it is the indulgences of the 21st century whereby we allow a little bit of sin because you can pay for it in advance. Instead of actually getting down to the elements and saying, 'This project should not go ahead because of its environmental impacts,' or 'This project should go ahead because we have assessed the environmental impacts and we find that they are not major,' we have this position where we are going to say, 'We will allow the project to go ahead if you cough up some cash.' That is what this is about. It is nothing more than another Labor government grab for cash.


At a time when families are doing it tough, at a time when the development industry is struggling in this state and we are seeing the lack of approvals for construction work to go forward and that flowing through, here we have a government who wants to add more taxes and that will hurt the bottom line. How will these offsets be paid? The answer is: Queenslanders will pay them in higher prices. They will pay them in increased costs. One thing we know on this side of the House is that, when it comes to increased costs, the Labor Party does not care. The Labor Party is a party that has ratcheted up the costs on ordinary Queenslanders time and time and time again over the long term.

We have a situation here with the bill where we see that funds will be put into the Balance the Earth Trust. There has been much said about the transparency and accountability of that. I note the shadow minister has raised some very valid concerns with regard to that. He has drawn a comparison to the Ecofund. I have listened very closely to the speeches that have been made. I note that the member for Sandgate and the member for Capalaba stood up in this House and said, 'But the fund is audited by the Auditor-General, so therefore we should be happy.' I thought to myself: let me have a look at that report from the Auditor-General and see what the Auditor-General has said. And I did.

For those opposite who are at times so lazy that they just parrot the speaking notes that they are given and they fail to do research, of all the tabled reports there is not one tabled report in this House—not one—that highlights or even addresses the Ecofund. Furthermore, when you go to the Auditor-General's reports, you find that he does mention it. In Auditor-General's Report No. 13 of 2010 on page 58, there is one line in an annex. It is not the audited report. It does not indicate whether there were any concerns raised. It is simply a statement that highlights when the financial statements were signed, when the audit report was signed and that the Auditor's opinion is noted as being unqualified.

This parliament deserves more. We deserve the right—indeed demand the right—to ensure that we can hold this government to account. Transparency is a critical element. There are no financial reports or audited reports available on the Ecofund Queensland website, nor are they, as I indicated, tabled in the tabled papers database. Interestingly, Ecofund Queensland is an Australian proprietary company, limited by shares. ASIC has its registration date as 12 March 2010. However, when you go to the ASIC website, you will find only three documents in relation to the organisation: a licence, a change to company details and a change to company details. Again, there are no financial reports available through the ASIC website.

What do we face with this bill? We face that great Labor line, 'Trust us, we are from the government.' If there is one thing I know from being in this House it is that we should not trust a Labor government at any time and in any place when it is reaching for our wallet. We should not trust a Labor government when it is trying to hike up charges and taxes. Ordinary Queensland families will face those challenges. So it is with those concerns about the failings of this bill—I do note the shadow minister's points—that I reluctantly support the bill.

 **Mr WELLINGTON** (Nicklin—Ind) (3.19 pm): I rise to participate in the debate on the Environmental Protection and Other Acts Amendment Bill 2009. I note that the intent of this bill is to strengthen the Queensland government's offsets policy. This new policy will be applicable to all developments, including state government developments.

On the Sunshine Coast we have a significant state government development that has been underway for some time and that has certainly seen major opposition from the Sunshine Coast community, ever since the development was first proposed. That opposition continues today. I expect it will continue past the conclusion of the development. That development is part of this government's and the previous government's proposed northern network pipeline linking dams on the Sunshine Coast to Brisbane and beyond.

What we have seen with this pipeline construction is significant degradation of the environment that the pipeline has had to travel through. We anticipate that there will continue to be significant damage to the environment, be it crown land or private land, as the pipeline continues to be built.

I certainly understand the importance of having environmental offsets. We need to do the best we can to ensure the environment is protected. As the pipeline has been progressively laid in the ground there has certainly been significant damage. But I note that various contractors have tried, to the best of their ability, to repair various sites. No doubt state government officers have been critically involved in many of these projects. Many of the landowners certainly have concerns—they have raised these issues with me and with the people involved—regarding the standards that the contractors have had to comply with.

To get to the point, I believe that we need to make sure that this is not simply an opportunity for the government, the Northern Network Alliance or LinkWater—the manager of the project—to say, ‘We will hand over X dollars to meet the environmental offset policy requirements.’ I note that clause 6(5) states—

An environmental offset provision may require a monetary payment to an environmental offset trust.

I flag at this early stage that I believe that that payment should only be considered as a last resort and should not simply be one of the initial considerations. I take members to the subclause immediately prior to that one. Subclause 6(4) states—

An environmental offset condition may require works or activities to be undertaken on land on which relevant mining activity is carried out or on other land in the State.


Again, I am looking for clarification of this from the minister. I believe that can also be further refined by using words like ‘in the state but in the local area’. On the Sunshine Coast we have this massive pipeline being constructed right through the heart of my electorate—from one boundary to the other. If land is to be purchased, leased or secured, we want that land secured on the Sunshine Coast—not Brisbane, the back of Bourke or anywhere else. We want to see that land secured in the immediate locality.

I believe that this bill could be further refined. I will be interested to listen to the minister’s reply to the second reading debate and to the shadow minister’s comments during consideration in detail concerning my call for further refinement of this bill so that we make sure that any environmental offset happens in the locality—in the very area where the damage is being done—and that the environmental offset payment is as a last resort and not an easy way out.

On the Sunshine Coast in the heart of my electorate the pipeline has passed through land that was purchased by our former council to build a dump. The land was at Kulangoor, just north of Nambour and south of Yandina. We understand that there were discussions between LinkWater and the council along the lines: ‘Council, we will purchase the land from you for the purpose of having an environmental offset.’ I put on the parliamentary record at this stage that the community is adamant that it wants to see LinkWater proceed with the purchase of that council land as an environmental offset. As I speak, I am still trying to organise a meeting with LinkWater staff and other parties to try to get to the bottom of the arrangement and the condition that the Coordinator-General, I understand, put on the original approval for this project—that being the need for environmental offset and the need for this land to be purchased if appropriate arrangements could be made. The reality is that this land has no other purpose than as an environmental offset. It is between two national parks. It is between two environmentally significant parcels of land. What we now have is a pipeline running right through the middle of it.

The reality is that the council will never be able to use that land as a dump, which is what the council originally purchased it for. We believe that the council needs to recoup as much money as it can, bearing in mind it was ratepayers’ money that the former council used to purchase that land for the dump. Now that the dump is not happening, now that the pipeline is built through the centre of this land, we believe it is fair and reasonable for LinkWater to be required to honour the intent of those conditions and purchase that land at a fair market price from the council so that we have an immediate benefit. We would then see the benefit in the very area where the pipeline is located. The council would then be able to recover some funds and be reimbursed for the significant amount of money it paid when it purchased the land from the previous landowners. I note that I have received a further email from the KADAG action group asking for the latest when it comes to this issue of environmental offsets. I am certainly looking forward to this bill proceeding to the consideration in detail stage.

The issue I was seeking clarification on relates to clause 6, at subclauses (4) and (5), which relates to making sure that the environmental offsets happen in the immediate locality and not anywhere in the state. More importantly, if money is to be paid it should be as a last resort and not simply one of the initial considerations or an easy way out of what is no doubt a very difficult and contentious matter. I certainly look forward to the matter proceeding to the consideration in detail stage and look forward to the shadow minister’s amendments being debated and voted on.

 **Ms MALE** (Pine Rivers—ALP) (3.26 pm): I rise to support the Environmental Protection and Other Acts Amendment Bill 2009. This bill is going to amend the Environmental Protection Act 1994, the Fisheries Act 1994, the Nature Conservation Act 1992 and the Sustainable Planning Act 2009.

In relation to the vegetation management issues of this bill, the Department of Environment and Resource Management has had a policy since 2005 for vegetation management offsets, which we have heard talked about during this debate. The efficacy of this regime is already evident in the results being achieved around the state. One such example relates to an expansion of a large feedlot in the Dalby region which supported significant environmental values. The development application involved the clearing of 7.9 hectares of remnant vegetation and required assessment under the vegetation management framework and the Vegetation Management Act 1999.

There was no other suitable location for the site and the clearing could not be avoided through redesigning the feedlot. To mitigate these impacts the Department of Environment and Resource Management required an offset of equivalent ecological value. The developer identified a suitable offset on land it owned and agreed to protect it for a period of 20 years using a land covenant. The offset contained the same regional ecosystem as the area to be cleared and was approximately 69 hectares, making the ratio of the cleared area to the offset area roughly one to eight.

In line with vegetation offsets policy, the offset area contained non-remnant vegetation as well as mature regrowth vegetation, meaning that the area will be able to be mapped as remnant vegetation within 20 years, and there was no pre-existing legal protection from clearing. The offset area was in good condition, with only a few weeds and no evidence of feral animals which might impact upon the viability of the offset area. Significant features of the offset included its proximity to the cleared land, the connectivity it provided by linking two large patches of remnant vegetation to a watercourse and the presence of an endangered plant species.

I think this goes some way to addressing what the member for Nicklin was saying in that we should try to keep offsets in the same area, in the same sort of regional ecosystem and under the same type of vegetation management. In this particular example that has worked to the benefit of both the development and the local area. It meets all of those criteria so it is working quite well. In this particular instance, the developer agreed to additional activities, including revegetation of nine hectares of the offset area. The Department of Environment and Resource Management permitted controlled grazing over part of the site.

The application of the vegetation offsets regime enabled an existing development to expand which contributed to the economy of the surrounding area while ensuring the protection of native vegetation, including an endangered species of plant. Moreover, not only were the values of the cleared vegetation offset; the arrangement will, over time, achieve strategic biodiversity outcomes by increasing the overall extent of native vegetation in the area and ensure its protection until it reaches maturity. This bill complements the vegetation offset regime by adding legal certainty to the process and ensuring it aligns with the Queensland government position on the use of environmental offsets. This will ultimately give landholders and developers another avenue through which to seek approval of projects while protecting native vegetation and preserving the state's environmental values for the future.

This is very important in not only country areas but also urban areas such as Pine Rivers. There is significant koala habitat throughout the Pine Rivers area and a variety of groups are working closely with council and the state government to ensure the protection of koalas in terms of the clearing of land, especially land where koalas are known to be. At the community cabinet held in the Pine Rivers electorate at the end of last year Minister Kate Jones met with a large number of local environmental groups and these were some of the issues that they raised at that breakfast meeting. It was great to have the opportunity to sit down in a very relaxed manner and talk about the things that are concerning local people every day in their wish to help preserve the environment and also preserve the recreational opportunities that are available to local residents.

Indeed, koalas are a huge issue and Queensland has a state planning policy which is guiding future land use planning decisions. There is also a state planning regulatory provision to ensure that development applications currently being considered incorporate koala conservation considerations. It is this whole-of-government policy that is working towards the protection of a very vulnerable species and an iconic species for Queensland. When one thinks of Queensland, one thinks of koalas and kangaroos. I also think of the northern hairy-nosed wombat when I think of—


Ms Jones: And we've got a baby in the pouch!

Ms MALE: We have a baby in the pouch, and congratulations to the minister for getting that area established in order to protect our wombats, which are just the most wonderful creatures.

While talking about vegetation management offsets and protecting our koalas, I very briefly want to talk about the Australia Zoo Wildlife Hospital. It treats over 600 koalas every year. Obviously not all of that is because of land clearing. Some of it is, but it is because of dog attacks and residential impacts and vegetation clearing. However, it is also because of disease that happens within our koala populations. The wildlife hospital through Dr Jon Hanger and his team is doing a lot of research into viruses that affect koalas as well as the impact of land clearing. It is important that we all get behind these sorts of efforts, because if we do everything we possibly can through the policies this government is producing, through research and through the great work of people at Australia Zoo Wildlife Hospital, we will make a difference to this species and other species within our local area and across Queensland as a whole.

We have to support specific issue offset policies for koalas. As I said, this bill complements that through our state government's Koala Response Strategy and a number of reforms that were talked about last year, and I know that the member for Capalaba referred to that extensively in his speech on this bill. On the whole, the policies that the Bligh Labor government is putting in place are all about

managing the environment and about managing development, especially in the South-East Queensland area, which is at a premium. There are people who want to live here. We need to find places for them. We also need economic activity and industry here. We have to find a way that balances all of these things, and the bill we are debating today will certainly add to that. I commend the bill to the House.

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (3.33 pm), in reply: I thank all honourable members who took part in this debate. The Environmental Protection and Other Acts Amendment Bill 2009 will provide legal certainty for environmental offset conditions placed on development approvals or other approvals for activities which impact on environmental values. An environmental offset is a positive action taken by a person to compensate for unavoidable negative impacts on the natural environment. This bill not only provides legal certainty for environmental offset conditions but also enshrines the hierarchy that we believe in on this side of the House—that is, avoid, minimise and then offset into the legislation. This ensures that the main principle of offsets worldwide is embedded into the decision making about developments in Queensland—that is, that an offset is a last resort after all cost-effective on-site measures to avoid and minimise the impact have been done. I want to stress that point due to a number of comments made by members and the Independents. This really highlights that there is a hierarchy with regard to what we want to see, particularly regarding the points that the member for Nanango made in her contribution. I will come to those points later.

The member for Bundaberg told parliament that the opposition supports actions that strengthen and legitimise environmental offset conditions. He claimed that the opposition's concerns were only about the aspects of the bill that support financial contributions to an environmental offset trust as one way in which an environmental offset obligation can be discharged. I seek clarity as to whether that is the LNP's position—that is, it does not think under any circumstances there should ever be financial contributions. That is quite contrary to what other members of the LNP have said publicly and indeed quite contrary to other levels of LNP government, including the Brisbane City Council. A financial contribution is not the only way for a developer to meet an environmental offset obligation. Of course—and I make this point in particular for the member for Nicklin who raised it—the developer can avoid the need for an offset in all circumstances by avoiding and minimising the impact on the natural environment.

It is appropriate at this point to refer to the member for Nanango's concerns about whether there could be an offset for, say, a mining company that would impact on agricultural land. I cannot foresee where that would ever occur and I want to give her some assurance here today that the way that we have done offsetting is by specific purpose—that is, vegetation management offset or, as we heard a number of members mention, koalas. There is a koala offsetting arrangement specifically for that, so the offset would actually have to deliver. Therefore, if it was an environmental offset it would have to deliver an environmental outcome and agricultural land would not be able to do that. I want to give the member an assurance that I do not share those concerns and I want to allay her fears about that by saying that that would not be foreseen under these circumstances in any way because it would not actually meet the requirements of the offset as part of the development application approval.

As I said, an offset will only be required if an unavoidable and negative impact is caused after these other measures have been taken. The developer can then use any of the tools specified in the specific offsets policy to meet the environmental offset obligation. For example, under the policy for vegetation management offsets, an offset can be secured through a declaration of an area under the Vegetation Management Act 1999; a covenant under the Land Title Act 1994, the Land Act 1994 or the Sustainable Planning Act 2009; a dedication as a protected area under the Nature Conservation Act 1992; or another legally binding mechanism approved by the Department of Environment and Resource Management which provides for the protection of offset vegetation consistent with its policies. Once we make a decision, an offset path might be the one that results after you have avoided and minimised. There is then another safeguard in that it is the Department of Environment and Resource Management or the other decision maker which determines what that offset can be and ensures that it complies with the policy that we have in place.

Generally, if an offset is a measure of last resort in addressing environmental impacts, then the financial contribution is a measure of last resort when requiring an offset. Once again, to allay any fears by predominantly some of the Independent members and opposition members as well, the hierarchy that is included in the bill before the House says that even when you have done the avoiding, the minimising and you are at the offset path in the offset decision making, it is a financial contribution which is considered as an absolute last resort in that framework. We are absolutely about ensuring through an offsets framework that we do provide better environmental outcomes in Queensland by having this policy in place. As members have said in their contributions, this is also increasingly the view of councils that also want to see this happening in their communities, and most of them have a very similar framework to that of the Queensland government if this bill is agreed to.

With bipartisan support for the primary purpose of the bill, the opposition's only concern seems to be about the accountability and transparency of Ecofund. However, I note that that concern had no content. The contribution of the member for Bundaberg was just insults and personal attacks on people with no basis. But as I have seen from the shadow minister, this seems to be his approach, which surprises me because I had heard that he was quite a decent fellow.

A government member interjected.

Ms JONES: I know. I have had my eyes opened. I like to see the best in people, but his first question to me as a shadow minister was a personal attack on someone and his first contribution to the debate of a bill as shadow minister was not about the facts of the bill, it was not about the intent of the bill; it was a personal attack on public servants.

Mr Reeves: He's got form on that.

Ms JONES: I take the interjection from the honourable Minister for Sport and Minister for Child Safety about his form. I am not interested in scaremongering and personal attacks on people; I am interested in the facts, which is what I am sure the people of Queensland want from their parliamentarians. The Balance the Earth Trust is one of the trusts to which payments can be made. It is not the only trust to which payments can be made. The Balance the Earth Trust was founded in October 2009 as a strategy by the state government to aggregate funds from various sources to be applied towards environmental purposes in Queensland. So the trust was founded to increase the number of protected areas in the state. There were some contributions from both members of the opposition and the government to the effect that we want to avoid having a piecemeal approach with an offsets policy—having little parcels across the place—and that we want to deliver a broader and better outcome for the environment. That is exactly what motivated the state government to go down this path. It was not some dodgy deal, as was claimed without foundation or basis by the shadow minister. On this side of the parliament, as we have demonstrated time and time again, we are committed to advancing and protecting the environment in Queensland and that is what we are trying to do here.

There are also various checks and balances in place to ensure that moneys received by the Balance the Earth Trust are invested appropriately. Under section 24 of the Trusts Act 1973, the trustee must have regard to the purposes of the trust when exercising a power of investment. The purposes of the trust, as stated in the trust deed, are to be for environmental purposes, which means the protection and enhancement of the natural environment or of a significant part of the natural environment within the state of Queensland, or the dissemination of information or the provision of education or the carrying out of research about the natural environment or a significant aspect of the natural environment within the state of Queensland.

I would also like to advise honourable members of the House that the Balance the Earth Trust was audited by the Queensland Audit Office for the 2009-10 financial year and—this is a huge secret—the trust will be audited by the Queensland Audit Office again in future end-of-financial year audits. That is a sneaky, sneaky organisation! I am happy to provide the honourable member with a copy of that audit if he would like it. I am happy to table that for the honourable member.

Tabled paper: Copy of financial report for the period 9 October 2009 to 30 June 2010 for the Balance the Earth Trust [\[4138\]](#).

The Commonwealth government has approved the application for the Balance the Earth Trust to receive deductible gift receipt status to allow the trust to issue tax-deductible receipts for gifts and philanthropic donations. So just to be clear so there is no confusion here, this provision does not apply to regulatory contributions—the contributions that we have been talking about in the House, for example, the ones regarding koala offsets or the ones regarding vegetation management offset obligations—the tax deductibility test is to apply only to philanthropic donations or gifts. But, despite what the shadow minister said, this bill is not about Ecofund or the Balance the Earth Trust; it is about getting a very clear position in law about our offsets policy.

There seemed to be division in the LNP in some of their comments. Some LNP members said that they supported an offsets regime, some LNP members did not support an offsets regime and some LNP members were not sure about how an offsets regime applies. Some LNP members did not understand what an offset was. Once again, as always, we saw the LNP failing when it comes to understanding environmental policy or supporting environmental policy in Queensland. I say to the people in the gallery that I introduced a bill before this House—the Great Barrier Reef Protection Amendment Bill—that protected the Great Barrier Reef in Queensland. The LNP voted against it. So when it comes to protecting the environment, the LNP has an appalling record. I trust that we will get bipartisan support here today in order to advance the environmental regulation in Queensland. With those few comments, I commend the bill to the House.

Division: Question put—That the bill be now read a second time.

Resolved in the affirmative under standing order 108.

Bill read a second time.

Consideration in Detail

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mr MESSENGER (3.50 pm): The minister probably realises that I do not think that this legislation is protecting the environment. In fact, it is more protection money. Throughout the history of this government we have seen this government continually put more and more regulation—more and more colours on the vegetation management maps. Lately I have been speaking with people who want to develop in the Burnett. In the Moore Park region there is another colour being laid down on the maps and it is called the wetland regulation. If people want to develop in these communities they are going to have to work through this government regulation. Ultimately it will cost the developers more money to develop in these small rural communities that are covered by these different colours on the map.

Many members made speeches about the kinds of regulations that this government has laid down, about this government breaking its trust with the people and about not being able to trust what this government has to say. I can see a future where there will be more and more regulations and the government will use these environmental offsets, particularly the monetary conditions, as a revenue raiser. It will be a grab for cash, as members of the LNP quite eloquently put it. I am disappointed that members of the LNP chose to vote in support of this legislation. There was always an adage within conservative politics: 'if in doubt, throw it out'. There is considerable doubt about the transparency of this legislation.

Clause 6(5) states—

An environmental offset condition may require a monetary payment to an environmental offset trust.

Would the minister mind listing all the trusts to which people and developers can make those payments? Developers pass on those costs to people like first home owners. Young couples trying to get a start in life in rural and regional communities will be paying out more money to the developers who, of course, will have to pay this bribe money, as I see it, to the government. Would the minister please detail where that money is going in those environmental offset trusts? Would the minister mind listing the names of the people who are on the Balance the Earth Trust and how many people are on it?

Ms JONES: In response to the honourable member's contribution I have two things to say. One is that in Queensland we have the Balance the Earth Trust. This legislation is about enabling other levels of government—local governments such as the Brisbane City Council—to have their own offsetting policies and their own trusts. I am not aware of what trusts local governments across Queensland have established. That is something the honourable member can seek to find out if he likes. Secondly, in relation to the board, that has already been part of this parliamentary debate and I refer him to *Hansard*.

Mr MESSENGER: What an answer. A minister of the Crown should be across her portfolio and should know the names of those trusts that require monetary payments. The minister is first of all unable to name those trusts.

Ms Jones: The council.

Mr MESSENGER: You are making the legislation that is enabling those trusts so you should at least know the names of those trusts.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Member for Burnett, you will direct your comments through the chair.

Mr MESSENGER: I have asked that the minister name those people who are on the Balance the Earth Trust. I know that the minister has tabled an annual report. I am looking forward to reading that. Of course, it must be noted that the minister is not required under this legislation to table that report. The government has been shamed into tabling that report because of very good arguments by a number of members on this side of the House about the lack of transparency and accountability that has been shown by this legislation. It would be good to find out whether the trust involves the likes of Aila Keto or those extreme green people who have been driving this government's environmental policies to the detriment of my farmers and regional developers who have had unfair colours laid over their property and who have had their property rights stolen.

Ms Jones: So you have a personal interest?

Mr MESSENGER: Sorry, Minister?

Ms Jones interjected.

Mr MESSENGER: The government talks about faceless people in the LNP. That is a fair enough call. But I would like to see the faceless people who are driving the green policy within the ALP. I bet that if we were going to find the faceless people on the Labor side of politics we would find them in places like the Balance the Earth Trust and the other trusts being set up by this government that will benefit from legislation passed by this government and will benefit from the money that will flow to these trusts.

They might go out and start painting rocks for all we know. We do not know what sort of environmental activities they are likely to undertake to try to improve the environment. Once again I invite the minister to list the names of those trusts and also to table a list of the people on those trusts so that we can check them out to find out what interests those people have and which organisations those people are attached to.

Ms JONES: At the state level, this bill is about the Balance the Earth Trust. The people on the Balance the Earth Trust have already been named as part of this parliamentary debate, so secret it is. I invite the honourable member to read *Hansard* of the parliamentary debate he is now participating in so that he can have these names.

I do not think the member for Burnett and I will ever see eye to eye when it comes to environmental policy. As to who is the face of environmental policy in this government, it is me. I am the face of the Queensland government's environmental policy and I am proud to be that face. I will continue to deliver strong environmental protection for Queensland and for Queenslanders, as the member for Nanango knows.

I would also like to put on the public record that in relation to this concern—feigned concern—by the member for Burnett about the Balance the Earth Trust, it has been audited by the Queensland Audit Office and will continue to be audited by the Queensland Audit Office. It also, in its establishment, continues to comply with the Trust Accounts Act and the Financial Accountability Act. If the honourable member is aware of anything improper, inappropriate, wrong or corrupt then he should refer that to the CMC, as should anybody else who has any allegations of misappropriation in Queensland.

Mrs CUNNINGHAM: I thank the minister for that response. I seek some additional clarification. The bill lists 'environmental offset trust' as meaning the Balance the Earth Trust and gives an explanation of what is the Balance the Earth Trust, which is the trust established by that name in the state on 9 October 2009. It also states—

environmental offset trust means the Balance the Earth Trust or another trust established to accept and manage amounts to fund the undertaking of works or activities to counterbalance the impacts of environmentally relevant activities or other activities on the natural environment.

Given that some of the payments to that trust are going to be substantial, because we talk about offset areas being quite substantial, often in big mining or industrial developments, I ask: is the qualification that it is Balance the Earth Trust or another entity simply to give protection if the Balance the Earth Trust ceases to function or is it to envisage that additional trusts may be entered into? If it is the latter, I can understand the member for Burnett's concerns because significant amounts of money potentially could be administered by a group that is unknown to the community. I seek that clarification.

Ms JONES: I thank the honourable member for Gladstone for that sober questioning. She is absolutely right to question it. We have said 'or another trust' to enable local governments to set up their trusts. The Queensland government will have the Balance the Earth Trust. One of the reasons this bill is before the House is that local governments want clarity about their legal status in regards to having offsetting policies of their own. Some councils already have quite well developed offsetting policies, for example, the Redlands City Council with koala habitat protection. When we talk about another trust, we are not talking about the state government setting up a whole lot of different trusts. The idea of this bill is to have one trust, but to enable councils to go down that path, if they want to, with legal certainty.

Clause 6, as read, agreed to.

Clauses 7 to 14, as read, agreed to.

Insertion of new clause—



Mr DEMPSEY (4.01 pm): I move—

1 After clause 14

Page 10, after line 9—

insert—

'14A Insertion of new ch 12, pt 4C

'Chapter 12—

insert—

'Part 4C Environmental offset trusts

'579D Environmental offset trusts

'(1) This section applies in relation to a payment made to a trust under an environmental offset condition.

'(2) The trust is an **environmental offset trust** only if—

- (a) the trust is the Balance the Earth Trust or another trust established to accept and manage amounts to fund the undertaking of works or activities to counterbalance the impacts of environmentally relevant activities or other activities on the natural environment; and
- (b) for the last financial year ending before the payment (or, if the payment is made less than 2 months after the end of a financial year, the financial year before the last financial year)—

- (i) the trust has been, or is being, audited by the auditor-general; and
- (ii) the following documents for the trust have been given to the Minister for tabling in the Legislative Assembly—
 - (A) annual report;
 - (B) income and expenditure statement;
 - (C) balance sheet;
 - (D) forward plan for the next financial year.

'(3) The auditor-general may audit a trust for the purpose of this section.

'(4) Subsection (2)(b) does not apply in relation to a payment made before 1 September 2011.'

I table the explanatory notes to the amendments.

Tabled paper: Explanatory notes to Mr Dempsey's amendments to the Environmental Protection and Other Acts Amendment Bill 2009 [4139].

The amendment inserts, after clause 14, a new chapter 12, part 4C. Proposed new section 579D refers to environmental offset trusts and ensures that the trust is audited by the Auditor-General. As we have heard from the minister, that will take place. However, this proposed new section increases that oversight and how it is dealt with before the House. It ensures that within two months of the end of the financial year an annual report is tabled in parliament containing an income and expenditure statement, a balance sheet and a forward plan for the next financial year. That extends the whole oversight and transparency in relation to this legislation. The minister has said that the Auditor-General will audit the legislation every year. We want to put that into the legislation in black and white, so that we know that accountable procedures are in place and that they will be brought before the parliament in full, where they can be seen by the people of Queensland.

Proposed new part 4C, Environmental offsets trusts, states—

579D Environmental offsets trust

'(1) This section applies in relation to a payment made to a trust under an environmental offset condition.

A lot of examples of offsets have been given throughout this debate. It must be said that for people from both sides of the House it can come as a surprise to discover exactly what can be offset, even though it may be a benefit to the environment. The member for Morayfield spoke about offsets in relation to university courses, building jetties and so forth. While those are great initiatives, we would like to see greater accountability in relation to the legislation. The Auditor-General should have oversight of the financial records, but also we want to ensure that the direction, the credibility and the reputation of the trusts are maintained. The amendment brings a standard of oversight that a number of other departments already have and strengthens the reputation of the legislation.

The amendment continues—

- (2) The trust is an *environmental offset trust* only if—
 - (a) the trust is the Balance the Earth Trust or another trust established to accept and manage amounts to fund the undertaking of works or activities to counterbalance impacts of environmentally relevant activities or other activities on the natural environment; and
 - (b) for the last financial year ending before the payment (or, if the payment is made less than 2 months after the end of a financial year, the financial year before the last financial year)—
 - (i) the trust has been, or is being, audited by the auditor-general; and
 - (ii) the following documents for the trust have been given to the Minister for tabling in the Legislative Assembly—
 - (A) annual report;
 - (B) income and expenditure statement;
 - (C) balance sheet;
 - (D) forward plan for the next financial year.

That is straightforward. The same conditions cover a number of other non-government organisations that come under the control of the government, as well as other government departments. Therefore, we will have the same standard of accountability. The amendment continues—

(3) The auditor-general may audit a trust for the purpose of this section.

(4) Subsection (2)(b) does not apply in relation to a payment made before 1 September 2011.

Earlier this morning, an Auditor-General of Queensland report in relation to local government was tabled. That report states that it is not just about the financial statements. It states that it has a mandate in the area of financial and assurance audits. However, the public sector audit function is wider than the

audit of the financial statements. The Auditor-General's mandate also includes the audit of performance management systems. Therefore, we have put this amendment before the House to strengthen the legislation and to ensure that the responsibility does not come back to the minister. It creates a level of credibility and checks and balances to ensure that the direction of the trusts and funds are not put out by flippant comments in relation to how they may or may not be operated. They will come before this House and will be scrutinised at the highest level so that the people of Queensland can have faith in the trusts and funds and the legislation. This amendment is about accountability and confidence in the legislation.

To strengthen the transparency of the legislation, when we first started talking about the bill we spoke of legislation about the committees and so forth. We have to have a high standard of accountability built into the process. While I have a lot of faith in the Auditor-General, we must not put that role in a predicament because we do not have the highest standard of accountability. The member for Sandgate mentioned public servants. I fully support the public servants. I thank the minister's staff for their briefing and for their passion and enthusiasm for this legislation. I do not want to put those people in a predicament because under this legislation there is no oversight by the CMC in relation to any form of misconduct. The CMC is independent of the government. The CMC used to have the oversight of organisations such as the port authorities, what used to be Queensland Rail, and other bodies.

The people of Queensland have a great deal of confidence in the CMC. The passage of this amendment would allow that oversight by the CMC to take place. In that way we can protect the public servants who are more or less involved in the different committees and boards of these trusts and funds. It is also respecting the process of parliament. As I said, it is about ensuring not only the financial accountability but also that the objectives are met. Under this legislation there are checks and balances for the environmental outcomes so that the environmental standards are at the highest level. We are not bringing down the reputation of those funds to a lower standard. We have to ensure that their credibility is protected.

If the government were to accept the amendment we have moved it would show that it has confidence in the process because it would increase the high level of accountability in relation to this legislation. It deserves to have the highest standard of accountability. The minister said previously that the Auditor-General will be assessing this legislation. However, that is still not written in legislation and any future minister can change that process. It needs to be written in legislation, and this amendment does that. It would ensure that these documents—and therefore their credibility—are brought before the House.

Ms JONES: I thank the honourable member for his contribution. I think it is really important that I say to the Queensland parliament that I have absolute faith in the accountability of the Balance the Earth Trust. Far from having no oversight, as I think the previous speaker implied—and I want to make sure there is clarity for everyone in this House—there is a Trusts Act in Queensland which is the legislation that oversees trusts established in Queensland. There is already legislation in Queensland that does this job. The trust must also comply with the Financial Accountability Act. So these amendments are not necessary. There are already safeguards in the legislative framework of Queensland that oversees trusts.

I want to highlight one element of the amendment that I propose would be unworkable. If the opposition's proposal were adopted, in actual fact any council that set up its own offset trust would have to provide that information to the Queensland parliament. That does not make sense to me because they have actually got their own mechanisms of accountability within their own regimes. I do not believe that that is documentation that we would necessarily want presented to the Queensland parliament.

I do not think these measures are necessary. We will not be accepting the amendments. I ask in all sincerity: am I confident that there is a framework in place that provides accountability? Yes. I think the Trusts Act and the Financial Accountability Act do just that.

Mr MESSENGER: I rise to support the opposition's amendment. I think it is a very good amendment that will add to the transparency and accountability of this place. The minister talks about putting imposts on local councils. Quite frankly, we have now reached the stage where local councils are out of control in relation to their costs and spending. From their perspective, 40 per cent of the infrastructure charges that normally the state government would help them with have been withdrawn. Because of the amalgamations that this government forced on local councils, they are now in a very desperate situation. I will give an example. The headworks charges that Bundaberg Regional Council is now forcing developers and prospective business owners to pay are absolutely over the top and are stifling development in the Burnett-Bundaberg region. I can see that if the councils have an opportunity to gain some more funds through this legislation they will grab it with both hands and run with it. We need to ensure that councils are held to account. What is wrong with bringing those reports back to this place—the people's place—so that we can examine in detail the spending in those areas?

One example has already been given to me about a development in Bundaberg—that is, the fifth-stage development at the Friendly Society Private Hospital. When they took their plans to the local council, the local council held out their hands and said, '\$1.6 million in headworks charges.' Fortunately the hard-nosed CEO of the Friendly Society Private Hospital said, 'No, we're not going to pay those over-the-top headworks charges. We will not go ahead with the development but the reason the development did not go ahead will be front-page news in the Bundaberg *News-Mail*.' The council was then forced to renegotiate with that company and bring the charges down to about \$0.6 million.

There are numerous other examples of developers and business owners, who are trying to get ahead and recover from the flooding and disasters, suffering because the local councils, for a range of reasons—and the state government is to blame for those reasons due to underfunding the councils—are scrambling for cash. Like this state government, they will take every last dollar from a developer. That is hurting regional and rural communities and it is also limiting job opportunities and growth. It is centralising growth back to the south-east corner and to Brisbane. It is stopping growth in the rural and regional areas. We should bring in this measure, which will add to the accountability of the councils and allow ratepayers, through this place, to properly scrutinise those funds.

Ms JONES: I will only make one other comment because I do not think we need to prolong this as we are going over old ground. I should articulate, particularly for those other Independent members who are listening, that it is already a requirement of the Trusts Act, which applies to all trusts established in Queensland, including the Balance the Earth Trust or any other potential trust established by council, for all trusts to undertake an audit annually. When it comes to protection and accountability of trusts in Queensland, under the legislative framework which has been serving Queensland for a long time they are already required to do an audit on an annual basis. I am confident that we have a legislative framework in Queensland that does just that.

Mr DEMPSEY: We understand that there is a degree of accountability. What we are talking about is the level of accountability. We have the auditor, the councils and those checks and balances, but we have no oversight. The CMC is not able to investigate any of these organisations. There is the Trusts Act and audits and auditors are appointed—even for the basic business of any organisation. What would happen if we were to apply that level of accountability to this process and then to every other department throughout the whole of the state? That would lower the bar again and again. This amendment is about ensuring that we set a higher level so that we have a greater degree of oversight. It is not just about oversight of the financial management; it is also about ensuring that the objectives of those trusts and funds are able to be achieved.

As was stated earlier, we would then add a process whereby the information about what is happening out in the community would come back to this parliament, ensuring that taxpayers' funds are protected. As previously mentioned, \$3 million to \$4 million in taxpayers' funds has already gone into establishing these trusts and funds. However, the average Queenslanders in the street has no say in how that money is to be spent.

It beggars belief in some ways. We will come back and hear about how the money was spent and think that is great. But how do we know we are getting maximum bang for our buck out of these taxes that will be paid under this legislation? I implore the minister to acknowledge that this amendment is common sense. This will increase the accountability of this legislation. Everyone involved will feel a lot better knowing that these checks and balances are in place and that the reports will be brought before this parliament. That is why we have parliament. Parliament should be able to scrutinise legislation and ensure that we get the best bang for our buck. We do not have to create innuendo, suspicion and paranoia. But I can see that that could happen if we do not have a higher standard of accountability. The Auditor-General will do a great job, but again it is not written in legislation that the Auditor-General will do an audit every year and will report back to this parliament. I think it is a simple, common-sense approach to ensure the longevity of this legislation and to ensure greater oversight and transparency.

Ms JONES: What a day to talk about parliamentary accountability! We have the LNP in Queensland purporting that the Leader of the Opposition does not sit in the Queensland parliament. What a day to talk about—

Mr Dempsey: Do you want to stay here till dinner time or what? Just get it moving, finish it and it's done. If you want to go on to something else, stick to the bill.

Mr DEPUTY SPEAKER (Mr Kilburn): Order! The minister has the call.

Ms JONES: I am sorry if I upset you, honourable member.

Mr Dempsey: Just stick to the bill.

Ms JONES: You gave a five-minute speech.

Mr Hinchliffe: He's muscling up to show off for a reshuffle.

Ms JONES: Yes, you have to prove yourself to the new leader.

Mr DEPUTY SPEAKER: Order! All comments will be directed through the chair.

Ms JONES: I am simply making the point that the honourable shadow minister spent five minutes talking about how important parliamentary accountability is to ensure taxpayers' dollars are spent appropriately. We, as taxpayers, are funding an extra \$60,000 a year to the Leader of the Opposition who has just told the media today that he has no intention of being the Leader of the Opposition or the Premier in 12 months time. So do not come in here—

Mr Dempsey: Where's the relevance to the legislation?

Ms JONES: The relevance is parliamentary accountability. When it comes to parliamentary accountability, it is ironic that the honourable member—

Mr Dempsey: You have bagged everyone on this side of the House about being relevant to legislation and then there is no relevance in what you're—

Mr DEPUTY SPEAKER: Order! Member for Bundaberg. I would ask the minister to make her comments relevant to the bill.

Ms JONES: I am very happy to. The honourable member made a comment about the accountability of parliament. I support the accountability of parliament: the Leader of the Opposition should face the Queensland people in the parliament.

Mr MESSENGER: I have to say that the minister does have a very good point, listening to her argument. It still does not let her off the hook for opposing this particular amendment to the legislation, but she does have a very good point. I would add to that point. They have an opposition leader at this particular moment who has elected himself opposition leader and they have not even gone through the party process of having the party actually approve that leader. So we are in the twilight zone, Minister.

Mr Horan interjected.

Mr MESSENGER: I take the interjection from the member for Toowoomba South—6 pm tonight is when the official election will happen. Then we will have an opposition leader who is actually approved by the LNP party room. But I digress, Mr Deputy Speaker. I agree with this amendment, which was drawn up by very smart people who probably will not have a job after today or in the next few weeks. It will add to a greater level of certainty and there will be at least some decent scrutiny and accountability for those funds.

Mrs CUNNINGHAM: Can I add my support to the amendment to this extent: I appreciate the minister's previous explanation that the state government will have a trust fund identified and the flexibility in the establishment of trust funds was to give local government an opportunity also to be able to establish trust funds. I believe it is important for the community to be able to see the expenditure of that money. I think the easy answer is that it will come through councils' budget papers, but I have no confidence that that is going to be an obligation or a requirement. I think it is important, again, that significant amounts of money, which are paid to the council or to the state government as an offset for environmental harm caused by an activity, be expended for the benefit of the community affected. It is equally important for that community to know who has the funds and how those funds are administered. On that basis I support the amendment.

Ms JONES: I will not prolong this, but I do just want to say to the member for Gladstone—

Mr Dempsey: Thank goodness.

Ms JONES: I take the interjection from the shadow minister. This is a very deliberate policy of the Queensland government and also lots of regimes around the world and increasingly councils, which is why we wanted this bill passed. Far from hiding what obligations are provided through an offset—remembering that the whole framework is that offset is a last resort—what we want to see and what this policy enables is avoid, minimise and offset. It is actually about conditioning any project or development from occurring.

I am a pretty sure that councils will be singing from the rooftops about what we are trying to achieve through this policy. The whole idea is to build confidence in any decision that we make. The offsets ensure that, wherever possible, under all circumstances any environmental degradation that does have to occur because the project is going ahead is minimised. We will do that as best we can within the legislative framework and the development approval process in Queensland.

I do not share people's concerns that having these trusts is somehow a secret kind of thing. It is actually the opposite. It is actually about saying that we want to deliver new frameworks and offsets which actually mean that we are delivering a new environmental outcome that was not previously there.

Division: Question put—That the member for Bundaberg's amendment be agreed to.

AYES, 26—Bates, Bleijie, Crandon, Cunningham, Davis, Dempsey, Dickson, Elmes, Emerson, Foley, Hobbs, Hopper, Johnson, Langbroek, McArdle, Messenger, Powell, Pratt, Robinson, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

NOES, 47—Attwood, Bligh, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male


Resolved in the negative.

Non-government amendment (Mr Dempsey) negated.

Interruption.

PRIVILEGE


Division, Parliamentary Annexe Lifts

 **Mr SCHWARTEN** (Rockhampton—ALP) (4.35 pm): Mr Deputy Speaker, I rise on a matter of privilege. I draw to your attention and the attention of the House the fact that the lift failed when a number of members were trying to get to this division. That is the reason that for the first time in 22 years I have missed a division. I would ask that that issue be looked at. It has never happened before. I think it is appalling. All of us had allowed plenty of time to get to the division. I ask that the matter be recorded.

Mr DEPUTY SPEAKER (Mr O'Brien): I think that is fair enough, member for Rockhampton. I think you speak on behalf of a few members who missed this division. It looked as though there were at least five or six members outside the door when the bars were closed. I will take that matter up with the Speaker immediately.

MOTION

Division, Question to be Put Again

 **Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (4.37 pm), by leave, without notice: I move—

That the resolution be rescinded and that the question be put again.

Question put—That the motion be agreed to.

Motion agreed to.

ENVIRONMENTAL PROTECTION AND OTHER ACTS AMENDMENT BILL

Consideration in Detail

Resumed.

Division: Question put—That the member for Bundaberg's amendment be agreed to.

AYES, 37—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen


NOES, 48—Attwood, Bligh, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

Resolved in the negative.

Non-government amendment (Mr Dempsey) negated.

Clauses 15 and 16, as read, agreed to.

Clause 17—

 **Mr MESSENGER** (4.47 pm): Clause 17 deals with the amendments of the Fisheries Act 1994 and the environmental offset conditions placed on those particular areas. Dot point (3) of clause 17 states—

With the agreement of the applicant for the approval, an environmental offset condition may require a monetary payment to the Fisheries Research Fund under section 117.

Once again, I ask the minister to supply some details to the House on the Fisheries Research Fund if she is able to. Who runs that fund, which individuals are on it and what sort of work does it carry out? What guarantees do we have that more and more fish habitat will not be regulated and declared? The reason I ask is that it comes as a shock to most communities when that fish habitat is declared. As an example, I refer to the mouth of the Gregory and Burrum rivers which are in the south of my electorate. When one looks at the official maps, the fish habitat goes quite a long way. After speaking with the locals who live along that particular area, they just do not know that it is fish habitat. When one is walking and fishing and doing minor work in an area that has been declared fish habitat, one has to be very careful because there are massive fines that one faces if they transgress that legislation.

There are maximum fines of up to \$300,000 if you transgress the legislation in relation to fish habitat. It has been my experience and the experience of a number of my constituents to whom I have spoken that the officers, especially along the Burrum River and the Hervey Bay districts in the south of my electorate, who are charged with upholding the rules of that environmental legislation have acted like goosestepping morons in some instances, particularly the officer Deryk Smith, who has been creating quite a reputation for himself around the Burrum and Hervey Bay area. So I ask: who is going to monitor these particular provisions? Are the fisheries officers going to be part of that monitoring process? Can the minister give a guarantee that the ability to make this monetary payment to the Fisheries Research Fund is not a way for the government to once again make a grab for cash and that this provision will encourage the government to put in more fish habitats?

Ms JONES: I think it would be really worthwhile reading new section 761A of the bill. The environmental offset condition in the bill clarifies exactly what the amendments to the Fisheries Act do. It states—

An environmental offset condition may relate to works or activities undertaken to counterbalance the impacts of the development on fisheries resources or fish habitat including ... works or activities to enhance or rehabilitate a fish habitat ... the exchange of another fish habitat for a fish habitat affected by the development; and ... contribution to fish habitat research.

With regard to who administers these conditions, this section simply clarifies the environmental offset conditions which exist under the Fisheries Act in Queensland.


Mr MESSENGER: Once again, the minister has failed to answer my question. I have asked if the minister would not mind providing some details about the Fisheries Research Fund—who are the individuals involved with that fund and what sort of activity that fund carries out.

Ms JONES: I am happy to get the minister for fisheries to provide that to the honourable member.

Clause 17, as read, agreed to.

Clauses 18 to 23, as read, agreed to.

Third Reading

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (4.52 pm): I move—

That the bill be now read a third time.

Question put—That the bill be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (4.52 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.


Motion agreed to.

ELECTRICAL SAFETY AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 8 March (see p. 356), on motion of Mr Dick—

That the bill be now read a second time.

 **Mrs STUCKEY** (Currumbin—LNP) (4.52 pm): I rise to speak to the Electrical Safety and Other Legislation Amendment Bill 2011, which was introduced into the House by the honourable member for Greenslopes, the Minister for Education and Industrial Relations, on 8 March this year. He is leaving already. Before I proceed further, I would like to thank the minister and his departmental staff for providing me with a briefing recently. This was with Jennifer Dunn, the associate director, private sector IR; Julie Dahl, from the Department of Justice and Attorney-General; Mick Logan, the director of the Electrical Safety Office; Jordan Watts, the principal policy officer of the Electrical Safety Office; and staff from the minister's office. Mind you, when six staff turned up for our briefing I was a bit surprised, as this bill is not purported to be overly complex or to contain a large number of clauses.

However, I might say at the outset how disappointed I am that the government has sought to merge two very different and completely isolated issues into the one bill. Surely electrical safety reform is deserving of its own bill, particularly as Queensland is the lead state. Just what is Labor trying to hide by tacking on unrelated industrial relations and workers compensation amendments to the back of what are long-awaited and welcome changes to electrical equipment safety? Or is this another case of Labor's ongoing incompetence when it realised that some five-year-old awards matured and it had not prepared? So it had to hastily tack amendments on to an electrical safety bill that was several years in the making.

Although I am thankful that the minister has been considerate enough to circulate 14 amendments prior to the commencement of this debate on the bill currently before the House, I want to place on record my serious concerns at having so many amendments rushed through at the 11th hour with minimal scrutiny. We have no idea whether these additional amendments have been allowed to be scrutinised by stakeholders such as the Local Government Association. I remind honourable members that, to date, the LGAQ has not received additional feedback in relation to its concerns that were forwarded to the minister.

I restate, just for the minister's sake, my appreciation for the briefing from his staff and also the forewarning, although brief, of the amendments. It is concerning that these amendments would have been presented to the parliament only to be further amended, because there was every likelihood that local government employees would not be afforded coverage under the amendments as they stood. We are now being asked to take at face value these new amendments—and we are not talking about one or two but 14 of them. I am not prepared to oppose outright this rushed attempt to supposedly correct the bill. However, I do not support the manner in which this stack of amendments has been added hastily, and I would seek some assurance from the minister that this practice will not become more prevalent.

The explanatory notes state that the bill's objective is to amend the Electrical Safety Act 2002 and the Electrical Safety Regulation 2002 to implement a new Electrical Equipment Safety System, EESS. Queensland is to be the first state to enact this legislation, which will then also be enacted in other Australian states and territories as well as New Zealand, but there is no guarantee that other states will not have some differences in their legislation.

In addition to this national model legislation, the bill also establishes a national register of safe electrical equipment. The national register will be made available to register responsible suppliers and level 2 or 3 in-scope electrical equipment, to record information about certificates of conformity, and to access information in the register. As Queensland currently holds the position of chair of the Electrical Regulatory Authorities Council, ERAC, it is leading the implementation of the ERAC equipment review and it will operate and maintain the national register on behalf of all participating jurisdictions. With human safety the top priority here, the LNP considers a move to a national uniform electrical equipment safety system to be a positive step. I congratulate the minister on bringing electrical safety legislation before the House.

This bill relates to new electrical equipment and not second-hand pieces. When sales of used equipment occur, I understand that there is in place already a requirement on the seller to tell the buyer the status of their purchase—that is, that it is second-hand. Our current electrical safety system has served us well for over 60 years, during a time when most electrical equipment was manufactured and supplied by large Australian based companies. In more recent times offshore manufacturing often takes place in Asia and it is imported into Australia and New Zealand by smaller suppliers with little technical expertise. The internet and websites like eBay introduce challenges for safety as these methods of purchase are comparatively uncontrolled.

For whatever reason, the current electrical safety system could not keep up with the rate of changes, nor the rapid growth of technology. It was because of this situation that ERAC made the determination that a review was overdue and proceeded to employ the services of CaSServ, Conformance and Standards Services Pty Ltd, to conduct this important examination of the industry in 2007. This extensive review of the electrical equipment safety system in Australia took place between April and December of this year. This review earned the company the 2007 Project of the Year Award of the New South Wales Institute of Management Consultants. Forty-six recommendations came out of the report and between 35 and 40 of them are included in the bill before us. Some recommendations have already been implemented and others will be implemented in the future, as timing has been reliant on federal government agencies which, it seems, need to be pushed along a little.

In order to better understand the history that has led us here, I will read this impressive and detailed report. The executive summary opens with the following statement—

There is a general view in the Australian and New Zealand communities that the 'Government looks after the safety of the community' but is this the case for products and equipment (including electrical equipment) used by members of the public?

Writers of this report contend that the abovementioned view comes into question when a spate of incidents related to the safety of imported toys around 2006-07 were exposed. Goodness only knows what these respected industry experts would have contended had they been asked to report on the implementation of the pink batts installation fiasco, a truly awful example of a poorly administered federal Labor program from an electrical safety perspective. The CaSServ report looked closely at the safety of electrical equipment used by consumers and also was mindful of not inflicting unnecessary costs that would affect manufacturers and suppliers. Generally Australians and New Zealanders enjoy affordable electrical equipment that meets high safety standards, and that is as it should be, as unsafe or improperly used equipment can result in cruel shocks, disfigurement and in some cases death. This report acknowledges a very modest increase in compliance costs, especially for existing suppliers who already ensure compliance under current requirements. Exactly how much this modest amount is remains to be seen. It will need to be modest as many small- to medium-sized businesses are really struggling to make ends meet due to rising prices for electricity, water, licences and petrol. Only last night on the news a consumer survey reinforced just how much people are hurting trying to make ends meet on these basic items under this incompetent Bligh Labor government.

In 2009 Victoria took the lead with Energy Safe Victoria commissioning a regulatory impact statement as is required by the Subordinate Legislation Act to analyse the proposed regulations and remake those from 1999 as they expired after 10 years in 2009. A number of alternatives were canvassed and these included removal of all government regulation in this area, letting the current regulations expire and rely on general consumer safety regulation, increasing certification and enforcement, a minimum regulatory approach or remaking existing regulations with improvements. It would appear that this last alternative was the one that was selected.

I note in the Victorian RIS of 2009 that cost recovery is an issue with equipment safety approvals and monitoring as costs not met. Does this mean that the modest cost increases will address this? I would ask the minister to address this query in his reply. The report lists the costs spent per week on individual electrical items at \$32.73. Cooking stoves and microwaves cost \$2.31, other electrical appliances \$8.07, home computers \$5.42 and audio visuals \$10.02. It would be interesting to do a comparison here in Queensland, but I bet the costs would be higher with spiking electricity prices.

Under present laws approvals are handled by individual states and territories which leaves open a door to inconsistent practices and procedures such as different acceptance requirements for various certifications as well as substantially different fees, charges and processing time for approvals resulting in unnecessary forum shopping. In addition, uncoordinated and underfunded surveillance and enforcement arrangements placed further opportunities for unsafe and non-compliant items to circulate in the marketplace.

It always intrigues me to read of some of the overly simplistic instructions on gadgets, some bordering on ridiculous. I guess the fact that so few people read them right through before plugging in their new appliance for its first use is cause to keep language on packaging plain and direct. The English language does not always translate other languages into common sense, which produces instructions that are hysterical if it was not such a serious matter.

As I have stated, a changing marketplace with regular global access for consumers to a wide range of products sees more purchasing of imported equipment. During my briefing on this bill I was reassured that imported equipment is required to carry clear instructions that avoid mixed messages that could see the product used in an unsafe way. Undoubtedly, a number of honourable members have watched old movies where the villains would kill their victim by tossing an in use heater or fan into a full bathtub. Usually this was occupied by the femme fatale in the movie. I can still remember the incessant parental warnings about hairdryers and water being a lethal mix. They were right. Like these old movies, the existing 60-year old system was showing signs of its age and was out of date and in need of an overhaul.

The ERAC commissioned report also defines the three classification levels of equipment: high, being level one; medium, level two; and low, level three. These categories will need to be declared before the product is placed on the market. Level one equipment will require a certificate of conformance, level two a supplier's compliance folder with specified support documents and for level three no specific evidence of conformance is needed but suppliers must be satisfied their goods comply with those in their responsible supplier's declaration.

This bill also establishes the concept of a responsible supplier of electrical equipment. As the words suggest, in its literal meaning people and businesses allowed to use this term are providers of equipment that meet relevant safety standards for low-risk equipment. Low-risk equipment makes up 80 per cent of the market and relies on responsible supplier declarations. This self declaration model was reportedly working well overseas. Rules and penalties to govern responsible suppliers are included throughout this bill. In particular, responsible suppliers will be required to be registered and pay a registration fee. Sections in this bill detail the prescribing of fees for the registration of responsible suppliers and level two or three in-scope electrical equipment.

Queensland will be given the authority to collect fees on behalf of all participating jurisdictions and then distribute the registration fees back to the participating jurisdictions under an agreement to be decided between them. Section 48K stipulates that the chief executive may make rules, to be gazetted, about registration and declarations of responsible suppliers, the recording of any information in the national register or change of any information recorded in the national register. New section 103B provides the term of registration for level three in-scope electrical equipment will be for one, two or five years. If a responsible supplier's registration lapses for a period during the term of the equipment's registration, then the equipment's registration will also be suspended for that period. New section 204A establishes the fund for in-scope electrical equipment registration fees called 'the fund'. The purpose of the fund is to record the fees received by the chief executive for the registration of suppliers and equipment included in the national register.

There are a range of penalties included in this bill for breaches, graduated between 20 and 40 maximum penalty units. A number of new sections are included in this bill that cover offences including failing to comply with reporting requirements, giving false information or making false declarations, failing to update details in the national register and selling medium- to high-risk equipment that is not registered. A new offence will also be created for responsible suppliers who sell low-risk electrical equipment without being registered or if the equipment is not electrically safe. The maximum penalty is 40 penalty units. However, a defence has been created if a responsible supplier can prove they obtained the equipment from a registered responsible supplier.

Responsible suppliers will have six months from the commencement of this bill to comply with these new rules and obligations. Ideally the commencement date was to be 1 July 2011 but because there was a new Liberal National coalition government in Victoria the date has not yet been finalised. However, the new EESS is expected to be operational within 12 months.

In his second reading speech, the minister states that house fires started by electrical fires tragically claimed 15 lives across Australia and New Zealand. This figure, I was told by departmental staff, is estimated using fire research data. About 20 per cent of fires across Australia are considered to be caused by electrical equipment. The number of deaths per state is not easily defined in this data but the figure is accurate. Queensland will be the state leading this legislation and Victoria will host the database looking after the IT side of things. After the Queensland Health payroll debacle caused by poor governance, incompetent ministers and flawed IT systems, it is probably a good idea for Victoria to manage this. Whilst a national register and regulations are commendable, they do not give a guarantee that a new system with random checks will uncover unsafe and dishonest practices any more frequently. Check testing is further made difficult in places such as markets where unscrupulous vendors can sell their potentially unsafe wares to unsuspecting customers. The check testing program for night lights, bathroom heaters, et cetera, will be nationally coordinated. Electrical safety inspectors will, in some cases, purchase items off the shelf and lab test for safety standards to make sure the second, third and hundredth batch of product is meeting the same standard as the first batch. If the product fails, one more retest is done.

We are told that the cost of this check-testing will come back through the legislation. I ask the minister in his reply to inform the House if this is another one of the modest costs mentioned by the report that is to be borne by the suppliers? Also, will fire alarm testing fall under this new legislation? Internet purchases present unique challenges where the supplier is not known or there is an overseas supplier and there are border issues. The EESS legislation will ask the person who introduces the risk to Australia to address it. This procedure has been lacking in the past.

Considering the significance of this reform and the fact that Queensland is the lead state for it, the government has an obligation to articulate clearly its communication plan. I understand that this is still in the planning stages and will include such approaches as journal articles, forums in regional centres and a website. The regulatory impact statement was advertised in newspapers but did not get a good response. I am told it was an expensive exercise, so other methods of communicating the changes must

be found soon. Clearly this Labor government has fallen short here, as it does not have yet a communication plan properly identified or worked out. This is typical behaviour from Labor. Members will remember the rushed pool safety laws and the poor planning regarding costs and availability of qualified inspectors. However, staff expect a fairly smooth transition to the new EESS but anticipate some communication issues with independent suppliers, retailers and those who are not members of associations.

With the passage of this bill it is to be hoped that the number of accidents associated with electrical appliances and subsequent levels of fires, electric shocks, deaths, burns and other injuries will reduce significantly. From the minister's second reading speech I note that transitional arrangements have been included to ensure that the supply of electrical equipment to Australia and New Zealand is not interrupted. I ask if the minister would be kind enough to outline what is entailed here and the timelines involved.

I move now to the amendments unconnected to the Electrical Safety Act that relate to industrial relations and workers compensation. Key changes proposed in this legislation are to ensure that local government employees are not disadvantaged by the termination of federal transitional instruments on 27 March 2011, remove individual agreements from the industrial relations system, clarify procedural and other requirements for workers compensation and regulatory authority Q-Comp appeals and make the workplace ombudsman role a temporary position that can only investigate matters at the request of the minister.

We on this side of the House strongly believe that local council workers deserve stability and must be properly covered and properly paid. In order to ensure this occurs, procedures must be handled appropriately. The LNP is keen to see that this is achieved. That is why I am calling on the minister in his reply to table the legal advice that shows clearly that these 18 local councils will in fact be adversely affected when the federal awards expire and that making this blanket change across local councils will not adversely affect the many other councils. Up to 18 local councils will be affected when workers' awards expire on 27 March 2011. Ten are Indigenous and are covered by municipal officers. This government again proves that it is loose on the figures, stating that 'up to' 18 local councils will be adversely affected. Doesn't it know? How many individuals does this involve? A couple of hundred? It is all very well for the Bligh government to say that it is fair dinkum about protecting workers' rights, but it does not bother to find out how many workers are involved in agreements that are due to expire.

A criticism of the IR part of the legislation as presented is with the timing, particularly with regard to the changes to local government industrial relations matters. The state government has had 2½ years to do what it is proposing now, yet it has sat on its hands and done nothing. One of the biggest complaints from the key stakeholders is that local councils have been working to achieve consistency after the Etheridge decision, but the government will not listen. It wants to move the goalposts again by changing legislation. In its well-constructed analysis, Mandalay Technologies states—

In a 2008 decision by Justice Spender of the Federal Court, it was determined that Etheridge Shire Council, situated in far north Queensland, was not a trading organisation and therefore not a 'constitutional corporation'.

Whether the decision that the Etheridge Shire Council is not covered by the Workplace Relations Act—now the Fair Work Act—has general application to local councils in Queensland became moot when the Queensland parliament passed legislation to bring all local councils into the state system. As a result, state industrial legislation applies to council employees in Queensland. However, if the Etheridge decision is followed by the Federal Court and other jurisdictions, many local councils throughout Australia will also remain under state industrial commission jurisdiction.

Two primary points were made by the court in the Etheridge decision. The first was that Etheridge does not fall within the definition of a trading or financial corporation under the Constitution because the predominant or characteristic activity of the body is not trading, whether in goods, services or finance, but rather that of a local government. In addition, the framers of the Constitution clearly never intended to give the Commonwealth government the same extensive range of powers over local governments as was granted over corporations.

The court found that even the commercial activities undertaken by the council, which included operating a visitor centre, leasing a child-care centre, hostel accommodation, land and water sales, roadworks, private works, office space and residential property rental, entirely lack the essential quality of trade. Almost all of them run at a loss and they are all directed to public benefit objectives within the shire. The court said that their scale, even in monetary terms, was so inconsequential and incidental to the primary activity and function of the council as to deny to the council the characterisation of a trading corporation. However, this may still leave the door open for larger councils to be held to be trading corporations. The result at the time saw this Labor government introducing legislation, the Local Government and Industrial Relations Amendment Act 2008, to the effect that local councils would no longer be corporations.

As a consequence of this legislation, local councils in Queensland fall outside the new federal Fair Work Act and associated legislation because they are no longer constitutional corporations. One other state has chosen to follow the same path as Queensland, with New South Wales passing the Local Government Amendment (Legal Status) Act 2008—New South Wales—to decorporatise local councils in that state from 13 November 2008. The LNP shadow local government minister, the honourable member for Warrego, said at the time—

This bill changes the constitutional corporation status of local government. Quite frankly, it places at risk \$80 billion worth of assets held by local government. The councillors and staff are further put at risk simply because not enough homework has been done.

The honourable member for Warrego went on to say—

As a corporation, local government had perpetual succession, a common seal and they sue or can be sued in its name. The government is taking that away. It is decorporatising local government. At this stage the best legal advice that we have is that the government has not put in place responsible and appropriate mechanisms to allow local government to operate effectively and safely. If the government does have some legal advice, we would like to see it. No doubt someone has sought crown law advice. It would be extremely interesting to see it, because I do not believe that that crown law advice would support this legislation. There is no way in the world it could support it.

Here we are again being asked to support this Labor government as it kicks local government in the guts once more. The proposed changes have aroused suspicion since Labor has had—

Mr Dick: That's a bit harsh.

Mrs STUCKEY: I am glad the minister is listening. The proposed changes have aroused suspicion since Labor has had a couple of years now since the Etheridge case and more since the federal fair work laws came into place.

I now want to put on the record some of the concerns expressed by the Local Government Association of Queensland, which has been trying to get a straight answer from the government regarding these changes, but to no avail, although I do understand that the amendments that the minister circulated may address this in some way. The LGAQ writes—

Under the Queensland industrial relations system, the Act and commission have 'rules' for the establishment of a state award and these rules are comprehensive ...

The LGAQ goes on to say—

There are a number of problems with Federal awards (unaltered) applying to Local Government not least of which are that:

- They are replete with interpretation issues;
- They maintain entitlements that are inconsistent with chief regulating provisions under the State IR Act; and furthermore
- They have not been established in accordance with the QIRC's 'Rules' for the creation of state awards.

They continue—

Simply supplanting old transitional federal awards into the state system as proposed would thus create significant interpretation complexity for Local Government Employers. In addition, it is possible to anticipate that once the unaltered, unfixed relativities, and inconsistent with Qld regulation federal awards are made awards of the state, one or two of the other principal unions will make application for the rates in the awards to which they are respondents be matched with those in the "deemed by feat" State awards; thus leading to the leapfrogging of higher wages and conditions to other state awards which also regulate Local Government employment.

The LGAQ expressed they would dispute that local government employees subject to transitional federal awards would be award free upon the ending of the federal transitional provisions. The state award system is extensive and it maintains local government specific awards—the employees award—whilst most other awards apply as common rule and in many instances make specific reference to applying to local governments.

The LGAQ has provided a list of state awards to the commission as part of their award review process that would apply to callings of work employed by local governments and local government entities across Queensland. They say that if federal transitional awards were transplanted as state awards we would have the perverse situation where, in many instances, there would be two state awards placed on the same footing that would be regulating the same classifications of work but which maintain significantly different conditions of employment. An example of some of these callings that would be subject to dual regulations would include local laws compliance officers, stores persons, rangers, horticultural workers, childcare workers, nurses, parks and gardens persons, soil testers, early childhood teachers, and water and sewerage workers to name but a few. There may well be many more callings, particularly if a skills based classification structure were introduced into the employees award, as has always been the intention of this award.

I once again ask if the minister in his summing-up would explain to the House how imposing an award introduced in 1993 will improve the working conditions and dual regulations of the workers that I have mentioned. I pose this question on behalf of the LGAQ which is hoping the minister can answer it because it does seem to have gone unanswered to date.

With reference to the federal transitional Queensland Local Government Officers Award 1998, I also ask if the minister would inform the House how this state would propose to interpret the calculation of long service leave entitlements for part-time and long-term casual employees in the context of the substantive provisions under the Industrial Relations Act 1999, given the difficulty of interpretation under the award and, in particular, given the different quantum of leave entitlement under that award applying to only some local government employees? This is particularly problematic for the interpretation of entitlements for female employees with carer responsibilities who, over their career in local government, may be engaged in a range of different employment categories and callings.

In addition, I ask: what provisions would trainees, other than school based trainees, be paid under? To what extent would the QIRC have jurisdiction to amend or alter references in such awards to Public Service directives that otherwise have no application to local government employers and are beyond the QIRC's jurisdiction? It was, after all, this state Labor government which freely gave up our remaining IR matters to the federal sphere, yet now it wants to pull back the control of local government awards. Perhaps it is because the state industrial relations system has become redundant. Our IR commission is twiddling its thumbs and the Workplace Ombudsman has no reason and no powers to exist. It seems that, after spending millions of dollars on the Workplace Ombudsman, a purely political creation, it has now proven to be a drain on taxpayers and little more than a lame duck. The amendment to make the Workplace Ombudsman a temporary position that can only investigate matters as referred at the discretion of the minister echoes this sentiment. So much will rely on a judgement from the minister, and this is concerning as ministers in the Bligh Labor government are not known for their prudence, competence or carefulness. The Ombudsman's role will now be reduced—

Mr O'Brien: Why aren't you the parliamentary leader, Jann?

Honourable members interjected.

Mr Watt interjected.

Mr DEPUTY SPEAKER (Mr Powell): Order! Member for Everton!

Mrs STUCKEY: It is a rare day when I receive any accolades at all from the other side of the House. I will take those interjections, thank you. As far-fetched as they may be, I will take them.


The Ombudsman's role will now be reduced to interim status that is formed at the request of the minister and directed by the minister, and that means it stands at very real risk of being compromised through political interference. I would be very interested to hear what the total operating budget of the Workplace Ombudsman has been for the 2010-11 year. In addition, I would be keen to hear how many matters it has investigated and taken action upon in the last year. It has a chance here to prove that it is not a lame duck. Clearly, this amendment is evidence that the Workplace Ombudsman role became redundant after this Labor government sold out our IR system in 2009.

The bill before the House also makes a number of minor deletions and changes to the Industrial Relations Act 1999, an act that since this government sold out our system to the Commonwealth has really become a relic of a former system. How does this Industrial Relations Act continue to apply to every other worker outside the Public Service in Queensland, or is this act now just the government employee industrial relations act? The LNP wants to make sure that we are getting the best value for taxpayers' money in the outcomes and results of the QIRC. Taxpayers want to know that the commission is active.

The proposed amendment regarding appeals to the QIRC for the particular Q-Comp/WorkCover matters is being clarified after the Hetmanska and Q-Comp decision that was handed down in November 2006. As the Scrutiny of Legislation Committee *Legislation Alert No. 3 of 2011* reiterated, this decision raised questions about the application of the 21-day limit to appeal the Q-Comp decision and raised some ambiguity. However, the government proposal seeks to go further by trying to close appeals to the QIRC when the appeal relates to points of law or want of jurisdiction. It would seem the government is trying to close off further access to WorkCover claims, garnering speculation that all is not well in the ailing compensation scheme.

I also want to put on the record the concerns of the parliamentary Scrutiny of Legislation Committee regarding attempts to limit the right of appeal by an aggrieved person to the Industrial Court in matters under the workers compensation scheme. They highlight the issue on page 5 of the latest *Legislation Alert*, where they point to the fact that these amendments would limit the right of appeal to a point of law or want of jurisdiction. I think more important are the serious concerns raised by the Bar Association on this very point. The Bar Association is concerned that the government is using a case to justify closing off a full right of appeal when in fact that case was in no way related to a need to limit the access to a full right of appeal. I do note—and I am happy to be corrected if I am wrong—that the Attorney will be seeking to move an amendment to this particular provision that will ensure persons still have that right of appeal whilst clarifying the 21-day period, and I thank the Attorney for taking on board these concerns if that is the case.

In conclusion, the LNP welcomes the advances in electrical safety put forward. However, we hold serious reservations regarding the rushed and last-minute attempt to award conditions for local government employees, and I am concerned about attempts to block appeal access for Q-Comp/WorkCover decisions to the Industrial Relations Commission. These concerns will form part of a watching brief on this minister and the government.

 **Dr DOUGLAS** (Gaven—LNP) (5.31 pm): This bill is broadly straightforward legislation that links to complementary Commonwealth legislation on electrical safety. Essentially the bulk of the legislation mirrors the Commonwealth legislation. There are some critical additions to this legislation that do need to be more widely discussed. These are the restrictions of appeals from the Queensland Industrial Relations Commission to the Industrial Court of Queensland; the new penalty provisions which may be a tad too excessive without any compensatory bottom-up approach; and, finally, the transition of awards.

As with the bulk of uniform legislation, it is very difficult to oppose it. As a federalist, I support the twin objectives of both the streamlining or universality of all state legislation and the promotion of safety wherever possible. The lesser objectives are a tidying-up process which, interestingly, ensures that local government employees are not disadvantaged by the termination of federal transitional instruments on 27 March 2011.

This bill effectively amends 12 acts—primarily the Electrical Safety Act 2002 and, curiously, the Pastoral Workers' Accommodation Act 1980. Initially I wish to raise those issues that the soon-to-be-phased-out Scrutiny of Legislation Committee has raised in the *Legislation Alert*. There are three matters of concern in the proposed offence provisions with regard to rights and liberties. The first issue is the major one because it raises the vexed problem for any business or supplier of mistaken belief as to registration being based on what is described as 'reasonable monitoring' of national registers. The issue in this bill is that the meaning of 'reasonable monitoring' may be insufficiently clear—the implication being that the department, in pursuit of a scapegoat when faced with a tragedy, might be able to lurch back to the lowest common denominator, possibly being a supplier a long way from the coalface problem that may be the subject of inquiry or legal action. No-one ever needs to be put above the law, but when drafting new laws we must be fair to all. We could conceivably see a situation where a local reputable supplier could make the most trivial assumption regarding registration or lack of registration based on available government and industry briefings and that assumption is subsequently found to be incorrect. The potential penalty is very onerous indeed. I will give an example of how honest mistakes can occur and why they may occur.

Yesterday there was a public hearing of the Scrutiny of Legislation Committee about forms. There have been rapid changes to government forms, and that has actually been exponentially increasing in the last 10 years. Government department IT sections are unable to keep up with the changes that are subsequently put out in the *Queensland Government Gazette*, which comes out on a Friday. Mr Matt Dunn, who made a presentation particularly on this issue on behalf of the Law Society, said that effectively no-one can keep up with the changes demanded on these government forms. The implication that was submitted on the issue of the not-up-to-date forms is that they are rejected and the fees are kept for the rejected forms but new fees are demanded on the correct forms. By using PDF, the forms are often handwritten and then scanned in as text. That is very difficult for the solicitors and the variety of people who have to use the forms. Mistakes are made on both sides of the ledger. We have not even considered the excessive penalties here for anyone, nor should there be excessive penalties for documents are critical, particularly home purchase documents. So we need a reality check here when we are considering very onerous provisions on very, very minor statements, particularly when things change so quickly.

The two other points raised by the Scrutiny of Legislation Committee relate to the lack of clarity of words, that being imposing a liability for failure by a 'distribution entity' to ensure that a label is attached to whatever electrical equipment people may be using. The liability of the distribution entity is not defined. The critical point was made that there is this definition of the curious words 'brown goods' but there is a lack of clear definition of the issue of brown goods. Certainly electricians use the terms white, yellow, red and brown and they tag accordingly. It is determined on whether the item is new, whether it is used, whether it has been reserviced or whether it is serviceable and has been used previously.

The other major issue raised with the bill is clause 52, which is where the Labor government sought to move local governments and their employees to the state industrial relations system via the Local Government Act 2008, and simultaneously the federal government transferred 'constitutional corporations' to the federal industrial relations system where they have remained under the fair work legislation. The government has sought to reassure local government employees that their wages, allowances and contracts will be honoured within the transition, but the government has stated that on expiry of the current instrument on 27 March 2011 their rights would expire. It is now 22 March 2011. I presume someone suddenly discovered that the original brainwave had an expiry time and that may not have been such a good idea after all. The shadow minister has indicated what this has led to,

particularly with regard to five potentially affected Indigenous councils. It would appear that we have been somewhat negligent in our stewardship for particularly disadvantaged groups, particularly those who are attempting to manage themselves in very isolated regions in Queensland.

The other major concern should be the problem arising from the Workers' Compensation and Rehabilitation Act 2003 amendment. My concern is threefold. Firstly, there has been very little stakeholder input prior to the bill being presented here today. In fact, the Bar Association of Queensland has not been consulted. This is a mistake.

Secondly, there is a considerable debate about the matter as presented by the government that necessitates the need to change where the current ability of appeals to the Industrial Court of Queensland from the Queensland Industrial Relations Commission is to be limited to errors of law or excess or want of jurisdiction. The matter arose out of the case of Hetmanska and Q-Comp in 2006. I am certainly not a barrister and may I say that there are other ways of looking at this. But the major one is that, even though the registrar had an issue with Mr Hetmanska, we should not remove the existing rights of appeal of injured workers and their employers. The Bar Association states that the explanatory notes provide no coherent explanation or foundation as to why, for the purposes of clarification, the grounds for appeal presently available under the WCR Act should be narrowed to a dramatic extent proposed by clause 66—

Mr DICK: Madam Deputy Speaker, I rise to a point of order. I presume this is not deliberate by the member for Gaven. I have circulated amendments in my name—and I will refer the honourable member specifically to amendment No. 14. I have briefed the shadow minister on it. It appears that the shadow minister has not briefed her parliamentary party about it. That is understandable given the circus that has occurred today in the LNP. I would refer the honourable member specifically to the amendments circulated in my name, particularly those concerning clause 66.

Madam DEPUTY SPEAKER (Ms van Litsenburg): There is no point of order.

Dr DOUGLAS: I have not seen that amendment, but I would like to see it. I thank the minister for raising it.

Mr Dick: They have been circulated in the chamber.


Dr DOUGLAS: Unfortunately, I did not receive a copy. I will continue on as I think the points are well made. Thirdly, if one reviews the industrial court decisions over recent years there are a healthy raft of appeal decisions overturning QIRC decisions on grounds transcending the restrictions posited by the proposed amendment.

It is an expanded argument. This change may have had unintended consequences. Limiting the rights of appeal of individuals is fraught with danger. I take on board what the minister has said. I discovered that these comments were actually submitted by my brother Richard Douglas SC, the current president of the Bar Association. I have not spoken to him about this issue. I believe his concerns are valid. I think the Bar Association has certainly raised a significant issue. It believes that the government could potentially invoke a response by appeal court judges in the future. Even though arguing on fact, which they have to do, but reaching for common law answers rather than statute this may cause some problems. Never underestimate what a court might do. Rightfully, they are independent of government.

I endorse uniform safety legislation, such as electrical safety laws, and believe they are necessary and progressive. What we should do is make sure that when dealing with electrical devices we at all times need to be progressive and embrace modern change. I think this is an attempt to do so uniformly across the nation.

I would urge the minister to be cautious when it comes to the appeal issue. I am pleased to see that there has been an amendment circulated. I will go through that, thank you, Minister. I would also say that the Bar Association is always wanting to be a reasonable stakeholder and review legislation where appropriate. This might have been a time where we could have actually considered it as part of the process.

We certainly want to have a safe electrical product system that poses no risks to workers. I believe this bill exposes how Labor talks big about supporting worker rights but when it comes to the details—such as those we have raised today with regard to appeal issues, workers compensation and those in councils, particularly those relating to Indigenous people—certainly some workers have not been considered as they should. They have been considered mainly as an afterthought. This is not reasonable monitoring, which is a word used within the bill. Clearly, if that is in fact a flaw within the bill it may be a critical flaw. As I said, this side of the House intends to support the bill.

 **Ms GRACE** (Brisbane Central—ALP) (5.42 pm): I rise to support the Electrical Safety and Other Legislation Amendment Bill 2011 which has recognised, amongst a number of other things, a need to improve post-market surveillance of electrical products. We all use electrical appliances. As a community I think we should be able to have faith in what we are buying over the counter. I welcome the amendments in this bill which will allow the community to have much greater faith in the electrical appliances that we buy.

This improvement, particularly in post-market surveillance, will protect the general public and the industry itself from unprincipled suppliers of unsafe equipment who unfairly compete on price by sacrificing product safety. That was always the major gripe that I heard from those in the business community who always do the right thing. Nothing makes them more angry than when those who are competing against them in the market do not apply the safety standards that they apply on a daily basis and take away their market share.

This bill introduces, with industry support, uniform legislation across different state jurisdictions. This uniform legislation will enhance post-market enforcement and improve the traceability of unsafe electrical equipment that may have found its way into the marketplace. The bill provides for a nationally consistent check testing program between the various states and territories. This will eliminate the problem of buying something across the border or buying something in Queensland that unfortunately does not meet the safety standards. We can buy safe equipment here but we may not necessarily buy it in other states. A nationally consistent approach is welcomed and I wholeheartedly support it.

Under this program, products will be purchased from retail shelves and sent for post-market testing by recognised testing laboratories to see whether they meet relevant safety standards. This will help to ensure that products claimed to be safe meet minimum safety standards. I believe that is good news for all consumers.

The bill requires the responsible supplier—that is, the importer or manufacturer—of in-scope electrical equipment to register on a national register and declare that the products they are supplying are electrically safe and comply with the relevant safety standards. In-scope electrical equipment is everyday appliances that are designed and marketed as suitable for household, personal or similar use. It is those everyday appliances we use. I know that sometimes I have bought an electrical appliance that has not been expensive thinking that it has been safety checked. It is quite concerning when one gets an electrical short or something like that in a hair drier, for example. That has happened to me in the past. Clearly, some of these appliances have not been tested and have made their way onto our shelves. This bill will try to eliminate that from occurring.

The bill requires a responsible supplier to be the holder of an Australian business number, an ABN, or its New Zealand equivalent. Being the holder of an ABN will enable electrical regulators to trace the supplier of an unsafe electrical product quickly and easily and have that supplier recall affected products as a matter of urgency should an issue arise. I think it is a wonderful step forward when it comes to the quick recall of electrical products that are seen to be dangerous to the average consumer.

I believe that all stakeholders will benefit from the improved product safety that this bill will deliver. The bill will also clarify responsibilities for industry, including manufacturers and importers. They will now know that they are responsible for the electrical safety of the products they supply. We will put the onus back on those people. They have to be absolutely sure that what they are bringing in meets the safety regulations. There are no buts about it. Before they can supply the product they have to meet that electrical safety requirement.

The bill also allows for significant penalties should a responsible supplier, after having declared their products to be electrically safe, be found to have introduced to the marketplace defective or unsafe products that do not meet minimum safety standards. Once again, there are penalties if they do the wrong thing. There is clarity to enable them to do the right thing.

This bill will restrict and hopefully eliminate less scrupulous suppliers from entering the Australian and New Zealand supply chain with unsafe products. This bill will ensure that that will not happen in the future. Post-market enforcement, market check testing and public awareness campaigns will be fully self-funded, with funds being generated from the registration of responsible suppliers and their products.

Industry, as part of the extensive consultation process, has shown its full support for the contents of this bill. I applaud the industry for that. Those who do the right thing in this industry do not want to see those who do the wrong thing become a threat to their market share.

There are a couple of other things in relation to this bill that I will address. This bill is a great example of individual state governments, industry and regulatory authorities working together to improve electrical equipment safety. A nationally consistent approach is a wonderful gain not only for the residents of Queensland but also for the rest of Australia.

There are a couple of other issues in this bill that I want to raise. Local government agreements will expire under the federal system due to Work Choices taking over the industrial regulation of constitutional corporations. I had to draw my breath in when I heard the member for Currumbin attempt to make sense of this amendment. Clearly, from the questions she posed in this House to the minister, she has absolutely no idea how the federal system interplays with the state system. The amendments that are in this bill are sensible and necessary because they give employees certainty. We have to remember that Work Choices was the legislation that took a lot of rights away from workers and it is very difficult to hear those opposite suddenly become the bastion of the working class or the protectors of working-class rights when they sat there and did nothing when Work Choices legislation was introduced at the federal level and in fact were the cheerleaders for it coming in in the first place.

The government had a choice here in relation to Work Choices. Not all governments—and the member for Currumbin referred to the legal decision in relation to Etheridge—are constitutional corporations. What would the member for Currumbin want: some covered by the federal, some covered by the state? I believe that we made the right decision in making a bold statement and showing leadership when we said, 'We're not going to have a two-tier industrial system in this state. We will cover all of the local government organisations and they will come under the jurisdiction of the state Industrial Relations Commission.'


A government member: Long overdue.

Ms GRACE: Long overdue. Unfortunately, there were certain awards and agreements that were made under the federal jurisdiction due to retire in March 2011. This does not disadvantage any employees in their expiration at that date and in fact keeps them all intact as a state instrument which provides certainty and the ability for the employer—the local government in this case—and workers, with their unions, to negotiate any changes that they want in terms of the Queensland state industrial relations system. It is no more difficult or simple than that. If you do not get that then I do not know what you get when it comes to industrial relations. You do not need crown law advice to explain that to you. It is pretty simple. The interpretation is there. It ensures that workers are not disadvantaged. It puts them into the jurisdiction where we believe they should be now. As I said, it is nothing more difficult or less than that.

In relation to some of the other changes, I applaud the removal of Queensland workplace agreements consistent with what has happened federally. I have never in my life been supportive of individual agreements and I am proud to say that this government, although allowing for Queensland workplace agreements, put enough protections in those agreements in the legislation that there is not one of them in the state jurisdiction—unlike Work Choices, which allowed individual agreements to strip away workers' rights and entitlements and they proliferated in the federal jurisdiction, had no no-disadvantage test and actually allowed employers to offer under-age workers an individual agreement with absolutely no no-disadvantage test. We now have a situation where we are removing them from the state jurisdiction. I think that is long overdue and I commend the minister for making that decision. I also welcome the fact that, because of the protections we had, it is interesting how employers do not choose to use individual agreements where a no-disadvantage test—a real one—applies and they cannot get away with it.

Mr Moorhead interjected.


Ms GRACE: Of course, as the member for Waterford has just reminded me, they were public documents, not secret documents that were held in the top drawer of the employer's desk. I also welcome that not happening. In relation to the changes to appeals to the Industrial Court, I believe that the amendments the minister has brought into the House will now mean that we have a consistent appeal process. I welcome those amendments as well. This bill is a great step forward for electrical safety. I welcome the other amendments that I mentioned, and I commend the bill to the House.

 **Mr WATT** (Everton—ALP) (5.54 pm): I rise today to show my support for the Electrical Safety and Other Legislation Amendment Bill. The aim of this bill is to eliminate injury and property damage caused by unsafe electrical equipment used by consumers. The current electrical safety system in Australia has been in place for about 60 years, but of course times have changed. These days we are seeing more imported electrical products being purchased and more purchases being made over the internet, and these factors are definitely increasing the risk of unsafe equipment being supplied in Australia. That is why this bill establishes a national register which is a fundamental part of the new and enhanced Electrical Equipment Safety System for Australia and New Zealand.

The national register will contain registration details of responsible suppliers as well as levels 2 and 3, which are high- and medium-risk, electrical equipment. Under the bill, all responsible suppliers of levels 2 and 3 equipment must be registered prior to sale. The national register will also include a search function for retailers to perform searches on registered responsible suppliers. This will also allow retailers to ensure that they are getting their stock from suppliers who are meeting their electrical safety requirements. Another search function is aimed toward the general public. It will allow it to search on particular types of electrical equipment to determine if the equipment is registered. This will give peace of mind that electrical equipment brought into the family home meets safety requirements and is safe for use by the purchaser and their family. Of course, everyone knows that my slogan is 'working hard for local families', so it is good to see another thing that we are doing in the interests of local families in Everton.

This bill represents a good example of how states can work together to implement national reform. It is also another good example of the Bligh government's efforts to improve electrical safety. It is something that we take very seriously, and we have instituted a number of measures in recent years to take that issue forward. Some years ago the Electrical Safety Office was established as a way of promoting electrical safety. We have also established a pilot training program on electrical safety among

apprentice electricians, and last year we passed laws to allow the immediate recall of unsafe electrical equipment. All of these things and other initiatives have reduced the rates of death and injury from electrical incidents in Queensland and I am very confident that this bill will help us achieve the same objective. I commend the bill to the House.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (5.57 pm): I rise to speak to the Electrical Safety and Other Legislation Amendment Bill 2011. In doing so, I want to thank Jordan Watts, Mike Logan, Donna O'Donoghue, Julie Dahl and Sandra Venn-Brown for their briefing this morning.

This bill covers a couple of separate areas, but particularly the electrical safety amendments are important because, as previous speakers have said, electrical safety is critically important and electricity, per se, is very unforgiving. This is national scheme legislation and it involves the regulation of responsible suppliers of electrical equipment. It is critically important that, as a nation, we are importing more and more electrical equipment—we have lost much of our manufacturing here—that residents in Queensland can be confident that the items that are on the shelves comply with the high safety standards that we have in Queensland and indeed in Australia.

There are three categories of items—low risk, medium risk and high risk. This morning we were advised that 80 per cent of electrical items are in the low-risk category. In the medium-risk category there will be a new obligation on suppliers to provide a test and information on that test report to the relevant authority. With regard to the high-risk category, things like refrigerators, safety switches, items that interface with water and items that interface closely with children will be required to be independently tested.

In the discussion that we had this morning we were told that there will be some cost in administering this legislation, but—and I stand to be corrected—it did not appear to be excessive. Indeed, the intention is that safety for Queensland consumers is maintained at a high level. There are a number of safety inspectors across the state—40 inspectors, we were told—and I note that of those 40, 14 are outside the south-east corner and those 14 include inspectors in Toowoomba and the other 26 would be from the Sunshine Coast down to the Gold Coast and in the greater Brisbane area. So there is still a heavy concentration of inspectors in the south-east corner.

There are a number of other amendments to this legislation that I wish to address. That part of the bill that amends the Industrial Relations Act 1999 gets rid of any mention of workplace agreements. This morning we were advised that no-one in Queensland is currently covered by a QWA. I note the comments of the member for Brisbane Central, who is well versed in the industrial relations area. I agree that QWAs that were not properly scrutinised, that were given to young employees and that had no proper disadvantage test applied to them were inappropriate and inconsistent with, I think, what the majority of people in Queensland would view as a fair go. So, again, from the information that we were provided this morning, these amendments remove QWAs as such from the statute, but they really do not affect anyone simply because currently nobody in Queensland is covered by a QWA.

I note that there are changes to the Fair Work Australia process. Queensland has a Workplace Rights Ombudsman and that person works in a similar way to the federal Fair Work Ombudsman. I had a constituent in my office with his daughter—a younger person, a young adult—who expressed quite a high level of dissatisfaction with some mediation that he and his daughter had with Fair Work Australia and a local employer. He felt that, rather than deal with the issues that the young woman had experienced and was aggrieved by, Fair Work Australia tended to stick with a couple of grievances that the employer continued to raise. So he was very disappointed with the process and I do not know that a lot will be done to redeem his view of the Fair Work process, particularly in relation to his daughter. Certainly, where there is a grievance in the workplace the employee, as well as the employer, needs to know, but particularly the employee needs to know, that they will get fair and reasonable representation.

In the establishment of the Queensland Workplace Rights Ombudsman, I note that there is a change, an insertion, which states—

... the ombudsman may conduct an investigation into a particular industry or sector, including an investigation into a specific area or part of the industry or sector, only if requested by the Minister.

It is my understanding that, prior to this bill passing, the Ombudsman was able to self-generate an inquiry. I am sure that the minister will give a reason for this change, which is what I see as a restriction, because I believe that the Ombudsman should have the freedom to be able to investigate not only those matters referred to the Ombudsmen but also those matters that, over an accumulation of time, appear to be a pattern of behaviour or a pattern of error or pattern of inequity. I believe that the ability for the Ombudsman to self-generate an inquiry is an important freedom. This bill proposes to reduce that ability, albeit only in the area of a particular industry or sector of that industry. But the bill does go down to detail in that it states—

... including an investigation into a specific area or part of the industry or sector.


So I would be interested in receiving clarification as to why the Ombudsman has been restricted in that way.

There are two other areas that I wish to comment on. One is to do with the changes to local government. The bill gives some certainty to those local government employees whose conditions of employment become uncertain after 27 March. This legislation is intended to give some certainty to those employees' industrial instrument. I note that 18 local councils could have been impacted detrimentally and I thank Donna for the list of those councils. They tend to be councils in regional and isolated areas. They particularly need assistance in transitional matters to be able to protect their employees and to be able to protect the council as the employer. I believe that the councils would intend to be good employers, so I see that amendment as curative.

The other issue that I wish to raise is the changes to the Workers' Compensation and Rehabilitation Act. Again, this issue came up in the discussion this morning. With the Workers' Compensation and Rehabilitation Act and the Industrial Relations Act, there appeared to be a differing interpretation of the intent of the acts at a judicial level. This amendment is intended to give clarity. At the briefing, I was given to understand that the workers compensation legislation allowed for appeals, as did the Industrial Relations Act, but that this amendment intended to restrict the court appeal to 21 days. I have since been advised—and I thank Donna O'Donoghue for the clarification—that, prior to this bill, both jurisdictions had a 21-day appeal period. For the Industrial Relations Act's appeal period of 21 days, the clock started at the notification of the outcome of the appeal—obviously, a denial. WorkCover's appeal period was 21 days from the date that reasons were given. This amendment is intended to bring those acts into line so that there is no lack of clarity and that it will be 21 days from the date of notification.

I inquired about the time lapse between a notification and the reasons for the decision that was made—and it could be anything from a small number of days to the time that it takes to transcribe the hearing. So the amount of time can vary from a few days to quite a considerable period. My only concern is not the lack of clarity—although I think clarity is a very important tool; people need to know what their rights are very clearly, line in the sand stuff—but under the workers compensation act I am given to understand that the 21-day clock started once people knew the reasons for the decision. I can see a great deal of benefit in knowing the reasons, because it gives an ability for those acting on the parties' behalf to be able to properly formulate perhaps a further step in the judicial system. The clock now starts at the time of the decision, not the time of the reasons. I would be interested in the minister's comment on that issue and if he could see any opportunity for the injured party, or the aggrieved party, to be disadvantaged by the 21-day clock starting at the notification of the decision as opposed to the notification of reasons.

These are all important matters. The bill deals with quite a broad range of matters. Certainly, safety in the home and safety in the workplace is important in relation to electrical matters. Confidence in your rights in the work environment—whether it is working in the workplace with local government or whether it is as an injured party in a WorkCover claim—are important. Members of the community need and deserve clarity. If these changes will bring that about, they are welcome, but I look forward to the minister's comments in relation to those matters that I have raised.

 **Mrs SCOTT** (Woodridge—ALP) (6.09 pm): Electrical appliance safety regulations have never been as important as in this modern age when so much is produced in overseas countries and inferior equipment may cause electrocution or house fires and such. The risk of safety being set aside to produce ever lower priced appliances is of great concern. We have all heard of built-in obsolescence, a term often used in my family when an appliance does not last for its expected life. You will hear about appliances such as refrigerators being 25 years old and still going strong when more recent appliances are ready for replacement in 10 years or less.

Mrs Cunningham: That's terrible.

Mrs SCOTT: It is. It is dreadful. Everything has to be thrown out and replaced. If I may hark back to my childhood for a moment, my father was a small business owner, selling and servicing radios, TVs and small appliances. He looked after a vast number of customers in the Toowoomba community for his whole working life. When he retired he would attest to the greater inferiority of many appliances but the improved reliability of electronic equipment. He gave old-fashioned service. I can even remember one Christmas morning when he was called out—and responded, I might add—to someone whose TV would not work. In two weeks my parents will celebrate their 70th wedding anniversary, so that bit of family history is in the far distant past. While many people talk about the good old days, I do not think many of us would be happy to relinquish our modern lifestyle to return to those more simple days.


Importantly, this bill will set up a national register of safe electrical appliances covering both Australia and New Zealand and will afford customers a measure of safety and reliability. A declaration will be required for low-risk appliances. However, those with a higher degree of risk will have to supply test results and show compliance with safety requirements. It is pleasing that Queensland has been leading this initiative. It is envisaged that the national register will be operational within 12 months. It will also provide a register of responsible suppliers covering both Australian and New Zealand made goods as well as those that are imported. These responsible suppliers will then be able to indicate on the goods a regulator compliance mark. Tests will be conducted at random and incidents recorded. Should there be failures, recalls must be undertaken and penalties will apply when breaches are found.

This bill is all about safety and ensuring high-quality goods for customers. I have had a hair dryer burst into flames in my hand. That was pretty scary.

Mr Choi: Must have been what happened to mine.

Mrs SCOTT: Something happened to you, Michael. However, for an appliance to burst into flames when no-one is nearby can have disastrous consequences. It should always be emphasised that, while goods may be safe when purchased, it is important that we have appliances regularly checked, such as electric blankets and heaters when they have been stored away. I have a friend who had a house fire caused by an exchange student forgetting to turn off the electric blanket.

In this day and age, when we lose power there are few tasks we can undertake. We have become so reliant on electrical power. It is a wonderful commodity but one which we must always treat with respect and vigilance. This is an important piece of legislation and I am happy to support the bill before the House.

 **Mr MOORHEAD** (Waterford—ALP) (6.13 pm): It is always good to follow on from the member for Woodridge discussing her lovely parents, who are great constituents of mine. They are on the right side of Paradise Road. The history of local government award regulation in this state is testament to what conservative governments have done to strip away award entitlements for employees for decades now. What we are facing here is local governments where employees have been forced to seek coverage in the federal regime during the period of the Bjelke-Petersen government, to protect themselves from the threats of the Hewson government and the regime of industrial relations it proposed and then the Howard government. Local government employees, particularly those under the white-collar awards, would lodge disputes against councils and seek to be bound by federal awards to ensure that the state government provisions that the Bjelke-Petersen government was working on would not affect them and they would be protected by the then Hawke-Keating legislation.

In 2006 we again saw a conservative government attacking the rights of local government workers with the Work Choices regime. This government was able to change the process of the corporate status of local governments to ensure that local governments could be retained within the Queensland Industrial Relations Commission. What that meant is that those workers could stay within a system that had quick access to dispute resolution, quick access to award arbitration and a process that meant that they could continue to be represented by unions in their workplace.

The Work Choices regime was a hostile takeover of state workers who were working for constitutional corporations. Luckily, we were able to protect local government workers from those attacks, but those local government workers were bound by federal awards—awards that we had preserved in that legislation in the Local Government and Industrial Relations Amendment Act 2008.

What we are doing here is ensuring that local government workers will continue to be protected by our state system like their blue-collar counterparts. As many members may know, local government award regulation has had a history of blue-collar workers covered by state awards, such as the Local Government Employees Award, the Engineering Award, the plumbing trades award—a range of awards—while the white-collar workers were covered by a federal award. We had to ensure that those white- and blue-collar workers were not put to the ravages of Work Choices. We protected them in 2008. This act continues that process of protection and award entitlements.

I know that the Local Government Association of Queensland has some difficulty, but we have to remember that the Local Government Association of Queensland is also a registered union of employers. It is here to represent local government and ensure that they are not providing more to workers than they have to. We have to remember that local governments are representing the employers, not the people who work for local government.

In her speech the member for Currumbin asked what it is that the Queensland Workplace Rights Ombudsman is doing. If one looks at the website, which is a simple task that seems to be beyond the LNP—our question time would be much shorter if they just googled the questions before we started—one sees that the Queensland Workplace Rights Ombudsman has ‘secretly’ published on a website all of the reports it has completed. It has done investigations into bullying, taxidrivers, workers in the horticultural sector in and around Bundaberg, the recreational diving industry and contract arrangements around traffic control workers. What the Queensland Workplace Rights Ombudsman has been able to do is shine a light on those areas where workers are at their most vulnerable.

The Queensland Workplace Rights Ombudsman was able to shine a light on those instances where vulnerable workers were being attacked by the Work Choices regime. That function still has some operation, but in this new environment where we have a Fair Work Act that has wound back those awful aggressive attacks of Work Choices, this is a much simpler process and much more appropriate to the new Fair Work Act that we have at the federal level. There are still some issues in the federal Fair Work Act that need to be improved, particularly in terms of the Fair Work Ombudsman and its prosecution policy. I would like to see the Fair Work Ombudsman have a similar activist prosecution policy to that which the department of industrial relations had previously.

I concur with the member for Brisbane Central about the Queensland workplace agreements. The 1999 act reforms exposed Queensland workplace agreements and the myth of individual contracts and flexibility. The 1999 act said, 'In this state you can have workplace agreements, provided workers are not worse off and provided that you publish what they are so that they can be open to public scrutiny.' Guess what? No-one has taken them up. There is a lot of mantra about workplace agreements providing flexibility. The 1999 QWA regime provided flexibility in an accountable and protective way and no-one wanted it. It is great to see that finally we have been able to rid our legislation of this Santo Santoro legacy, which was another vicious attack on the workers of Queensland by the conservative side of politics in this state.

In relation to the workplace compensation amendments, I applaud the minister for his discussions with stakeholders to progress this matter. Over recent years, we have continued to provide the Industrial Relations Commission and the Industrial Court with a greater role in workers compensation appeals, which means that at the moment we have two appeals processes that seem to overlap. We have an appeals process under the Workers Compensation and Rehabilitation Act 2003 and another under the Industrial Relations Act 1999. That became evident in His Honour President Hall's decision in the 2006 Hetmanska case. It is a matter that we need to continue to look at to ensure that those regimes are consistent, but I applaud the amendment proposed by the Minister for Education and Industrial Relations. I thank him for the work that he has done for the workers of Queensland through this bill.

Mrs MILLER (Bundamba—ALP) (6.21 pm): I rise to support the Electrical Safety and Other Legislation Amendment Bill 2011, which introduces uniformity to the different state and territory legislative frameworks relating to electrical equipment safety. At this time in the debate, I point out that we only have two members of the LNP in the parliament. Where are the rest of them? They are treating this parliament with contempt. At this moment they are actually outside, electing an interim leader of the LNP.

Mr DEPUTY SPEAKER (Mr Ryan): Order, member for Bundamba! The Speaker has made a number of rulings about commenting on members being in or out of the chamber. There are many reasons they may be in or out of the chamber. I ask you to come to the bill and to address the terms of the bill.

Mr Moorhead: Newman is not even a member to be absent.

Mrs MILLER: I take that interjection. Campbell Newman is not a member of this parliament. He is a wannabe.

Mr SORENSEN: I rise to a point of order.

Mr DEPUTY SPEAKER: Order! There is no point of order.

Mrs MILLER: I think members on the other side are getting a bit worried, because there is only two of them in here. Once adopted by the other states, territories and New Zealand, this bill will harmonise electrical safety legislation across Australia and New Zealand. It will give manufacturers, retailers, importers and the general public confidence that a product that meets requirements in one state will now meet the requirements of all jurisdictions.

The bill is a collaborative effort by individual state electrical regulatory authorities under the umbrella of the Electrical Regulating Authorities Council, the ERAC. On behalf of the people of the Bundamba electorate, I offer my congratulations for the initiative and effort of those authorities and the relevant state governments for working together to improve electrical safety and harmonise industry requirements throughout Australia and New Zealand. I place on record the extensive consultation that has been undertaken in relation to this legislation. In fact, the stakeholders consulted included the Australian Industry Group, the Australian Electrical Equipment Manufacturers Association, the Consumer Electronics Suppliers Association, the Electrical Trades Union, the National Electrical Contractors Association, the Queensland Electrical Contractors Association, the National Association of Testing Authorities, the Electrical Compliance Testing Association and the Joint Accreditation System of Australia and New Zealand. Congratulations to all of those organisations for being involved in such extensive consultation.

The bill gives legislative consistency to suppliers, manufacturers and importers as it brings uniformity to the legislative requirements between different jurisdictions. It is a credit to this government, our Labor government, that Queensland's Electrical Safety Office has led the way in gaining the agreement and support of governments across Australia and New Zealand and industry, which has led to the creation of this bill. This is a very important piece of legislation. The Scrutiny of Legislation Committee has commented on the legislation. I congratulate our minister for electrical safety for a job well done. Again I must say what a pity it is that the LNP is treating this parliament with absolute contempt by having only two people in the House when important legislation is being debated.

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (6.25 pm), in reply: I thank all honourable members for their contributions to this important Electrical Safety and Other Legislation Amendment Bill. The focus of the bill is on improving electrical safety in Queensland and it is another example of Queensland leading the nation. Queensland is implementing a new national framework for electrical safety. We have led the debate nationally and we will be the first jurisdiction in

the Commonwealth to implement these new arrangements. I am very pleased to be part of a government that not only continues to deliver for Queenslanders but also is leading the nation in many respects.

I turn to a number of specific matters raised during the second reading debate, hopefully in an attempt to address those issues prior to the committee stage so that we can pass quickly through that stage of the debate. The member for Currumbin raised concerns about the cost of the new registration scheme. I advise the honourable member that all of the state and territory governments involved were very careful to ensure that the costs would not be prohibitive, but would be adequate to cover the cost of the changes to the regulations.

Industry was consulted extensively through the review process by regulators collectively and this bill has the support of the electrical, manufacturing and supply industries in both Australia and New Zealand, which is a valued partner in electrical safety. As a result, a set of workable transitional arrangements have been included in the bill to allow industry to comply and to ensure that electrical equipment supply in Australia and New Zealand is not interrupted by these important changes in the law. While there are some new costs to the industry, these are relatively minor and are more than outweighed by the estimated cost savings of the new Electrical Equipment Safety System. The new system aims to reduce regulatory burden by introducing a uniform legislative regime throughout Australia and New Zealand, eliminating the state-by-state requirements of the current system, which is a cost saving to industry over the current system and something that industry welcomes.

The proposed system will introduce a three-tiered risk based classification system. This will create significant opportunity for savings for suppliers of electrical equipment as the regulatory requirement for equipment will be proportionate to the level of risk. The Electrical Regulatory Authorities Council, the national council of Australian and New Zealand electrical safety regulators, estimates that approximately 20 of the current 60 categories of prescribed equipment will be redesignated as medium risk. This will result in less onerous regulatory requirements and will ultimately speed up the process for industry to get equipment into the market. About one-third of current categories will be designated as medium risk, which will be of benefit to industry and consumers.

The bill removes the current requirement for prescribed items to be marked with an approved number. This will result in a reduction in costs for industry. Under the new system, equipment that complies will be marked with a regulatory compliance mark, otherwise known as the RCM, and will be registered on the national register rather than have individual approval numbers printed or etched onto the equipment itself. I hope that members of the Liberal National Party acknowledge that as a significant reduction in red tape for all business in Australia. Often from the LNP we hear criticisms about red tape and the cost to business. This reform will reduce the cost to business. I look forward to their acknowledgement of the Labor government's initiative in this regard, but will not hold my breath.

The proposed scheme will introduce some new costs to industry via new registration fees. They include an equipment registration fee of \$75 per annum. This registration fee is applicable for levels 2 and 3—that is, high- and medium-risk electrical equipment, with a responsible supplier registration fee of \$200 per supplier per annum. They seem reasonable fees in all the circumstances. Any cost increase to the consumer would be negligible considering the number of products expected to be sold from one product registration. I have been advised by the Consumer Electronics Suppliers Association that the expected amount to be paid in registration fees is between \$2 million and \$4 million. Queensland's share of this, on the basis of 16½ per cent of the population, would be about \$400,000, which is not an unreasonable imposition for a significant reform like this.


Industry supports these reforms, but as part of the consultation on the bill has asked that there be increased check testing by the regulators. These registration fees will contribute to the increased number of investigators and the cost of check testing. It is a user-pays system and registration fees will cover the increased compliance activities. The increased fees will pay for two to three extra inspectors, a check-testing program and database maintenance. They are very significant reforms and are important for the safety of consumers.

Sitting suspended from 6.30 pm to 7.30 pm.

Debate, on motion of Mr Dempsey, adjourned.

MOTION

Order of Business

 **Hon. KJ JONES** (Ashgrove—ALP) (Acting Leader of the House) (7.31 pm), by leave, without notice: I move—


That government business orders of the day Nos 2 to 15 be postponed.

Question put—That the motion be agreed to.

Motion agreed to.

MOTION

Revocation of State Forest Areas

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (7.31 pm): I move—

- 1) That this House requests the Governor in Council to revoke by regulation under section 32 of the Nature Conservation Act 1992 the dedication of protected areas as set out in the Proposal tabled by me in the House today, viz

Description of area to be revoked

Iron Range Resources Reserve	Area described as lot 7 on plan WMT30, lot 8 on plan WMT810251 and lot 13 on plan WMT56 containing an area of 8,670 hectares as illustrated on the attached sketch marked "A".
Iron Range National Park	Area described as lots 1 to 4 on plan AP20252 and containing an area of 1,723.33 hectares as illustrated on the attached sketch marked "A".
Lakefield National Park	Area described as lots 1 to 16 on plan AP14313 and containing an area of about 550 hectares as illustrated on the attached sketch marked "B".
Mungkan Kandju National Park	Area described as lots 5 to 13 on plan AP20251 and lot 18 on plan AP20251 and containing an area of 593.15 hectares as illustrated on the attached sketch marked "C".
Mitchell-Alice Rivers National Park	Area described as lot 4 on SP215744 and containing an area of 64.65 hectares as illustrated on the attached sketch marked "D".

- 2) That Mr Speaker and the Clerk of the Parliament forward a copy of this resolution to the Minister for Climate Change and Sustainability for submission to the Governor in Council.

The proposed revocations are required under the Cape York Peninsula Tenure Resolution Program to meet the government's commitment to establish joint management of national parks with Aboriginal traditional owners. They are necessary steps towards delivering the tenure outcomes that the government has negotiated with traditional owners with the support of regional Aboriginal organisations and peak conservation organisations. The revocations will enable two national parks to be expanded in size, three parks to be converted to national parks—Cape York Peninsula Aboriginal land—several roads to be gazetted on their actual alignment and the roads to be maintained with local gravel.

Iron Range Resources Reserve covers about 8,670 hectares. Its revocation will enable about 7,630 hectares to be granted as Aboriginal freehold land and simultaneously dedicated as national park, Cape York Peninsula Aboriginal land. This will increase the protection of the natural and cultural values of this area. The remaining area of just over 1,000 hectares is proposed to be granted as Aboriginal freehold land with a nature refuge covering around 230 hectares to further assist in protecting natural and cultural values.

It is also proposed that the three parcels of land on the edge of Iron Range National Park totalling 1,714 hectares be revoked in order that they can be transferred as Aboriginal freehold land. About 1,268 hectares of this area is proposed to be made a nature refuge. Further, it is proposed that a 9.33 hectare strip of land be revoked from the park so that an existing road can be dedicated as a public road. Separately, about 129 hectares of land set aside for roads that were not constructed will be added to the park. When these actions have been completed, the government will have expanded the Iron Range National Park by over 6,000 hectares and converted it to a jointly managed national park, Cape York Peninsula Aboriginal land. These actions are scheduled for completion this year.

The proposed revocation of about 550 hectares from Lakefield National Park will enable roads to be gazetted on their actual alignment. It will also enable gravel extraction for road maintenance to be carried out in areas that are intended to be dedicated as resource reserves. This revocation will be more than offset because about 1,737 hectares of land set aside for roads that were not constructed will be added to the park, thus increasing the total size of the park by about 1,187 hectares. This park is also scheduled to be converted to a jointly managed park this year.

Late in 2010, part of the Archer Bend section of Mungkan Kandju National Park was revoked for future grant as Aboriginal freehold land. Following road survey work that was completed in January this year, it is now proposed that 593.15 hectares be revoked to enable roads to be gazetted on their actual alignment and enable gravel extraction for road maintenance. This revocation will be more than offset because around 918 hectares of land set aside for roads that were not constructed will be added to the park. Together, these actions will result in an increase in the park size of around 325 hectares. The conversion of Mungkan Kandju National Park to jointly managed park is scheduled to be finalised by the

middle of this year. Most of the Mitchell-Alice Rivers National Park was converted to Errk Oykangand National Park, Cape York Peninsula Aboriginal land in 2009. The proposed revocation of the remaining parcel of park will enable a road to be gazetted on its existing alignment.

In summary, these revocations are preliminary steps towards a significant expansion in the national park estate, the return of homelands to traditional owners and the creation of nature refuges. They will, therefore, contribute to our government's vision. I want to acknowledge the local member, who will also speak on this motion tonight, for his continued support to help make this happen. This will contribute to the conservation of important natural and cultural heritage values on Cape York Peninsula. I commend the motion to the House.

Mr DEMPSEY (Bundaberg—LNP) (7.36 pm): It is a pleasure to rise to speak to the motion for revocation of state forest areas, particularly involving these five significant parcels of land. They are not just pieces of earth and fauna and flora that take up a far distant space in North Queensland; they are actually heart and soul to many Indigenous communities within that area and are very important to the communities that reside in those areas. We have to look at not just the past but also the future. We must ensure that these national parks and Indigenous areas are there for future generations. The LNP wants to leave our land and the environment for the betterment of future generations. It is incumbent on all members of parliament—from whatever side and no matter our beliefs—to ensure that the environment is enhanced so that we can enjoy its beauty.

There are other issues that the minister touched on related to how traditional owners have been treated over many years. Hopefully this will not see the closure of a number of areas but is the start of a process with support from the state government. As the shadow minister I am concerned that when we hand over these properties there are resources and a commitment from local, state and federal governments working in partnership with the many Indigenous community groups within those areas as well as other community groups to ensure that these areas are not closed but remain open to the people so they can obtain maximum benefit from them. It is very important that the communities also receive the support.

The five main areas covered by this motion are Iron Range Resources Reserve, Iron Range National Park, Lakefield National Park, Mungkan Kandju National Park and Mitchell-Alice Rivers National Park. It is very important that these parks, as previously stated—

Mr O'Brien: Do you know where they are?

Mr DEMPSEY: It is very important—I have worked in Cooktown and Coen in previous occupations and I have respect for the people in those areas—not to be sarcastic across the chamber and disrespect those people in those areas, as the member for Cook is doing right now.

Mr O'Brien: Don't start.

Mr DEMPSEY: He started it and if he wants to keep going on in a sarcastic tone—

Mr DEPUTY SPEAKER (Mr Kilburn): Order! You will address your remarks through the chair and make your comments relevant to the bill.

Mr DEMPSEY: Thank you, Mr Deputy Speaker. I will not go back to the distraction by the member for Cook. The other concern, as previously stated, is the road access, and I am glad the minister alluded to that. I know that the government has been working with councils to negotiate access to those roads to ensure that people can transgress the parks and access the beautiful parts of Far North Queensland. That is very, very important not just for the traditional owners but also for the tourism industry. Opportunities exist within these parks not just for the local traditional owners but also for the whole state. We have to ensure that we have clear access points to be able to get in and out of those areas. Having those access points is a practical measure.

I want to acknowledge the fact that these parks will need resources put into them. I look forward to the minister working with the communities, particularly the Indigenous communities, to create job opportunities. The opposition sees great scope in relation to the tourism industry for enhancing local jobs so that the people who know their lands best are able to facilitate those tourism opportunities. We see this happening in other states and territories, whether it be the Northern Territory or Western Australia. We know that the international tourism market certainly has embraced that. I can see only great opportunities there for the local communities.

It is all right to say that we are going to do these things, but it is another thing to actually lend a hand in the long term by ensuring that these communities get the infrastructure and resources they need to facilitate this and take this opportunity to get the best out of those areas. If we do not give people a hand then they are going to falter, and we cannot afford that. Whether it be the impost of distance or the impost of communications within these areas, we have to ensure that people get the best resources they can. If they cannot get those resources, then they need to be informed when they will get those resources to ensure that these five significant park areas are enhanced and their full potential is reached so that people can enjoy those areas.

The brief explanation of the proposal, under the Nature Conservation Act 1992, that was provided by the minister was certainly thorough in relation to the vast expanse of land that is going to be taken up in these areas. They are significant. People who have not been in those areas and do not understand those areas do not have a full comprehension of the vulnerability of those areas. Brisbane is a beautiful place. Some people refer to going to beautiful areas like Caboolture or Toowoomba as going out into the country. They are beautiful areas, but when they go to Far North Queensland they have to be able to appreciate those areas. I am sure that by these notifications people will have the opportunity to enjoy these places.

I ask the minister—and this is not just in relation to this motion of revocation of state areas—what consultation was involved with the tourism and fishing industries and local communities, as well as the Indigenous communities, in those areas? We have many travellers who visit that area because of its uniqueness and beauty. What consultation was involved? I also ask the minister: what are the costs involved in the process? It is easy to list these parks, but are there going to be any costs to the Queensland community in relation to changing these notifications? Also, can the minister ensure that there will be a greater community consultation process in relation to these parks? I see that, in relation to access, Princess Charlotte Bay and Weymouth Bay and so forth are included. These are pristine, beautiful areas. We do not want the scenario where people—and a lot of times it is through their own ignorance—go into these areas but do not know that things have changed. I hope there is some form of community consultation or that information is given to the community in relation to that.

With those words, I will finish. I also acknowledge the Wik people and their endeavours. They have struggled over many years.

Mr O'Brien: From the National Party mostly.

Mr DEMPSEY: I take that interjection from the member for Cook again. He said the National Party.

Mr O'Brien: It was the National Party. You're not a National Party member, are you, Jack?

Mr DEMPSEY: What we have to remember—I was just closing before that interruption—is that within the last 20 years we have seen a Labor government in this state. This issue has gone on since 1977. Surely the government must take some responsibility for its inaction over the last 20 years and also for the lack of consultation by its members in those areas and maybe the lack of fight by those members to push this issue forward in a much more serious way far sooner. Also, we have to remember that, whilst we had an apology from the former Prime Minister Kevin Rudd, this state government apologised almost 12 years ago. I remember seeing in this House the number of studies about what we are going to do and how we are going to do things better build up and up. We had promises after promises three-feet high. So the member for Cook should not sit here with hypocrisy and a thou art holy attitude in relation to the people in those communities, because they deserve better. They deserve to be able—

Mr O'Brien: Mr Deputy Speaker, I rise to a point of order. I take offence to what the member has said. The word he has used is unparliamentary and I ask him to withdraw.

Mr DEPUTY SPEAKER: Order! I ask you to withdraw.

Mr DEMPSEY: If I have offended the member for Cook in any way, shape or form, I unanimously withdraw.

Government members interjected.

Mr DEMPSEY: We can keep going like this all night, if you like. The quicker we understand and respect the people in Far North Queensland the better. It is important. It is part of Queensland's future. It is part of our children's future. I have a young family. I have five young children, and I know that they want to have the opportunity to go to Far North Queensland and experience what is so special and unique to Queensland. It is like nowhere else in the world. Before I got married and had children I visited about 27 or 28 countries. Queensland is certainly the best place in the world. It is important to ensure that things are done properly.

Mr O'Brien (Cook—ALP) (7.49 pm): It is a great pleasure to rise and speak in favour of the motion before the House tonight. I start by congratulating the minister for bringing this motion before the House. I cannot speak for the people of Ashgrove because I am not one who lives in that electorate, but I know that in her capacity—

A government member interjected.

Mr O'Brien: Neither is Campbell, I agree. I know that in her capacity as the Minister for Environment and Resource Management the member for Ashgrove is called upon to do a great deal of work in the vast electorate of Cook, where important pieces of the Queensland environment and important resources are located. I know that she does an outstanding job in her capacity as minister. I am sure that she does the same in her capacity as the local member for the people of Ashgrove. I look forward to her continuing her responsibility. I know and trust that she will do so for a long period to come.

The member for Ashgrove will stand in stark contrast to the person who will seek preselection for the LNP in that seat, just as she stands in stark contrast to the shadow minister who stood in here tonight and demonstrated his complete ignorance of the facts on matters pertaining to Cape York Peninsula and Aboriginal people in Queensland generally.

Mr DEMPSEY: I rise to a point of order, Mr Deputy Speaker. I take offence at the member's comments about me not having respect for Indigenous communities throughout Queensland and I ask him to withdraw.

Mr DEPUTY SPEAKER (Mr Kilburn): Member for Cook, the member for Bundaberg has taken offence at your words and has asked for you to withdraw them.

Mr O'BRIEN: I withdraw.

Ms Male: Have you been up there yet, Jack? Have you talked to anyone?

Mr Dempsey: You would be surprised.

Mr DEPUTY SPEAKER: We will not have a conversation across the chamber, member for Pine Rivers.

Mr O'BRIEN: I am not sure how much time the shadow minister has spent in Cape York Peninsula. It was a great pleasure to stand next to the minister in Kowanyama in 2009 when we recognised the traditional ownership of the Erkk Orkangand National Park, which is now part of the Mitchell-Alice National Park. It was a great day and this was really very much appreciated by the people there that day.

The shadow minister needs to understand that what we do during these ceremonies and as part of this revocation tonight is not just recognise native title but also cut a deal with traditional owners so that important pieces of land are conserved and the traditional owners get the opportunity to take over the management of those national parks. We increase the national park estate and provide employment opportunities for the Indigenous people.

We do not just recognise native title. What we do is grant a higher form of title in terms of Aboriginal freehold, which gives the Indigenous people and the traditional owners of that land more opportunities to take advantage of additional rights than they would otherwise have received if they had just been granted native title. The ignorance that the shadow minister brings into the chamber tonight in not understanding that process and in not understanding the additional rights and responsibilities that we give to traditional owners in giving them economic opportunities as part of this process is, quite frankly, embarrassing.

The proposed revocation in the Lakefield National Park consists of strips of land along existing roads. It will enable roads to be gazetted on their actual alignment.

Mr Dempsey: Why are you reading this? Why don't you know it?

Mr DEPUTY SPEAKER: Order! Member for Bundaberg, the member for Cook has the floor.

Mr O'BRIEN: I know it because I have driven these roads. I have driven the unaligned roads as well. Sometimes I make the unaligned road! Roads become unaligned for different reasons. Roads get washed out and the next person to go along has to make a new road. Sometimes—in fact very often—the person who makes the new road is me. It takes the old road off alignment. Generally, I am one of the first people in the cape in my car in the wet season. If the road has suddenly been washed away and taken off alignment then I will bash through a new road. I will make sure that people who follow me can get into the cape and get into these areas.

That is what happens. That is how roads become unaligned over the years. We are talking about roads that have been gazetted for well over 100 years. They change over time. What we are doing here tonight is fixing some of those problems that can be an issue for the council when it is trying to get gravel and water in to build these roads or an issue for insurance purposes. For all sorts of reasons, we need to fix this up.

Mr Dempsey interjected.

Mr O'BRIEN: Sometimes you have to. I absolutely bash through the bush sometimes, member for Bundaberg. I will do whatever it takes to represent the communities in my electorate.

The government also intends to add to Lakefield National Park some land set aside for roads that have not been constructed and are needed as public roads. As a result, the size of the park will actually increase rather than decrease.

The proposed revocation of the Mungkan Kandju National Park is for the same purpose as the revocation from the Lakefield National Park; namely, so that roads can be dedicated on their existing routes and so that gravel can be extracted to maintain the roads through the park. Again, there will ultimately be an increase in the size of the park once land not required for the roads is added to it. These

revocations are necessary steps in the process of converting national parks to jointly managed national parks. They have the support of the Aboriginal and conservation organisations and will benefit the people who visit these parks and use the roads through the parks.

Part of this proposal involves the revocation of the whole of the Iron Range Resources Reserve and parts of Iron Range National Park. This park is famous worldwide for its magnificent rainforest and exceptional bird life. Revoking the resources reserve is an essential step towards adding almost 90 per cent of that area to the surrounding national park when it is dedicated as a national park. This will increase the protection of large areas of rainforest and other important wildlife habitats that are surrounded by but not currently included in the Iron Range National Park.


The balance of the resources reserve—namely, three parcels close to the townships and roads—is proposed to be returned to traditional owners as Aboriginal freehold land. Similarly, three parcels of land on the edges of the Iron Range National Park are proposed to be revoked so that they can be returned to traditional owners as Aboriginal freehold land.

This Aboriginal freehold land transfer will provide economic development opportunities to the Aboriginal traditional owners. For example, it will offer the option to construct and own cultural and ecotourism ventures near the national park. I know people up there. Dotty Omeenyo is one of the traditional owners up there. She is particularly interested in establishing an ecotourism place for visitors. I wish Dotty the best of success. I will continue to support her to achieve that goal.


Nature refuges are proposed to be declared over more than half the area to be transferred as Aboriginal freehold which will help traditional owners to continue protecting the natural and cultural values of their land. The fourth parcel to be revoked from the park is a strip of land that is an existing road. The revocation is necessary so that it can be dedicated as a public road. This will be more than offset by about 129 hectares set aside for roads that were not constructed and will be added to the park.

It is important to note that, ultimately, these actions will result in the government expanding Iron Range National Park by more than 6,000 hectares as well as converting it to a jointly managed national park. This will have significant benefits for conservation of the unique natural and cultural values of this beautiful area.

The proposal is supported by traditional owners, the Cape York Land Council and the conservation groups on the Cape York Tenure Resolution Implementation Group; namely, the Wilderness Society and the Australian Conservation Foundation. I would assume Bulcanoo would also be a supporter of these proposals. This initiative demonstrates that this government is committed to the return of homelands and joint management of national parks with Aboriginal traditional owners on Cape York Peninsula. I support the motion before the House.

 **Mr KNUTH** (Dalrymple—LNP) (7.58 pm): In speaking to the notice of motion relating to revocation of state areas, it needs to be acknowledged that some of these national parks are huge wide open spaces with thick areas of rubber vine, noxious weeds and feral pigs. However, it is important that we provide the traditional Aboriginal owners with assistance and resources in order to manage these areas. The Mitchell-Alice Rivers National Park would be at least 500,000 to 600,000 acres. It is also great that we can provide a system for job creation in order to allow people to make a living from the land. This is obviously welcomed, but it is also very important that we look after our national parks. There are many wild dogs, feral cats and wild pigs in the Mitchell-Alice Rivers National Park and you know that because those pigs are in a national park they will not be touched, they will not be harmed and they will be looked after. However, as I said, it is important that we manage these parks.

The Auditor-General's report stated that only 98 out of the 576 national parks have a management plan. The state government is spending up to \$58 million purchasing more national parks and yet at the same time does not have management plans for the majority of Queensland's national parks. It is a bit of a kick in the guts when the government imposes ERMPs on landowners and enforces them with fines and jail time when the state government cannot lead by example. In one night feral pigs can rip up a quarter of an acre of land like a rotary hoe, and that is one boar pig. They can travel tens of kilometres spreading noxious weeds and diseases from one area to another. This needs to be addressed. Wayne Goss made a big mistake when he tried to ban fishing in national parks many years ago. National parks do belong to the people. As the member for Bundaberg said, we want people to have access to them and to be able to get permits so that they can fish and utilise the quality of life that those parks can offer.

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (8.01 pm), in reply: I thank everybody for their contributions to this debate. However, there are a few things that I want to clarify. I think the member for Cook clarified some issues in his contribution quite eloquently, because he has been there and we have spoken to the people who have been employed. Traditional owners are being employed because of the framework that we have put in place with regard to having joint management. This is absolutely about land justice for traditional owners in Cape York. This is about conserving Queensland for future generations and to protect those values, but it is also about creating real job opportunities in Cape York.

I want to take this opportunity to acknowledge Buzz Simmons, who is here tonight. I think he gets named in the *Hansard* every time we do a revocation motion. That is something his children and grandchildren can look at in the future. I do really want to acknowledge Buzz because, when the shadow minister asked if there has been consultation, I can say that I have been to Cape York with Buzz and I have seen the trust the people there have in him and the work that he does because he is so passionate about delivering this. This revocation motion does not come here today as a decision we have made as a government solely; this has been done very much in partnership with the traditional owners. It is their land. The work that Buzz has done has taken years to get us to that point. I and the honourable member for Cook can appreciate that this is—

Mr O'Brien: A fantastic public servant!

Ms JONES: Exactly. I take that interjection. It is a tribute to public servants like him that we are able to progress an agenda like this. This is difficult work because it does take time and it does take lots of consultation, but this is something that we are extremely proud of and that Buzz should be proud of as an individual. Of course, the traditional owners are being very generous in allowing and enabling the state to have conservation status on this land as well. I take this opportunity in summing-up to thank them once again for their generosity and urge all members to support the motion.

Question put—That the motion be agreed to.

Motion agreed to.

ELECTRICAL SAFETY AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from p. 680, on motion of Mr Dick—

That the bill be now read a second time.

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (8.04 pm), continuing in reply: Before the adjournment of the debate on this bill I was addressing some issues raised by the member for Currumbin. She asked if the spot testing was one of the modest costs to be borne by suppliers in the new electrical safety regime. As I have explained, the registration fees will pay for increased surveillance and testing. In addition, costs can be recovered from the manufacturer or importer if the product fails the testing. This is already in the current Queensland legislation. However, the other jurisdictions will now adopt the Queensland position and this will now apply across Australia and New Zealand.

The member for Currumbin also asked about the transitional arrangements and what is entailed and what are the time frames. Transitional arrangements are necessary because this is a national scheme and the other jurisdictions will take time to enact their own legislation based on the Queensland act, which will be the first in the nation. The scheme will commence once those jurisdictions' laws are in place. Industry will then have six months to register. The marking requirement or regulatory compliance mark will commence after three years. This will allow time for manufacturers to include the mark on their products. There are already 22 existing marks which are required for products, and this will continue in force until the new regulatory compliance mark becomes law so there will not be a period where no marking is required.

The member for Currumbin raised concerns about the local government amendments and asked how the 1993 award would improve working conditions for workers. I found that inquiry quite surprising given the support of the Liberal Party and the National Party and the Liberal National Party for the federal Work Choices legislation, but I will take her on face value as I said I would in this debate and address her concerns. This award has been in the state system since 2008 applying to other local governments covered by earlier legislation. This bill merely extends its application to local governments that could not be covered by it in 1998 because of the status of them as non-constitutional corporations.

The member for Currumbin also asked about the timing of these amendments and accused the state government of delay in bringing these reforms. As she would no doubt be aware as someone who has served in the parliament for quite a while now and now as the shadow industrial relations minister, the Queensland parliament cannot pass legislation to override federal legislation and cannot in fact enact that part of the legislation until the federal legislation sunsets on 27 March this year. That is of course because Commonwealth law overrides state law and any state law that is inconsistent with Commonwealth law is invalid. It is only now that we can act and it is now that we must act to ensure that these particular local government councils continue to have the benefit of their industrial instruments immediately after they cease on 27 March 2011. These amendments will ensure that their arrangements continue in the state system when the federal instruments cease. The member for Currumbin also asked about how long service leave will be calculated by the government. Long service leave is of course calculated in accordance with the minimum statutory entitlements under the Industrial Relations

Act 1999 or in accordance with the applicable industrial instrument. The bill will not affect long service leave entitlements. So however long service leave was calculated on 26 March, that will be how it is calculated on 27 March.

The member for Currumbin asked some very operational and specific questions about the operating budget of the Queensland Workplace Rights Ombudsman. Most of that information is available from the relevant website, as was pointed out during the debate by the member for Waterford, and it is also covered in the reports that are regularly tabled in the parliament by me as the relevant minister for the Queensland Workplace Rights Office and the Queensland Workplace Rights Ombudsman. However, I can advise the honourable member that the budget for annual employee expenses for the Queensland Workplace Rights Ombudsman is \$918,100. The expenses of the Ombudsman are separate. The overall staffing has remained unchanged.

The number of calls to the hotline increased in the quarter ended 30 September 2010—a 20 per cent increase—when compared to the previous June quarterly data. The trend identified in previous quarterly reports has continued in that the level of demand and follow-on service delivery continues at a high level and still exceeds the initial expectations and plans for service delivery when operations of the Queensland Workplace Rights Office commenced on 1 July 2007. The Queensland Workplace Rights Office was initially set up to handle 6,000 projected inquiries per annum. However, the September quarter hotline data—that is, the September quarter ended 30 September 2010—indicates a contact rate 2½ times greater than the initial anticipated volume of calls that totalled 3,730 for the September 2010 quarter, which is interesting when one looks back at the annual projection of 6,000.

The quarterly website visitor numbers have increased from 4,795 in September 2007 to 16,446 for that quarter—a 243 per cent increase—with 84.72 per cent of the visits to the website being new visits. I also advise the honourable member that the Queensland Workplace Rights Ombudsman has conducted 1,414 investigations since 2 July 2007 and that 68 investigations were carried out in the quarter to 30 September 2010, the most recent reporting period for the office.

The member for Gaven raised a number of concerns. He was concerned about the definition of 'reasonable monitoring' in relation to the national database. This provision was drafted by the Office of the Queensland Parliamentary Counsel and was agreed to by all parliamentary counsel across Australia via a nationally agreed process. The member also raised concerns about the amendments to the Industrial Relations Act—concerns that were addressed comprehensively by the amendments that I circulated in the chamber earlier today and upon which I briefed the opposition spokesperson.

I turn now to the contribution of the member for Gladstone. She asked the reason for the restriction to be placed on the Queensland Workplace Rights Ombudsman's ability to conduct industry reviews. The position of the Queensland Workplace Rights Ombudsman and the Queensland Workplace Rights Office were established in July 2007, as all honourable members would know, primarily in response to the very egregious Howard government's unfair Work Choices legislation. The Workplace Rights Ombudsman and the QWRO were established to monitor the effects of Work Choices on Queensland workplaces, to highlight any inadequacies in the Work Choices legislation, to promote fair industrial relations practices and to provide a one-stop shop offering advice and information to Queensland's employers and employees.

Today the bulk of the Workplace Rights Ombudsman's work falls within the areas of providing information to employers and employees and investigating allegations of unfairness in the workplace. The Workplace Rights Ombudsman also has the power to conduct industry-specific reviews. However, other bodies are also able to conduct industry-specific reviews and may be better placed to do so, including the Queensland Industrial Relations Commission and the federal Fair Work Ombudsman.

By providing for industry-specific reviews at the request of the minister, the bill provides that the resources of the Workplace Rights Ombudsman and the Queensland Industrial Relations Commission are used to best effect for the benefit of Queensland workers. The bill enables the minister to direct resources to high-priority areas and to reduce the potential for overlap.

The member for Gladstone also raised issues about the complaints mechanisms and the changes to that. Of course, the individual complaints mechanisms remain unchanged. It is really only in relation to industry reviews that there has been a change.

The member for Gladstone also commented on the 21-day appeal period for workers compensation appeals. This amendment merely clarifies the position that was thought to exist previously. It was always believed that the 21-day appeal period ran from the day of the decision in accordance with the Industrial Relations Act. There was some uncertainty; however, this amendment clarifies the position very clearly.

The Queensland government has been very active in ensuring the electrical safety of all Queenslanders. That began prior to 2002 and we continue with that sort of reform with this very important legislation.

Madam Deputy Speaker, in closing I thank you for your attentiveness during the debate and the attentiveness of all other honourable members to this very important address by me in the parliament tonight. I also indicate that I intend to propose amendments in the consideration in detail stage to clarify the drafting concerning the amendments in relation to local government. Can I assure all honourable members that these amendments are being moved in the parliament on the basis of advice from the Office of the Queensland Parliamentary Counsel. It is the Office of the Queensland Parliamentary Counsel that is recommending these amendments to ensure that the policy intent of the legislation is beyond question. I take the advice of the drafters on that sort of issue in moving those amendments. I intend to move the amendments en bloc, because they all relate to a single clause in the bill.

I also intend to propose amendments in the consideration in detail stage for the provisions in the bill relating to workers compensation appeals. Can I assure all honourable members that those proposed amendments will retain the status quo regarding the scope of appeal and follow further consultation with stakeholders, which is an important part of the parliamentary process. It might be difficult for those outside the parliament to fully appreciate the nature of the legislative process if they have not served in this place. Can I suggest that that is very clearly the reason legislation lies on the table of the House for a minimum of two weeks under the standing orders—so that all members of the Queensland community can comment on legislation. That is why, having received further feedback in consultation, I will be moving that amendment this evening.

I thank all honourable members for their contributions to the debate tonight. I thank all of the officers who have contributed significantly to the preparation of the bill. I am very grateful for their contribution in the preparation of this bill.

Question put—That the bill be now read a second time.

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 51, as read, agreed to.

Clause 52—



Mr DICK (8.15 pm): I move the following amendments—

1 Clause 52 (Insertion of new ch 20, pt 12)

Page 90, lines 11 to 13—

omit, insert—

'pre-reform Act means the Workplace Relations Act as in force immediately before the commencement of the Work Choices Amendment Act, schedule 1.'

2 Clause 52 (Insertion of new ch 20, pt 12)

Page 90, lines 14 to 18—

omit, insert—

'remuneration, in relation to an employee—

(a) includes the wage or salary payable to the employee; and

(b) does not include amounts payable or other benefits made available to the employee under a contract of service.'

3 Clause 52 (Insertion of new ch 20, pt 12)

Page 90, line 20—

omit, insert—

'substitute State award, other than for section 768 or 768A, means a substitute State award under section 768(5) or 768A(2)(a).'

4 Clause 52 (Insertion of new ch 20, pt 12)

Page 90, after line 28—

insert—

'Work Choices Amendment Act means the *Workplace Relations Amendment (Work Choices) Act 2005* (Cwlth).'

5 Clause 52 (Insertion of new ch 20, pt 12)

Page 91, lines 1 to 17—

omit, insert—

'768 Award binding particular local governments and their employees

(1) Subsection (2) applies if—

(a) immediately before the commencement, a local government was a respondent to a transitional award; and

- (b) the respondents named or listed in the transitional award are the same or substantially the same as the respondents named or listed in a substitute State award as in force immediately before the commencement.
- '(2) On the commencement, the substitute State award mentioned in subsection (1)(b) applies to the local government and any employee of the local government.
- '(3) However, in relation to employees to whom a transitional award applied immediately before the commencement, the substitute State award is amended so that the remuneration under the transitional award continues to apply.
- '(4) Subject to subsection (3), the substitute State award has effect according to its terms.
- '(5) This section does not affect the operation of section 165.
- '(6) In this section—
substitute State award means an award taken to be made by the commission, and amended, as provided for in section 747.

'768A Award binding other local governments and their employees

- '(1) This section makes provision in relation to an award as defined in the pre-reform Act, section 4(1) that was continued as a transitional award, if—
- (a) a local government, other than a local government to which section 768(2) applies, was a respondent to the award; and
- (b) immediately before the commencement, the transitional award continued in force.
- '(2) On the commencement, the award—
- (a) is taken to be an award made by the commission under section 125 (also a **substitute State award**); and
- (b) applies to the local government and any employee of the local government.
- '(3) The substitute State award is taken to be amended so that the remuneration applying to employees under the transitional award immediately before the commencement applies to the employees to whom the substitute State award applies.
- '(4) Subject to subsection (3) and section 770, the substitute State award has effect according to its terms and, despite section 133, an action to enforce the substitute State award may be commenced at any time.
- '(5) This section does not affect the operation of section 165.'

6 Clause 52 (Insertion of new ch 20, pt 12)

Page 92, line 12, 'section 769'—

omit, insert—

'sections 768A and 769'.

7 Clause 52 (Insertion of new ch 20, pt 12)

Page 92, lines 15, 19, 21 and 23, 'agreement'—

omit, insert—

'instrument'.

8 Clause 52 (Insertion of new ch 20, pt 12)

Page 93, lines 1 and 2—

omit.

9 Clause 52 (Insertion of new ch 20, pt 12)

Page 93, lines 4 and 5—

omit, insert—

- '(1) This section applies to an employee to whom a substitute State instrument applies after the commencement.'

10 Clause 52 (Insertion of new ch 20, pt 12)

Page 93, lines 12 to 14—

omit, insert—

- '(i) the day a certified agreement, certified by the commission after the commencement, applies to the employee;'

11 Clause 52 (Insertion of new ch 20, pt 12)

Page 93, lines 23 to 25—

omit, insert—

- '(i) the day a certified agreement, certified by the commission after the commencement, applies to the employee;'

12 Clause 52 (Insertion of new ch 20, pt 12)

Page 93, after line 29—

insert—

- '(4) In this section—

remuneration, in relation to an employee, includes amounts payable or other benefits made available to the employee under a contract of service.'

13 Clause 52 (Insertion of new ch 20, pt 12)

Page 94, lines 2 to 22—

omit, insert—

- '(1) Sections 8A, 9, 9A, 10, 11 and 15 do not apply in relation to an employee to whom a substitute State agreement applies until the earlier of the following—
- (a) 27 March 2012;
 - (b) the day a certified agreement, certified by the commission after the commencement, applies to the employee.
- '(2) Sections 8A, 9, 9A, 10, 11 and 15 do not apply in relation to an employee to whom a substitute State award applies until the earlier of the following—
- (a) 27 March 2012;
 - (b) the day a certified agreement, certified by the commission after the commencement, applies to the employee;
 - (c) the substitute State award is repealed;
 - (d) the commission makes a new award that replaces the substitute State award for the employee.
- '(3) Despite subsection (2), sections 8A, 9, 9A, 10, 11 and 15 continue to apply in relation to an employee to whom an industrial instrument applied immediately before the commencement.'

I table the explanatory notes for those amendments.

Tabled paper: Explanatory notes to the Hon. Cameron Dick's amendments to the Electrical Safety and Other Legislation Amendment Bill [\[4140\]](#).

As I said in the second reading debate, I will speak briefly to these amendments. These amendments amend clause 52 of the bill, the purpose of which is to ensure that the legislative intent of the government on this issue can be implemented without any possible impediment. These amendments have been recommended to me as the responsible minister by the Office of the Queensland Parliamentary Counsel. They put beyond doubt the intention to provide the underpinning and to provide the safety for workers transitioning out of the federal award back into the state system to ensure protection for often vulnerable workers, or low-paid workers in particular, in a number of councils, including Aboriginal councils. We want to afford them the protection of the industrial relations system in this state. That is the purpose of those amendments that I move in the parliament tonight.

Amendments agreed to.

Clause 52, as amended, agreed to.

Clauses 53 to 65, as read, agreed to.

Clause 66—



Mr DICK (8.17 pm): I move the following amendment—

14 Clause 66 (Amendment of s 561 (Appeal to industrial court))

Page 102, lines 16 to 22—

omit, insert—

'Section 561(2)—

omit, insert—

- '(2) The *Industrial Relations Act 1999* applies to the appeal.'.

As I indicated at the closing of the second reading debate, this amendment is moved to ensure the status quo continues in relation to appeals to the Industrial Court of Queensland in relation to workers compensation appeals.

Amendment agreed to.

Clause 66, as amended, agreed to.

Clauses 67 to 69, as read, agreed to.

Schedule, as read, agreed to.

Third Reading



Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (8.18 pm): I move—

That the bill, as amended, be now read a third time.

Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title



Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (8.18 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

QUEENSLAND INDUSTRY PARTICIPATION POLICY BILL

Second Reading

Resumed from 27 October 2010 (see p. 3908), on motion of Mr Fraser—

That the bill be now read a second time.



Mrs STUCKEY (Currumbin—LNP) (8.19 pm): I rise to speak to the debate on the Queensland Industry Participation Policy Bill 2010 as the opposition shadow minister for small business and job creation. The bill was introduced into the House on 27 October 2010 by the Treasurer and Minister for Employment and Economic Development, the honourable member for Mount Coot-tha. I see the new Minister for Tourism, Manufacturing and Small Business now has carriage of this bill. Whilst I congratulate her on her appointment, and I sincerely do, I also commiserate with her for having this innocuous effort as her first bill.

I place on record from the start that I am a co-owner of a small business, a medical practice, in Coolangatta. I therefore understand the growing encumbrances being placed upon them that not only steal precious time but eat into bottom-line profit and therefore affect jobs. Devastating floods and cyclones across Queensland have belted numerous small and medium businesses hard. Sadly some will not recover and will have to close leaving heartache, debt and loss of jobs. Watching endless television footage at the beginning of the year, it really hit home how many regional towns rely on small business for so many items and services—literally for their daily bread. In the aftermath there is a chance for those wanting to restart to apply for loans, but there is still mountains of red tape to choke them as they try to rebuild their ravaged homes and uprooted lives. The struggle even to survive in businesses that many townfolk have run for decades through the generations is more evident now. I would like to once again acknowledge the community spirit and the courage of people right across Queensland who have been affected by flood or cyclone in some way.

According to the explanatory notes, the objective of the bill is to maximise economic, employment, industry development and social benefits to Queensland of state government funded procurement by ensuring the high-level principle of developing, maintaining and implementing an industry participation policy is put into practice by all Queensland governments. This bill applies to GOCs and all government agencies, including special purpose companies established to deliver large or unique infrastructure projects. This bill also provides that a responsible minister must have an industry participation policy, known as the local industry policy.

With respect to a local industry policy, the bill requires the minister to have regard to the following broad objectives: maximising employment and business growth in Queensland by expanding market opportunities for local industry; providing agencies and GOCs with access to a wide range of capable local industry in Queensland that can deliver value for money; supporting regional and rural development in Queensland; developing local industry's long-term international competitiveness by giving local industry a fair opportunity to compete against foreign suppliers; promoting local industry's involvement in value-adding activities in Queensland; and driving technology transfer, research and development, innovation and improved productivity for local industry to enhance value for money.

The bill requires that local industry policy be consistent with the following principles: achieving value for money, ensuring probity and accountability for procurement outcomes and minimising compliance burden by avoiding unnecessary and excessive administration. When developing a local industry policy the minister must consult widely, including with agencies, GOCs, industry organisations and trade unions. In relation to transparency and accountability, the bill requires that the local industry policy must be published on DEEDI's website; that the minister must report to parliament annually on the implementation of the local industry policy; and that the minister must table by November the report for the previous financial year.

Local industry is defined as Queensland and Australian small and medium sized enterprises, SMEs, in the manufacturing or service sector and New Zealand suppliers of goods or services. The local industry policy is administered by the Office of Advanced Manufacturing within DEEDI and implementation of the policy is monitored by the Manufacturing Leaders Group chaired by the minister. The minister reports to cabinet annually on the implementation of the policy. Central components of the local industry policy include a commitment to local industry being given full, fair and reasonable

opportunity to tender for infrastructure and resource based project work; support for the use of Australian standards in project specifications; and support for the use of Australian design services where these are competitive with respect to cost, quality and timeliness.

The local industry policy applies to all government funded infrastructure and resource based projects with an estimated value greater than \$5 million; government funded infrastructure and resource based projects located in regional and rural Queensland with an estimated value greater than \$2.5 million; major infrastructure or resource based projects where the government has provided a significant contribution; and capital asset acquisitions, excluding ICT goods and services, valued at more than \$5 million per contract or standing offer arrangement.

With respect to each applicable project, the department must prepare a local industry participation plan, a LIPP; it must use local content as one of the general tender evaluation criteria; and it must report on the outcome of the LIPP. A LIPP provides a statement of a department's commitment to the local industry policy and identifies how a project can maximise local industry participation. LIPPs must be prepared during the program formulation phase of the capital works management process and be submitted to the chair of the local industry committee in DEEDI prior to the commencement of the procurement process. LIPPs must list competitive local suppliers that will be invited to tender and will detail the level of local industry participation expected in projects and address in quantifiable and qualitative terms the economic benefits that will flow to Queensland in industry development, technology transfer, job creation and skills development. Departments are required to submit reports on the outcome of each LIPP to the chair of the local industry committee on a six-monthly basis. Assistance in preparing LIPPs and identifying local industry capability can be obtained from the Industry Capability Network, which is fully funded by the state government.

Let me make it abundantly clear that the LNP wholeheartedly supports and embraces the objectives and principles that underpin a local industry policy. Reading through this bill, I found some nice sounding principles and objectives, but upon further inspection I noted that in reality they merely amount to broad statements that are open to interpretation. In effect, the bill achieves nothing. The requirement for the government to have a local industry policy is something that has existed anyway since 1999, or some 12 years ago for members who cannot add up. The objectives of this bill can be achieved through ministerial direction, which supposedly has occurred since 1999, or has it? The Treasurer was keen to report figures since the introduction of Queensland's local industry policy, stating in his second reading speech that our state's manufacturers have won 3,145 contestable contracts worth \$4.928 billion, with \$1.402 billion going to regional firms since the policy was introduced back in 1999. The Treasurer claims these are impressive figures. If that is the case, I wonder what percentage of contestable contracts these figures represent. Considering the length of time this policy has been active, I ask respectfully if the minister in her summation would be able to inform the House. It is all well and good having a local industry policy, but it needs to be enforced or it is just a bunch of well-meaning but ineffective statements.

The Treasurer's opening statement in his second reading speech reads—

The Queensland government committed in its response to the parliamentary Economic Development Committee report *Inquiry into identifying world's best practice by governments to effectively stimulate employment opportunities in Queensland* to review the local industry policy with a view to increasing its transparency and accountability to drive better outcomes for Queensland business.

This report was conducted in 2009 and attracted a number of criticisms relating to the enforcement of the implementation of the local industry policy. I have included a few of these from their report. The first one states—

Both Townsville Enterprise and the Ai Group believe that local industry policies that support local industry involvement in government purchasing projects, as well as encourage the dissemination of information to major companies and government agencies regarding local industry capability, are essential. These policies contribute to stimulating employment, maintaining a skilled labour force and ensuring local businesses are doing a percentage of the work.

Another point made was—

While the AMWU strongly supports the policy and the use of Local Industry Participation Plans, the union believes that the government at times has been inefficient in its implementation of the policy. The AMWU acknowledges the efforts of the Industry Capability Network (Queensland) and officers of DEEDI in their roles for developing Local Industry Participation Plans. However, the AMWU believes that government owned corporations and government agencies have on occasion failed to ensure that planning for local industry participation is incorporated in government procurement and investment.

The report states—

Although the only projects where Local Industry Participation Plans are required are those that utilise government funding over \$2.5 million in regional areas and \$5 million elsewhere in the state, the actual enforcement of this has been sporadic. On this basis, the AMWU recommended to the committee strengthening the Local Industry Policy to improve opportunities for local content in projects by updating the Local Industry Policy to clarify where it applies compulsorily. The AMWU also suggests that the Queensland Government consider developing and implementing an effective oversight process for Local Industry Participation Plans to investigate the application of the policy.

QMI Solutions comments that Local Industry Participation Plans are not designed to guarantee that local companies will receive work. Local businesses will be given equal opportunity to tender, but their success in tendering will be based on their merits and ability to compete.

I have heard that in some cases the government placed too many conditions on local companies compared to those overseas and it was not viable to compete for a tender. The report continues—

The AMWU also recommended amending the Local Industry Policy to include the development of detailed industry development plans for strategic government projects with a capital project value of \$50 million or more. This would be determined in consultation with the Industry Capability Network (Queensland) and Queensland Government. In addition, Local Industry Development Plans should be provided, replacing Local Industry Participation Plans for these projects.

The report further states—

Townsville Enterprise suggested that one way to increase local industry participation—

of course, that is if that is what the government really wants to do—

was for the Queensland Government to investigate and implement measures to reduce the bureaucracy surrounding the decision-making process.

The committee concluded—

The committee notes the concerns raised by several groups relating to ensuring that the aims of the Local Industry Policy are maintained. The Queensland Government should undertake a review to ensure that the processes for managing the Local Industry Policy ensure that its aims are met and that the process occurs in a timely manner.

The committee believes that a greater degree of scrutiny of Local Industry Participation Plans is required during periods of economic downturn, when Queensland employers are more reliant on government spending. When infrastructure spending is being used to avoid recession, greater attention should be placed on ensuring government moneys are resulting in employment outcomes for Queensland.

Perhaps we should add 'after natural disasters'. There are growing concerns that contracts for the rebuilding and recovery of affected towns and regions will not go to locals, in part because the skilled workforce is inadequate. Where are the monitoring or checking mechanisms to ensure compulsory enforcement? Quite simply, there aren't any. Recommendation 17 of the report makes interesting reading. It states—

The committee recommends the Queensland Government reviews the implementation of the Local Industry Policy with specific reference to ensuring the aims of the policy are met and that Local Industry Participation Plans are submitted in a timely manner and are complied with by contractors.

How does this recommendation achieve more than what was already there? In truth, nothing in this bill ensures that monitoring and compliance with the local industry policy will be improved. Although the bill requires the minister to report on the implementation of local industry policy, it is silent as to what form this report must take. The bill simply states that the report is to be in the form and contain the information decided by the minister. The LNP supports having a local industry policy. However, the Bligh government should stop wasting time introducing into parliament bills that achieve nothing and start taking real action to assist Queensland industry and create jobs—not a-couple-of-hours-a-week jobs, but full-time breadwinners' jobs.

The best way to ensure Queensland industry is competitive is to ensure it is provided with the best possible environment to operate in—where taxes, fees and charges are as low as possible and where red tape is minimised. On both those counts the Bligh government has failed miserably. According to the explanatory notes, local industry participation is a central component of economic development policies and legislation in all Australian jurisdictions, including the Commonwealth.

In 2001, under John Howard, the Council of Australian Governments committed to the principles of local industry involvement in government funded major project procurement by endorsing the Australian Industry Participation National Framework. The AIPNF's central aim is to provide for full, fair and reasonable opportunity for Australian industries to participate in significant government funded public and private sector project activity. In 2003 the Victorian government responded by introducing the Victorian Industry Participation Policy Act. Therefore, this is a bill that you introduce for the sake of introducing a bill, as what it contains is already policy and it does not add any regulations or benchmarks.

Considering that this policy has been in place since 1999, it is pretty clear that, in principle, it is not working and that this Labor government, which does not like small business and which taxes and regulates them into oblivion, is trying to look as though it cares by bringing in this legislation. It was the LNP that called for small business to be included in flood relief packages from the government. In fact, it was the LNP that was first to appoint a shadow minister for small business.

I remind honourable members that, like so many members opposite, this government is impotent when it comes to meaningful and practical legislation. In this case, this policy has sat there for more than 10 years and now suddenly the Treasurer, who is desperate for an excuse to blow his trumpet, has decided to follow Victoria's lead some seven or eight years later. I note that the consultation yielded positive results. That is not surprising, because there is nothing to oppose. There is really nothing here. This is typical of the behaviour that defines Labor. It is big on symbolism and small on substance, with an absence of real power. This bill is just a bunch of broad objectives dressed up with fine-sounding principles but lacking any teeth.

Before the minister or her comrades try to twist the position of the LNP with regard to this inane piece of legislation and falsely accuse us of not supporting the principles that underpin the local industry participation policy, again I place on the record that we on this side of the House unequivocally support the principles outlined in the policy. We on this side of the House, unlike Labor, are strong advocates for local industry and businesses to have made freely available to them the opportunity to apply for government contracts. In his second reading speech the Treasurer stated—

The bill will improve the ability of all stakeholders to monitor the operation of the policy, confirm that it is being applied appropriately and that its operation is effective and efficient.

How would they achieve that, pray tell? What mechanisms are in place to do that? Please do not tell us that it is the annual report from the minister and designed by the minister, just like the budget papers that change their formats and definitions each year so that they become even more impossible to translate. Those papers are made to bury the truth in layers of new jargon and headings, in an attempt to avoid transparency and accountability. In the Victorian debate of 2003 it was referred to as the 'trust me policy'. On page 2, under the heading 'Alternatives to the Bill' the explanatory notes state—

The legislative approach is considered the most appropriate and only approach in terms of the institution of Parliament providing for a lasting commitment to developing and implementing a policy to optimise economic, employment, industry development and social benefits to Queensland from State Government funded procurement.

If that is indeed the case, what excuse does the government have for waiting so long to legislate? What is its excuse for waiting for over a decade and then deciding to turn it into legislation? This 'bill you have when you're not having a bill' proves convincingly that Labor is bereft of ideas. It does not have a clue what good governance means, as was intoned by the Auditor-General in numerous scathing reports to the Queensland parliament last year. The respected gentleman exposed this toxic Bligh Labor government for what it is: incompetent and hopeless at managing projects, let alone the economy. Who could forget the health payroll debacle when the government did not pay nurses, doctors and other public health workers? And still it has not fixed it.

Mr O'Brien: Is that the best that you could do?

Mrs STUCKEY: Is this really the best that the Treasurer could do? That is very interesting that the member for Cook, with his glass jaw, is able to speak out now. Is this really the best that the Treasurer—

Mr O'Brien: Put it there! Give us your best shot then!

Mrs STUCKEY: Is this really the best that the Treasurer could do?

Mr O'Brien: Is this your best shot?

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Cook!

Mr Fraser: Your microphone has gone out in sympathy.

Mrs STUCKEY: I think this microphone is a little overworked tonight. How many years did the Treasurer, who introduced this bill, have to come up with this little beauty, this little piece of vacuous legislation? Was it three years or four or maybe more? A local industry participation policy bill sounds promising enough until we take a closer look and see yet another opportunity lost, another insincere attempt to trumpet the mantra about local industry getting a fair go for local jobs. The proof of the pudding is in the eating. This legislation is like a second rate soufflé: full of air and little else, looks showy and impressive, takes a while to make—in this case over a decade—but lacks the ingredients to last and falls flat the minute you take it out of the oven.

Reading through this legislation, which did not take very long, I did not find any mention of this government's commitment to small business or to cutting red tape. There are obligations on government to consider them but there is no sign of provisions that would enforce these obligations. I do implore the minister to find some way or methods in here that would give me a little bit more faith that this is not simply a policy being turned into legislation when it already exists.

Why would there be anything to enforce the obligations? This government does not begin to understand small business—or large business for that matter. If it did it would not continually try to choke them with red tape and fees and neither would the minister, who insults small business operators by telling them to wait for details of a carbon tax while they struggle to survive this state's crippling taxes and cost of living.

Queensland has more pages of legislation than any other state. In its 2009 *Blueprint for Fighting Queensland's Over-Regulation*, CCIQ said that, according to the Productivity Commission's *Performance Benchmarking of Australian Business Regulation: Quantity and Quality*, Queensland has the most onerous regulatory scheme in Australia, with over 70,000 pages of regulation and statutory rules. As we look further into this piece of legislation, it is the lack of teeth that is of most concern. The *Blueprint for Fighting Queensland's Over-Regulation* states—

The areas of regulation imposing the highest financial costs on Queensland businesses include dealing with licences and permits; employing workers; environment requirements; paying taxes; starting a business and building approvals and amendments.

This document also states that businesses find the time that is taken to complete forms is a drain on finances. Frequently changing legislation represents additional burdens for business as they must become familiar with new regulatory requirements. The onus is on business to be aware of laws relating to their business. Some jurisdictions made commitments to reducing red tape.

A more recent CCIQ report from January this year noted there were 87,000 pages of subordinate regulations or legislation in Queensland affecting business, a figure 10 per cent higher than WA. CCIQ states that its job is to ensure Queensland remains a competitive state in which to do business. Its January *Queensland's Economic Performance* report reveals the challenges that business faces. It states—

While the recent Queensland flood disaster will place significant downward pressure on our State's economic growth, it is important to realise that Queensland's economy was facing challenges well before the impact of the recent flood events. It is crucially important for transparency and accountability that an assessment is now recorded reflecting the point in time immediately before the floods impacted the Queensland economy.

This report reveals some facts about this toxic Bligh government—facts that Labor is trying to cover up with myriad excuses. Queensland had the worst contraction in business investment of any state aside from Tasmania over the 24 months to September 2010, which is a reflection of weaker business confidence over the last two years. This is a reason that the impressive figures that were raised in the second reading in this bill need to be shared as compared with the recent figures. What I am seeing from CCIQ is that Queensland was not going too well. On the Gold Coast we are all aware of contraction in non-residential building and residential construction and have witnessed well-established developers go under. The report states—

Queensland has maintained an unemployment rate higher than the national average for the past two consecutive years.

These are not my words but the words from a report. I note the bill applies to GOCs and all government agencies, including special purpose companies established to deliver large or unique infrastructure projects. I wonder what difference, if applied, it would have made to the procurement outcomes of the troubled Tugun desalination plant. The local industry policy was in place, but it was clearly ignored by Premier Beattie and his deputy, Anna Bligh, our current Premier. Then, again, the government's direction, or should I say orders, to build a 125-megalitre plant in just two years—the same time that was allocated for a 55-megalitre plant—meant that this policy was tossed out the window. Quality and local product were sacrificed in order to meet the government's demands—demands that came about due to a decade of Beattie and Bligh's poor planning and neglect of our water security. Surely this is a project that would have qualified for the legislation that we have before us. Inferior products were brought from countries such as India and local companies missed out. How can we trust this government that this will not happen in the future? What if it panics again and demands that major infrastructure is built at reckless speed? Where are the checks and balances to prove that the policy was adhered to? I challenge the minister to show me where.

During a Public Works Committee hearing in August 2008, the desalination plant project managers acknowledged that the greatest risk facing them during construction was trying to complete this huge project in two years. The D-day, or 'desalination day', completion in 2008 came and went and we entered 2009 with no end in sight, just a heap of faults and defects to be fixed. Had we had a local industry policy on this project, would we have suffered so? It was almost another two years before it was considered to be functioning at a standard whereby the government would accept its handover. It was just as well we got some rain two years ago to break the drought as the desalination plant was not ready and this Labor government would have been exposed for its negligent behaviour.

What happened to the Treasurer's commitment to a 'Queensland first' philosophy with this project? The bill does not spell out what the policy is but simply details some very broad, guiding principles, requires consultation in developing new policy and requires a report to be tabled in parliament. Looking back over this policy's existence, I wonder what happened to the report card that was mentioned in the original policy. The only evidence of establishment of the local industry task force found by our helpful library was a local industry policy report card from 2001. The 2001 report card claimed that the local industry task force had been formed and met on four occasions and the local industry committee had been formed and met on five occasions. The task force was initially chaired by the Deputy Premier and the Minister for State Development and included key industry groups and unions.

I wish the minister would listen because I really think the subject of the task force is important. I am asking if she would inform the House what happened to the committee and the task force? But, clearly, she is too busy talking to her colleagues and not listening at all to what I am saying. Were there more than the four meetings mentioned above in 2001, errant Minister? Were there other report cards, or was this a one-off? For how long did it exist and when did it cease? These are reasonable questions that are laid out in this bill. I think it is disgraceful that you were not even listening to me. In closing, considering—

Mr DEPUTY SPEAKER: Member for Currumbin, you will direct your comments through the chair. That was a direct comment and the balance of your comments preceding that were directly to the minister. Would you please direct your comments through the chair? Thank you.

Mrs STUCKEY: I will, Mr Deputy Speaker. In closing, considering this policy—

Ms Jarratt: Disgraceful behaviour.

Mr DEPUTY SPEAKER (Mr Hoolihan): Minister.

Mrs STUCKEY: Has the minister finished calling me disgraceful?

Ms Jarratt: No.

Mrs STUCKEY: Mr Deputy Speaker, in closing, considering this policy has been active since 1999—

Mr DEPUTY SPEAKER: Member for Currumbin, direct your comments through the chair. Please do not take the tone that you took with the minister with the chair, because it is a direct reflection on the chair.

Mrs STUCKEY: I am very sorry if you interpreted it that way. It certainly was not meant to be.

Mr DEPUTY SPEAKER: It is not open for debate, member.

Mrs STUCKEY: In closing, considering—

Government members interjected.

Mrs STUCKEY: I actually am struggling with my voice tonight, too. In closing, considering this policy has been active since 1999 and the Treasurer, who introduced the bill, claimed that an impressive number of contracts have been won by local industry, why the need for legislation? What percentage of LIPPs is this government aiming for and what has the average been for each year since its inception? These are very reasonable questions deserving of answers. Without answers to these pertinent questions we can only surmise that the success of this policy has been less than impressive and the government is less than sincere.

Without data that shows the percentage of local industry successes in the overall scheme of things, there remains a lack of commitment to this policy. It has taken almost 12 years to finally decide to make an act of the Queensland parliament supposedly because an Economic Development Committee inquiry reported a number of criticisms, and amongst them were 'those who must be obeyed'—unions like the AMWU. Even so, this bill does not address the concerns or deficiencies identified by this parliamentary committee.

All in all, this local industry participation policy bill is yet another smoke-and-mirrors exercise from this incompetent Labor government. It is futile trying to legislate this policy without benchmarks, monitoring and measurement of success rates, and even a parliamentary committee identified these criticisms. This bill is a pathetic attempt by this lazy Bligh Labor government to look like it takes local industry seriously when in truth it could not give a tinker's cuss, could not give a toss. If it did, it would have given the legislation some teeth and not just paid lip-service.


Mr POWELL (Glass House—LNP) (8.52 pm): I would like to make a brief contribution to the debate on the Queensland Industry Participation Policy Bill 2010. I, too, must confess, though, to a feeling of bewilderment as to why we are actually debating a piece of legislation such as this. The explanatory notes suggest that 'legislating to require the development of a local industry policy will ensure that the principles of securing economic, employment and social benefits through state government funded major project procurement are put into practice by successive Queensland governments'. What a frivolous excuse for a piece of legislation.

Which Queensland government in its right mind would not seek to use Queensland industry at every opportunity? But, hang on, maybe that is the nub of it. Maybe this government is trying to cover its own poor record of securing economic, employment and social benefits through state government funded major project procurements. Maybe it is this toxic Bligh Labor government that needs a legislative imperative, as opposed to ministerial or policy direction, to ensure it sources locally, because there is nothing in this legislation that, as the shadow minister said, we have not already seen in the local industry policy. There is no additional impetus to actually deliver on. There are just nice sounding principles and objectives—broad motherhood statements that are still open to interpretation.

Let's face it: to date there has only been half-hearted enforcement of the local industry plans. One prominent local industry, QMI Solutions, is on the record stating 'ardent enforcement of local industry plans is crucial to its success'. Furthermore, even the unions agree that this legislation has no real purpose. The AMWU suggests that for it to be of real benefit there would need to be legal consequences for noncompliance. Only then would the relevant organisations be swayed to take local industry plans seriously. Provisions need to be made to penalise noncompliance and to strictly monitor implementation by the relevant state government organisations.

The introduction of this bill is nothing more than meaningless posturing by this government so as to be seen to be doing something in relation to Queensland industry and jobs. If the government wants to take the competitiveness of Queensland industry seriously, other avenues can be pursued instead of or in conjunction with the objectives in this bill. This means relieving Queensland industry of barriers to

becoming and being competitive—barriers such as taxes, charges and fees and the ever-present administrative burdens. I submit that addressing these impediments will deliver a longer lasting outcome, as opposed to the short-term approach which this bill proposes, as it allows Queensland industry to grow and become competitive in its own right. The government may have good intentions, but I am afraid good intentions are not enough.

 **Dr DOUGLAS** (Gaven—LNP) (8.55 pm): In the twilight of this Labor government's reign the Treasurer introduces this bill, and his second reading speech just preceded the listing of the QR National float and the sale of the Brisbane port complex. That followed on from the IBM SAP/Workbrain Health payroll disaster, which continues to cost the state a fortune as state health workers' pays are being calculated manually—and to some extent that is only just beginning to finish. Queensland has also embraced the concept that we have moved on from a 60 per cent takeover of health in return for 30 per cent of our GST payments. We are currently waiting to see what the Commonwealth has decided to do in the long term. Some members may say that this is not what this bill is about. In fact—and I quote the minister's second reading speech—it is all about ensuring that local Queensland business and workers will have access to government procurement.

With the impact of selling off such significant assets, without reducing our debt and reducing our revenue by doing so, Queenslanders are now at the mercy of the global market, particularly with the Japanese market having contracted so much due to the recent disaster there. In a two-speed economy this is a dangerous place to be, especially for manual workers and those in retail and service industries, particularly in my electorate on the Gold Coast. This is especially so in an environment of a high Australian dollar, high business interest rates, especially by global comparisons—our interest rates are six times equivalent interest rates in the United States—and an emerging Chinese economy that retains renminbi, which is the old yuan link to the US dollar. Fortunately, the US has not gone back into recession.

What the Treasurer does not say when he champions that Queensland manufacturers have won 3,145 contestable contracts worth nearly \$5 billion, with just over 26 per cent going to regional companies, is that the state did nothing other than sell income-producing assets and fail to rein in recurrent expenditure. It refused to write off real capital losses such as the desal plant, and it tried to capture a repayment strategy via ratepayers via the water mechanism—that is, bulk water via Seqwater. There is nothing wrong with this new policy but it is being delivered after the horse has bolted.

Whilst the Treasurer says that it is about local industry getting a fair go for local jobs, has he not yet woken up to the idea that we really do live in a global economy and competition both drives and serves the market? What that means is that the price competitiveness drives both producers and consumers alike. Effectively, the unit cost of the manufactured item determines where that product will be produced and by whom. At present, China, Korea, Japan and Europe are happy for us to be both a massive quarry and an energy exporter in net terms. What they will not accept by virtue of their size is our ability to be a value-adding supplier and a level playing field competitor. This restricts our capacity to grow export markets for anything other than niche industries and it internally restricts our existing manufacturers to supplying local businesses with products overseas supplies could not be bothered with or believe those markets are too small to invest in creating a supply chain. Asian suppliers do not believe in level playing field markets.

This has effectively led to a situation where Australian manufacturing continues to shrink and the workers in those industries are having to reskill and/or relocate. For some, their jobs remain lost forever. Where the Australian dollar has even greater impact, this has happened faster than anyone would ever have conceived. This happened at Colgate-Palmolive, for example, on the Gold Coast when they relocated to Thailand. It also happened extensively in our marine industry at Coomera on the Gold Coast. Recently it also happened with Borders, where they were restricted from being allowed to buy imported books.

The bill today will not have an impact on the vast unemployed pool fast enough or be sustained long enough to be of any effect at all. This can be proven by examining our existing unemployment rate and its regional distribution and the evidence about state Labor forecasting reductions of budget outlays in 2012 to 2015 in last year's budget to a target 30 per cent lower than was actually spent in 2009-10. Those regional unemployment statistics are currently, for example, 6.7 per cent on the Gold Coast, with a far higher level, almost three times that, than those people who are underemployed.

Queensland is experienced in global markets such as mining, energy and agricultural exports. The Queensland cities of Cairns and the Gold Coast are huge tourist destinations and compete in global markets even with our current relatively high value dollar. By guaranteeing that backpackers can do some work whilst they are in Australia, our agricultural industries can access casual workers in reasonable numbers when they need them and Queensland, in particular, can continue to attract these good spending inbound overseas tourists. Queensland remains a very attractive global destination because it is safe, clean, affordable, you can see what you pay your money for and there is a lot to see in the sunshine and the weather we have.

I look at the sentiments expressed in the later part of the Treasurer's second reading speech and I can see some of the problems that BHP inflicted on Australian businesses when it demanded that businesses here pay for highly priced, expensive, poorer quality Australian manufactured product when overseas suppliers, including BHP owned entities such as New Zealand Steel, were offering product at 50 per cent of the cost and it could be delivered to the door. What this effectively ensured is that no-one could afford the product because it was just too expensive.

The minister, in pursuit of codifying the increased level of accessibility, appears to have fallen into the trap of trying to drive change from above down, while simultaneously specifying what the change will be. He falsely assumes that the technology diffusion and the innovation that he seeks can be given by government. He is a terribly inexperienced young man who has no real world experience. Governments are usually the last to embrace new technology.

Mr O'Brien: He knows everything.

Dr DOUGLAS: And you do not know much so you should listen to this. They are the most difficult to tender, to accept if you are Microsoft, IBM or SAP, and they are terrible payers. Rather than becoming so committed to this value for money statement, the Treasurer should be saying, 'The government will pay promptly for services contracted for and associated research expenses alongside industry.' In other words, government must state that it will carry its fair share and then some. Probity and accountability are fine when one is an 8,000 pound black bear against a 10 kilogram goat. Who is going to win when both the real—

Mr Wettenhall interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Barron River!

Mr Wettenhall interjected.

Dr DOUGLAS: Why do you not speak on this, member for Barron River. You are such a spokesman, are you not?


Mr DEPUTY SPEAKER: Order! Member for Gaven, let us not have that conversation across the House. Please direct your comments through the chair. I ask you to adjourn the debate.

Debate, on motion of Dr Douglas, adjourned.

ADJOURNMENT

Hon. JH JARRATT (Whitsunday—ALP) (Acting Leader of the House) (9.03 pm): I move—
That the House do now adjourn.

Coolangatta-Tweed Heads Surf Life Saving Club, Centenary Celebrations

 **Mrs STUCKEY** (Currumbin—LNP) (9.03 pm): The Currumbin electorate is home to eight of the 11 surf-lifesaving clubs in the Point Danger branch. This evening I wish to pay tribute to the phenomenal services they provide in a volunteer capacity patrolling our beaches and saving lives. We have much to thank them for, be it on Christmas Day when they selflessly perform their duties on our foreshores and in our surf or with their collections for their clubs.

On Saturday, 12 March my husband and I attended the Tweed Heads-Coolangatta Surf Life Saving Club centenary celebrations. Notably, Tweed Heads-Coolangatta is Queensland's first surf-lifesaving club and they are darn proud of it. Established in 1911 this now historic club started, like many distinguished Gold Coast icons, as a wooden shack, with the current two-storey heritage listed building representing the club's remarkable transformation over the years.

This club is situated on what is now known as the famous Greenmount Beach, which plays host to hundreds, if not thousands, of holiday-makers and locals every weekend. To their credit, in the club's 100 years of patrol, there has never been a life lost on their beach. The first ever surf rescue in Queensland was performed on this beach in 1909.


The Premier was invited to attend this auspicious ceremony—this momentous occasion in Queensland's history, as it was. She left it until the last minute to advise the organisers of the event of her unavailability to attend and did not bother to send anyone in her place. So late was her apology, she still appeared on the running sheet for the evening's proceedings as a speaker, causing the absence of anyone from the Queensland state Labor government to be noted by all in attendance.

Included in the evening's celebrations was recognition of the clubs legends—their life members who had wonderful tales to tell. Nostalgic photographs of times gone by adorned each table. Edie Winter and her girlfriends joined the club in 1922. She earned a bronze medallion—the first woman to do so—but she had to wait until 1991 to be presented with her medal as women were not allowed to be surf-lifesavers.

I congratulate Mr Alan Hickling, who was the centenary committee chairman, for his team's efforts. I give special acknowledgement to president Rod James, who puts his heart and soul into this club. As well, I would like to mention the centenary book author Brian Styman.

I want to congratulate the Coolangatta Surf Life Saving Club on winning two awards at the Queensland Clubs Awards for Excellence. They won the best surf-lifesaving supporters club and the best club on the Gold Coast. The Currumbin RSL was awarded the EC3 Global Environmental Best Practice Award. Currumbin is home and host to not only some beautiful surf-lifesaving clubs but valleys, parks and the best little club in the world in the Currumbin RSL. It is also home to some people who went out of their way to show the charity in their hearts to our flood and cyclone victims.

Logan Hospital, Expansion

 **Ms STONE** (Springwood—ALP) (9.06 pm): I have great news for my electorate and indeed great news for Queensland. I welcome the announcement by the federal health minister, Nicola Roxon, that 182 new GPs will begin training in Queensland this year. The Gillard government is continuing to deliver national health reform benefits and is helping Queenslanders to see and contact a doctor when they need to. This is a 44 per cent increase from 2007 when Tony Abbott was the health minister. The Gillard government is doubling the number of GP training places across the country. The good news is that more doctors are already being trained here in Queensland.


Minister Roxon also announced that 133 junior doctors will complete 12-week placements in GP practices in Queensland through the government's Prevocational General Practice Placements Program. The placement for junior doctors in GP clinics is a great way for the next generation of GPs to get a taste of general practice so they can decide whether a career as a GP is right for them. This is all part of the Gillard and Bligh governments' determination to bring a greater focus on primary care—the front line where doctors and nurses can help patients keep well and out of hospital.

Minister Roxon had even more good news last week when she visited Logan Hospital along with the Hon. Geoff Wilson and the Logan Labor state members. As a result of the historic health reform agreement signed by the Commonwealth government and the states, Logan Hospital has had a boost of new funding. Some \$203 million will be spent on the hospital.

The Logan Hospital expansion project will deliver a new expanded emergency department in a multistorey building with increased capacity; 18 adult emergency treatment spaces; 12 paediatric emergency treatment spaces; eight paediatric short stay beds; a new dedicated paediatric ED waiting area, which I know families in my area will certainly appreciate; three paediatric outpatient consultation rooms; 14 paediatric overnight beds; 12 new inpatient beds, two new procedure rooms and six new day ward recovery spaces in a new ward for elective surgery; 23-hour care; 24 rehabilitation beds in a new subacute rehabilitation ward, including day therapy and a gym; improved site access with an additional entrance to the emergency department; and—something that I know we have been asking for for a long time; the member for Waterford has worked very hard for this—300 more car parks for visitors and families. They will be able to go to our hospital and know that they can get a car park.

There will also be facilities for medical and other staff, and that is all great news. On top of that, the QEII Hospital will also be getting new facilities—in particular, 10 new palliative care beds, an expanded emergency department and a 12-chair transit lounge. People in my electorate use QEII and Logan hospitals, and these upgrades will be of great benefit to not only the people of the Springwood electorate but also Logan City residents.

Natural Disasters, Glass House Electorate

 **Mr POWELL** (Glass House—LNP) (9.09 pm): The events of early January 2011 already seem distant for many Queenslanders. Caught up in the daily routines of school and work, many of us who were unaffected have returned to a life-as-normal kind of existence, albeit one with constant reminders of natural disasters throughout the world. But there are families, businesses and communities in Glass House, as there are in Lockyer and Hinchinbrook, who are still suffering the after-effects of the torrential rain and flooding.


In my contribution to February's condolence motion I raised the plight of the community of Bellthorpe. The situation for Bellthorpe has not improved greatly over the past four weeks. Yes, through the constant questioning and lobbying of the community and the hard work of local councillor Adrian Raedel, it has one sealed lane open into the community. But that lane is a compromise negotiated with the geotechnical engineers and road crews. It is not a long-term solution; it is not even a short-term solution. That lane has a five-tonne load limit on it for obvious reasons: it is adjacent to a significant landslide. The problem is that, come May, local horticulturalists start harvesting their avocado crop and if these producers cannot get trucks in to remove their fruit it will rot and these local businesses will lose 12 months worth of livelihood.

I realise that the responsibility for repairing both Gap Road and Bellthorpe Range Road resides with local government—in this case Moreton Bay Regional Council. There is no denying that Councillor Raedel has been on the job. However, possibly what we are seeing in Bellthorpe is one of the very tangible repercussions of local government amalgamations: the council is so large that sometimes the smallest get missed.

I, along with the federal member for Longman, have approached Moreton Bay Mayor Allan Sutherland seeking his urgent and speedy intervention in the necessary reconstruction work. As a result, I understand that during its regular meeting the council today received a verbal update on action to date and actions required. It is my hope that, as a result of this update, the excavators will start rolling and these two vital community links are reopened as soon as possible. I have also written to Major General Mick Slater seeking whatever support he can provide to expediting the repair work.

It has also come to my attention that Main Roads may not have all the funding it needs to repair the many landslides on main roads throughout Glass House. In particular, I am concerned that the major slide on the Maleny-Kenilworth Road between Witta and Conondale will not be repaired any time soon because funds are drying up. I sincerely hope this is not the case. I again ask the Minister for Main Roads, the Premier as Minister for Reconstruction and Major General Mick Slater to do all they can to ensure funding is provided to the department of main roads so that crews are available to start work immediately and these pivotal pieces of community infrastructure are restored to full operational capacity as soon as possible.

Multicultural Community Centre; New Farm Recovers Festival

 **Ms GRACE** (Brisbane Central—ALP) (9.12 pm): On Tuesday, 1 March I joined the Premier, the Multicultural Community Centre director, Jeannie Mok, and her husband, David Mok, at the Multicultural Community Centre to congratulate the 56 people who graduated with new qualifications through the Multicultural Community Centre's One Stop Shop. Assisting unemployed people from diverse cultural backgrounds, including many who do not speak English as a first language, to earn a local and nationally recognised qualification opens up many new doors into the workforce and will help each participant to secure a brighter future for themselves and their families. There were also many distinguished guests at the event. I often see the member for Capalaba there. He has almost never missed a graduation ceremony.

Earning a certificate III in aged care or children's services through the Brisbane North Institute of TAFE is an important step for a group that comes from many different countries and backgrounds. Some 36 people have found work after completing this project and the remaining 20 have signed up for further training. It is great to see that the project's success is already evident.


The MCC One Stop Shop is funded through the state's successful Skilling Queenslanders for Work initiative. A \$444,000 government grant will see a total of 159 unemployed people who come from different cultural and linguistic backgrounds assisted through this project. Small classes of like-minded people, understanding and experienced teachers and the extra support MCC provides to address cultural and language barriers makes this a very positive training program. I congratulate Jeannie Mok and her team at MCC on this great program. It is great to see so many people graduate and the participants enjoying the ceremony and obtaining a job.

I also take this opportunity to congratulate and thank the New Farm Neighbourhood Centre and other local organisations for their outstanding efforts in organising the New Farm Recovers Festival held on Sunday, 27 February. I want to particularly thank service manager Fiona Hunt, president Michael Drummond and Zanda Adrian-Walla who together organised a wonderful community event which involved businesses, schools and other local groups coming together following the recent devastating floods.

Councillor David Hinchliffe provided BCC funds and together we assisted the staff from New Farm Coles, which generously donated food and drinks for the barbecue tent where we fed free of charge many residents who attended the event. Students from New Farm State School and Holy Spirit did a great job entertaining the crowds with their choirs and it was great to see the pictorial show put together by Feral Arts. Following the floods the New Farm community came together like no other to help those in need, and the New Farm Neighbourhood Centre led the way in providing community assistance.

I fully support the Under 1 Roof report *A silver lining: community development, crisis and belonging*, which was ably launched by Wendy Hovard, president of 139 Club. A warm and big thankyou to all of the many businesses in the area that supported the event, which went a long way to helping New Farm recover. I look forward to other community events similar to the one that was held on that Sunday. It was a great way for the community to come together, share their stories of the floods and get their lives back in order.

Mudgeeraba Electorate, Quarry

 **Ms BATES** (Mudgeeraba—LNP) (9.15 pm): Boral Resources proposes to establish a 219-hectare site of natural bushland as the site of a future quarry which will require approval from both the state and federal governments. The proposed quarry is located on Tallebudgera Creek Road and Old Coach Road. The entire quarry site is in the electorate of Mudgeeraba but will predominately affect residents in Reedy Creek, Bonogin, Old Burleigh Town and parts of Tallebudgera Valley.

Following the initial community information session held on 28 November 2010, a motion was put to form a community action group and steering committee similar to that which was formed in relation to stopping overhead power lines in the Mudgeeraba-Tugun network upgrade for Energex. Present were the member for Currumbin, Jann Stuckey, and myself and noticeable for her late arrival was the member for Burleigh, Christine Smith.

On 15 December a public meeting of residents and key stakeholders was held at the Tallebudgera Community Hall. It was determined that a steering committee would be formed and a community reference group set up in order to allow residents a say in the proposed development. At this meeting the member for Currumbin, Jann Stuckey MP, and I gave a commitment to work together with local residents and take the fight up to the state government. The member for Burleigh was conspicuous by her absence.


The koala population in the Tallebudgera Valley area is under further threat from a proposed quarry. Residents facing the proposal of this 219-hectare quarry in an area of natural bushland surrounding their homes are genuinely distraught about this project, not only for the effect it will have on their lifestyle but also for its effect on local wildlife, including the koala population. It is interesting that the Minister for Environment is quiet on this issue, but I guess these days she will be too busy putting out fires that Campbell Newman will be lighting around her! Additional concerns relating to reduction in property prices, visual amenity, noise, dust and associated vibrations from an extractive industry such as this have been voiced by hundreds of residents. I am sure honourable members can understand that these are legitimate fears and would themselves object to a quarry of this nature in their own backyard.

An action group called Stop the Gold Coast Quarry has been formed and a petition launched to call on this government to oppose what it has labelled a 'monstrosity' being constructed in this area. The proposed quarry is expected to operate 12 hours a day, six days a week for 40 years. Some vegetation, wildlife habitat and ecosystems will be destroyed. Stop the Gold Coast Quarry Action Group has also launched a petition calling on the state government to oppose these plans. The member for Burleigh did not attend this launch, either. In fact, the member for Burleigh is as silent on this issue as she was on the overhead power line issue in Old Burleigh Town. So concerned is the member that her own webpage blog is blank where the quarry is concerned. I table a copy of the member's blog.

Tabled paper: Print out of a webpage www.christinesmithmp.com regarding a Local Issues Blog—Boral Quarry at Tallebudgera [\[4141\]](#).

The member for Currumbin and I are on the record for fighting for our electorates, and it is time the member for Burleigh actually started working for hers instead of trying to distance herself from her own government's actions.

Japan Earthquake and Tsunami

 **Hon. DM WELLS** (Murrumba—ALP) (9.18 pm): As some honourable members know, although I am a fifth generation Australian I was born on the Australian Army base at Hiroshima, so for me there is a special poignancy in the horrific tragedy that has struck the land of my birth. Although only an infant when my family returned to Australia, I do have memories of Japan late in that first decade after the end of the Second World War. I have memories of things seismic and memories of things nuclear. I remember standing outside our house at cherry blossom time, watching the house shake while I held the hands I think of my mother and a Japanese lady who was close to our family. I remember standing on a hill seven years after the bomb looking with infant eyes at the still partially flattened and still partially charred landscape of Hiroshima, not understanding that what I saw was the result of a brutal and unnecessary wartime decision.


I seem to recall two footprints burnt into the stone of a pier on the Hiroshima river. In my mind's eye I can still see my father's khaki uniform, his side-arm and the Australia Army jeep as I asked him what the footprints were. He said, 'Don't think about it. I'll tell you when you grow up.' Never was that explanation so pertinent as in March 2011. It is a cruel and bitter irony that with so many nuclear power plants in the world, the country to suffer the worst disaster since Chernobyl is the country that suffered the holocausts of Hiroshima and Nagasaki.

My father was assigned to Japan in February 1946—well before I was born—but we have letters that he wrote home to his parents. He writes of the people he met, some with radiation burns down one side of their body—people who, although their days were numbered, were walking around in the community putting on a brave face. Their spiritual descendants are the brave workers who are trying as

we speak to get the reactor at Fukushima under control at the risk, and for some at the sacrifice, of their lives. Those brave people will be saying to themselves as they risk their all for their country 'shikata ga nai'—'there is no other way'.

In recent days I have spoken on videophone to family friends who are on the island of Honshu, not that far from Fukushima. They tell me that contaminated food and drinking water may prolong the agony of this disaster for years. Australia and Queensland are major trading partners and good friends. But we also have many links of culture, memory and shared experiences, including those I have just mentioned. The member for Albert, who taught in Japan and who represented the University of Queensland in judo in Japan, and the member for Broadwater, who studied in Japan and who has hosted many Japanese visitors to the Gold Coast, have both spent considerable parts of their lives immersed in Japanese culture. I am sure that all honourable members will join with me in wishing the people of Japan gaman tsuyoi—strength in their adversity.

Mirani Electorate, Health Services

 **Mr MALONE** (Mirani—LNP) (9.21 pm): Tonight I rise to speak about the issue of regional health services in my electorate of Mirani. Mirani is a large electorate based around the regional centres of Mackay and Rockhampton. There is a major lack of specialist health services being delivered in these regional areas through local hospitals, which serve a large surrounding rural population. Even where available, very long waiting lists exist for these services. However, a majority are referred to Brisbane for treatment and, again, there are major waiting times.


In the past two weeks I have had cause to write to the health minister about this very issue. The first issue concerns a 75-year-old man who is a chronic diabetic and who requires eye surgery for his cataracts. He has been on the waiting list at Mackay Base Hospital since January 2009—and that is more than two years now—and he is being told that he is still 20th on the waiting list and there is no indication of when he may be able to have that operation.

The second issue that I want to highlight in the House tonight concerns a constituent at Mount Morgan, who is forced to endure trips to Brisbane for weeks at a time to undergo specialist treatment for his cancer because that treatment is not available at the Rockhampton Base Hospital. He is unable to have the comfort of his wife's support during these prolonged treatments because she has to remain at home to work to try to keep the family financial. Even if she could accompany him, this government has not seen fit to increase the Patient Travel Subsidy Scheme from the \$30 per night that it has been for the past 20 years or more to assist regional and rural patients with their accommodation expenses, which makes the cost of travelling totally out of the question.

Both the lack of specialist medical services and the PTSS, which has not been increased for more than 20 years, is letting down people in regional and rural Queensland very badly. Rural and regional Queenslanders have the right to expect reasonable and timely access to specialist medical treatment close to their homes and meaningful financial assistance when they are forced to travel outside their local area to access specialist medical services that are not available at their local hospitals or their local public health system.

I call on the Labor government to stop the rhetoric, to stop the propaganda and to put real dollars into rural and regional health. When we look across the statistics it is not surprising to find that rural and regional Queenslanders are dying at a greater rate than people in more centralised areas because of a lack of cancer services. Firstly, the government should cut down the waiting times for specialist medical services and, secondly, it should provide meaningful financial assistance when it is necessary for patients to travel outside their local public health service in order to access services.

School Parent Bodies

 **Ms JOHNSTONE** (Townsville—ALP) (9.24 pm): Last Wednesday I hosted a meet and greet with the P&Cs and the P&Fs in the electorate of Townsville. I conduct these meets and greets regularly throughout the year and the school parent bodies and I find them useful on a number fronts. Firstly, the meet and greet provides a great opportunity for parents to network and share information. Secondly, by raising concerns in a united way we hope to have a positive impact on the quality of education that our children receive.

Parents attended the meet and greet from local state high and primary schools, Catholic schools and independent schools. Passionate and robust discussion was held on a range of topics, including Flying Start, Cyclone Yasi damage, road safety around schools, teacher aide time, antibullying actions, school budgets and the legal responsibilities that are held by our parent bodies. The feedback I receive from parents at these events is always positive. Mr Karl McKenzie attended, representing the Townsville Diocesan Council of P&F Associations. He sent an email after last week's meeting stating—

I found the networking and information exchange between all of us was wonderful to see and be part of. I genuinely felt like we were all there working together, for a better outcome for ALL children and schools, it was great.


I abhor bullies and I am concerned that school-age bullies do not fully understand the impacts of their actions on their victims. This is especially the case when bullying enters the cyber world. I support the introduction of the eSmart program, which has been developed by the Alannah and Madeline Foundation and endorsed by Minister Dick. Unfortunately, bullying happens in all sorts of places—in our schools, homes and workplaces. It is important that we take a whole-of-community approach to tackling this problem.

Sadly, I have recently been assisting a family whose child has been severely impacted by a physical assault that was filmed on a phone and which then went viral on social networking sites. I take care not to identify this family. However, they are adamant that they want the serious implications of bullying to be understood by the wider community and, importantly, by the bullies themselves. The child's parent says—

At first it was pretty horrific to see the physical injuries on your child and then to be in a hospital all night waiting to be seen to see if she is alright and whether she has suffered any permanent damage is traumatic. But to then have to experience it over again, watching it in detail on facebook, to relive this experience it really changed my perspective on human nature. These children have no idea of consequences and the hurt that they have caused ... So much anger and depression inside me that is very hard to control.

I thank this parent for her courage in allowing me to share this most personal experience with the parliament and hope that the bullies who listen to this will understand the long-term impact that their actions have on their victims.

Leck, Mr P; Education Queensland, Staffing Formula; Giant Rat-tail Grass

 **Mr MESSENGER** (Burnett—Ind) (9.27 pm): I have been appalled to find out that the disgraced and discredited former district manager of the Bundaberg Base Hospital during the tenure of Dr Patel, Mr Peter Leck, is a medical student at Bond University. He is due to graduate as a doctor this year. On behalf of the victims of this government and Patel, I expressed my serious concerns regarding this situation in a number of letters to Bond University, which has failed to investigate the matter in a timely and transparent manner. I table the correspondence I have had with Bond University.

Tabled paper: Bundle of correspondence between Mr Rob Messenger MP and Bond University relating to Mr Peter Leck [\[4142\]](#).


I called on Bond University to release a report into this disgraceful matter. In relation to the 'Dr Death' disaster, a royal commission made 13 adverse findings against Mr Leck and recommended that he be charged with official misconduct. This government allowed him to escape scot-free. I am deeply disturbed that Professor Robert Stable, the vice-chair of Bond University and a former director-general of Queensland Health, who I am led to believe has a very close personal relationship with Mr Leck, judged him to be a suitable person to become a medical student at Bond University.

Rural and regional schools in the Burnett and also other Queensland country regions have lost teachers because of an overly rigid bureaucratic Queensland Education staffing formula. Primary school teachers have been taken away from Burnett state primary schools because their student numbers have dropped by as little as three. If at a later date an extra three students enrol, this government does not allow the school to automatically recover their extra teaching positions.

The loss of a teacher from a rural and regional school affects the students and community more than the loss of a teaching position from a state school in the big city. Today I call on the Bligh government and the opposition to reform teaching staffing models so that there is more flexibility, consideration and care given to students, families, teachers and communities in rural and regional areas.

Once again in this place I call on the state and federal Labor governments to declare giant rat-tail grass endemic, withdraw all fines against landowners and farmers who can no longer comply with government regulations and establish a special task force to find biological methods of fighting this noxious weed. Poisons and chemicals are not having an impact and may be doing more long-term harm to the environment than good. Their cost each year runs into the tens, if not hundreds, of millions of dollars. This fact alone should shame the government into finding a biological solution. One Burnett farmer has written to me suggesting that there must be kickbacks from the major supplier to some pretty high-ranking persons for this critical problem not to be recognised by the parliament. Given the government reluctance to even talk about this issue and acknowledge the crisis, I think that is a fair enough question that this government and the minister should answer.

Chatsworth Electorate, Public Transport

 **Mr KILBURN** (Chatsworth—ALP) (9.30 pm): I have spoken on a number of occasions in this House about public transport in and around the electorate of Chatsworth and the strong support of residents in my electorate for public transport. We do not have any train stations but I know that the residents of my electorate regularly use the buses. The Carina bus depot is in my electorate and we have a large bus interchange at the Carindale Shopping Centre.

I have had many meetings with the minister looking at improving linkages around the electorate. I have a meeting tomorrow with TransLink officers. We have been working for a long time on improving linkages so that people in the area around my electorate can get to the Carindale Shopping Centre bus interchange, where they can pick up buses with links to the city and other areas. So it was with a bit of a surprise and a bit of disappointment that I saw on the parliamentary website that the member for Clayfield has sponsored a petition on behalf of a local resident, who in fact turns out to be the local LNP candidate, to have a park and ride at the Carindale Shopping Centre. I am disappointed, because if he had bothered to check with me—he obviously does not have enough to do in his own electorate—he would have found that there is, in fact, no vacant land around the Carindale Shopping Centre. It is completely surrounded by residential housing areas and parks. The only area that would possibly be available is the site that has been set aside for the South East Busway bus interchange which, surprisingly, has actually already been turned into a parking spot for overflow from the Carindale Shopping Centre while major development works go on.

They are suggesting two things: either we spend millions of dollars building a multilevel car park in a flood-prone area which we will later tear down or the council resume some of its parkland to build a parking facility. I think neither of these will be acceptable to my local residents. What they are suggesting will actually make things worse for my residents.

If the member for Clayfield had bothered to check, he would have found that there is a park and ride at the Sleeman Sports Centre, one kilometre down the road. The reason it is there and not at Carindale—apart from the lack of land—is that, as the member for Chatsworth, I represent the people who live in my electorate. I do not want to build a park and ride so that people from Cleveland, Redlands and Wellington Point can drive to Carindale, park their car and then fill up the buses that go from Carindale Shopping Centre to the city. I want to make sure that the buses that go from Carindale have seats available for the people in my electorate. I will be looking after the people in my electorate. I will continue to come up with sensible solutions to improve public transport and I can do it without the help of the member for Clayfield.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.33 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson