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Subject **FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT** Page

Wednesday, 24 August 2011

J MICKEL
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

L J OSMOND
CHIEF HANSARD REPORTER

WEDNESDAY, 24 AUGUST 2011

The Legislative Assembly met at 2.00 pm.

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

PRIVILEGE

Alleged Deliberate Misleading of the House by a Minister

Mr MESSENGER (Burnett—Ind) (2.00 pm): I rise on a matter of privilege. I submit that the health minister has been contemptuous of this place and has, as noted in standing order 266(2), deliberately misled the House by way of a statement contained in answers to questions on notice Nos 384 and 1022. I table a letter asking that you refer the matter to the ethics committee.

Tabled paper: Letter, dated 24 August 2011, to the Speaker from Mr Rob Messenger MP regarding the Minister for Health, Request to refer alleged contempt to the Ethics Committee [5115].

I also table a letter from the *A Current Affair* program which shows that Dr Wijeratne was at Mount Isa Public Hospital acting in a professional capacity despite the minister assuring this place twice that he was not employed within Queensland Health.

Tabled paper: Email, dated 24 August 2011, to Mr Rob Messenger MP regarding A Current Affair report on Dr Wijeratne [5116].

Tabled paper: DVD containing A Current Affair stories [5117].

Mr SPEAKER: You will put that in writing under standing order 269.

Mr MESSENGER: Thank you.

PETITIONS

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

Atherton Tablelands, Road Upgrade

Mr Knuth, from 4,085 petitioners, requesting the House to upgrade the section of the Atherton Tablelands road network from the Lake Eacham Roadhouse to Yungaburra through to Atherton as a matter of priority to ensure the safety of all road users [5118].

Local Government Funding

Mr Dempsey, from 84 petitioners, requesting the House to return vital funding to local councils so they can pass the savings on to ratepayers [5119].

Sentencing, Penalties

Mr Dempsey, from 70 petitioners, requesting the House to reinstate truth in sentencing and ensure that penalties reflect community expectations [5120].

Autism Spectrum Disorder

Mr Dempsey, from 867 petitioners, requesting the House to ensure that Autism Spectrum Disorder children of all ages and their families receive the funding and programs needed to access support and services [5121].

Coombabah State School

Ms Croft, from 192 petitioners, requesting the House to move the school zone road markings and signage for the Coombabah State School to north of the Turana/ Columbus/Oxley Drive intersection; install flashing school zone warning lights on the Oxley Drive approach to the school; and provide an additional school crossing supervisor [5122].

Petitions received.

TABLED PAPERS

MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by the Clerk—

Minister for Community Services and Housing and Minister for Women (Ms Struthers)—

5123 Annual Report on Queensland Government Concessions—August 2011

MEMBERS' PAPERS TABLED BY THE CLERK

The following members' papers were tabled by the Clerk—

Member for Cook (Mr O'Brien)—

5124 Non-conforming petition requesting reasonably priced and more frequent air transport into and out of the Weipa area

Member for Nicklin (Mr Wellington)—

5125 Non-conforming petition requesting that future Nambour Hospital parking facilities be established at the hospital or on land adjacent to the hospital, not at Glenbrook Drive or other locations that would disrupt the livelihood of residents

MINISTERIAL STATEMENTS

Logan, House Fire

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for Reconstruction) (2.03 pm): Today a Queensland community is heartbroken. Overnight a fatal fire engulfed a Slacks Creek home in a huge blaze. Inside were two families. Three men have escaped and managed to survive, but 11 people are still unaccounted for. Eight of these are aged between three and 18 years of age. One family is faced with losses across three generations. These families were part of a very close-knit Tongan and Samoan community that is now overwhelmed by grief and shock.

Along with the Minister for Police and Emergency Services and the mayor of Logan, Pam Parker, I visited the site this morning where many had gathered in prayer to support those who had lost loved ones. I spoke to a man whose wife and five children are amongst those unaccounted for and to a woman who is facing the loss of her daughter, her mother and her sister. Their grief and their shock is not something that is easily put into words but I know that I speak on behalf of all Queenslanders when I say that our thoughts and our prayers are with them, their families and the broader Samoan and Tongan communities at this very painful time.

The site is now subject to an extensive forensic investigation and it could be a number of days before police can formally provide any confirmation of victims. They have asked for our patience as they undertake this very difficult and painstaking task. In the meantime, this community is already coming together. This is a strong and close-knit community and they are working now to organise a prayer meeting so that they can bring comfort to each other. I expect that we will see the whole Logan community reach out to each other in the days ahead. Local members Evan Moorhead and Desley Scott, who have been with the community on site all day, are great friends to the Samoan and Tongan communities in their electorates and I know that they will work to care for them at this very sad time.

Of course, the government will act to provide any and all support that is needed. Senior guidance officers and other support staff have been made available to the local primary and high schools where these children attended school and school chaplains have also set up a drop-in centre for students. The Salvation Army is also on site supporting members of the local community and counselling is being offered to families. The Salvos have also established an appeal to support the affected families. I am sure there will be many Queenslanders and Australians who want to help these families.

Without doubt, 2011 has been a year of heartbreak for many Queenslanders and today another Queensland community is shrouded in grief. Today we wrap our arms around them in their pain and we say to them that we will be there for them in the very sad times ahead.

Lockyer Valley, Land Ballot

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for Reconstruction) (2.06 pm): Last week I had the opportunity to go to one of the front lines of Operation Queenslander where we still have communities dealing with the shock of the earlier disasters this year. On Ekka Wednesday I visited some of the families and communities in the Lockyer Valley that were devastated by some of last summer's most terrible floods. Our final destination after a number of visits was the site of the land swap operation at Grantham. It is really amazing to see what is happening here. We are moving an entire town to higher ground. We are on track to see the first of the families of the new Grantham move into their new homes before Christmas. It is amazing to think that it is just seven months since an inland tsunami ripped through the Lockyer Valley. Flooding centred on areas around Postmans Ridge, Murphys Creek and most severely in Grantham but other areas such as Helidon and Withcott were also affected. Throughout the valley 10 houses were completely destroyed, 19 damaged beyond repair and a further 119 sustaining significant damage. On 6 August, 71 Lockyer Valley families were able to enter into the ballot process for the higher, above floodwater level land. Families from places that had been affected other than Grantham were also eligible to join the ballot and I understand a number of them did.

Deeds were mailed last Thursday to those who nominated for stage 1 of this process and the good news for these 71 families was that 50 per cent won their first choice block of land on the new site. In fact, everyone who participated in the ballot will be able to take ownership of either their first, second or third choice of block. The ballot was drawn by professional consultants Urbis. It signified yet another vital step towards recovery for this tough little town of 360 people. I think we can all agree that this is an outstanding result and a very tangible example of what we can achieve when we work together in a common purpose.

The voluntary land swap arrangement means that the titles of flood ravaged residential properties will be transferred to the council ensuring that homes will never be built there again. All of this was able to take place under an accelerated process and a development scheme prepared by the Queensland Reconstruction Authority. On 7 June bulldozers and development crews were able to begin work on the new estate when it normally takes literally years to get to this advanced stage for a new development. In this unique case the development scheme area was developed to cut through the red tape and ensure that no regulatory hurdles stood in the way of the rebuilding process. To help residents rebuild, special one-off grants of $35,000 were made available to eligible residents funded through the Premier's Disaster Relief Appeal and administered by the Building Services Authority. Also, given the unique circumstances, participants in the land swap will not be required to pay transfer duty and there will be no charges on property searches.

The redevelopment of Grantham could not have happened without the cooperation and active participation and leadership of the Lockyer Valley Regional Council, particularly Mayor Steve Jones, the Queensland Reconstruction Authority, many other state government agencies and the generosity of legal, accounting, engineering and construction firms all working together to be part of this project. We will never forget what happened in the Lockyer Valley on 10 January, but the new estate and the rebuilding brings new hope to the whole valley.

Logan, House Fire

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (2.09 pm): I join with the Premier in expressing my sincere condolences to the family and friends of those who lost loved ones in the tragic house fire in Slacks Creek overnight. I also extend my condolences to the broader Pacific Islander communities. This morning the Premier and I visited the site with the local members, the member for Waterford Evan Moorhead, the member for Woodridge Desley Scott and Mayor Pam Parker. This tragic event has caused great distress and heartache in the close-knit community and our thoughts and prayers are with them all at this difficult time.

Shortly after midnight the Queensland Fire and Rescue Service received multiple 000 calls regarding the fire. I am advised that four fire appliances and 14 firefighters were initially dispatched and were on the scene in less than seven minutes. A total of 45 QFRS operational personnel attended the incident. Upon arrival, firefighters found the residence engulfed by fire. Two vehicles parked adjacent to the house were also on fire, as were four 45-kilogram LPG cylinders.

With the fire extinguished, specialist personnel from Queensland Fire and Rescue Service and the Queensland Police Service were brought on to the site. Urban search and rescue personnel and fire investigators from QFRS were brought in to secure and search the site and pinpoint the cause of the fire. Specialist disaster victim identification officers from the Queensland Police Service who were involved in the aftermath of the Bali bombings are now also on the scene to recover the bodies of the victims and undertake forensic testing to formally establish their identities. Police advise that officers from the Disaster Victim Identification Group will start recovering the first of the victims in the next two to three hours, with full recovery expected to be completed in the next 24 to 48 hours. Police are investigating this incident on behalf of the Coroner. At this time, it is not known whether smoke alarms were installed in the property. Due to the extensive damage to the home, it may not be possible to verify that.

This event is potentially the worst residential fire tragedy in Queensland's history. Again, on behalf of all members, I express our condolences to the family and friends of the deceased. I thank officers from the QFRS and QPS for their bravery, professionalism and diligence in responding to this event.

Retirement Villages

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (2.13 pm): Retirement villages play a very important role in the lives of many Queenslanders, with 30,000 people from the Tweed to the cape calling them home while they put up their feet after their working life comes to a close. There are more than 300 retirement villages in Queensland that provide more than homes for people who live there. Many residents love the sense of community and support they gain from living there and they enjoy the supported lifestyle.

While retirement villages often offer residents accommodation that is more secure and supportive than renting on the private market, there are questions around how closures are handled. As the number of people over the age of 65 who call Queensland home is expected to double in the 15 years to 2021, in the future retirement village living will increase, not decrease.

I am advised that up to this time there have been no closures in Queensland, but there have been closures in other states. To that extent, it is important that Queensland gets ahead of the game to set the ground rules. This is an important subject and one that needs careful consideration so that residents in those communities can have certainty. That is why we are releasing the Queensland Retirement Villages discussion paper today to get community responses to important questions. I will table that discussion paper.

For example, if an operator chooses to sell the land to a developer for a big profit, is it fair that a resident should be forced to move against their will? What compensation should they get? On the other hand, what happens when there are changing economic circumstances or the demographics in an area change, making it unviable to operate a retirement village? Is an orderly closure better than an operator allowing it to go bust and walking away?

We do not want to hear from just current residents. We also want to hear from prospective residents, residents' families, peak bodies in the industry, retirement village scheme operators and any other relevant stakeholders. The discussion paper seeks input on the process required to bring about the closure of a retirement village to ensure fairness to both residents and operators; the timeframes involved in closing a retirement village; financial considerations; and the quality of information provided to prospective residents, detailing their rights and obligations in the event of a village closure.

The consultation period begins today and runs until 8 October. Submissions can be made in writing to the address at the end of the discussion paper or through email to retirementvillage@deedi.qld.gov.au. Further information is available at getinvolved.qld.gov.au or by phoning 13QGOV. I table the discussion paper for the benefit of the House and look forward to receiving feedback from the community.

Tabled paper: Queensland Retirement Villages, Discussion Paper, August 2011, Office of Fair Trading, Department of Justice and Attorney-General [5126].

Greenhouse Gas Emissions

Hon. VE DARLING (Sandgate—ALP) (Minister for Environment) (2.14 pm): A new report tracking greenhouse gas emissions over the past 20 years has found Queensland has bucked the national trend and decreased its emissions since 1990. It has also recorded the greatest drop in emissions per capita of any state. In fact, it shows Queensland has achieved the highest annual decrease in emissions of any state or territory between the last two reporting periods. The report, *Queensland's emissions profile*, from the Premier's Council on Climate Change, extracts data from the National Greenhouse Accounts released in April, and provides historical and projected emissions for our state, as well as identifying where reductions have been achieved.

Since 1990 Queensland achieved the largest decrease in absolute emissions of any state, during a period in which Australia's emissions increased by 2.7 per cent. Between 2008 and 2009, the year for which the latest data is available, Queensland's greenhouse gas emissions declined by about nine million tons. The greatest factor in this reduction is our government's action to ban broadscale tree clearing, reflected in the fall in land use, land use change and forestry emissions. Queensland's vegetation management laws have reduced Queensland's emissions by at least 15 million tons since 2007.

Although these results are encouraging, the report also serves as a reminder of the need for continuing strong action to reduce emissions. Queensland remains the highest emitter per capita and has the second highest absolute emissions of any state. The task for Queensland is to reduce emissions despite the growth we have seen in energy intensive industries.

This latest report highlights the continuing importance of programs such as the Queensland gas scheme that lowers the emissions intensity of our electricity supply. It highlights the continuing importance of this government's $196 million ClimateQ strategy, which includes a comprehensive range of initiatives for tackling emissions such as the Queensland Renewable Energy Plan and the $47 million Energy Conservation and Demand Management Program.

This new information will help Queenslanders have a better understanding of our state's emissions. It will better inform the current discussion about action on climate change. The report is available now on the Queensland government's climate change website.

Building Industry

Hon. SD FINN (Yeerongpilly—ALP) (Minister for Government Services, Building Industry and Information and Communication Technology) (2.17 pm): Queensland's building industry is getting on with the job of creating a stronger future for all Queenslanders. From Cape York to Coolangatta, our local building industry is helping to deliver the schools, hospitals, courthouses and stadiums of the future. Our building industry generates important activity and employment opportunities throughout our state. It is worth $45 billion a year to the state's economy and supports more than 220,000 jobs for Queenslanders.

While the industry has been feeling the effects of the global financial crisis, the Bligh Labor government is optimistic about its future. We believe the local building industry will continue to play an essential role in the ongoing development of our great state. This conviction is backed by our record public works program, which will see the state government invest $15 billion on major infrastructure this financial year.

There is no better example of this than Queensland's $570 million Supreme and District Courts precinct in Brisbane. Earlier this month the project passed another major milestone with the traditional 'topping out' ceremony to mark structural completion. The onsite workforce will peak next month with approximately 600 carpenters, plasterers, electricians, plumbers, tilers, painters and other workers moving into the final phase of construction.

But there is a whole lot more to our building program. This year we opened the $144 million, 25,000-seat Metricon Stadium on the Gold Coast, which was delivered on time and on budget in May. Works on the stadium supported 1,100 jobs throughout construction and the stadium is set to inject $340 million into the Queensland economy over the next decade as a growing army of interstate fans visit to see the Gold Coast Suns in action.

Our building program is also helping to make communities in the north of the state more resilient in the face of natural disasters. In partnership with the emirate of Abu Dhabi, we are delivering 10 new multipurpose cyclone shelters in Mackay, Edmonton, Bowen, Ingham, Port Douglas, Proserpine, Townsville, Tully, Weipa and Yeppoon.

Mr O'Brien: Hear, hear!

Mr FINN: I note the acknowledgement from the member for Cook. We are also delivering major hospital redevelopments in Ipswich, Cairns, Townsville, Mackay and Rockhampton along with the $1.76 billion Gold Coast University Hospital and the $1.4 billion Queensland Children's Hospital. And then there are our major new state government office building projects in Townsville, Bowen Hills, Ipswich and Carseldine.

This government is creating a brighter future for Queensland through a massive building program. We will continue to support our local building industry to deliver major projects for the benefit of all Queenslanders.

Hendra Virus, Research

Hon. TS MULHERIN (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (2.20 pm): Yesterday's announcement by Biosecurity Queensland of the 11th positive case of Hendra virus in a horse in Queensland this year again heightens the importance of our ongoing research. As part of this Hendra virus research, I am pleased to announce that last week the first flying fox in Australia was fitted with a GPS data logger. When attached to a bat, the GPS data logger tells us whether the bat is feeding, sleeping or flying, and where the bat is flying to. This will help us better understand movement between colonies, which in turn helps modelling when looking at the spread of Hendra virus between bat populations. By researching flying fox movements we can provide a clearer picture of why there are more confirmed cases of Hendra virus infection in some years and during certain months. This technology will allow us to measure movement to a very fine degree over a period of weeks to build up a detailed picture of animal movements at a regional level.

This is part of a range of ongoing Hendra virus related research being undertaken in Queensland. The recently announced additional $12 million in funding from the Queensland, New South Wales and Commonwealth governments will continue to expand and accelerate this research. We acknowledge there is much more research needed to understand the virus. The Bligh government is providing the funding needed to our internationally renowned scientists to accelerate this research.

This ongoing Hendra virus research builds on our knowledge that bats are a natural reservoir for the virus and its presence is widespread but fluctuates throughout their populations. Each incident we deal with helps increase our knowledge base about this disease. We need to ensure we are working toward a safer environment for horse owners, vets and the community. Using cutting-edge technology such as GPS data loggers helps us to achieve this goal.

Strategic Cropping Land

Hon. RG NOLAN (Ipswich—ALP) (Minister for Finance, Natural Resources and the Arts) (2.22 pm): As members will know, Queensland is the first Australian jurisdiction to develop a comprehensive legal framework to protect prime agricultural land from the growing pressures of mining. I rise today to announce the next significant step in the development of this legislation. I today announce the formation of the Queensland government's Strategic Cropping—Science and Technical Implementation Committee.

At the heart of the government's framework is respect for science, in particular established soil science which allows us to define and accurately identify just what is the state's best quality agricultural land. In May the government announced a comprehensive soil test using criteria including slope, rockiness, soil depth and gilgai microrelief to define the best soil. The test was developed by professional soil scientists employed within the Department of Environment and Resource Management and it was independently peer reviewed by the eminent soil scientist Dr Roger Shaw.

Following the announcement of the criteria, both the Australian Society of Soil Science and the Queensland Resources Council provided further input. The committee I announce today is a result of their feedback. The new committee will provide oversight to the application of the soil science test as it is rolled out. It will ensure a degree of independent scientific oversight and give both the community and government confidence that the test is being applied as intended.

There will be four members of the committee, two from the Australian Society of Soil Science and one each, both also professional soil scientists, from the Queensland Resources Council and the Queensland Farmers Federation. From the soil science society, the very well regarded scientist Professor Clive Bell, an academic with over 35 years experience, has agreed to be involved. Simon Buchanan from the society, a qualified soil scientist who has worked on major land and mine rehabilitation projects in Queensland over the last decade, will also participate.

Strategic cropping land is groundbreaking public policy. At its heart is the integrity of the science. This government will legislate the framework by year end.

COMMITTEE OF THE LEGISLATIVE ASSEMBLY

Report

Hon. JC SPENCE (Sunnybank—ALP) (2.24 pm): The Committee of the Legislative Assembly met this morning and I wish to report to the House matters affecting members and the operation of the parliament and Parliamentary Service that were discussed and decided at today's meeting. The CLA has agreed to issue a regular communique to all members informing them of matters discussed and decisions made. The first communique will be issued in the coming days.

Mr Speaker, this morning the committee noted a survey of members about precinct accommodation, which you distributed last week, in discharging an undertaking made during this year's estimates process. The CLA noted that it would be responsible for considering the survey outcomes. The Clerk informed the CLA that about 20 members have already responded to this survey. We were asked to distribute this survey in hard copy in the chamber today and I encourage all members to complete this very important survey. I understand that of the 20 responses received so far people are pretty evenly divided in their opinions about the future of the accommodation here. I really encourage everyone who has an opinion—and that would be most people—to fill out that survey.

Last sitting week I noted that a survey of members regarding the new estimates process has been circulated electronically. I table an extract of results.

Tabled paper: Extract of results of Estimates Survey 2011 [5127].

The response was overwhelmingly positive. Twenty members completed the survey with the following results of note: 85 per cent indicated that the impact of the recent changes to the estimates process was very worthwhile or worthwhile; 15 per cent were neutral; 85 per cent very much supported or supported the abolition of time limits for questions and answers; 95 per cent supported or were neutral in relation to no blocks of government time or non-government time; 89.5 per cent indicated hearing times were about right or neutral; 100 per cent supported direct questioning of DGs; 100 per cent supported direct questioning of CEOs; and 95 per cent found the physical set-up of the hearing rooms fit for the purpose.

The CLA will continue to review the estimates process. We are currently discussing whether the reports that are produced by the estimates committee should change in terms of format and whether subsequent debate in the chamber is an adequate report-back process. We would be interested in the views of all members as we have those discussions.

I also table this morning the annual reports of the Committee System Review Committee.

Tabled paper: Committee of the Legislative Assembly Report No. 2, Annual Reports of Former Committees [5128].

I table the annual reports of the Economic Development Committee; the Environment and Resources Committee; the Law, Justice and Safety Committee; the Public Accounts and Public Works Committee; and the Social Development Committee.

The simple fact is that, due to reforms to the Queensland parliament's committee system, a number of committees of the Legislative Assembly ceased to exist in mid June 2011 prior to the tabling of their 2010-11 annual reports. The Committee of the Legislative Assembly, which now has administrative responsibility for the Parliamentary Service, has therefore resolved to table and publish the annual reports for the previously existing committees.

The CLA has also taken exception to the comments made by *Courier-Mail* journalist Des Houghton who, on 13 August, wrote—

Irritants of the week

Judy Spence and Lawrence Springborg.

An honourable member interjected.

Ms SPENCE: I am in good company with Lawrence. He goes on—

The committee they chaired, which downgraded the role of the Speaker, has yet to account for a big chunk of its expenditure even though it wound up last December.

A report it submitted for 2009-10 showed expenditure of $118,000 but nothing yet for July through to December last year when it brought down its report.

Committee members took 'study tours' to Canada and New Zealand.

Let's be honest and call them junkets.

They are Mr Houghton's words. The committee is unanimous in the view that the study tour conducted by members of the Committee System Review Committee was essential and enormously beneficial and resulted in the most far-reaching review of parliamentary processes since the abolition of the upper house in 1922. As a result, we have the most progressive committee system in Australia, and anyone who observed our committees in progress this morning would have been very proud of the work that they were undertaking.

To suggest that any travel by a member of parliament is a junket is neither intelligent nor factual. At this stage 23 members have travelled to New Zealand to observe its committee system and talk to stakeholders and members of parliament. I know that all members have found this trip very useful and they worked hard as they sat in back-to-back meetings for the two days that they were there. To refer to any study trip as a junket is a shallow observation often made by the ill informed and not the sort of comment one expects to hear from a senior journalist or, indeed, any journalist who wants to be taken seriously.

As for the tabling of committee reports, again Mr Houghton displays his ignorance of parliamentary procedures. It is quite normal that annual reports are tabled at this time of year. My advice to Mr Houghton is that instead of listening to idle gossip that he might hear he might like to better appraise himself of the duties of members and the processes of parliament or better still why not rely on people like Steve Wardill and other political journalists who attend the parliament every session and understand not only these issues but the workings of the parliament.

Honourable members interjected.

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

Ms SPENCE: The amendments to the Parliamentary Service Act 1988 and related legislation contained in the Parliamentary Services and Other Acts Amendment Bill 2011 commenced by way of proclamation last week. The amendments contained in the act mean that the role of the Speaker as regards the administration of the Parliamentary Service has largely been transferred to the Committee of the Legislative Assembly. I table for the information of all members the new management structure of the Parliamentary Service.

Tabled paper: Parliamentary Service Organisational Structure, 18 August 2011 [5129].

Finally, I note that the CLA was very heartened to receive a significant amount of correspondence from members and committees about a wide range of issues. The committee encourages other committees to raise matters of concern or any other positive feedback or suggestions. In terms of the Parliamentary Service, the committee today agreed to have a rolling series of meetings with service area managers—the first being with the Parliamentary Library at its next meeting. We encourage all members to forward any issues or feedback that they desire about the library to members of the committee in advance of that meeting.

SPEAKER'S STATEMENT

School Group Tours

Mr SPEAKER: Before we start question time, honourable members might be interested to know that in the public gallery today we have the Brisbane School of Distance Education located in the electorate of South Brisbane, the Kenmore State School in the electorate of Moggill and the Noosa Christian College in the electorate of Gympie. Question time will end today at 3.32 pm.

QUESTIONS WITHOUT NOTICE

Comments by Minister for Main Roads

Mr SEENEY (2.32 pm): My first question without notice is to the Premier. I refer to claims in this House yesterday by the Minister for Main Roads that the GST cost his department $575 million last year that could otherwise have been spent on roads. I table an extract of the department's annual report showing the obvious reality that the GST payments were offset by GST input tax credits.

Tabled paper: Extract of Department of Transport and Main Roads annual report 2009-10 [5130].

I ask the Premier: is it appropriate for a minister to make claims in this parliament that are shown to be untrue by his own department's financial statements?

Ms BLIGH: It is always great to start the day with the words 'untrue' coming out of the member for Callide's mouth, isn't it? He of course has more familiarity with the untruthful than any other member of the House.

Mr Seeney: Answer the question. When you're stuck for an answer you attack, don't you?

Ms BLIGH: We know when those opposite are stuck for a policy that all they can do is attack, and they are stuck for a policy every minute of every day because they do not have any. I was here yesterday when—

Mr Seeney: Is it appropriate for a minister? Do you agree with him?

Mr SPEAKER: Order! The honourable the Premier has the call and I am waiting for the answer.

Ms BLIGH: Thank you, Mr Speaker. I was in the House yesterday when the Minister for Main Roads in response to a series of questions from those opposite about the taxation arrangements in this country made a rhetorical point in relation to the amount of GST that was being brought on Australian taxpayers compared to the effect of the proposed carbon price. This question, like so many others, goes straight to the ego of the candidate for Ashgrove.

Opposition members interjected.

Mr SPEAKER: Order!

Ms BLIGH: Thank you, Mr Speaker. We know that there has been a series of embarrassing gaffes by the candidate for Ashgrove when it comes to main roads across Queensland and no more so than the Bruce Highway. The member opposite knows—

Mr SEENEY: Mr Speaker, I rise to a point of order.

Mr SPEAKER: Order! Stop the clock. There is a point of order.

Mr SEENEY: I rise to a point of order regarding the relevance of the Premier's answer. I asked a question about the minister's answer relating to GST. I never mentioned the Bruce Highway. I never mentioned the candidate for Ashgrove.

Ms BLIGH: No. No-one on your side talks about the Bruce anymore.

Mr SEENEY: Take as long as you like. There is a standing order and I will take a point of order in relation to the standing order with regard to relevance. I ask, Mr Speaker, that we either uphold the standing orders or amend them.

Mr SPEAKER: The honourable the Premier, as I understand it, the question is in several parts. It referred to a GST of $575 million. It also asked whether it was appropriate that a minister do that. I am sorry, the third bit was something to do with the truthfulness of it. That is the question. Under the standing orders we will stick to that. I call the honourable the Premier.

Ms BLIGH: Thank you, Mr Speaker. Mr Speaker, as I understood it, the question goes directly to the question of expenditure in the portfolio of the Minister for Main Roads, and in the expenditure of that portfolio sits the Bruce Highway. What does our side of politics have to say about that particular road? What we have is a clear plan that we are talking to communities right along this road about. What we know is that there has been a series of embarrassing gaffes, telling the Rockhampton *Morning Bulletin* last week that the LNP will have a Bruce Highway plan some months after the election if they are elected. How embarrassing! How embarrassing!

I note that the member for Callide says he has had nothing to say about the Bruce Highway. I think we can guarantee that for about the next 12 months—no plan, no policy.

Mr SEENEY: Mr Speaker, I rise to a point of order. I will not be verballed. I did not say that. I made a speech in this parliament yesterday about the Bruce Highway. I never even interjected on the Premier. The Premier is also being untrue in this parliament.

Mr SPEAKER: And you find it offensive and ask—

Mr SEENEY: Absolutely I find it offensive and I ask it be withdrawn.

Mr SPEAKER: The Premier will withdraw and the Premier will round up the answer.

Ms BLIGH: Thank you, Mr Speaker. I withdraw.

Labor Party, Preference Allocation

Mr SEENEY: My next question without notice is also to the Premier. I refer to the just vote one campaigns run by the Labor Party in previous state elections, and I ask: will the Premier support a just vote one campaign and rule out any preference deals at the next election to ensure that Queensland does not end up with a Julia Gillard style government after the next election?

Mr SPEAKER: I am going to allow the question. Whilst the Premier is the Premier for the state with ministerial responsibilities, I am going to allow the question on the basis that the Premier is also the leader of a political party. I call the honourable the Premier.

Ms BLIGH: Thank you, Mr Speaker. I am very happy to have the opportunity to answer it. This question derives from a press release issued earlier today by the candidate for Ashgrove, Mr Campbell Newman, in which he says that Labor should not contemplate preferencing to the Greens firstly because, in his view, they are a threat to the mining industry in Queensland. I thought to myself what rank hypocrisy! This is coming from a man who in less than a fortnight has joined up with Tony Abbott in the illegal and unlawful 'lock the gates' campaign, who has said he will rule out both underground and open-cut mines in places right across Queensland. Frankly, I do not know who is a bigger threat to the mining industry in Queensland, Campbell Newman or Bob Brown.

I think there are many Australians who are wondering how we have ended up with a situation where a Greens member of the House of Representatives is holding the balance of power. There is a very clear answer: he got there on LNP preferences. That is how. It was not Labor preferences that put the member for Melbourne into the House of Representatives; it was—

Mr Seeney: But you won't give preferences to the Greens. Will you give preferences to them? Will you? That is the question. Are you going to do a preference deal?

Mr SPEAKER: Order! Leader of the Opposition, I have been listening carefully to the Premier's answer and the Premier is now, as I understand it, about to talk about preferences so the Premier is relevant and the Premier has the call.

Ms BLIGH: Thank you, Mr Speaker. The question related to the circumstances surrounding the situation in which the Prime Minister of our nation is governing in a minority government that involves a Greens member holding part of the balance of power. That Greens member in the House of Representatives is there on the back of LNP preferences, not Labor preferences.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting.

Government members interjected.

Mr SPEAKER: Order! Those on my right now will cease interjecting. The Premier has the call.

Ms BLIGH: Thank you, Mr Speaker. Under my leadership at the last state election, Labor went to the election recommending to Labor voters to 'Just vote 1', and that is what we intend to do at the next election. What we know is that this is a smokescreen for the exposure yesterday of Campbell Newman for his failure to rule out One Nation preferences. He was embarrassed.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting.

Honourable members interjected.

Mr SPEAKER: Order! The crossfire will cease. The Premier has the call.

Ms BLIGH: As we know, the leader of the LNP, Mr Campbell Newman, failed for 15 days in a row to rule out preferencing to One Nation, until he was embarrassed in this parliament yesterday. What happened then? His deputy had to go out and do it for him because he did not have what it takes to do it himself. Four hours later, he snuck out a sneaky little press release—at 4.30 in the afternoon. Where was he that he could not do it himself? Again, how embarrassing.

Tolerance and Diversity

Mr CHOI: My question without notice is to the Premier. Can the Premier please explain to the House how the government is promoting tolerance and diversity in the great state of Queensland?

Ms BLIGH: I thank the honourable member for his question. The member for Capalaba knows possibly more than any other member of this House how important a multicultural society is to the health and wellbeing of people like himself, his family and his community who have come here from other parts of the world. I thank him for the hard work he does on a very regular basis to ensure that multiculturalism is alive and well in Queensland and that it is meaningful.

One of the greatest threats to a multicultural Queensland—and multicultural Queensland is one of the great strengths of our state, one of the great strengths that underpins the economic prosperity that we enjoy and the trading relationships on which we rely—in my political lifetime has been the emergence of the One Nation party, particularly here in Queensland. It required strong leadership in the last decade to say that there would be no preference deals with One Nation on behalf of the Labor Party because we knew that that may well have cost us seats. We also knew that that was not as important as protecting Queensland from the threat that was being posed to it.

Of course, we know that there was no such leadership on the other side of politics. We know that there are many ethnic communities in Queensland who will never forget and never forgive the fact that so many people from the Liberal and National parties bowed down and put their own political careers ahead of the right thing to do.

We have seen all of that back again in the last fortnight. As I outlined to the House yesterday, Campbell Newman was asked repeatedly by journalists at a press conference some 16 or 17 days ago whether he could rule out giving One Nation preferences in the seat of Ashgrove and he refused to do so. He did not just refuse once; he refused over and over and over again. In subsequent days, he failed to put the position of the party on the record. He only reacted when he was shamed into it yesterday, when I brought it to the attention of this parliament and probably to a number of his colleagues who were unaware of it. At lunchtime the deputy had to do what the leader could not do. Tim Nicholls had to go out and do—

Mr Seeney interjected.

Mr SPEAKER: Order! Leader of the Opposition, the Premier has the call.

Ms BLIGH: Four hours after the deputy leader had ruled it out, we finally saw a three-line, sneaky statement snuck out.

Opposition members interjected.

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

Ms BLIGH: I think the ethnic communities of Queensland once again know that the so-called leadership of the LNP on this issue is a complete and utter spineless failure.

The Greens, Preferences

Mr NICHOLLS: My question is to the Minister for Finance, Natural Resources and the Arts. Does the minister support the Greens party policy to reintroduce death duties and to change the GST tax system? Unlike the 2009 election, does she today categorically rule out any preference deals with the Greens party at the next election that will lead to changes to Queensland's tax system?

Mr SPEAKER: Order! I have trouble with the second part of the question but I will allow you to take it.

Mr Johnson interjected.

Mr SPEAKER: Just let me explain to the House what my ruling is. I allowed the first question on preferences on the basis that the Premier is a leader of a political party. The difficulty the chair has with the second part of the question is that I fail to see how a minister has that same responsibility. However, I will allow the minister to answer the question with respect to the parts of it that fall within her administration.

Ms NOLAN: This government will continue to deliver strong economic leadership in this state, as it has done through this term thus far. What this government has done thus far is make the tough decisions that have needed to be made. For instance, we stood up to what are in part the vested interests on our own side of politics when undertaking an asset sales program which was necessary to secure the economic future of the state and which was opposed by the other side of the House, including those who used to call themselves Liberals. The question that has been put forward relates specifically to death duties, a tax which has not existed in this state for many, many years—since before I was born, probably—and which I have never seen on a modern political agenda. So I think the question borders on the fanciful.

What we have done is show economic leadership in relation to tough matters—in stark contrast to those on the other side of the House who have not done so. As I have said, this matter of death duties is by no means on anyone's agenda. When it comes to a relationship as to who is cuddling up with the Greens, again I can tell you, Mr Speaker, that it is certainly not our side of the House. The big issue that the Greens—

Opposition members interjected.

Mr SPEAKER: Order! Stop the clock. The question has been asked. It was a politically loaded question and the House is getting a politically loaded reply.

Ms NOLAN: The big issue that the Greens are pushing in this—

Opposition members interjected.

Mr SPEAKER: Order! Stop the clock again and I will clarify it for the House. If a question is asked in a politically loaded way, I fail to see how it is irrelevant to answer it in a way that is politically loaded. Obviously that is going to offend one side of the House. That is the nature of the House. Therefore, the minister is being relevant. I call upon the minister.

Ms NOLAN: The proposition that the Greens are putting right now is that farmers should lock the gate to mining and gas developments. While this government is developing groundbreaking legislation to protect land from mining and to facilitate gas and the protection of land, Tony Abbott and those on that side of the House have back locked the gate, as have the member for Warrego and Mr Hopper.

Mr SPEAKER: The minister will refer to the honourable member by his correct title.

Ms NOLAN: The member for Condamine. So it is Tony Abbott who is with the Greens when it comes to shutting down our economy while Labor will continue to stand for economic growth.

Mining and Agriculture Industries

Mr SHINE: My question is to the Premier. Mining and agriculture are essential foundation industries of the Queensland economy. Can the Premier explain what action the government has been taking to allow these industries to co-exist and is she aware of any alternative plans?

Ms BLIGH: I thank the member for his question. The member for Toowoomba North understands, coming from the region that he does, how important the co-existence of these two great industries in Queensland—our agricultural industry and our mining industry—is to the future prosperity of our state. That is why our government has been doing a great deal of innovative and creative work to develop a world-first piece of legislation that will put in place a regime to protect our state's best farming land and to give certainty to the resource industry.

Some 3.8 million hectares, or just 2.2 per cent of our state, are currently used for growing crops for domestic consumption and export. We understand that good quality cropping land is scarce and, more, that soils that make it productive are a finite resource that have taken millions of years to develop. That is why we have been working hard, as I said, to develop our strategic cropping land policy and legislation. We have put this out into the public arena for discussion and the formation, as announced today by the Minister for Finance and Natural Resources, of the Queensland government's Strategic Cropping—Science and Technical Implementation Committee is a very important milestone in that process. That committee will provide independent scientific advice to the government on the implementation of the science needed to underpin the strategic cropping land policy and legislation.

This is about serious work to develop serious solutions to the serious challenges of the 21st century. This is from a government that is committed to doing the hard yards that need to be done. What I know is that there is very little by way of anything other than idle promises from those opposite. It was on 28 May this year that the LNP announced that it would announce its policy on this issue within four to eight weeks. That is between 12 and 13 weeks ago.

Mr Wallace: A bit like the Bruce Highway.

Ms BLIGH: It does have a certain ring about it. On 20 July the leader, Campbell Newman, told the Rockhampton *Morning Bulletin* that he would give landowners an ironclad guarantee to protect their land. Well, here we are more than a month later and we still have no policy, no legislation, no decision—nothing solid, nothing tangible, nothing more than a lot of hot air and an awful lot of gas from those opposite. What we know—and I endorse the comments from the member for Ipswich—is that there is only one political player that I know of in Queensland who has formally endorsed the unlawful 'lock the gates' campaign, and that is Campbell Newman. That is Drew Hutton's campaign to bring down the gas industry in Queensland and it was backed by Campbell Newman. As I said, it is hard to make out who is a bigger threat to the mining industry of Queensland—Campbell Newman or Bob Brown.

The Greens, Preferences

Mr DEMPSEY: My question without notice is to the Minister for Employment, Skills and Mining. Does the minister support a policy of shutting down Queensland's coal industry—an industry which supplies most of our electricity, contributes approximately $3 billion in royalties each year to the Treasury and provides thousands of high-paying jobs for Queenslanders? Does the minister support preference deals with the Greens that support such outcomes?

Mr HINCHLIFFE: I do want to very sincerely thank the honourable member for the question. There are indeed in this state right at this very moment more than $100 billion worth of resource projects on the books, and that is why there are 100 billion reasons Queenslanders cannot risk the LNP. The LNP is the greatest risk to the resource industry and the greatest risk to the mining industry in this state. We have Tony Abbott turning back the clock 100 years on mining, with Campbell Newman right there next to him and with Alan Jones supporting them the whole way. They are close friends. Then another dance partner comes into the process—Drew Hutton. I have known Drew Hutton for some time. He was one of my lecturers when I was at teachers college. I do not think he and I agreed much then and we certainly do not now, even though he now pretends he is some great protector of property rights. He is a new convert to property rights—

Mr Lucas: From an anarchist.

Mr HINCHLIFFE: From being an anarchist, he is now supporting the farmers. But the real agenda, as he revealed when he was at Oakey with the member for Beaudesert, was a grassroots campaign about locking the gate. And who is with him in the grassroots campaign? Who is with him in putting at risk the resources sector? Who is with him in putting at risk the mining industry here in this great state but Tony Abbott and Campbell Newman. They are the people who are putting things at risk.

But where is the policy? Where is the alternative policy? This government has had a consistent policy about supporting the development of this great sector. Where is the alternative? The alternative is nowhere. 'Mr Null' and 'Mr Void' cannot agree on anything! The member for Callide continues to be a cheerleader for the resources sector but is obviously out of step with Campbell Newman, and that is why he is so cranky. In contrast, we have members like the member for Warrego locking the gate and the member for Condamine supporting a moratorium and locking the gate. We have all of these people out there all over the shop, but most significantly we see them saying one thing when they are out west of the divide and another thing in Ashgrove. We are consistent. This government is consistent about supporting the development of this great industry and supporting the continued development of the coalmining industry—

Mr DEMPSEY: I rise to a point of order, Mr Speaker.

Mr HINCHLIFFE: But where does the opposition stand? Nowhere. It stands nowhere—no standard support.

Mr SPEAKER: Just before I call the next speaker, let me clarify something about the difficulty the chair has in the way the questions are framed. As I wrote down that question I heard about shutting down coalmines, $3 billion worth of royalties and thousands of jobs and then it had something about the preference deal. Most of the interjections were about a preference deal. As I listened to the minister I heard him speak about a number of aspects that were within that question. It makes it devilishly difficult for the chair. I want to uphold the standing orders with respect to relevance—that is absolutely certain—but it is very difficult when the question is in multiple parts like that. It is then up to the minister to pick which part he wants to answer. As I listened to the minister then, he was maybe not answering the question in the way the honourable gentleman wanted it answered but, given the number of parts, I found that the minister was relevant. That is the difficulty I have.

Local Government

Mr HOOLIHAN: My question without notice is to the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State. Could the Deputy Premier please inform the House about how Queenslanders have benefited from local government amalgamations and any other proposals of which he is aware concerning the status of local governments?

Mr LUCAS: I thank the honourable member for the question. The honourable member, of course, comes from the region of the Rockhampton Regional Council—a council that performed extremely well in the recent flood disaster. Rockhampton put up with more for longer than just about any other regional city or town in Queensland. When we see what has happened in Rockhampton post amalgamation, we see rate rises less than the 6.9 per cent benchmark set by the Local Government Association—I think about six per cent.

Similarly, in other areas such as the Sunshine Coast there has been $60 million in savings to pump sewage to the Kawana Sewage Treatment Plant instead of to Maroochydore on the Sunshine Coast. The Mackay council is starting construction on a $27 million pipeline to guarantee water supply

to Sarina. For the Moreton Bay council there is $100 million in savings over four years. Up in Bundaberg, the Bundaberg council essentially bailed out almost bankrupt councils in areas surrounding it. The 153 local governments have been replaced by 73. Of course, if you went to the Library and got the *Hansard* you would see that the city of Brisbane legislation was passed by this parliament. On the same side of the House were people who were opposing the amalgamation of the 24 local councils into one city of Brisbane. How time does not change the history very much at all.

Let us have a look at the other side of the coin when it comes to the issue of deamalgamation. On 8 July, in the *Noosa Journal* we had the member for Noosa confirming that the LNP government had already promised to deamalgamate Noosa. Twenty-eight days later—on 5 August—in the same journal Campbell Newman said that a vote would be taken as part of the boundary review commission. In the same article the member for Warrego said that a vote would not be necessary in Noosa. So in the same article on 5 August Campbell Newman said there would be a vote and the member for Warrego said that that would not be necessary. They could not keep a consistent line in one article.

Seven days later—on 12 August—Campbell Newman again reiterated that there had to be a vote. But worse than that, on 18 August—six days after that—the Leader of the Opposition, the member for Callide, said that there is going to be an incredible amount of expense and upset involved with any proposal to deamalgamate. Five days after that—on 23 August—what is going to happen in Port Douglas? In the first 100 days they are going to have a boundary commission. Then it is going to recommend what they should do. Then they will have a vote on deamalgamation. But, of course, that will be after the next local government elections in any event. Then if that gets up, they will have another vote there. That is what they are going to have.

In fact, Campbell Newman has had more gaffes than a tuna fisherman. The members for Warrego and Noosa—and they are abusing the privileges of this place and of their office—have said to people, 'It will happen.' Campbell Newman says, 'It might happen' and God knows what will happen if it does happen. Those of us around politics have seen it all before. Campbell Newman is unravelling like Bronwyn Bishop. It is just another version of the Bronwyn Bishop saga. We saw that with the Bruce Highway strategy yesterday.

(Time expired)

State Penalties Enforcement Registry

Mr BLEIJIE: My question is to the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State. Will the minister confirm that less than two weeks after the estimates hearing SPER fines blew out a further $8 million to more than $688 million with no view to them ever being reined in by this Labor government?

Mr LUCAS: I thank the honourable member for the question. One of the things about SPER is that it has no control over the level of fines that are levied in Queensland. SPER is the collection authority and, as you would expect, as time goes on, as Queensland's population increases, as more fines are imposed upon people, of course, the corpus of fines collected will increase. Unlike a company, for example, that writes off debts that it deems uncollectable, except where a company becomes bankrupt or indeed a person is deceased, SPER does not write off the debt. From the state's point of view, unlike a company that would have written off the debt so you would not have seen all of that money there—

Mr Bleijie: $688 million.

Mr LUCAS: He likes to hear the sound of his own voice. Will he let me answer the question? He asked it.

Mr Seeney: Oh! Precious petal!

Mr LUCAS: I know all about the tantrums the Leader of the Opposition has thrown about Campbell Newman's behaviour. I know the walkouts that he has undertaken in the opposition leader's office. I know the threats that the Leader of the Opposition has made. Every time Campbell Newman calls the shots and tactics the Leader of the Opposition walks out in a huff, throwing a tantrum, because the Leader of the Opposition knows—and has seen it all—the path that he is going down with Campbell Newman. No wonder the Leader of the Opposition would be carrying on like that today.

The issue with SPER is that the government does not write off debts from individuals even if they are quite lengthy, because we believe that they should be collected. So that means that if in 10 or 20 years into the future you get the money it comes into SPER. Let us have a look at some of the ill-informed comments that the member for Kawana has made. We should start dealing with people more severely in relation to SPER. I say to him to ask about the situation of Jamie Partlic, who went to jail in New South Wales and turned out in a vegetative state because he was bashed. Another person in New South Wales lost their life in a prison. What about throwing people in jail as a principle for not paying their fine? It costs on average $280 a day to put someone in prison—upwards of $200 to $280 a day.

We will sort out this matter, but it will not involve writing off debts in situations where we want to hunt people in the long term. Of course, the debt will increase over time as more fines are increased. They are collected for state agencies. They are collected for councils, including the Brisbane City Council. They are collected for organisations that collect tolls. That is what SPER does.

(Time expired)

Queensland Building Boost

Mr SCHWARTEN: My question is to the Treasurer. Can the Treasurer advise the House of how the Queensland Building Boost is stimulating the Queensland housing sector with the support of industry across the state? Is he aware of any proposals to support it or alternative plans?

Mr FRASER: I thank the member for Rockhampton for his question. The member, of course, is someone who has devoted his working life in this parliament to supporting the construction industry and the housing sector. In particular, I know that he would be pleased, like all members of the government, to learn that earlier today the ABS released information on the performance of the construction work done across the economy of Australia. The ABS said that across Australia construction work increased by 0.7 per cent in the last quarter. But in Queensland, construction work increased over the last quarter by 14 per cent compared to what is occurring around Australia. The bulk of that work was in the engineering sector. That business investment is coursing through the economy of Queensland and helping support the whole nation in terms of that investment profile.

That data showed also that the residential sector continues to struggle around Australia. That is why the Building Boost program that this budget put in place is so absolutely vital. We know that it has the support of industry. Warwick Temby from the HIA said that it is extremely generous. Peter Collins from the HIA in Cairns has said that it will contribute greatly to the broader economic recovery in Cairns and that there may be no better time to sign a building contract than in the next six months.

I am also aware of other companies that have been out there promoting the Building Boost across Australia, across Queensland, putting forward their case to support the Building Boost. I am aware of a company called Affordable Quality Homes that recently has gone to town in the Rocky *Morning Bulletin* promoting the Queensland Building Boost—in a double-page spread, in fact. So informative and so effusive is it in its praise that I want to table it for the benefit of all members of the House.

Tabled paper: Extract from the The Weekend Bulletin, dated 30 July 2011, including advertisement titled 'How to qualify for $10,000—Tax Free!' [5131].

The exposition for the Building Boost in that paper is proudly signed off by no-one else other than a gentleman called Mr Scott Kilpatrick. He cannot quite bring himself to proudly say that the Building Boost is a Queensland government policy, because Scott Kilpatrick will be known to those opposite as a former LNP candidate. The reality is that he wants a Labor policy and a Labor government to deliver a boost to the housing industry that those on the other side oppose. The Building Boost has been described variously by the shadow Treasurer as a poison pill and, hysterically, as part of a direct attack on the Australian way of life.

The Building Boost offers direct support for jobs and direct support for the housing industry and, ultimately, it has been opposed every step of the way by those opposite. So while people like Mr Kilpatrick and others in the LNP are happy to go out there and take the economic boost, the LNP representatives in this chamber should get up and have the courage to support the construction industry, the housing industry and the jobs that they create. But, of course, what we will see from them is not a policy, just a slogan. They have no ability to put forward a plan for the housing industry and no ability to put forward a plan for Queensland's economy. All they have is a couple of slogans and a little general who is running the strategy, overruling them at every point of the way. That is why they are so unhappy here today.

(Time expired)

Child Safety Services, Deaths of Children

Ms DAVIS: My question without notice is to the Minister for Child Safety. I refer to inquiries underway into the deaths of two teenage girls who committed suicide while in the care of his department and any investigations into deaths of the other 80 children known to Child Safety who died in 2009-10. Will the minister release the details of any such investigations and can the minister assure the House that he is not using provisions designed to protect children to actually protect the government from scrutiny?

Mr REEVES: I thank the honourable member for the question. I think it is a very difficult day to be talking about child death after what has occurred in the last 24 hours. That being said, this government fully supports and has a process in place with regard to reviews of any child who has been known to Child Safety. The death of any child is an absolute tragedy. I think that there is no Queenslander or

Australian today who would not be in shock and horror about what has occurred. As I said, no child death should take place and that is why we have a review process. It is a fully accountable review process. We have the independent children's commission who deals with those matters. I am very confident about the matters that they have dealt with. I believe that it is inappropriate to talk about the specific case that the member raises.

Ms Davis: I am not asking about a specific case, Minister.

Mr REEVES: Member for Aspley, of all days to bring this question up. I am happy to answer the question, but I am not going to talk about a specific case. There is legislation in place and, quite frankly, the legislation is to protect the families and children concerned. I have full confidence in the processes that we have in place and I stand by that because it is regarded throughout the country as the most accountable and open system in place. I think on a day where we have dealt with tragedy of the highest order when it comes to children that it would be inappropriate to comment any further.

Road Infrastructure

Ms BOYLE: My question is to the Minister for Main Roads. Will the minister please advise the House whether he is aware of any public commitments that have been made about improving main roads infrastructure, particularly in regional Queensland?

Mr WALLACE: Can I thank the member for Cairns for the question. What a great advocate for better roads across Far North Queensland. One could not ask for a better advocate. That is why I know she is pleased to see that $150 million program on the Cairns southern corridor swinging into place thanks to Labor. It is not just Cairns. There is the $190 million port access road in Townsville and the $100 million duplication of the Douglas Ring Road. They are important projects in regional Queensland. The list goes on. We have got our foot to the pedal when it comes to delivering better roads in regional Queensland.

But there is one person who says one thing to the people in regional Queensland and says another thing to the people in Brisbane and, of course, his name is Campbell Newman. As they say in the westerns, 'This man speaks with forked tongue.' He told the people of regional Queensland that he would release a Bruce Highway policy, but as we found out this week he will now keep that hidden until after the election if the tories win. He is also on the record as saying he wants to divert 70 per cent of infrastructure spending away from the regions and fold them into Brisbane. The people of regional Queensland will have to pay the piper if this man Newman gets elected. Indeed, in a desperate attempt to get himself elected in Ashgrove he hastily committed to a plan to build an overpass in the middle of Enoggera, a plan that will cost taxpayers around $100 million more.

But what funding did he commit to regional roads? Nothing! Zip! Zero! Zilch! Nothing for the people of regional Queensland. One of Newman's first funding commitments was to promise an overpass for a Brisbane City Council road, a road he promised he would fix even before he became mayor, and he couldn't deliver on that. Now he wants the people of regional Queensland to pay for it. He will rip $163 million out of regional Queensland. There is another overpass in Brisbane on Telegraph Road in the northern suburbs at a cost of $85 million. What do we get in regional Queensland from this man Newman? Nothing! Zip! Zero! Zilch! He hides his policy. He will not release his policy.

He does not know anything about regional Queensland and that is why he admitted to the *Townsville Bulletin* that he has not driven the Bruce Highway for a quarter of a century. But there is one policy that we know he has for the people of regional Queensland—the member for Callide let the cat out of the bag—and that is a toll on the Bruce Highway. We will not stand for it on this side of the House. We will fight him all the way in regional Queensland.

Public Service Appointments; Queensland Health, Payroll System

Ms SIMPSON: My question is to the Premier. Premier, I refer to the health payroll debacle which wasted more than $280 million and is still causing pain and distress for health workers. Will the Premier confirm that the public servant responsible for ICT projects in the public works department has since been promoted to director-general?

Ms BLIGH: I am at a loss to understand the question. The directors-general of Queensland government departments are public knowledge. You will find them in the telephone book. If anybody wants to know who is a director-general in a government department I would refer them to the government directory. I am not sure what on earth the member is on about. What I can say is that when it comes to issues of the Health payroll the Minister for Health is diligently applying himself and the best resources of his senior team to ensuring that all of the recommendations of the various audit reports are being implemented and that, where possible, the technology is being improved at the fastest possible rate.

What we have seen here today in this question time tells you everything that you need to know about what is going on on the other side of the House. What we have seen is a group of people being forced to ask a series of questions that they knew were stupid and they hated having to do it. They have obviously spent most of the morning arguing against it. They were forced to ask these questions by someone who is arrogant enough to believe that he knows more about the way this parliament operates and more about state politics than all of these people who have been here, in many cases, for up to a decade or longer.

The member for Callide has been humiliated again by being told what to do. I note that when the Deputy Premier made the assertions that he had been forced to walk out of tactics meetings on a number of occasions that the member did not rise to deny the claim or take any offence.

Mr Seeney: If I denied every wrong claim you lot made we'd never get anywhere.

Ms BLIGH: You are always pretty fast on your feet.

Mr Seeney: I'd never get to sit down. I'd be up all the time.

Ms BLIGH: You are always pretty fast on your feet, but you were not game to get out of your seat on that one because you knew there were plenty of people there who knew it to be true.

Mr Seeney interjected.

Mr SPEAKER: Order! The Premier is rounding up the answer.

Ms BLIGH: As I said, if the honourable member wants to know who are the directors-general of government departments of Queensland I refer her to the government directory.

Strategic Cropping Land

Mr WENDT: My question is to the Minister for Finance, Natural Resources and the Arts. I note the announcement this morning of further details regarding the government's strategic cropping land framework. Can the minister advise the House if there are any other approaches to the critical and topical issue of protecting quality agricultural land from mining?

Ms NOLAN: I thank the honourable member for the question. When it comes to alternative approaches to dealing with this important issue, I can advise the House how some others may think it fit to deal with it. At a time when farmers are claiming that they are threatened by mining, one would expect that the old National Party, which claims to have the interests of agriculture at its very heart, would be absolutely on top of the game. Indeed, last August the leader of the old National Party told the world that he was. When the government announced a policy, the member for Callide put out a press release that claimed that Labor was adopting LNP policy and was behind the game. Therefore, if they know so much about it, one would expect that they would be able to tell us, for instance, which of the areas their side of the House represents should indeed be protected. The opposition has tried to tell us just so.

In April, the member for Callide told *Country Life* that the Darling Downs would be the first priority and 'Central Queensland should be the next cab off the rank'. But, as pressure rose around Central Queensland, the little general went up there and overrode the member for Callide. When he visited Springsure, Campbell Newman said, 'It is an ironclad guarantee that we'll protect the golden triangle.' This was welcomed by locals. Action group spokesman Andrew Bate told the ABC—

'We're quite buoyed by Campbell's support—he gave an ironclad promise to protect Golden Triangle from mining if he gets in power.

However, back in Brisbane the local member, Mr Johnson, rose in the parliament and said—

I was with Campbell Newman at the golden triangle meeting and he did not give that at all.

Finally—

Mr JOHNSON: I rise to a point of order. I have said it in this House before: I was with Campbell Newman at the golden triangle meeting. I ask, when are you going to start telling the truth?

Mr SPEAKER: Order! There is no point of order. There is a way in which you can seek remedy for this via a personal explanation. It is not a point of order. If the honourable member feels impacted by what the minister has said, the remedy is via a personal explanation. I will allow that if the House allows me to do that at the end of question time. The honourable the minister.

Ms NOLAN: This is exactly my point. The member for Callide said Central Queensland was out, Campbell Newman said it was in and the member for Gregory is telling the House that he did not say that at all. Now the member for Callide has told *Country Life* that they may well not develop a policy at all until the election is called. This is what they are like: when the going gets tough, they run away from the responsibility to develop policy at all.

Government Owned Corporations, Electricity Generators

Mr McLINDON: Mr Speaker—

Mr Lucas: I bet you feel better now that you've moved.

Mr McLINDON: I am on the back bench, business class. My question without notice is to the Premier.

Mr Lucas: Have you been whispering to Ray?

Mr SPEAKER: Order! Deputy Premier! The member for Beaudesert has the call.

Mr McLINDON: A phone call is not a whisper. Following a report in today's *Courier-Mail* regarding the current wage negotiations for state owned power generation companies, will the Premier categorically rule out that the restructure of those state owned power generation companies is in no way preparation for the sale of the last of our state owned power stations?

Ms BLIGH: I thank the honourable member for the question. The government has ruled this out formally on a number of occasions, including in major statements to this House. I refer the member to very public comments from me over a number of weeks about the loss of value in those assets and make the obvious point that now absolutely would be the wrong time to contemplate that, just as it was a number of years ago when the original statement was made.

In relation to the piece in today's paper about wage negotiations, those wage negotiations have been brought to the same point for a simple reason—that is, we have restructured the generating companies that are owned. We are bringing them down from three to two, which means that three organisations that had three different enterprise bargaining arrangements that all finished at different times now have to be brought into some alignment. That is the only reason that date has been put in place. It is so that they can all align as part of a restructure of the generating companies. The government has been very public about that restructure and has made a series of explanatory statements to the House on the matter. However, I do note that the LNP is contemplating the possibility of a number of privatisations. For example, the Gladstone port is clearly on the agenda, despite the fact that they say yes, no, yes, no, yes, no depending on to whom they speak.

I was interested to hear the member for Beaudesert ask a question. Of course, in the past 24 hours we have heard the declaration from the LNP that they will not be directing preferences to anybody. That means that they will not be directing preferences to the new Australia Party, established by Bob Katter. I wonder if the member for Burdekin, the member for Dalrymple, the member for Condamine or the member for Mirani were party to that decision? Do they understand what it might mean in their electorates if there is no consideration given to any preference arrangements with the new Katter party? I welcome the news from the LNP that there will not be preferencing arrangements with the Australia Party, but I wonder whether—

An opposition member: Rule out the Greens!

Opposition members interjected.

Mr SPEAKER: Order! Premier, resume your seat. Let us all settle down. The honourable the Premier has the call.

Ms BLIGH: I repeat the answer I gave to the first question that was put to me today. I went to the last election with a 'vote 1' strategy and I intend to do the same at the next election in 2012. Once again, the one-day temperamental policy making of the candidate for Ashgrove is an own goal.

Flying Foxes

Mr LAWLOR: My question is to the Minister for Environment. Can the minister please inform the House about the scientific advice that informs the government policy of dealing with flying fox colonies and if she is aware of any other advice in this regard?

Ms DARLING: I thank the honourable member for his question. I particularly thank him for working in such a constructive manner with both my departmental officers and the Gold Coast City Council to put in place a proper strategy to manage flying fox populations, just as we have done with several other communities around Queensland. He raises an important question about the science that guides our actions. There are a few very fundamental things that the science about flying foxes tells us. Firstly, flying foxes are very critical to our environment because they are important forest pollinators. Secondly, it is very important that we do not move them on when they have young or when they are pregnant. Thirdly, we should never stress or distress the animals because if they are carrying the Hendra virus they are more likely to excrete it if they are frightened. Fourthly, and importantly, to move on problem flying fox roosts we must use humane methods in a way that will not harm them.

As my colleague the Minister for Agriculture, Food and Regional Economies informed the House this morning, the research into flying fox populations is continuing so that we can understand the connection with the Hendra virus. As announced this morning by my colleague, there will be research on flying fox movements so that we can provide a clearer picture of why there are more confirmed cases of Hendra virus in some years and during some months. We must adhere to the science. That is not what is happening with those opposite. They have several different policies that would make them act in a very reckless and irresponsible way. They would choose to simply ignore the science, bombing flying fox colonies, injuring, maiming and destroying colonies and habitats. It is really quite extraordinary, considering that their external leader, Campbell Newman, very much proclaimed his green credentials when he was resident in City Hall. Back then he believed in and he heeded the science.

A government member interjected.

Ms DARLING: He does. He put out some very informative newsletters that we received quite regularly. In one as recent as November 2007 he talked about how important it is to protect our wildlife and save our local threatened species including flying foxes.

Ms Jones interjected.

Ms DARLING: When he heads out to the country areas, as the member for Ashgrove has pointed out, it seems to be a completely different set of policies—if you can call them policies. When he was in Charters Towers recently Campbell Newman said that he would get rid of flying foxes: one way or the other the bats will be gone. That does not sound like very scientifically guided policy to me. It is just 'get rid of them; blow them up'.

Ms Jones: Say anything to anyone he will.

Ms DARLING: He says one thing in the country and says another thing to the voters of Ashgrove.

(Time expired)

Nanango Electorate

Mrs PRATT: My question is to the Premier. Of 33 towns in the Nanango electorate, 24 are under the 1,000 population threshold and are not deemed worthy of the two-kilometre protection buffer. I ask the Premier: did those who deemed two kilometres as sufficient take into consideration terrain and prevailing winds which, in many cases, would reduce the buffer's worth to zero? What assurances can this government give that these 24 unprotected small towns will not go the same way as the town of Acland?

Mr SPEAKER: I will allow three minutes for this. It is needed.

Ms BLIGH: I thank the honourable member for her question. The member for Nanango represents an electorate where the tension between resources and agriculture is real, and I appreciate that the concern she has about it is very genuine.

Firstly, the limit of 1,000 people was chosen because it is the current Australian Bureau of Statistics definition of what constitutes an urban area. What we were looking for was a definition that would capture densely populated places where it is very unlikely that there would ever be a mining permit given. In fact, to my knowledge there have never been any mining permits granted over densely populated urban areas. So custom and practice has been that, even though there is an exploration permit, the mining permit has not followed in that part of the permit area. However, custom and practice has not been enough, as we have seen more and more exploration over more and more spreading urban areas such as Toowoomba. That has created a lot of uncertainty for people regarding long-term property values et cetera.

I want to stress that any mining project that had an exploration permit that had any dwelling in it, whether it is a single property or a town of 20 people or a town of 300 people, still has no automatic right to go from an exploration permit to a mining permit. Any such project would have to satisfy all of the criteria and all of the environmental and social requirements. I would suggest that, unless the value of the project was so overwhelmingly in the public interest, it would be a very unlikely thing for any government to put that interest over any reasonably densely populated area.

I appreciate that that may not be the sort of certainty that the member is looking for, which is why we have put out a discussion paper on this. I would encourage the member to talk to the minister about the sorts of towns she is concerned about. If there is a better way of defining it, then we can have a look at that. I understand the point she is making, but the idea that we abolish exploration of mining resources in Queensland is not feasible either and it is not a path that this government will pursue. As we seek to get the balance right, if the member would like to bring any particular concerns to our attention, we would be very happy to listen to them.

Mr SPEAKER: The time for question time has expired.

PRIVILEGE

Alleged Deliberate Misleading of the House by the Premier

Mr SEENEY (Callide—LNP) (Leader of the Opposition) (3.33 pm): I rise on a matter of privilege. I table for the benefit of the House an article that was written by Steven Wardill in the *Courier-Mail* on 12 March 2009, which is part of extensive media reporting at the time of a deal that was done by the Labor Party 'in exchange for Green preferences in 14 key seats the party hopes to retain in a bid to cling to power'.

Tabled paper: Courier-Mail online article, dated 12 March 2009, titled 'Sweetheart deal to support The Green's Ronan Lee' [5132].

That report would contradict the claim that the Premier has made in this parliament twice today. I suggest that there is a case for the Premier to answer that she has misled this House. I will write to you, Mr Speaker, in that regard asking that the Premier be referred to the privileges committee for the matter to be decided there.

Ms BLIGH: I am happy to look at the material.

Mr Seeney: Go to the committee. Argue your case to the committee.

Ms BLIGH: I think you will find that this is about Greens giving us their preferences and you have made a fool of yourself again.

Mr Seeney: You said it. You said it twice.

Ms BLIGH: That is what I did.

Mr SPEAKER: The matter is not to be debated now. The honourable Leader of the Opposition will write to me. I think the Premier thought we were still in question time. I had ruled that question time had ended. The Premier was concentrating on that I assume. It is not going to be debated right now. I did indicate to the honourable member for Gregory that, with the House's permission, there would be time for a personal explanation. You will have to seek leave, but I understand from the Leader of the House that that will be granted.

PERSONAL EXPLANATION

Comments by Minister for Finance, Natural Resources and the Arts

Mr JOHNSON (Gregory—LNP) (3.35 pm), by leave: The allegations that the Minister for Finance, Natural Resources and the Arts has been making in relation to the statements made by Campbell Newman on his visit to the golden triangle region south of Emerald on the Springsure Creek—and it is Arcturus Downs, not Springsure—in my electorate are this precisely. Mr Newman told the people of the golden triangle and also other interested parties and media groups there that an LNP government would not mine strategic cropping land—open cut or underground. In the case of Springsure Creek, his comment was that, now that Bandanna Energy has permission from this government with its exploration permit to progress, at no such time can an LNP opposition block this; only a Labor government can block it. If that project is in progress after a change of government—if that eventuates—an LNP government will not be able to block a project that is already in progress. It is up to the current Labor government to block that project.

Mr SPEAKER: I did allow some latitude there. In a personal explanation the honourable gentleman should demonstrate how he has been personally impacted by it.

Mr JOHNSON: Thank you, Mr Speaker.

Mr Fraser: It was two bob each way. It was not a personal explanation.

Ms Spence: He never mentioned himself.

Mr SPEAKER: Those on my right will cease interjecting.

Mr JOHNSON: I was present. On two occasions in this House the minister has levelled that criticism at me. I was a part of that party with Campbell Newman at Arcturus Downs. I find it offensive. I will be writing to you, Mr Speaker, about this matter.

BUSINESS NAMES (COMMONWEALTH POWERS) BILL

Introduction and Referral to the Legal Affairs, Police, Corrective Services and Emergency Services Committee

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (3.38 pm): I present a bill for an act to refer certain matters relating to the registration and use of business names to the parliament of the Commonwealth for the purposes of section 51(xxxvii) of the Commonwealth Constitution, and to provide for related matters. I table the bill and explanatory notes. I nominate the Legal Affairs, Police, Corrective Services and Emergency Services Committee to consider the bill.

Tabled paper: Business Names (Commonwealth Powers) Bill 2011 [5133].

Tabled paper: Business Names (Commonwealth Powers) Bill 2011, explanatory notes [5134].

The Business Names (Commonwealth Powers) Bill 2011 proposes to refer legislative power of this House to the Commonwealth parliament to make legislation for the registration of business names. The bill follows on from this government's commitment to the Council of Australian Governments, COAG, agreement in 2008 to transfer responsibility for the registration of business names from state and territory governments to the Australian government.

This bill represents an important step in the government's commitment to making life simpler for Queensland businesses by cutting red tape. Mr Deputy Speaker O'Brien, you might be interested to know that in Queensland approximately 40,574 new business names are registered annually. The register currently holds approximately 261,000 business names in total. Currently, the cost to register a business in Queensland is $133.60 for one year. Under the new national system, the charge will be $30—that is an 80 per cent decrease in fees for Queensland businesses.

A business name is the simplest and, in many cases, most convenient method for a business to establish a profile and customer base in the marketplace. It is an identifier and it also is a meaningful way to distinguish a business from its competition. As it currently stands, businesses have to register their business name in each of the states or territories they trade in. For some businesses this is a considerable administrative burden and one which the referral of power to the Commonwealth seeks to redress.

As I have already noted, the bill proposes to refer legislative power of this parliament. A collaborative approach by the COAG means that the text of the proposed Commonwealth Business Names Registration Bill 2011 was developed by representatives of all state, territory and Commonwealth jurisdictions.

The COAG business names registration project proposes a new business model to develop a seamless, single online registration system for both Australian business numbers and business names, including trademark searching. This will be done through the establishment of a national registration system which will also deliver online business information services and improve ongoing interactions between government and business through such innovations as automatic form filling—single, simple registrations that can be filled out online and paid for online and at a lower cost. The red tape reduction for businesses in Queensland is clear.

I will now take members briefly through the components of the bill because I know that they are very interested in them. The referral of power is proposed in two manners. Firstly, the bill proposes an initial text based referral through reference to the text of the proposed Commonwealth bill as tabled in the Tasmanian Legislative Assembly on 5 July 2011. The text based method was chosen as one of the strongest ways to safeguard the states' rights with the referral of power by restricting the power of the Commonwealth parliament in the drafting of its proposed bill.

The bill also contains a subject matter amendment reference for the Commonwealth parliament. This has been constrained by proposing amendments only being made under certain circumstances. The bill goes further in restricting this subject matter amendment reference by carving out specific areas which do not fall into the proposed amending power of the Commonwealth parliament.

COAG has also agreed to an intergovernmental agreement for this project. This agreement governs the ministerial voting procedures for making any amendments to the Commonwealth Business Names Registration Bill the subject of the initial text based reference.

I now turn to those provisions in the bill which propose to allow the chief executive of my department to transfer existing Queensland Business Names Register data to the Australian Securities and Investments Commission. The transfer of this data is for the purposes of establishing or maintaining the proposed new national online register to be managed by ASIC.

The bill proposes also to allow the chief executive to give ASIC notice, to be allowed under the proposed Commonwealth transitional act, that a business name is to be held and not registered on the ASIC register. The purpose of this notice is to reserve a proposed business name where my department has received an application to register a business name before the commencement of the national scheme and a decision has not been reached at that time. Once a decision is reached to grant the registration of the proposed name, the chief executive will notify ASIC to do so on the national register.

In allowing this transfer of information, the bill proposes to provide officers of my department with protection from civil liability for acts or omissions made honestly and without negligence when carrying out these functions. I do note this provision is a standard provision in Queensland legislation when carrying out such functions. An aggrieved person is also not prevented from bringing an action in relation to this transfer of information as any liability attaches to the state.

At its core, registration of a business name is about ensuring there is no confusion in the marketplace for consumers, and this is done by ensuring identical names are not registered. So, if a business goes to register a new name and there is an identical match, that business can then think of a way of distinguishing the name. One common way this might occur is by using their state of origin in brackets following their business name.

I will now provide members with some brief comments regarding the remaining elements of the bill. The bill proposes to repeal the current Business Names Act 1962 and its regulation, but in doing so it allows certain provisions to continue in their operation. This continuation is to allow for those applications received by my department but not decided at the commencement of the national register, referred to as the 'changeover day'. These continued provisions work in tandem with the proposed Commonwealth Transitional Act and proposed business names held under that proposed act.

Finally, the bill proposes several consequential amendments to the Queensland statute book referring to the proposed national ASIC Business Names Register and the Commonwealth legislation.

First Reading

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (3.45 pm): 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.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs, Police, Corrective Services and Emergency Services Committee.

CIVIL PROCEEDINGS BILL

Message from Governor

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (3.45 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE
CIVIL PROCEEDINGS BILL 2011
Constitution of Queensland 2001, section 68
I, PENELOPE ANNE WENSLEY, Governor, recommend to the Legislative Assembly a Bill intituled

A Bill for an Act to provide for various matters concerning civil proceedings and proceedings in relation to contempt of court in the Supreme Court, the District Court and the Magistrates Courts, to repeal the *Supreme Court Act 1995*, to amend the *Associations Incorporation Act 1981*, the *Births, Deaths and Marriages Registration Act 2003*, the *Civil Liability Act 2003*, the *Cremations Act 2003*, the Criminal Code, the *District Court of Queensland Act 1967*, the *Electoral Act 1992*, the *Evidence Act 1977*, the *Information Privacy Act 2009*, the *Judges (Pensions and Long Leave) Act 1957*, the *Jury Act 1995*, the *Justices Act 1886*, the *Justices of the Peace and Commissioners for Declarations Act 1991*, the *Land Court Act 2000*, the *Law Reform Act 1995*, the *Magistrates Act 1991*, the *Magistrates Courts Act 1921*, the *Queensland Civil and Administrative Tribunal Act 2009*, the *Retirement Villages Act 1999*, the *Right to Information Act 2009*, the *Succession Act 1981* and the *Supreme Court of Queensland Act 1991*, and to make minor and consequential amendments of the Acts mentioned in a schedule.

(sgd)
GOVERNOR
Date: 22 Aug 2011

Tabled paper: Message from the Governor recommending the Civil Proceedings Bill 2011 [5135].

Introduction and Referral to the Legal Affairs, Police, Corrective Services and Emergency Services Committee

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (3.47 pm): I present a bill for an act to provide for various matters concerning civil proceedings and proceedings in relation to contempt of court in the Supreme Court, the District Court and the Magistrates Courts, to repeal the Supreme Court Act 1995, to amend the Associations Incorporation Act 1981, the Births, Deaths and Marriages Registration Act 2003, the Civil Liability Act 2003, the Cremations Act 2003, the Criminal Code, the District Court of Queensland Act 1967, the Electoral Act 1992, the Evidence Act 1977, the Information Privacy Act 2009, the Judges (Pensions and Long Leave) Act 1957, the Jury Act 1995, the Justices Act 1886, the Justices of the Peace and Commissioners for Declarations Act 1991, the Land Court Act 2000, the Law Reform Act 1995, the Magistrates Act 1991, the Magistrates Courts Act 1921, the Queensland Civil and Administrative Tribunal Act 2009, the Retirement Villages Act 1999, the Right to Information Act 2009, the Succession Act 1981 and the Supreme Court of Queensland Act 1991, and to make minor and consequential amendments of the acts mentioned in a schedule. I table the bill and explanatory notes. I nominate the Legal Affairs, Police, Corrective Services and Emergency Services Committee to consider the bill.

Tabled paper: Civil Proceedings Bill 2011 [5136].

Tabled paper: Civil Proceedings Bill 2011, explanatory notes [5137].

Our court system ensures that our democracy is fair. Our justice system must be reviewed regularly to ensure it is modern, up to date and is responsive to the needs of our society. Although most disputes are resolved without recourse to the courts, when matters proceed to the courts, the rules of procedure which apply to litigation must be easy to understand, streamlined and effective. They need to provide for, as much as is possible, the simple, timely and cost-effective resolution of disputes.

The main purpose of the bill is the enactment of a new Civil Proceedings Act to apply to civil proceedings in the Supreme, District and Magistrates courts. The new Civil Proceedings Act incorporates and modernises procedural and substantive law from the Supreme Court Act 1995 and integrates civil procedure provisions from the Supreme Court of Queensland Act 1991.

The proposed new Civil Proceedings Act will give effect to the recommendations of the Rules Committee, established under the Supreme Court of Queensland Act 1991. One of the functions of the Rules Committee, which comprises representatives of the Supreme, District and Magistrates courts, is to 'advise the Minister about the repeal, reform or relocation of the provisions of the Supreme Court Act 1995'. In the performance of this function in 2002, the Rules Committee embarked on a review of the Supreme Court Act 1995. This review was conducted by former Justice the Hon. Glen Williams AO, SC and the Hon. Justice Margaret Wilson.

In 2004 the Rules Committee instructed the Office of the Queensland Parliamentary Counsel on the preparation of a draft Civil Proceedings Bill. In late 2010 the Rules Committee conducted public consultation on a draft Civil Proceedings Bill and its draft advice to the Attorney-General on the bill, which was prepared by His Honour Judge Douglas McGill SC.

The proposed Civil Proceedings Act is the culmination of extensive research and extensive consultation. The result is a clear, logically ordered, modern set of provisions which has received the support of stakeholders and will provide clarity to persons accessing the civil jurisdictions of our courts.

There are related and consequential amendments in the bill providing for the repeal of the Supreme Court Act 1995 and repeal of obsolete provisions of the Supreme Court of Queensland Act 1991; the Supreme Court of Queensland Act 1991 to only contain provisions specific to the Supreme Court and not to other courts; and amendments to the District Court of Queensland Act 1967 and the relevant Magistrates courts legislation to harmonise the provisions common to all three courts and to assist in the integration, consistency and effectiveness of the court registries. I am grateful to present and former members of the Rules Committee and thank them for their dedication in completing this substantial body of work.

The bill also includes amendments to other statutes within the justice portfolio which are desirable to be progressed at this time. The bill also proposes amendments to the Births, Deaths and Marriages Registration Act 2003 to ensure the integrity of the information provided to the registrar about the burial or cremation of a deceased person. The amendments will clarify that the person in charge of a crematorium or cemetery where a deceased is cremated or buried must provide notice of the cremation or burial to the registrar. This will be used to verify the information provided by the funeral director or other person who arranges for the disposal of the deceased person's body.

The amendments will also require the person in charge of a crematorium or cemetery to lodge the notice electronically unless, because of the location or some other exceptional circumstances, electronic lodgement is not possible. There will also be amendments to the Cremations Act 2003 to ensure that the person in charge of a crematorium labels a person's ashes with prescribed identifying information. These amendments will ensure greater peace of mind to grieving families.

The bill also amends the Retirement Villages Act 1999 to clarify the circumstances in which the exit fee must be calculated on a daily pro rata basis. An exit fee is the amount paid by a resident to the scheme operator upon the resident leaving the village. The amendments will apply where an exit fee is calculated with regard to the length of time the resident has resided in their unit. In such instances, the longer a resident stays in the village, usually the higher the exit fee will be. Where a daily pro rata does not apply, a resident leaving the village after one year and one day could pay an exit fee based on two whole years of occupation—or, depending on the specific terms of the contract, the first year and part of that second year such as a month or quarter. Under the daily pro rata method, only the actual, exact length of occupation would be used to calculate the exit fee, being in that instance one year and one day.

A daily pro rata method will apply to an existing residence contract where the contract is silent as to the method of calculation. In such cases, a daily pro rata method will apply by default. The amendments will not affect existing contracts where the resident and operator have expressly agreed on a different method of calculation. For contracts signed after the commencement of this section—that is, for all future contracts—the daily pro rata method will be mandatory and cannot be contracted out of. The amendments will commence on proclamation, thereby giving scheme operators time to revise their residence contracts to incorporate this new mandatory requirement. These amendments will provide fairness and certainty for retirement village residents in how their exit fee will be calculated and afford an even playing field for all villages in relation to the method used to calculate this fee.

The bill also amends the Associations Incorporation Act 1981 to allow associations to transition seamlessly to the Commonwealth Corporations Act 2001 or the Corporations (Aboriginal and Torres Strait Islander) Act 2006. The Associations Incorporation Act currently provides a simple and inexpensive mechanism for small non-profit groups to incorporate. However, when associations grow in size and financial turnover, it may be more appropriate for some of them to choose to incorporate as a company limited by guarantee or an Indigenous corporation. Being a company limited by guarantee makes it easier for associations to operate across borders, as associations may ordinarily only operate in the jurisdiction in which they are registered.

As there is presently no mechanism under the Associations Incorporation Act to effect such a transition, an association must separately incorporate a company limited by guarantee, transfer its existing assets and membership to the new entity, and then wind up the association. Such a process can be prohibitively expensive due to transfer duty and capital gains tax costs.

The amendments provide a process for the chief executive—or the minister in the case of an association incorporated under the Religious Educational and Charitable Institutions Act 1861—to authorise the transfer. Once this authority has been obtained, the association may apply for the actual transfer under the relevant Commonwealth corporations legislation. Transfer duty and capital gains tax are not payable under this transfer process because the assets of the association continue to be owned by the same body, despite the change of corporate status. These amendments will provide significant financial savings to Queensland associations wishing to transition.

The Information Privacy Act 2009 regulates the fair collection and handling in the public sector environment of personal information. However, it is not intended to deter agencies from lawfully cooperating with agencies performing law enforcement functions in the performance of their functions. Current provisions define ‘law enforcement agency’ restrictively so that only Queensland agencies fit within the definition. The effect of the current provisions is that agencies providing personal information to law enforcement agencies of the Commonwealth—for example, the Australian Federal Police—or other states or territories may breach the act. While some interstate agencies may obtain the information using compulsory powers, this option is not available to all relevant agencies with law enforcement functions.

The current position appears to reflect a drafting oversight. For example, National Privacy Principle 2 in schedule 4 of the act, which applies to Queensland Health, is not subject to these limitations. The proposed amendments do not oblige Queensland agencies to disclose personal information to the additional entities; it simply permits them to do so if they are satisfied the disclosure is necessary for one of the specified functions or purposes.

The bill also amends the Right to Information Act 2009 and the Information Privacy Act 2009 to allow the Information Commissioner to approve leave for her deputies, consistent with the practice in many private and public organisations. The proposed amendments will also remove the requirement for the Information Commissioner to apply to the minister for recreational leave, sick leave and the like. They are aligned with provisions related to the Ombudsman, another statutory body within my portfolio.

The new provision will allow the Information Commissioner to take leave in accordance with her entitlements. As would be expected of someone in her role, the Information Commissioner values integrity and accountability highly. She will work with the Auditor-General to implement rigorous procedures within her office to ensure there is adequate accountability in respect of her own leave arrangements. These new provisions do not in any way change the leave entitlements of the Information Commissioner or her deputies.

The act also contains other technical and facilitative amendments. The bill amends the Electoral Act 1992 to clarify the operation of a provision that allows for enrolment up to the day before polling day and to provide for a regulation-making power to specify departments and state public authorities that may receive electoral roll information and the purposes for which the information may be received.

The bill amends the Justices of the Peace and Commissioners for Declarations Act 1991 to allow justices of the peace and commissioners for declarations to record details of any identification documentation sighted in the performance of their duties.

Finally, the bill amends the Queensland Civil and Administrative Tribunal Act 2009 to provide that a member whose term of appointment has expired can continue to sit as a member for the purpose of finalising a proceeding.

First Reading

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (3.57 pm): 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.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs, Police, Corrective Services and Emergency Services Committee.

LOCAL GOVERNMENT ELECTORAL BILL

Second Reading

Resumed from 23 August (see p. 2587), on motion of Mr Lucas—

That the bill be now read a second time.

Mrs CUNNINGHAM (Gladstone—Ind) (3.57 pm): I rise to speak to the Local Government Electoral Bill 2011. In doing so, I want to place on the record my appreciation to local government as a sphere of government. I think most communities would say without hesitation that it is the sphere of government they feel most involved in and the one they can most influence.

Prior to the amalgamations I had two local authorities in my electorate—the Gladstone City Council and the Calliope Shire Council. After the amalgamations there was an additional council added, although it is not in my electorate but in the electorate of Burnett—the Miriam Vale Shire Council. There remains to this day in the community a reasonably high level of disquiet in relation to the amalgamation and a perception—and, for some, a reality—that services have not improved as a result. So this legislation in some measure will address that perception, and I believe in some people's minds it will reinforce that perception. The minister's second reading speech states—

The message coming through was loud and clear: the community wanted an efficient and transparent electoral framework.

In all the time that I have spent in the community—and most of us here spend quite a considerable amount of time talking with people—that has not been an issue that I have had raised with me in relation to local government. Indeed, the chief executive officers may have some issues, if you like—I think that is even too strong a word—in relation to their role as returning officer, but the only context that I have ever had that articulated in is if there was an even poll and the returning officer then had to make a casting decision. Other than that, most of the role in relation to the electorate is overseeing the procedure and perhaps where it is a controversial election where issues are raised either legitimately or mischievously.

There have been those in the debate in the last 24 hours who have referenced the fact that the CEO should be removed from the electoral process because of a perceived conflict of interest—that is, the role of the CEO in relation to acting as a returning officer and their role on the council. They already have hard decisions to make. They have an obligation to refer matters to the CMC if a complaint is made to them as the chief administrative officer in relation to a councillor. They also have to keep conflict of interest registers. As I said, I do not believe that the competence or the ability of the CEO or the ability of the CEO to fill the role of a returning officer can be called into question. Most of them can count and they can measure distances from booths. I have not been to a local government conference for some time. I place that on the record and acknowledge that it could be an issue that has been raised at those conferences. However, within the community I have not had allegations that local government elections as they are currently held are inefficient or lack transparency.

I believe the community that I represent and indeed communities across Queensland will have a great deal of concern if the cost of holding local government elections increases exponentially. It appears from the minister's second reading speech and also from information that has been presented in this chamber that there will be a significant increase in the cost of holding an election. The ECQ does an amazing job on elections, but local authorities have a limited ability to absorb additional costs. If the cost of an election is to increase—and I have no doubt that it will—the ECQ will require full cost recovery and that will be an impost on the local authority and the ratepayers involved. Having said that, I am the first to acknowledge that democracy is beyond value. If the current system is undemocratic it should be changed, but if it is not and it is more cost effective and effective in terms of the result then it should remain. I will be interested to hear both the minister's summing-up and the contributions of other members to this debate in relation to that matter.

The bill retains many of the aspects of the original local government election legislation and there are a couple of other issues I want to raise. There remains a great deal of resentment in my community—and overwhelmingly it is with the elected members but also others in the community—that councillors have to resign to contest a state seat. I concur with the contribution that was made last night. I do believe that that decision was made politically. I do not believe that it was made to enhance the representation in local government. It has made it more costly for councils. It has certainly made it more costly for potential candidates. I believe that if a community sees a councillor abusing their position in an effort to be elected to an alternate position the electors will colour their vote by the impression that they receive from the councillor whose behaviour they either accept or resent. Allowing councillors to retain their position and run for an alternate position either in state or federal politics is a more cost-effective way of a person offering themselves for local council service or for state service. I know that in my electorate the voters are well informed and well able to make a decision on the basis of that candidate's behaviour. So, to that extent, I remain opposed to the requirement that councillors have to resign to contest a state seat.

I fully support the direct election of mayors. I know that there are those who believe that mayors should be elected from the councillor group and that the members of the community should have no direct power to elect the mayor. I have never supported that because, without appearing sexist, it reinforces the old boys' club. It means that if you are on the inner circle with whoever those councillors are—if you have not challenged the status quo and you are accepted by whoever has been a councillor for a considerable period of time—you may be considered as a candidate for the mayoral position. It is not a reward. It is not a reward for compliance or acquiescence. The role of a mayor is a leadership role and I believe 100 per cent in the right of the community to elect that person. In aggressive councils a mayor could find themselves isolated from the opinion of other councillors, but it is also possible for the mayor to prove their value as a leader and prove their value as an advocate for the community and change the opinion of councillors who may feel estranged from the mayor duly elected by the community. I fully support the direct election of mayors and commend the minister for retaining that in this legislation.

I note that the nomination fee for local council has increased from $150 to $250. I do not think that that is untenable in relation to the cost for a person to prove their seriousness in nominating. I found it intriguing also when previous speakers in the debate spoke about the fact that Queensland is different to other states because we have a high number of full-time councillors. We did not used to. Many rural and regional councillors were part time and the mayor may have been paid either a full-time salary but most often a part-time salary. The full-time councillor positions came about after the amalgamation of councils, so to use it as an argument to justify change in this legislation is spurious. Councillors in the Gladstone city council and Calliope shire council prior to amalgamation were all part time. They were paid either meeting fees or a stipend. Now there are fewer councillors but they are paid significantly more on an annual basis. It is much more expensive for the councils to operate if you only look at councillor remuneration. Therefore, to say that for some reason Queensland should look at this issue separately to other states because we have a higher number of fully paid councillors is circular at best, because it was the forced amalgamations that created the situation where many of our councillors are paid full time. I am not disputing the value of that; I am saying that it is spurious to say that is why we should consider the process of elections differently.

One other area of the bill that I want to speak about relates to the new obligation in this bill on owners and operators of residential care facilities to upgrade their fire safety requirements. I would not stand in this place and say that people in residential care facilities should not have the very best of care and the highest level of safety. I do wish to put on the record, however, that there needs to be a balance in terms of the practicalities and the cost of retrofitting some of these requirements. The bill talks about sprinklers and smoke compartments to provide adequate fire suppression. It would be interesting if the minister could outline what facilities have been considered in terms of cost, what the dearest retrofit will be and the practicality of that retrofit within the time that has been allowed for that to occur. Again, high-care facilities and residential care facilities are caring for some of our most vulnerable people and we do need to look after them. They are wonderful. They are the people who gave us the state that we have

now and the country that we have now and they must be dealt with with dignity, with honesty and with respect. However, it also has to be a practical change and one that the owners and operators of those facilities can accommodate within a reasonable financial framework.

There are other amendments in this bill, such as amendments to the Sanctuary Cove Resort Act. It is an act that does not relate to an area of my electorate and not one that I am well versed in. I am sure others who are affected by this amendment will raise any issues in relation to that legislation and indeed to other parts of the bill. I look forward to the minister's response.

Mr HORAN (Toowoomba South—LNP) (4.09 pm): This bill is another cog in the wheel of changes made to local government going right back to the time of the forced amalgamations, which were detested by most parts of Queensland but perhaps nowhere more so than in the area of the Toowoomba Regional Council, where eight separate councils were brought together in perhaps the biggest and most complex amalgamation of all. If you were to drive from the north-eastern corner of the Toowoomba Regional Council area down to the south-western corner—that is, from the other side of Yarraman down almost to Inglewood—it would take almost four hours. If you were to drive from the northern part of Tasmania down south for four hours you would nearly go from Launceston to Hobart. The councils that were amalgamated covered a massive area. There were eight councils with eight different systems of budgeting, computer systems, industrial relations, practices and procedures and those sorts of things that had to be amalgamated in a very costly and complex process.

This legislation goes another step further in bringing four legislative instruments together into one. The major part of this bill is the transfer of responsibility for the conduct and administration of elections from councils to the Electoral Commission of Queensland. This will be another huge cost. We saw at the last elections how expensive it is to run the elections this way.

People everywhere are reeling from the massive costs that are being conveyed from state government to local councils and on to ratepayers. Some of those costs involve water charges, rates and access charges. Councils are not only trying to deal with these complex and costly adjustments that they have had to make; they are also having to deal with the extra cost of fuel, owing to the 10c a litre fuel tax that this government has put in place, the extra cost of electricity, the extra cost in my area of gas—the extra cost of just about everything that is flowing through from the state government debt. That is what is making it so hard for councils. Now they will have to bear this very substantially increased cost of running elections. They will be forced to run elections through the Electoral Commission of Queensland.

When it comes to elections, local knowledge is a great thing. One of the problems with a regional council election, like the one held for the Toowoomba Regional Council, is the huge number of polling booths. Off the top of my head, I think that figure is in the order of 100. It may be more. Candidates have a very difficult job in endeavouring to man all of these booths over such a vast area. We have already seen the loss of local leadership. In fact, one of the interesting things about council amalgamations and the last election was how the people of Toowoomba, who made up the bulk of the numbers of people covered by the new Toowoomba Regional Council, deliberately voted for someone from each of the seven former shires included in the Toowoomba council area. So strong was the anger that in almost every case a mayor or a deputy mayor from each of those surrounding shires was elected to the Toowoomba Regional Council.

One of the big issues related to this legislation is the ongoing issue of local councillors, under the policy and the legislation of the Labor government, being forced to resign in order to stand for election to state parliament. Yesterday we heard the Premier make a defence of the right to free speech and say that it was one of the cornerstones of our democracy. I think the greatest cornerstone of all is that anybody, providing they are not bankrupt or a criminal and they are an Australian citizen, can stand for election to local government, state parliament or federal parliament. We should all abide by the principle that, prince or pauper, people have the opportunity to stand for election.

It is very difficult for some people to stand for election. For some people it is relatively easy, but it is always difficult. First of all, it takes a certain amount of courage for a person to put their name forward for election. But if a person is a public servant they can take leave during the election campaign. If they lose the election, they can go back to their substantive position. If people are councillors and decide to stand for election to state parliament, they have to resign. If they lose the election, then where do they go? Where do they start again? It might be easy for some people—if they were a tradesman or they had some particular profession—but not everybody is in that position. So this provision really puts a barrier in front of one particular part of our society—that is, people who are elected to local government. They have to resign from that position in order to stand for election to state parliament. Those people may not be in the position to do that. They may have a large family. There may be a lot of reasons they cannot do that and, therefore, they do not risk it. I think the more we put barriers in front of people to stand for election to state parliament, the more we reduce the pure democracy that we all aspire to where everybody can put up their hand for election and there are no particular barriers artificially or forcibly put in front of certain people by the government of the day.

I think that decision by the Labor government was one of the worst things that we have seen in our system of democracy. I think it is insulting to the voters. I do not think it gives due respect to the way in which people can make up their minds. People get things right. People will make up their mind. If they think someone has just used something as a stepping stone, they will make up their mind about that. People have the intelligence to make those decisions. That is where this legislation does not respect the ability of people to make decisions. I have heard members of parliament here talk about particular councils in the south-east corner and say that people have a slush fund and go around and give it out and all of that. People can see through that. We have to make sure that, as I said, prince or pauper, people have the ability to stand for election for state parliament. Therefore, that is one of the aspects of this bill that we do not agree with.

I know that councils are particularly concerned about the cost of this election process through the ECQ. They are worried about the charges. They are worried that direct and overhead costs are going to form part of this cost. They know that they will probably get slugged—that the costs will go up significantly—and that they will just be lumped with it with no other option. We do not agree with forcing every single council to do this. Local government should be able to negotiate and discuss with the ECQ beforehand what the costs are going to be and not just have them lumped on them.

Ms JONES (Ashgrove—ALP) (4.18 pm): I rise to speak in support of the bill before the House, the Local Government Electoral Bill. In particular, I want to make reference to the requirements that are in place and that have been in place by the Labor government since 2001 and which were carried over to the Local Government Act, which reflects the importance of local government elected representatives and ensures that there are no conflict of interest issues arising when people are campaigning for election at a state level. Under the legislation that we have had in place since 2001, an elected councillor must resign their position before they can stand for Queensland parliament.

This was discussed at the time when we introduced this provision and it was ultimately supported by the public as it is a measure to protect the integrity of conduct in the office and to protect ratepayers from the misuse of their council ratepayer funds towards electioneering. These are unprecedented times in which we find ourselves. For the first time in Queensland's history we have a Leader of the Opposition who sits outside the Queensland parliament and who is therefore not subjected to the scrutiny that all of us and our spouses have to face. That is why I was deeply concerned that the member for Gympie moved an amendment, endorsed by the LNP, to say that local government officers should be able to remain in their elected positions during a state election campaign.

Mr Gibson interjected.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Member for Gympie.

Ms JONES: The LNP's clear position, highlighted by the amendment it has put in this House, is that Campbell Newman wanted to stay on as the mayor of Brisbane using the trappings of office of the mayor of Brisbane to run in the seat of Ashgrove. We moved this amendment in 2001 to ensure that people had to resign their elected position in council, whether that be the mayor of Gympie or the mayor of Brisbane, because there is a very real risk that that candidate would use their office and the facilities available to them—

Mr Gibson interjected.

Mr DEPUTY SPEAKER: Member for Gympie, please.

Ms JONES: I understand why the member for Gympie is carrying on this way. It is very clear that the amendment he has moved would have enabled Campbell Newman to use the trappings of office, paid for by the ratepayers of Brisbane, to campaign in Ashgrove.

Mr GIBSON: I rise to a point of order. The member is verballing and trying to put words in my mouth. I find the remarks she has made offensive and I ask for them to be withdrawn.

Mr DEPUTY SPEAKER: The member has taken offence. It would help the proceedings of the House if you were to withdraw.

Ms JONES: I am talking about his amendment that he moved. How can he find it offensive?

Mr DEPUTY SPEAKER: It would assist the proceedings of the House if you were to withdraw.

Ms JONES: I withdraw if he finds it offensive. I clearly remember when Campbell Newman took over the leadership of the LNP he said that all of their policies were null and void—that is, that he was going to rewrite all of their policies. So it is Campbell Newman who has moved this motion in the parliament today saying that he should have kept the position of Lord Mayor to campaign in Ashgrove. It is a disgrace that those opposite would argue in this parliament that the ratepayers of Brisbane should be funding—

Mr Bleijie interjected.

Mr DEPUTY SPEAKER: Order! Member for Kawana. The member for Ashgrove has the call.

Ms JONES: As I said, the motion that I am talking to is the one that the LNP have moved in the parliament.

Mr Gibson: We haven't moved it yet.

Ms JONES: I have seen it. You have circulated it. I can read it to the House.

Mr Gibson: It is not moved.

A government member: It has been circulated.

Mr Gibson: It has been circulated, not moved. If she wishes to change her language and get it right. She is showing her supreme ignorance of the process.

Mr DEPUTY SPEAKER: Order! Members will come to order. Member for Ashgrove has the call.

Ms JONES: Having read the *Hansard* from the member for Gympie's contribution yesterday where he foreshadowed that he would be moving the circulated motion which says—

Mr Gibson: Thank you. Now you're getting it right.

Mr DEPUTY SPEAKER: Member for Gympie, this is this third time that I have warned you.

Ms JONES: What we are seeing quite clearly is that the member for Gympie has been used as a puppet. The member for Gympie has circulated a motion in his name—

Mr GIBSON: I rise to a point of order. The member is again verballing me. I find that remark that she made offensive. It is not to the calibre of this House and I would ask that she withdraw.

Ms JONES: I withdraw. The point that I am making very clearly to the Queensland parliament and what the member for Gympie does not want to hear is that Campbell Newman's clear position is that he should have been able to retain the office of Lord Mayor of Brisbane and actually use all of the trappings, including three chauffeur driven cars and five media advisers, to run as the alternative Premier of Queensland and in the seat of Ashgrove.

Opposition members interjected.

Mr DEPUTY SPEAKER: Members on my left will come to order.

Ms JONES: What we have seen here today in this debate is a very clear point of difference when it comes to integrity between the government and the LNP in Queensland led by Campbell Newman.

Mr Gibson: He resigned and did what you are supposed to do.

Ms JONES: Because it is law. In my electorate, for example, the people of Mitchelton and the people of The Gap have the highest rate increases in history under Campbell Newman. These rate increases could not be used, under us, for electioneering but if we supported the amendment foreshadowed by the member for Gympie they would be arguing that the former lord mayor of Brisbane could have retained his position and used those resources to campaign in Ashgrove. It is wrong. It is unethical and I am calling Campbell Newman to account. I know this position foreshadowed by the member for Gympie has been a long-held policy by the LNP. What does surprise me is that Mr Newman, who said that all of their policies were null and void, has now put this motion before the House which would have meant he would still get paid and use ratepayers' dollars to campaign in Ashgrove. This goes to the heart of the integrity of the LNP candidate in Ashgrove.

Ms Bates interjected.

Mr DEPUTY SPEAKER: Order! Member for Mudgeeraba, bring yourself to order.

Mr GIBSON: I rise to a point of order. The member for Ashgrove seems fixated on the amendments that have not yet been moved and is not referring to the bill. There is no provision within the bill in relation to the discussion that the member for Ashgrove is having. I am seeking your ruling as to whether she can talk about amendments that have not yet been moved and on matters that are not contained in the bill.

Mr DEPUTY SPEAKER: You foreshadowed last night in your contribution that you would be moving these amendments. We are participating in a debate. It is certainly on the agenda of the bill. You have put it on the agenda. The member is perfectly in order and she has the call.

Ms JONES: It is very clear that the member for Gympie wants to shut me down from making this point that I think the people of Ashgrove and the people of Queensland need to know—that is, that the LNP are moving an amendment in the Queensland parliament which would actually allow Campbell Newman to have stayed on as the Lord Mayor of Brisbane using ratepayers' dollars to electioneer in the state campaign.

I think that the amendment that is foreshadowed by the LNP actually highlights what a slippery slope we are on when you pre select a candidate for the premiership from outside the parliament. They do not have to abide by the scrutiny that all of us are rightly put to to ensure that we uphold the absolute highest standards of public office. Those opposite have deliberately chosen someone who does not have to declare their pecuniary interests to the people of Queensland. They have deliberately chosen someone who sits outside of the high scrutiny that all of us face in the Queensland parliament. Furthermore, this debate shows that their preferred position is that Campbell Newman, the leader of the LNP, should have been paid by the Brisbane ratepayers to campaign for the premiership. It is a disgrace. It is a position of principle.

Mr Stevens interjected.

Ms JONES: I take the interjection from the member for Mermaid Beach. I do find it offensive that you would argue that the ratepayers of Brisbane—those in the electorate of Ashgrove, having received the highest rate increases in Brisbane, and the people of Mitchelton, who under Campbell Newman have the highest rate increases of anyone in Brisbane—fund his election campaign. Now it is revealed what he wants those rate increases for. It is a disgrace and I am calling all of you to account.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! The member for Ashgrove has the call.

Ms JONES: I note the interjections from the members opposite that actually say that Campbell Newman lied when he said that their policies were null and void.

Mr DEPUTY SPEAKER: Member for Ashgrove, the word you have used there is unparliamentary and I ask that you withdraw.

Ms JONES: I withdraw. I note that the person who would take offence is not in the chamber to ask for a withdrawal himself. The point is that quite clearly—

Ms Bates: You are attacking a guy who is not here to take offence.

Ms JONES: That is your decision.

Mr Stevens: It should be an unqualified withdrawal.

Mr DEPUTY SPEAKER: Order! Members, please. The member for Mermaid Beach was trying to take a point of order. He did not do it properly, but there was no point of order anyway. The member for Ashgrove has the call.

Ms JONES: In conclusion, in the past 10 minutes we have seen a very clear issue, which is that the member for Gympie supports the ratepayers of Brisbane forking out for an election campaign for Campbell Newman to run as Premier of Queensland.

Mr GIBSON: I rise to a point of order. This pathetic display of verballing by the member for Ashgrove has continued again and again. I take offence. I ask that she withdraw words that she has been trying to place in my mouth that I have not used.

Mr DEPUTY SPEAKER: It would help if you did not use unparliamentary language in your point of order. You have used words to the member that are, in fact, unparliamentary in calling for her to be found unparliamentary. I think she has finished her contribution. I call the next speaker, the member for Rockhampton.

Mr GIBSON: I ask for a withdrawal.

Mr DEPUTY SPEAKER: There is no point of order. The member for Rockhampton has the call.

Hon. RE SCHWARTEN (Rockhampton—ALP) (4.30 pm): I rise to support the bill. It is clear that the member for Ashgrove has struck a very raw nerve in those opposite. They know full well that this is something they really crave—that is, to use ratepayers' money to campaign. Over a long period I have seen it happen myself. In Rockhampton City Council, Councillor Neil Fisher stood against the member for Keppel. He had to step down. As I recall, at the next election he re-ran but did not get elected. I think that tells us what ratepayers think of people who want to sign up for three years for a particular job and then desert their post in the middle of it.

I came from local government at a time when we changed the rules to prevent people holding dual office. There was a howl about that. The mayor of Toowoomba at that time was also the state member and he elected to be mayor. I elected to stay in parliament. We have always had this level of conflict. If people are serious and honest, they will say that if you stand for local government you ought to do your term. You cannot have your cake and eat it too, which is what this amendment is all about.

The point of the honourable member for Ashgrove has some validity—a lot of validity, in fact—when you look at the trappings of office that Mr Newman surrounded himself with. For a start, he had five media advisers; Soorley had one. Members can imagine the horsepower that would bring to an election campaign when running as the candidate for Ashgrove. What about the three vehicles he was given? He put in an order for a V8 Cherokee Jeep—I think that is what it was—as well as another personal car, and he had a limousine to drive him around. The member for Clayfield is allegedly driving

him around in a government car now. I do not know whether the man can drive himself. He likes to be chauffeured in the manner to which he has become accustomed, to kid that he is one of the boys. He does not even know that the IGA is located next to his electorate office. Recently Patrick Condren exposed him on that one, as one of the A-team he is trying to busily avoid. I remember when Mr Newman nominated, he cried, 'Woe is me!' He said he was so poor he could not afford to keep himself. Do members know what he was paid per year? $300,000 a year! Yet he had to take the pauper's hat to 'Uncle Clive' or whoever to fund this. I do not know who is paying his way now, but obviously he is not doing it himself.

Ms BATES: Mr Deputy Speaker, I rise to a point of order on relevance. This is a hypothetical argument that the member for Rockhampton is engaging in, because the LNP candidate for Ashgrove is no longer the Lord Mayor of Brisbane.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! The House will come to order. The point that the member for Rockhampton is making relates to a motion that has been foreshadowed by the opposition. He is speaking directly to the amendment that was foreshadowed by your shadow minister in regard to the bill. He is speaking quite relevantly to your proposition. The member for Rockhampton has the call.

Mr SCHWARTEN: I would add that one of the things the former lord mayor of Brisbane did was introduce a monthly newsletter at ratepayers' expense. As far as I know, every quarter Soorley used to send out a *Living in Brisbane* newsletter with the rates notice. Newman put out a newsletter with his dial—his face—on it. It was the Campbell Newman newsletter. Members who sit opposite should not try to suggest to me that that would have ceased had he become a candidate. Of course he was not going to do that. The only reason he stood down from that position was that he knew that inevitably he had to do it. That is the only reason he did it.

An opposition member: It was the honourable thing to do.

Mr SCHWARTEN: It was not the honourable thing.

Mr Wallace: What about the deputy mayor of Townsville? Why is he running?

Mr SCHWARTEN: The deputy mayor of Townsville is doing the same thing.

Mr Wallace: He's taken the ticket from the ratepayers and he's running.

Mr SCHWARTEN: Yes, and that is what they are trying to defend here today. As the Deputy Speaker has pointed out, that is exactly the premise that I oppose. You are not all things to all people. You cannot suddenly say, 'I am elected by the ratepayers, but I am going to put that aside. I'll still take the dough, but I'm going to go out there and campaign.'

Mr Dick: Cut and run.

Mr SCHWARTEN: Not only cut and run. As I said yesterday, the fact is that Mr Newman was having a plush lunch to grease his way into the leader of the opposition role when Brisbane was on its knees. I think that says it all. As I said yesterday, he is a chameleon. He was out there telling the people with the brooms and brushes to do it, but at the same time he was in some swanky restaurant boozing up, or whatever he was doing with the other tories, planning his—

Mr Sorensen: Ha, ha!

Mr SCHWARTEN: I will come to you in a minute, Ted.

Mr DEPUTY SPEAKER: Order! The member will refer to the—

Mr SCHWARTEN: Well, he is laughing like a jackass over there. There is something wrong with him.

Mr DEPUTY SPEAKER: Order! That may be the case, member for Rockhampton, but you must refer to him by his proper title.

Mr SCHWARTEN: The member for Hervey Bay was laughing like a jackass.

Ms Bates interjected.

Mr DEPUTY SPEAKER: Order! You are right; that comment is unparliamentary. I ask for a withdrawal.

Mr SCHWARTEN: I did not say anything. Do you mean 'jackass'? I am sorry.

Mr DEPUTY SPEAKER: Order! I ask for a withdrawal.

Mr SCHWARTEN: I withdraw, Mr Deputy Speaker. It is by no means the most unparliamentary thing I have said. I reiterate: Newman washed away all of the hapless mistakes he made with the honourable gesture that the honourable member over there spoke about.

Mr Wallace: Town bikes.

Mr SCHWARTEN: As I said yesterday, the town bikes have the disgraceful issue of red-back spiders and all the rest of it, because they have sat immobile for so long.

Ms Jones: No-one rides them.

Mr SCHWARTEN: No-one rides them, that is for sure. It is costing ratepayers a fortune to have bikes that no-one will ride. They are not an attractive bike, either. Anyway, we will leave it at that.

Mr Sorensen: One bit you, has it? Have you had a bite from a red-back, have you?

Mr SCHWARTEN: Yes, I have, actually. I think you have had a few, which is what has sent you so inane and stupid.

Mr DEPUTY SPEAKER: Order! The honourable member will refer his comments through the chair.

Mr SCHWARTEN: If you put your head in the tiger's mouth and it bites you, you cannot complain. Since Mr Sorensen is wanting to—

Mr DEPUTY SPEAKER: Order!

Mr SCHWARTEN: As the member for Hervey Bay is interjecting on me, I have a little something for him. Part of what we are discussing today relates to conflict of interest and that has been foreshadowed. The member for Hervey Bay knows a little about conflict of interest. I remember him standing in this place lecturing the likes of me about honesty. The other day one of his constituents told me that he sold a block of land—and the member for Hervey Bay might want to comment on this—to the council for $1 million and pocketed the dough; is that right?

Mr DEPUTY SPEAKER: Order!

Mr SCHWARTEN: Is that not true? You did not own a block of land in 2006?

Mr DEPUTY SPEAKER: Order! The member will bring his comments back to the provisions of the bill currently before the House.

Mr SCHWARTEN: As I explained, the foreshadowed amendment to be moved by the Deputy Premier deals with a conflict of interest. I note that the other day my old friend Des Houghton was talking about conflict of interest with me. He is also the person who lauded the member for Hervey Bay as being this great white charge of hope, honesty, decency and all the rest of it. I am sure he is all those things. I just simply ask the question which was asked of me: did I know that he sold a block of land while he was mayor?

Mr SORENSEN: I rise to a point of order, Mr Deputy Speaker. I cannot see any relevance in this. I did not receive $1 million.

Ms Jones: How much?

Mr Fraser: How much did you receive? How much was it?

Mr DEPUTY SPEAKER: Order! The member for Hervey Bay has the call.

Mr SORENSEN: I would like to know the constituent. It was part of an estate which was sold up. I had no control over selling the property.

Government members interjected.

Mr DEPUTY SPEAKER: The member makes a point and I would ask the member to at least demonstrate how his comments are relevant to the bill before the House or the debate that has been foreshadowed.

Ms Bates interjected.

Mr DEPUTY SPEAKER: Member for Mudgeeraba, I do not need your assistance. You will come to order. That is your second warning.

Mr SCHWARTEN: The honourable the Deputy Premier has foreshadowed an amendment which deals with conflict of interest for mayors. I was not going to go down this path. However, given that the member for Hervey Bay has been interjecting on me, I felt it was a worthwhile comment to make. When people hold themselves up as paragons of virtue I think it is time they were held up to scrutiny as well. When I was the public works minister if I sold a parcel of land for which I obtained money, the mob over there would be screaming. We have just heard from the mouth of the member for Hervey Bay that he actually sold a parcel of land—

Mr BLEIJIE: I rise to a point of order. Under the standing orders in terms of relevance to this bill, the private matters of the member for Hervey Bay are nothing to do with the legislation or any proposed foreshadowed amendment. I believe the member for Rockhampton is completely out of order in discussing it.

Mr DEPUTY SPEAKER: I do apologise to the member for Kawana. I was taking some advice from the Clerk at the time. I was not listening as intently to the member for Rockhampton as I should have been. I do apologise for that. I have asked the member for Rockhampton to demonstrate how this line of debate is relevant to the bill. I ask him for a third time to do that now, please.

Mr SCHWARTEN: As I explained—and I am sorry, I probably should have stopped while you were taking advice—there is an amendment to this bill that has been foreshadowed by the minister that deals with conflict of interest. Just in the same way as the honourable member for Gympie has foreshadowed that he will move an amendment, which has been subject to discussion here today by the member for Gladstone, the member for Toowoomba South, the member for Ashgrove and others, it is relevant in the context of this debate for us to discuss matters of conflict of interest. The matter of conflict of interest that I raise is not a private matter, as alleged by the honourable gentleman opposite; it is a public matter. Public money was involved. Hervey Bay ratepayers' money was involved. It shows to me that public money is part of private business.

Mr SORENSEN: I rise to a point of order. I find what the member for Rockhampton is raving on about very offensive and I would like it withdrawn. I find it offensive—

Mr DEPUTY SPEAKER: Do you have more, member for Hervey Bay?

Mr SORENSEN: I find it offensive and I wish him to withdraw.

Mr DEPUTY SPEAKER: The member for Hervey Bay has taken offence.

Mr SCHWARTEN: He can take a gate as well! I am happy to withdraw.

Mr Fraser: He can take offence but he can take a million bucks.

Mr DEPUTY SPEAKER: Treasurer, order!

Mr SCHWARTEN: I simply make the point that obviously I have hit a raw nerve yet again. What we have seen here this afternoon is the LNP defending the business of two people in two jobs, one of them in the public arena being paid by ratepayers to subsidise these people to come into parliament. That is the first one. The second one I have raised is a matter of conflict of interest pertaining to this bill. The member for Hervey Bay has told the parliament that he sold a block of land and he received money. He said he did not receive $1 million, and I apologise to him for that.

Mr SORENSEN: I rise to a point of order. He is misleading. The property that we are talking about was sold through an estate. There is a big difference. I would like it—

Government members interjected.

Mr DEPUTY SPEAKER: Members on my right, the member for Hervey Bay has the call.

Mr SORENSEN: I find the member's comments offensive and I would like them withdrawn.

Mr SCHWARTEN: I withdraw. Let me describe what a conflict of interest is as per this bill. There are lots of occasions where council members, council staff and mayors find themselves in a position where there could be a conflict of interest. I was accused by the *Courier-Mail* of having a conflict of interest by sitting on a parliamentary committee as a minister while at the same time serving in this parliament. There is no conflict of interest there whatsoever. Given that the member for Hervey Bay lectured us at length about honesty and all the rest of it, I think it is relevant to have the House informed about these matters. There is no denying, by the member for Hervey Bay, that he was a beneficiary of this estate. That is what transpired. If there is nothing wrong with it, he should stand up and tell the parliament exactly what has happened. That is what I was told. As I said, if he had not interjected on me I would not have said anything about it. I would have raised it in a different forum. Given that he sits over there full of piety and lectures the member for Ashgrove and interjects on her—if you can dish it out—

Mr STEVENS: I rise to a point of order. I refer you to standing order 236 on relevance and tedious repetition of which we are getting both. It states—

A member shall not refer to matters irrelevant to the subjects of the debate ...

You have asked the member three times to show how what he is putting forward is relevant to this debate, which he has been unable to do. He has engaged in tedious repetition during the debate.

Mr DEPUTY SPEAKER: I am just going to get some advice. Amendments to section 173 in the bill deal directly with a councillor's conflict of interest. The member for Rockhampton is referring to conflicts of interest. He is now referring to conflicts of interest in a general way. He is in order. The member for Rockhampton has the call.

Mr SCHWARTEN: I can understand why those opposite are jumping, because they understand that there is a problem here and they have been trying to cover it up. Now they are trying to shut me up about it. I am not that sort of person.

Mr SORENSEN: I rise to a point of order. I find the comments offensive and I would like them withdrawn.

Mr DEPUTY SPEAKER: Member for Hervey Bay, I have certainly asked the member for Rockhampton to do that when he has been referring to you and you found it offensive, but he was not specifically referring to you in the comments that he has just made. He was making some general observations that were not specific to you. He is in order and he has the call.

Mr SCHWARTEN: Both of these issues that I have raised this afternoon go to the very core of what the LNP are about. What they are trying to do by way of an amendment is allow public money, ratepayers' money, to be used to campaign for state seats. There is no getting around that. If Mr Newman were still in that position, he would be doing that. There are also plenty of other people in our society who cannot stand for elections such as judges. They have to resign their post. Senators, as far as I know, cannot be council members and so the list goes on. But I have absolutely no doubt that this group of LNP members see an opportunity to have their wheels greased to come into this place at no expense to themselves. Since we have tightened up the pecuniary interest laws and the donations and how much people can spend and all of those things, that has sent a shiver up their collective spines. When any bit of accountability is ever brought near them, it is like bringing a crucifix near a vampire.

The reality is very simple: they are objecting to me raising the conflict of interest issue most vociferously because they do not want to talk about it. We had the shadow Attorney-General saying that this was a private matter when it is about the use of public funds. We can only just guess at what they would try to do when they were in government.

Mr Fraser: You rest your case.

Mr SCHWARTEN: Yes. He is hoist with his own petard. I will finish on this point: I have been in this place a long time and every time somebody gets up and talks about councils and councillors and their right to run for election here, it is always the National Party. Why is that? Because their history is absolutely chequered with people who got in here in that way at ratepayers' expense—using ratepayers' vehicles and all the rest of it. The member for Thuringowa advises me that that is happening in Townsville as we speak.

Mr Wallace: The deputy mayor.

Mr SCHWARTEN: The deputy mayor is out there using council resources, ratepayers' resources, to do it. I oppose that amendment. I support the amendment about the conflict of interest. I trust that the member for Hervey Bay will make a full and open disclosure to this parliament.

Mr McLINDON (Beaudesert—TQP) (4.51 pm): I would like to contribute to the debate on the Local Government Electoral Bill 2011. At the outset I find it amusing that the member for Gympie took offence to the comments of the member for Ashgrove, calling him a puppet. If any LNP members take offence to being called a puppet, I suggest they write a letter to Bruce McIver. But I am glad that it is starting to sink in that they are puppets now. It has taken a few months.

Opposition members interjected.

Mr DEPUTY SPEAKER (Mr O'Brien): Order, please! The member for Beaudesert has the call. He has the right to be heard in silence.

Mr McLINDON: It was a timely reminder by the member for Ashgrove. She has hit a home run, and they are starting to realise that maybe they are just puppets in this whole machine.

Mr Bleijie: Aren't you Katter's puppet?

Mr McLINDON: I take the interjection from the member for Kawana, who would no doubt be a member of the republican movement.

Mr DEPUTY SPEAKER: Order!

Mr McLINDON: He can reignite the republican movement. The member for Kawana is also one of those puppets who no doubt is going to reignite the republican debate after undermining the Westminster system when he so proudly kisses QEII above his bed every night.

Mr Bleijie interjected.

Mr DEPUTY SPEAKER: Member for Kawana. That is the third time I have asked you to cease interjecting. The member for Beaudesert has the call.

Mr McLINDON: But it is comforting to know that it is starting to resonate that there are a number of puppets in the chamber. As I said, their best port of call would be to Bruce McIver to try to rectify that matter, but I think it may be a little too late.

However, there are a number of amendments in the Local Government Electoral Bill which I do support and a number which I do not support. I see that the ECQ will take over the local government elections which I think is a good thing in terms of streamlining the elections that take place. But I am also concerned at what cost to councils. I think that is something that needs to be taken into consideration. I am aware that the Logan City Council was able to do it markedly cheaper than the ECQ, although it may be somewhat inefficient. So there is a bonus for the local governments in not having that headache whilst they have to run the day-to-day operations of the councils.

I take on board the comments of the member for Toowoomba South. Only yesterday the Premier was talking about freedom of speech. I do agree with the sentiments of the member for Toowoomba South in that a councillor is best positioned than most to run for office. I do support the member for Gympie's amendment, which has been circulated. I, too, having been a former councillor for the Logan City Council for five years, believe that it is rather discriminatory to preclude a councillor when being a councillor—as a handful of us in this House have been—puts them in very good stead to become a good state member and representative and to understand that front-line level of government, which in many cases is the most important level of government. It is the fastest moving cog in the wheel that can get results in a matter of weeks. I think it would be remiss of me not to mention that I do in fact support that amendment which has been circulated by the member for Gympie. I think councillors are in the best spot.

But I take on board some of the comments of the member for Rockhampton, saying that that position could then be abused. I believe that that can happen, and it has been the case in many instances where an elected local councillor would use those resources that they have access to. I was certainly opposed to that in the Logan City Council in terms of the unlimited supply of postage—something which I wanted to have restricted within the council in terms of being accountable and transparent to the ratepayers.

Even though I support the amendment circulated by the member for Gympie, there are measures within the council jurisdiction which should take place to prevent that elected councillor from abusing their position in terms of using ratepayers' resources in the lead-up to a state election. But I feel that local government does not have the level of appreciation in this chamber that it should. Since the forced amalgamations occurred the Scenic Rim Regional Council has still been struggling. I have been a strong advocate for a lot of the resource infrastructure that that council needs. It was one of eight placed on financial watch post the forced amalgamations. When you have 30-odd bridges that need repairing and the only way they can afford to repair them is to make the bridges narrower by way of road markings to ensure that only one lane of vehicles can cross it at any particular time is very concerning.

After the council amalgamations, the Scenic Rim halved its ratepayer base but increased its geographical size fourfold. I have met with the Minister for Local Government—and I thank him for his time—to propose that the satellite city of Flagstone be included in the Scenic Rim Regional Council. It is one of the three satellite cities that have been earmarked. Those some 40,000 homes would then be able to supply a sustainable ratepayer base for the Scenic Rim into the future, whereas now in the second fastest growing region we see one of the biggest councils with one of the lowest council ratepayer base, with some 17,500 homes. Unfortunately, a lot of that money is going into admin and logistics, particularly when they were faced with another $12 million bill post the floods in January.

The more this House appreciates the level of impact that a local government jurisdiction has on its communities the better. I think it would be far wiser to look at the roles and responsibilities of both state and local governments and ensure that they are working together rather than working against each other. We have seen billions of dollars wasted through the water debacle as a result of that not happening. I am sure with the bills before the House, the people's house, the LNP will resoundingly support them because it has been their policy for 89 years now to have an upper house in the parliament. I think this is the first model that has been put to the House that does not include any extra politicians. So I have no doubt that Campbell Newman and the 32 members of the LNP will support resoundingly this innovative piece of legislation. That is a key not only to the policy platform of the LNP, which it has been for some almost 90 years now since the abolition of the Legislative Council in 1922—

Mr Bleijie: Bob's party policy.

Mr McLINDON: It certainly is, member for Kawana. I can say that those two pieces of legislation before the House are Australian Party policy. I would like to say absolutely.

Mr Bleijie: Aren't you Independent?

Mr McLINDON: In fact the member for Kawana has a piece of legislation about flipping coins. That is how serious they want government. We are going to put a piece of legislation up to legalise two-up so we can take it into the RSLs and raise some money. That is the level of commitment that the member for Kawana has to reinstating the Westminster system—on the one hand to have a piece of legislation about whether or not it is legal to flip two coins and on the other hand to reinstate the upper house. I think from those actions you will see that the Australian Party is light years beyond the LNP in terms of restoring that accountability in this chamber.

Mr Bleijie: Are you registered?

Mr McLINDON: This obviously strikes a nerve with the member for Kawana in the fact that he has been complicit in undermining the Westminster system in Queensland. Yes, Queen Elizabeth would not be proud, member for Kawana, and I am sure that deep down in yourself you are feeling slightly guilty as well, being one of the many puppets who does not have the guts to contact Bruce McIver—as did I. I make no regrets about that. I have got more space back here than I ever had—I like to refer to it as the back bench, business class—but at least I have stood for something rather than fall for anything.

I also see in the bill the issue of how-to-vote cards. I have always been an advocate for abolishing how-to-vote cards because they can become somewhat obstructionist for most voters on the way in. I think dismissing them would create a level playing field. Aside from the environmental benefits, it would separate the conflict of interest for political parties on state government property and also on council property.

As elections get more and more tense these days, as democracy gets tighter and tighter and as it diminishes as the years go on, I think it is important to abolish the use of how-to-vote cards to make the voting process as uncomplicated as possible and less obtrusive and obstructionist. I have seen many people get annoyed at the polling booths; in fact I have almost seen a few fights break out at the polling booths. It is not uncommon for verbal abuse to go one step further and for fisticuffs to occur.

Abolishing how-to-vote cards would create a level playing field for all parties and for Independents to make sure that people are not badgered on the way in to vote. It would also save a lot of those resources. There is also the issue of enforcing the rules. The returning officer already has enough on their plate without looking at the complaints that are usually made throughout the day. They can be a huge distraction to their actual function and to the processes of the election taking place.

I do support the amendment that will be moved. I note that clause 61 relates to the issue of proof of identification. I advocated this in a piece of legislation earlier in the year which was rejected. I note that the scrutineer has to carry that identification on them at all times, and I say that if it is good enough for the scrutineer then indeed it should be good enough for the voter to also carry ID with them. In most bars now, if you look under 25 you will be asked for ID. That just goes with being accountable. I do not see any problem with a voter having to carry identification to ensure their identity can be verified.

Furthermore, I do not see a problem with locking that out via computer—that is, once they have voted, to shut that vote from being accessed in other booths in that same electorate. The use of the old 'vote early, vote often' method, which has been used by many political parties across the history of Queensland and Australia, needs to be tightened up. A manual voting process is the best process but we also need to ensure that voters carry ID. I certainly do not see why voters should not carry ID if it is good enough for the scrutineer to carry it. The voters need to understand that if the scrutineers are legitimate then that should work in two ways as well.

The clause to let councillors run for office has gone up three or four times now, so obviously I cannot see that coming up again. That is one of the discriminations that is cruel and unjust in terms of our democratic process in a Western democracy, and I think it should be a basic. Actually, it should probably be a prerequisite. It would probably do Queensland the world of good if most MPs did a term or two in council so they could really understand the roles and responsibilities of council.

As I said, I look forward to the opposition supporting the People's House Bill because it will at least be able to rectify the Westminster system to some degree—and it could hopefully rectify the credibility of opposition members in the process as well. I have not seen any statements in support of that bill as yet, so I am hoping the opposition members are keeping their powder dry and are going to pull a surprise one and put that as part of their policy platform. Something has to happen in terms of the accountability of this chamber. We cannot continue the folly of this winner-take-all approach and the cycle of elections being the only point of accountability in any three-year period.

As I said, there are a couple of things in the bill that I support and there are a couple of things that I certainly do not support. We just hope that the injustices inflicted on local government in the last few years will be able to be rectified into the future.

Mr DICKSON (Buderim—LNP) (5.04 pm): I rise to make a short contribution to the debate on the Local Government Electoral Bill. It seems like only yesterday, but on 23 June 2000 fire engulfed the Palace Backpackers Hostel in Childers. Tragically, 15 people lost their lives during that inferno. The historic building was approximately 100 years old, and as a hotel it had served the community for many years before it was converted into the Palace Backpackers Hostel. At the time, the Palace was one of about 260 buildings around Queensland providing accommodation targeting the backpacker market.

As a result of that fire, a task force was established during the mid-2000s to investigate and review building fire safety matters in Queensland. During that review, the Queensland Fire and Rescue Service over a two-month period completed inspections and investigations of about 1,569 buildings across Queensland. The review drew a number of conclusions resulting in the recommendations contained in the final task force report. In presenting the task force report to the minister of the day, the Commissioner of the Queensland Fire and Rescue Service noted at the time that, whilst the report focused on budget accommodation because of the higher life risk involved, some of the recommendations arising had broader application to other types of buildings. The task force recommended investigation of fire risks in a range of high-occupancy buildings and a staged program to reduce risks of multiple-death fires.

Residential care buildings and obviously budget accommodation buildings were identified in the report as posing high risk to life and an increased risk of multiple deaths in the event of a fire. This is due to high occupancy numbers and a reduced capacity for individuals to evacuate without assistance. As a result, on 1 July 2002 the Queensland Development Code mandatory part 2.1 was introduced for existing budget accommodation buildings constructed or approved before 1 January 1992. Subsequently, on 1 June 2007 mandatory part 2.2—fire safety in residential care buildings—was introduced for residential care buildings approved on or after 1 June 2007. This part requires the installation of sprinklers and building-wide alarms and the maintenance of a 24-hour minimum support ratio across smoke compartments. The minimum support ratio is defined as the ratio obtained by comparing the lowest number of onsite responsible persons to the number of persons with an evacuation impairment accommodated in a smoke compartment. Accordingly, 'smoke compartment' means a space within a residential care building where people usually sleep for the night that is separated from the remainder of the building by smokeproof walls, in accordance with the Building Code of Australia.

Within the bill, mandatory part 2.3 will be introduced to apply to the care buildings built or approved prior to 1 June 2007 where the building accommodates six or more residents and more than one resident requires physical assistance to evacuate the building during an emergency. I note on page 2 of the Development Code published on 14 June 2011 that mandatory part 2.3 commences on 1 September 2011.

In supporting this section of the bill, I am certain that everyone wants to see fire safety standards as high as possible for people living in these residential care buildings, for the people of Queensland and for people availing themselves of budget accommodation. People should spend the money to bring these buildings up to speed.

I wish to speak to another component of the bill relating to how local government elections are run. I note that they are very, very interesting in Queensland. They will be held in March next year. Much has been said here today about whether or not councillors will be allowed to run at elections. I know that on numerous occasions over the years that I have been in this House the LNP has put up this very same bill and the Labor Party has knocked it back each and every time. This was in legislation up until roughly 2001, and that is when the Labor Party decided to change the rules.

The problem I see with this is that the Labor Party has gone out and ostracised a certain group from the community. I never, ever thought the Labor Party would be that party in Queensland, but they actually have become that. Local government politicians have families, they pay rates, they pay mortgages and they do everything that every other human being does. But, lo and behold, for some reason, the Labor Party has decided that they cannot run for state government unless they resign from their job. If they are forced to do that, they put their family's income on the line. They cannot feed their family, they cannot pay their rates, they cannot do any of those things that the normal, everyday Queenslander can do.

That is a great miscarriage of justice in this state. One day the government will either see common sense or will lose an election and our side of politics will change the legislation and change that law to how it should be for the people of Queensland so that equity and fairness will once again be retained in this state. I heard a lot of talk about conflicts of interest and I see many conflicts of interest in this state. I know that I can speak broadly about these conflicts because I have heard so many broad terms used in this House just within the last hour. With regard to conflicts of interest in Queensland, you could use the term conflicts of interest relating to somebody who says something before an election and then they spin around and do not do it. The Prime Minister of this country may have a conflict of interest. She said, 'We're not going to have a carbon tax,' and then after the election—lo and behold—we have a carbon tax. Just before the last state election the Premier said, 'We're not going to have a fuel tax,' and—lo and behold—the fuel rebate was taken away. Then there was this other occurrence relating to public assets that will never be sold. Lo and behold, after the last state election, the Premier sold them all with the support of the Labor Party.

Madam DEPUTY SPEAKER (Ms Farmer): I ask the member to remain aware of what the bill is about please.

Mr DICKSON: Madam Deputy Speaker, I am following the lead of the member for Ashgrove and the member for Rockhampton. If I am doing anything different to what they did, please inform me of that.

Madam DEPUTY SPEAKER: I most certainly will.

Mr DICKSON: Thank you, Madam Deputy Speaker. I will accept your guidance. Earlier the member for Ashgrove was condemning a gentleman by the name of Campbell Newman because he stood down and left the role of mayor. He is not paid a cracker by the people of Queensland or the people of Brisbane. He is not paid a cent. He is no longer the Lord Mayor. The member for Ashgrove may have been asleep at the wheel when she was the minister and did not realise that the world had changed and passed her by, but it had. He is no longer the Lord Mayor of Brisbane. The member for Ashgrove may understand it now and it may have finally sunk in. I know that she has a bit of a problem understanding things, but the reality is that he is no longer the Lord Mayor of Brisbane.

In that regard I think he did the right thing, because the Labor Party would have continued to try to prosecute him. The former Lord Mayor of Brisbane is a very good man, a very reliable man, a man you can count on. I am so proud that he is the leader of our party and it is a wonderful thing to talk to somebody who can give you a yes or no answer, and that is what the people of Queensland can look forward to in the future. The member for Rockhampton also spoke highly of the leader of our party, Campbell Newman. I know that he knows that Campbell Newman is a very good man and he is keen to get out there and tell the world that, and he likes to speak about other people. He likes to speak about members on this side of the House, and I know that he has good and kind words to say about us. He just could not quite get them out of his mouth!

The reality in this state is that the Labor Party is running the show. It does not believe in a democratic state, and that is shown directly in this legislation by not allowing local government representatives to run for state government without resigning from that position. That is what it has said very clearly on at least four occasions when the subject of this bill has been put forward in this House since 2006, and it continues to condemn those members of parliament. The gentleman that I ran against was a state member of parliament for the Labor Party. His name was Chris Cummins. He was an ex-councillor who ran when the laws were different and he could retain his job. I actually took it the other way too: I was a councillor and I ran for state government and I was successful and Chris Cummins is no longer sitting in this House. I am sitting in this position and the current member for Kawana is also in this House and I am very pleased with that.

That is the way we play the game in Queensland. We do it right, we do it fair and we are equitable to people. However, the Labor Party sees it in a different light altogether. It does not like to play fair. It does not like to always be honest and forthright and tell people what it is really feeling. Those opposite like to leave it until after an election is over and then they come out and give you the big sleeper: 'Sorry, we didn't really get it right. We didn't know what we were talking about before the election and we're going to change all those things we said in the past,' and we in this room all know who I am referring to.

Returning to the bill, where will the Labor Party stop? Today there will be an amendment moved by the shadow minister for local government, and it is a very good amendment. The Labor Party again has an opportunity to overturn a rule that is biased to family members of our community who happen to be local government representatives in that they will not be allowed to continue their lawful job and earn pay for a fair day's work in order to feed their family. The government is going to continually knock this amendment back and the only hope for the people of Queensland is getting rid of it at the next election.

If the Labor Party no longer runs the state of Queensland, there is hope for the people of Queensland because you will be told the truth and you will be led by a gentleman by the name of Campbell Newman. I look forward to the future, because this is a great state with great opportunities that are going down that watery hole and we all know where it ends up—the sewer. That is what you can thank the Labor Party for. I do look forward to the future and the state of Queensland being looked after the way it should be looked after, not by a bunch of people who do not understand finances and who will not change legislation so that a man or a woman can look after their family and pay their bills. Those opposite will never be forgiven for what they have done to this state.

Ms BATES (Mudgeeraba—LNP) (5.15 pm): Today I rise to contribute to debate on the Local Government Electoral Bill 2011 and the changes to the Building Act to improve fire safety in residential care buildings. For the purposes of this speech, I will contain my comments relevant to the changes to the provision of the bill relating to fire safety in residential buildings. I am sure that my counterpart the member for Kawana will deal with all of those other issues. The Queensland Development Code consolidates Queensland specific building standards into a single document and covers Queensland matters outside the scope of and in addition to the Building Code of Australia. Proposed amendments to the Building Act 1975 in the Local Government Electoral Bill 2011 were introduced into the Legislative Assembly on 16 June 2011. It should be noted, however, that the draft MP 2.3 document states that it is to take effect on 1 September 2011.

I want to appraise the House of the background to these proposed changes to the legislation effected by the introduction of this bill. Residential care buildings, or RCBs, have been identified as posing a high risk to life in the event of a fire. Following the Childers Palace backpackers fire in June 2001, the Queensland government began a staged fire safety improvement program for high-occupancy buildings including budget accommodation buildings, or BABs, and RCBs. A survey was undertaken in 2001 and outlined the level of fire risk to occupants of buildings just after that terrible Childers fire.

The survey found that the risk of death by fire in a house in Australia was 12 persons in a million and it further identified that the fire risk of death within residential care buildings was approximately 2.4 persons in a million. The review advised that the installation of sprinklers to residential care buildings lowered that risk to 0.4 persons in a million and further installation of fire hose reels lowered it again to 0.15 persons in a million, but these figures are obviously from 2001 and reputable residential care operators have reduced this risk even further. It is apparent that adding sprinklers to a building provided some benefits. However, the addition of fire hose reels clearly shows the date of this report, as most

buildings now do not have fire hose reels but use portable fire extinguishers and a majority of providers do not train the staff in them as it is considered a bigger risk to have them stay and fight a fire rather than concentrate on evacuation.

After the mandatory fire safety upgrades undertaken by the federal government scheduled for December 2003—it was due to be completed by then but was extended to December 2005—the state government did not believe that the method used by the federal government provided adequate life safety as not enough points were allocated to fire sprinklers. This was based on the point scoring of sprinklers—two out of 25—rather than the true effect that these upgrades should have had—that is, even if you installed sprinklers you still had to rely on other systems to help provide for the safety of that building. A sprinkler system is not a life safety system, which is why even the modern codes require smoke detection.

Further, the comments show that the focus of the government appears to be only on sprinkler installation, and this is further supported by the method wording and definitions within the code. The Queensland government further believed that, while the scoring was not correct, the task was not completed correctly either in the written or the practical applications of these guidelines. There are some facilities that just got certified by people not completely understanding the laws and the requirements, and this may have in fact been part of the reason that led to bad assessment scoring and established these 2006 findings.

In 2006 the state government undertook an assessment on the majority of residential care buildings affected by this code and determined that 88 per cent could not evacuate safely in the event of a fire and 79 per cent had poor safety systems. An assessment tool was used and was apparently developed. This assessment tool has never been provided to the public, so the exact method of arriving at these numbers is not available. However, given the government's stance that the old requirements were not at an acceptable safety level, it would appear that the only safety level accepted in this survey would be sprinklers.

It is estimated that probably only 12 per cent of facilities in this target group had sprinklers installed. The development of this proposed legislation has largely been based on the Kew Cottages fire in Melbourne in April 1996 and, of course, the Childers fire in June 2000. Both of these events are not appropriate to either modern fire safety philosophy or the equivalence of comparing buildings. Kew Cottages was constructed prior to modern building codes and housed mentally and physically disabled persons. In those days those people were locked in for their safety with no method of emergency egress other than a key in hand. The Childers fire was at a hostel that provided cheap accommodation to young people and there were no trained staff performing around-the-clock duties like a registered nurse would in an aged-care facility and several major emergency systems and processes were breached to the knowledge of the Queensland Fire and Rescue Service. Childers is acknowledged as being a failure of a major series of events, including multiple fires, accelerants, non-compliant egress and door hardware, a partying and young environment and the role the QFRS played in the lead-up to the fire by not ensuring that certain issues were actually rectified at the time.

As I said, since 1 June 2007 new RCBs have been required to comply with the mandatory part of the Queensland Development Code known as the 'Fire safety in residential care buildings'. MP 2.2 requires life safety sprinklers and building-wide smoke detection systems in all buildings constructed after 1 June 2007. The code also requires a minimum number of carers to be on site at all times to ensure that residents can be effectively evacuated from smoke compartments. However, there are still over 700 RCBs in Queensland that were built prior to 1 June 2007. The government is implementing the final stage of its fire safety improvement program for RCBs to improve the fire safety in these buildings.

I would now like to outline the new provisions that are covered by this bill that will affect these organisations. The fire safety reforms of this bill adopt a new part of the Queensland Development Code mandating minimum fire safety requirements, as I said, from 1 June 2007. These requirements complete the government's fire safety improvement program and they capture those buildings not covered by MP 2.2, which applies to all RCBs constructed after 1 June 2007. 'Fire safety in existing residential care buildings (Pre 1 June 2007)' has been published and is available on the department's website.

Owners and operators will need to have their building assessed against MP 2.3 within six months of the commencement of this legislation, which is likely to be on 1 September 2011. The upgrades outlined in this assessment will need to be implemented in either three years from commencement for high-risk buildings or five years from commencement for medium- and low-risk buildings. MP 2.3 does not specifically define what are considered high-, medium- and low-risk buildings, but states that a high-risk fire area for a residential area building means an area connected to or adjoining an evacuation route for the building that contains materials which are highly flammable, have a high fire load or have an increased risk associated with ignition, including materials used in kitchens, garages, internal hot-water storage units, laundries or storage facilities. The Commonwealth funded and regulated residential aged-care sector needs to obtain some clarification on this point. However, it would appear that high-risk

services that need to be upgraded by 1 September 2014 are kitchens, garages, internal gas hot-water storage units, laundries and storage facilities. All other RCBs appear to have five years, or until 1 September 2016, to comply with MP 2.3.

Additionally, providers are to ensure that they comply with the minimum support ratio, being the ratio obtained by comparing the lowest number of on-site responsible persons to the number of persons with an evacuation impairment accommodated in a smoke compartment. Section A2(1)(b) provides that at all times the minimum support ratio of one person to five must be maintained in a residential care building. The minimum support ratio for the building is calculated with reference to support required for residents accommodated with evacuation impairment in the smoke compartment in the building that accommodates the highest number of residents with evacuation impairment.

What impact will that change to the legislation have on the industry sector? The Queensland government does not fund or regulate the services and care provisions in residential aged-care facilities. This is the sole responsibility of the Commonwealth government. There is no doubt that there is a significant financial impact on operators of Commonwealth funded residential aged-care facilities by these regulations and, equally, given the past history of Commonwealth government aged-care funding policies, little or no recognition of this impact will be acknowledged by the Commonwealth in terms of additional funding. In this respect it should be clearly understood that the Commonwealth government fully regulates resident fees and charges. The only exception is the amount of incoming accommodation bonds, which are paid by residents in low-care facilities, and it also has complete control over the additional subsidies paid to residential care providers. Aged-care providers have virtually no control over their income.

As the recent *Caring for older Australians* report released by the Productivity Commission in June of this year noted, the residential aged-care sector suffers from these constraints in pricing and experiences difficulties in obtaining finance 'in particular to build high-care residential facilities'. The most comprehensive independent survey of residential aged-care providers' financial results ever conducted revealed that well over half of high-care providers were making operating losses as a result of funding constraints. As a result, the Productivity Commission recommended far-reaching financial and regulatory reform of the sector to improve its viability so that it can meet the challenges of an ageing population.

To summarise, the imposition of these changes will create a very serious and significant impact on residential aged-care facilities throughout Queensland, including state government owned and operated facilities. This impact raises questions for the state government, which have not been adequately answered in the preamble leading up to this legislative change. Why does the state government wish to regulate a sector that to this point has been the sole preserve of the Commonwealth government? Has the state government commissioned a regulatory impact statement so that it is cognisant of the financial impact on the facilities that provide care and accommodation for thousands of elderly Queenslanders? What is the financial impact on state government owned and operated facilities providing residential care and how is this to be funded? Is the state government intending to provide funding to residential aged-care providers as a result of its regulatory imposition, or will it intervene on behalf of Queensland providers to ensure adequate funding is provided?

For at least 15 years the Queensland Nurses Union has unsuccessfully sought to impose staff-resident ratios on residential aged-care providers in Queensland. The commission has consistently rejected these submissions on the basis of incapacity to pay because of the funding constraints that I have mentioned already. Has the state government considered the industrial context? Is it prepared to provide top-up funding on top of Commonwealth government subsidies for providers to meet that mandatory staff-resident ratio? One would hope that the minister will be able to address these concerns during the consideration in detail stage of this bill.

This move is long overdue because we have had a Labor government here for 20 years which has dragged the chain when it comes to making laws to protect lives. It has been over a decade now since the Childers backpacker fire, which killed 15 young people. It has been a decade since the fatal fire at the Sandgate Seabreeze boarding house, which killed three elderly people. In 2007—finally—the government acted on improving fire safety for budget accommodation buildings. But why has it taken the government so long to act in the face of these tragedies? Why is the government always behind the eight ball playing catch-up with people's lives? Clearly, this is a government that has all the wrong priorities.

The cost of implementing new fire safety standards in older residential care buildings may prove too high for many aged-care homes and send them to the wall. The real question here is: is the government intending to provide funding to residential aged-care providers as a result of its regulatory imposition? Again, will it intervene on behalf of Queensland providers to assist? The closure of aged-care homes is a very real possibility. That would be a disaster, especially for a smaller facility in regional Queensland where there are very few alternatives. If the safety of these buildings are as bad as the government is stating, why has it not shut down any one of these or accelerated this program? The

Victorian government stated that it had unacceptable levels of risk and within two years after the fire at Kew Cottages it had a mandatory installation of sprinklers policy within that state, which was significantly subsidised by the state government. No exception should be spared to protect our vulnerable aged.

Mrs SCOTT (Woodridge—ALP) (5.28 pm): Mr Deputy Speaker, may I first ask your indulgence to make a few comments about our very sad fire this morning in Logan. Our community in Logan is engulfed in unspeakable grief. The scene of tragedy that meets you as you approach the site is overwhelming. Our Pacific Islanders are a close-knit group. Their family means everything to them. They are people of faith and this tragedy is just beyond their understanding and ours. The Samoan and Tongan communities are joined by many others. When this community suffers tragedy and is hurting, we all hurt. With 11 people missing, eight of them children and young people, the magnitude of this fire has left us all numb.

Our fire and police services feel the pain very keenly and they have responded magnificently. Our senior police are in control of the situation and all processes have been put in place for support and counselling and all of the steps that need to be taken in such circumstances. We now have many of our community services, both government departments and our NGOs, grouping to coordinate assistance. A critical meeting of services was held at MultiLink a few hours ago, led by Pam Steeles-Wareham, to ensure everything that can be done will be well coordinated and handled sensitively. The Salvation Army was quickly on the scene with refreshments and moving from group to group to offer their assistance. They will stay the course, whatever time is involved.

Many of our ministers and pastors came. Hymns were sung and prayers were offered, mingled with tears. The member for Waterford and I were joined by our Premier, Anna Bligh, and the Minister for Police and Emergency Services, Neil Roberts, as well as Mayor Pam Parker and councillors Russell Lutton and John Grant. I want to particularly thank the Premier and minister for being so quick to respond. The community appreciated their words of comfort and their heartfelt expressions of sorrow as they spoke to some of the families. Assistant Commissioner Paul Wilson attended and spoke on behalf of our Police Commissioner, who I understand is not well at the moment. He sent his heartfelt condolences.

There was a long period of healing required following the tsunami that devastated both Samoa and Tonga, and this, too, will require all of the resolve of our community, extended family and church family to walk beside these families and this community in support wherever and however that is needed. Tonight these communities will gather for prayers and solace in both Woodridge and Sunnybank and tomorrow night the entire community will come together of one accord to pour out their grief and sorrow and surround these families with love and support. There will be many days of sorrow ahead and we will be there for them. Any who are wishing to donate funds are being directed to the Salvation Army.

I now want to turn to the part of the bill that deals with fire safety. I think this bill continues this government's proud tradition of improving the fire safety of Queensland buildings in the aftermath of the tragic loss of life caused by the Childers Palace Backpackers Hostel fire. I think all of us remember how we felt after that terrible, terrible occurrence. The bill also demonstrates our commitment to working with industry and stakeholders to produce legislation that is both well conceived and practical. No-one in Queensland should ever forget the tragic loss of life that occurred in Childers on 23 June 2000. I am happy to report that in bringing these reforms to the House we have not forgotten and nor have the people of Queensland. This much is evident from the cooperation the government has received from industry and stakeholders as we have worked together to develop these fire safety initiatives.

Primarily these reforms adopt a mandatory part of the Queensland Development Code which imposes minimum fire safety requirements for existing residential care buildings built prior to 1 June 2007. As anyone who has renovated a house will know, work on existing buildings is often more complicated than starting from scratch. Existing residential care buildings pose similar problems, and that is why the government has worked closely with industry and stakeholders through a number of iterations of the code. The residential care industry, the building industry, community organisations and multiple government agencies, including the Queensland Fire and Rescue Service, were all consulted throughout the development of this initiative. Organisations such as Blue Care, TriCare, RSL Care, Lutheran Community Care, Queensland Baptist Care, Aged Care Queensland and numerous others all made significant contributions along the way, and I would like to take this opportunity to thank all of them for their cooperation.

I would like to mention the ministerial consultation forum held in Brisbane last August that Minister Roberts attended with Minister Hinchliffe. The forum attracted over 30 representatives from numerous industry organisations to canvass views on the proposed reforms. This provided an opportunity to engage stakeholders in a meaningful discussion about how to balance their needs with the need to improve fire safety standards for Queensland's most vulnerable residents. During this consultation the industry demonstrated its desire to work with government to improve the fire safety of pre-2007 residential care buildings. The clear message from industry is that, given current funding levels from the Commonwealth government, the cost of upgrading the existing building stock will undoubtedly pose a challenge for some operators.

In implementing these measures the government has listened to industry concerns and responded by adopting a staggered time frame for buildings to be brought into line with the new code. A higher risk building—for example, a two-storey building of timber construction—will be required to comply with the new code within three years—that is, by 1 September 2014. A lower risk building—for example, a single-storey brick building—will have five years to comply with the code—that is, by September 2016. In order to assist providers to meet this time frame the bill requires all residential care buildings to be assessed against the new QDC within six months of the legislation's commencement. These assessments will provide industry with clarity and certainty, allowing them to make appropriate preparations and informed choices about any necessary upgrade work. The Department of Local Government and Planning will offer subsidised assessment services to all residential care providers in Queensland. This will ensure that the assessment process is efficient and that each residential care building is sufficiently equipped with the information they need to become compliant.

Given the current Commonwealth funding model and the financial pressures experienced by industry, the government acknowledges that the compliance time frames will pose a challenge for some parts of the industry. This issue has been acknowledged by the Commonwealth, and recently the Productivity Commission submitted its Caring for Older Australians final report to the Commonwealth. This report will address sustainable funding models for the industry. We note these developments with interest and will continue to work with industry and the Commonwealth to progress the vital fire safety reforms contained in the bill. Ultimately these reforms are about ensuring that the community's legitimate expectations that residential care buildings do not pose an unacceptable fire risk for residents are met.

So while we have worked with industry to ensure that both the code itself and the compliance time frames are practical, we will ensure that these reforms are implemented in a timely fashion. This is what the community expects and this is what we will deliver. I have a special interest in residential aged care, having moved my parents and aunt into Arcare at Slacks Creek just last September. The time had come for independent living to come to an end, with my dad now a few months off turning 99 and my mum 93. They have lived independently right up until that time, but they are now being waited on hand and foot.

Mr LUCAS: You know longevity is genetic, too.

Mrs SCOTT: Oh, good. I don't know that I want to go to 99, Minister. Their facility is relatively new, but I take note that the local fire officers have done a recent inspection with some advice to the owners and that burnt toast sets off their fire alarms, much to the distress of my mother. With that, I commend this bill to the House.

Ms van LITSENBURG (Redcliffe—ALP) (5.39 pm): I am sure that my Samoan and Tongan community will be reaching out to the member's community in Kingston. I rise to contribute to the Local Government Electoral Bill 2011. This bill consolidates all current local government electoral provisions into one piece of legislation to facilitate a transparent electoral process. This is a positive outcome for local government and for the community. The changes to the Electoral Commission's role in running local government elections are vital for transparency and to avoid much of the conflict of interest that has been reflected in local government elections in the past. Issues arising from the CEO of a council acting as the returning officer and being expected to rule on issues involving councillors who are at other times his employees can be construed as a conflict of interest and in the past has been a cause of angst amongst council candidates. I had to resign my position on the Redcliffe City Council to contest the state seat. I am certain that to have remained in that position would have been a conflict of interest and there would have been a perception that I was using public money to fund my own campaign.

Ms Jones: Hear, hear! A very good point.

Ms van LITSENBURG: I take the member's interjection. It is incumbent on those who stand for public office to be above reproach because this state needs quality people to represent Queenslanders and to be trusted by them to sculpt legislation that will enhance the lifestyles of all Queenslanders. Many candidates have been perceived as using the trappings of their occupations to promote their campaigns, which is not a good start for someone seeking public office. It is important that candidates are seen to be acting ethically and I endorse the continuance of that guideline.

In reviewing the electoral provisions pertaining to local government elections, the government has taken the opportunity to review and replace electoral provisions contained in the Local Government Act 2009 and the Local Government (Community Forums) Regulation 2008 with a model preferred by the two Indigenous regional councils. Community forums were first introduced by the Local Government and Other Legislation (Indigenous Regional Councils) Amendment Act 2007 to provide a vehicle for community input into council decisions following amalgamation of the former Torres Strait community councils and the Cape York Aboriginal shire councils into two Indigenous regional councils, the Northern Peninsula Area Regional Council and the Torres Strait Island Regional Council.

Since 1 July 2010, the two Indigenous regional councils have been operating fully under the Local Government Act and the community engagement requirement of that act. Under the Local Government Act, councils have a range of options for community consultations that provide the flexibility they need to ensure all members of the community have their say. This bill will repeal the Local Government

(Community Forums) Regulation 2008 and amend the Local Government Act to provide that the Northern Peninsula Area Regional Council and the Torres Strait Island Regional Council can decide whether or not to establish a community forum. If a decision is made to establish such a forum, members will be appointed by a resolution of council.

These changes will provide councils with a greater level of independence and will be balanced with a community safeguard to ensure fair appointments. All appointments will be made as a result of processes that include a call for expressions of interest for positions followed by a merit based selection procedure. In the event of an appointment that is inconsistent with the Local Government Act, the Minister for Local Government is able to use existing intervention powers to revoke or suspend the appointment.

This bill is the culmination of consultation with the community and local government stakeholders. It will achieve a fairer and more transparent local government election. I thank the minister for this positive outcome and I commend the bill to the House.

Mr MESSENGER (Burnett—Ind) (5.43 pm): This bill came about after reviews of the current legislation by the Queensland government and the Legislative Assembly's former law, justice and safety committee. The explanatory notes to the bill state—

> The Bill will provide a more accessible and transparent Act for councils, candidates for local government elections, the Electoral Commission of Queensland (ECQ) and the community. The Bill will provide for efficiency, transparency and integrity in local government elections—

—as per the expectations of our communities. I welcome those principles of this legislation.

In March last year, the committee was asked to undertake a review of the local government electoral system for all local governments with the exception of the Brisbane City Council, as per the instructions of this place. The committee was asked to consider and report on the application of different electoral systems to local government elections in Queensland, including but not limited to postal voting, divided and undivided councils, and proportional representation. The committee was required to consider local government systems in other jurisdictions in Australia, conduct public hearings and consultation with stakeholders and provide recommendations as to the content of the proposed new local government electoral act.

As many members have already noted, following the review process the LJSC produced a total of 33 recommendations. The recommendations related to divisions, the conduct of elections, the timing of elections, candidates, campaign funding and disclosure, compulsory voting, prepoll, absent and postal voting, property franchise and voting systems. The committee received over 140 submissions from councils and councillors, individuals and other stakeholders. One of the changes proposed in this amendment bill is the provision for the Electoral Commission of Queensland to conduct local government elections rather than councils. This was one of the recommendations set out by the LJSC as councils voiced concerns over the costs involved in conducting elections. I note that many members have expressed concerns about those costs. I will address that matter later.

As many members have indicated, in 2007 there was a forced amalgamation of councils. It went from 156 councils to 72 councils. I believe that was a bad thing for democracy in Queensland. I acknowledge what many other members have said, that local government is the most important level of government in Queensland. The forced amalgamation lessened and diluted democracy. It weakened specifically democracy in the bush and representation in regional areas. It weakened the ability of rural communities to determine their own fate.

For example, Childers is a vibrant community. I have spoken to many people in Childers who have told me that they have gone from having about six or seven councillors to one councillor, making it very difficult to have their voice heard in a regional sense at the Bundaberg City Council. Also, people who came to the area wanting to set up a business in the Burnett-Bundaberg area used to be able to approach the Isis regional council, which was very proactive in welcoming new businesses to the area. Now when new businesses look at coming to the Burnett regional area, they seem to be funnelled through to Bundaberg. If they want to set up business there, industrial land is in short demand in Childers and they are pushed more towards Bundaberg. That is a clear example of vibrant regional communities missing out through a centralising process. Now, ratepayers are less likely to run into councillors while shopping in town, because there are fewer councillors. Therefore, their ability to make their voice heard at that level has been lessened.

I am very glad that in his speech the shadow minister, the member for Gympie, indicated that the LNP has a strong commitment to handing back power. It remains to be seen how that commitment will manifest itself under an LNP government. I commend the shadow minister for at least expressing that sentiment in this place. Will the LNP follow through with its old policy of allowing communities that can demonstrate a need and a wish to deamalgamate to actually deamalgamate? People, for example, in the Childers area are asking that question. I believe that there are three strong areas in the state where the local community would vote for deamalgamation. Some communities would not vote for it. In the Bagara coastline area of the Burnett, it was a natural progression to amalgamate with the Bundaberg Regional Council. However, outlying bush communities would have preferred to have amalgamated with areas that have common interests.

I believe that the reason behind the forced council amalgamations was not the strengthening or betterment of Queensland. Unfortunately, I believe it was for the strengthening and betterment of the Labor Party and its socialist, centralist ideology. Certainly there have not been the cost savings that we were promised. In fact, the cost of the forced amalgamation in the Bundaberg district has risen from $10 million to $20 million and there are similar costs for the local government area of Gladstone as well. It is going to take a long time to recover from that cost burden. Who are the people who are forced to pay those costs? Of course it is the ratepayers of the Burnett and the Bundaberg region who are forced to pay for the costs of the forced amalgamations in increased rates. I remember the day quite well when then Premier Beattie stood up and said they were going to force the amalgamation of councils. It was met with stunned disbelief. Prior to that announcement all the councils had engaged in good faith in a program called the SSS program—Size, Shape and Sustainability. It was a bolt from the blue. I remember asking the Premier what he was going to do after lunch. Invade Poland? It was quite a dictatorial policy.

I find it is difficult to cop an argument from the Labor Party that by allowing sitting councillors to run for state government they would have their snouts in the public trough. This is coming from a government which finds that it has many Labor relatives and friends who enjoy the benefits of the public payroll. I would think that the common-sense approach would be to ask that councillors take leave without pay rather than having to resign. It is not discriminating against councillors. As I did with the ABC when I was working for the federal government, as soon as I declared my candidacy for Burnett I was then placed on leave without pay. That would be the common-sense solution.

I turn to the cost of the ECQ running elections. As the shadow minister has said, LGAQ research has shown that the cost for holding local elections will double. Of course, who is going to pay for those increased costs? That is a rhetorical question. I support the LNP policy of giving the choice to run a local election to that particular local government area.

There has been much comment in this debate about conflict of interest and pecuniary interest registers for CEOs and other council officers and councillors. Quite frankly, I believe that in local government as there is in state government—and probably the federal government; we may as well include it—the bureaucrats running the show have far too much power. Under our current system in Queensland, democratically elected local councillors have almost no chance or find it very difficult to oppose or vote against the recommendation of senior council bureaucrats. I do not believe that that is a healthy set of circumstances. I believe that a democratically elected person in a local council should have a far greater ability to represent their constituency and vote as their constituency sees fit. Yes, they have to take the advice and they have to consider that advice very carefully. The bottom line is that it then comes down to that person. If they have not made the right decision, their constituency will get rid of them at the end of that quadrennial term.

I hope that there is a return of the 40 per cent infrastructure subsidy. Once again, I feel sorry for local governments around Queensland because they have been hit with this massive cost impost. I hope that the LNP will go ahead and return that 40 per cent infrastructure subsidy. It would help rural and regional communities no end, who find it very difficult to pay for those large infrastructure projects.

The debate today on legislation which strengthens fire safety has been underlined and made more important by the tragic events which have occurred to the community of Kingston and the people of Woodridge and Logan. On behalf of the people of the Burnett, I send my deepest condolences and express my deepest sorrow to the Pacific Island communities in the Kingston area and, indeed, in the whole of Queensland. There are many Pacific Island families in the Burnett and I know that many people will have been devastated and shattered by this tragedy which has touched them personally. They will be relying on their strong Christian faith to get them through this very difficult time. I wish them all the best. I hope that they find solace in their prayers.

Many speakers previous to me have mentioned the backpacker fire in Childers on 23 June 2000 in which 15 young lives were lost. I remember that day well. I attended there as I was working in the media. I was a cameraman. I remember the images, the sorrow and the devastation of the community on that day. I also remember how the community rallied and gathered around the survivors and their families and reached out to them. My community of Childers knows what it is like to suffer this sort of grief. I know that they would want me to extend their deepest condolences also to the victims' families and offer any help that the people of Childers might be able to provide to the people of Kingston and the Pacific Island community.

In closing, I welcome this legislation. There is need for reform. I look forward to the ensuing debate.

Debate, on motion of Mr Messenger, adjourned.

MINISTERIAL STATEMENT

Further Answer to Question; Labor Party Preference Allocation

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for Reconstruction) (5.56 pm), by leave: During question time today I provided an answer which reflected the best of my recollection regarding the allocation of ALP preferences at the last state election. I have subsequently sought further advice from the Australian Labor Party and confirm that my recollection in this regard was not accurate. There was a significant number of Labor candidates who gave second and third preferences to other parties or candidates, predominantly Greens candidates including, as it turns out, me in my own electorate of South Brisbane. I am advised that in no seat were Labor preferences distributed to the Greens including in the seat of Indooroopilly.

It was not my intention to mislead the House and I apologise for the inaccuracy of any of my earlier statements today.

LOCAL GOVERNMENT ELECTORAL BILL

Second Reading

Resumed from p.2635.

Mr BLEIJIE (Kawana—LNP) (5.57 pm): The Local Government Electoral Bill is another legislative amendment introduced by this government that appears, on the surface, to be a positive change but is juxtaposed to its intent over the last 20 years of inaction towards local government in Queensland. The bill aims to set out new rules for running local government elections under one single piece of legislation.

I was a member of the former Law, Justice and Safety Committee that received a referral from the parliament in March 2010 relating to the review of the local government system for all local governments except the Brisbane City Council. As part of that inquiry the committee conducted six public hearings: two in Townsville, one in Mount Isa, one in Cairns, one in Rockhampton and one in Brisbane. The main objectives that were reviewed by the committee included divisions, conduct and timing of elections, candidates, campaign funding and disclosure, electoral signage, voting systems and methodology, and property franchise. These were examined in great detail including a comparable study of other jurisdictions in Australia. In addition, the committee also met with the Queensland Electoral Commissioner, Mr David Kerslake. Following the issues paper and a series of public hearings and meetings, report No. 78 titled *A new Local Government Electoral Act: review of the local government electoral system (excluding BCC)* was released in November 2010. As part of that report, my fellow member LNP colleagues, the member for Hinchinbrook and the member for Mermaid Beach, and I submitted a dissenting report.

In that dissenting report we detailed our objections, particularly with respect to recommendations 32 and 33 contained in report No. 78. The particular concerns raised included harmonisation on voting methodology of local, state and federal elections. We believe that if this is of great concern then the state government should be lobbying the federal government to change the voting method from full preferential to optional preferential, given that it is the only jurisdiction that differs from what is currently in place throughout Queensland. We also raised concerns that local governments would be used as a trigger for changing the electoral system in Queensland at the state level. I note that, after considerable media attention to that, the government did not proceed on that basis. In his second reading speech the minister exclaimed that the legislation was 'the final stage of the review of local government legislation, started in late 2006'.

The most contentious part of that review has been the forced council amalgamations, which we opposed in conjunction with the LGAQ. Speaking from local experience—I speak from experience as a resident of 21 years—forced council amalgamations have been, to some extent, an absolute debacle on the Sunshine Coast. There were three separate councils prior to the forced amalgamations and now there is one giant council for the region of the Sunshine Coast, which is one of the fastest growing regions in Australia. After almost one complete term since amalgamation, the Sunshine Coast council is still seemingly split between the three former local government areas of Caloundra, Maroochydore and Noosa. There is little in terms of an economic vision for the region. Key industries such as tourism and construction are suffering and the bureaucrats seem to run the show rather than elected councillors. As a testament to that statement, it is now on the public record that the mayor of the Sunshine Coast and three other councillors will be retiring and not running at the next council election.

Following an audit of my constituent files in my office, I now know that an unbelievable 40 per cent of council related matters that have been raised with council are now being dealt with by state members. These are constituents who contact me and several other politicians on the Sunshine Coast in an attempt to resolve their issues with council. The Residents Association South Sunshine Coast is a

good group of people. They used to be the Caloundra ratepayers association and then they changed their name to represent 95 per cent of the Kawana electorate. I know that the committee had a very good meeting with the shadow minister recently in Gympie. They wanted to talk to the shadow minister in relation to a document they have sent to the government and to the opposition. This document, which I am happy to table after referring to it, states—

The Residents Association Sth calls upon both Government & Opposition to embrace ... a re-defining of Local Government ... giving back to the people the right to determine their own community.

In this document, which is well researched, well prepared and well written—and I have been advised by the association that they sent a copy of this document to the government and to the opposition—they say—

What has happened?

Successive state governments have 'disenfranchised' the whole concept of local government to the detriment of Ratepayers.

The concept of Local Government used to be

1. the closest level of government to the people.
2. People governing their local community by local councillors, who represent the desires, requirements and the ambitions of a given area, which are unique to that local government area and are different to other local government areas

They then go on to say—

But the concept has been destroyed over the years by the State by .....

a) Removing the autonomy of these local councils

b) Forcing them to adopt a 'corporation' approach where the elected Councillors are powerless and the powers given to bureaucrats who are not elected by the ratepayers and are not answerable to the ratepayers.

c) Amalgamating these councils into super councils with inadequate access to the councillors by the ratepayers & residents.

d) Prescribing a legislative framework which restricts the activities of elected councillors and places much power into the hands of the bureaucrats

e) Creating a further level of paid management which has massively increased the cost of rates.

f) Encroaching on the traditional role of Local Government in the field of local planning

There are some aspects of the document—I have met with the local ratepayers association—that I do not agree with. One particular comment they make in the documentation is in questioning whether state parliaments and state governments should exist at all. I do oppose that, because I believe that good state governments play a vital role in Queensland. It is just when people have 20 years of incompetent government that they start to feel a need to get rid of the whole system. I want to place on record that the system does work when you have good government and good governance, which we have not had in Queensland for the past 12 years. I will table this document because it really does redefine local governments.

Tabled paper: Residents Association South (Sunshine Coast) document, dated 25 June 2011, regarding redefining local government [5138].

This association, which I meet with on a regular basis—I attend as many meetings of theirs as I can—calls for the entire deamalgamation of the Sunshine Coast which I do not support. But I support in the strongest sense giving local power back to local government and local councillors. Unfortunately, with the forced amalgamations of council, that is where we see this failure on the Sunshine Coast, because it is now a ballooning bureaucracy. As I said, I struggle to find an economic vision for the region when we have in my electorate alone businesses on Nicklin Way closing down and properties for lease because people from the Sunshine Coast are moving away to get jobs elsewhere, particularly in the mining industry in North Queensland.

Following that audit, as I said, we know that state members on the coast have had an influx of council related complaints. As I said in my opening remarks, the hallmark of this government is the way in which it bullies local governments in this state—absolute bullies. It forces changes, with little consultation, to centralise all of this control. There is no better example of socialism at work.

By comparison, the LNP has a fundamental underlying belief in handing power back to local government. We believe that it is vital to empower local communities and local governments as they are best placed to understand the needs and issues in their particular communities, not the bureaucrats. We believe that it is vital to provide Queensland councils with greater autonomy and assistance to plan and develop their local communities. Of course, an LNP government is committed to cutting the red tape and interference from the state government with respect to the local councils.

The components of the bill that particularly relate to my shadow portfolio responsibilities are the amendments to the requirements for the Electoral Commission of Queensland. As I stated during the estimates hearings last month, I have concerns with the ability of the ECQ in facilitating local government elections in March 2012 in conjunction with the state election, which is also due in March 2012. I asked the Electoral Commissioner, Mr Kerslake, at the time whether it would be an issue for the ECQ if both these elections were held in the same month or in close proximity to each other.

Of course, the bill before the House refers all control of local government elections in Queensland, excluding the Brisbane City Council, to the ECQ rather than to each local government. This legislation follows on from changes to the Electoral Act, under the Electoral Reform and Accountability Amendment Bill 2011, that fundamentally changed several key elements of the election process in Queensland, particularly the public funding of election campaigning. We on this side of the House understand that, quite simply—as I have said in debates in this place—because the Labor Party has run out of money and no-one wants to fund the Labor Party campaigns, it gives the bills to the taxpayer to pay. This is unacceptable. It was all about the taxpayer bailing out the Labor Party of any financial troubles.

Of course, since that time, just a few months ago, the cost of this legislative change has blown out. This legislation will mean additional costs to ratepayers through centralised costs from elections run compulsorily by ECQ. I understand the intent to reduce the bureaucratic burden by reducing the four pieces of legislation into one. I note that in the explanatory notes to the bill there is mention of an additional cost to Queensland Treasury to initially fund the 2012 local government quadrennial elections which will be recouped by slugging the ratepayers after the fact. There will also be an additional cost by establishing a dedicated ECQ branch for local government elections. I want the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State to outline what these additional upfront and ongoing costs are likely to be, given they are not mentioned in the explanatory notes.

Clause 26 of the bill specifies that a person cannot be a candidate in a local government election while being a candidate for a seat in a state election. I think it is imperative that we encourage quality candidates to seek endorsement from constituents and stand for a seat in this parliament. This should be encouraged and not restricted, as is the case in this legislation. This is not a new policy announcement, as the member for Ashgrove was squawking about in here before. This has been a long-held belief of the LNP and we have debated it in this House. It is wrong for the member for Ashgrove to come in here today and say that this is all new. The member for Gympie, the shadow minister—

Mr Stevens: Paranoia.

Mr BLEIJIE: It is absolute paranoia. It is wrong for the member for Ashgrove to come in here and say that the shadow minister has somehow dreamed up this new policy with the amendment that he has foreshadowed because this has been long-held LNP policy.

We heard in this place only yesterday the Premier talking about a convicted terrorist receiving a nomination for a literary award and having the potential to recoup a $15,000 winning prize. The Premier has been reported as saying that this is a win for democracy. How can government members on the one hand believe in democracy for a convicted terrorist winning a prize as an author but on the other hand not believe in democracy for a person who is running for parliament? If we believe in democracy, we would believe in democracy for everyone—everyone is entitled to democracy. I have a fundamental belief that if you are willing, able and ready to stick up for your constituents and your communities then you should have the right to do so.

In the member for Ashgrove's nine-minute contribution, she talked about relatively nothing in the legislation before the House but all about Campbell Newman. One thing I learnt in politics when I was growing up was that the worst thing you can do in politics is speak about your competitor. Obviously the member for Ashgrove has not received that advice because she mentioned Campbell Newman more than her government or the Labor Party. I am happy for the Labor Party to have such an interest in Campbell Newman and to continually talk up Campbell Newman in this place.

Mr Stevens: Promote him.

Mr BLEIJIE: I am happy for the promotion. I am sure that, whilst Campbell is doorknocking in the electorate of Ashgrove—as he was two weeks ago in Laurel Street when the absurd attack happened again—he would not mind Labor Party members in this place speaking about him.

The member for Ashgrove was trying to draw an extraordinary connection to an amendment foreshadowed with respect to conflicts of interest with the LNP candidate for Ashgrove, Campbell Newman. The member for Ashgrove also has some things to answer in this place with respect to her campaign when she ran for the state seat. Was she not employed as a ministerial adviser to the member for Rockhampton, who was a minister at the time?

Mr Shine: What part of the bill is this?

Mr BLEIJIE: My question to the member for Ashgrove is this: if she was employed as a—

Ms Grace: Relevance.

Mr BLEIJIE: Let us talk about relevance now. I did not hear you call out relevance when the member for Ashgrove was talking about Campbell Newman.

Mr DEPUTY SPEAKER (Mr Kilburn): Order! How about you just keep going.

Mr BLEIJIE: Thank you, Mr Deputy Speaker, I will. The member for Ashgrove has some explaining to do, and I am happy and willing and able to listen. When she was employed as a ministerial adviser, did she take leave without pay? Did she cease working for the minister at the time when she ran for state election? If not, then it flies in the face of her argument in this place today.

Members opposite are talking about relevance, but they did not have much care for relevance during the nine-minute contribution from the member for Ashgrove. They did not pull the member for Ashgrove up when she was talking about these issues. I say this to the member for Ashgrove: come into this place and correct me if I am wrong, but tell me if you were employed by the minister at the time you ran for the state election. Did you in fact resign your position? Did you in fact take leave without pay? Did you use any ministerial resources or use that position to win that seat in this state parliament?

Mr DEPUTY SPEAKER: Order! Member for Kawana, this is not a place for you to stand here and ask questions. I have allowed a bit of latitude. Can you get back to the bill, please?

Mr BLEIJIE: Thank you, Mr Deputy Speaker. There are provisions in the bill that relate to fire safety in residential care buildings and also swimming pool barriers on common boundaries. In relation to fire safety provisions, these recommendations were identified from the Childers task force report as posing a high risk to life and an increased risk of multiple deaths in the event of a fire.

Can I place on the record as well on behalf of members in this place, as we have discussed today, my condolences to the family for the tragic loss of lives in Slacks Creek last night, with 11 lives lost. My heart goes out to the family of the 11 people who were killed in that terrible disaster and to the wider Logan community who will feel the pain of such a horrific event in their own backyard. I have been to Logan recently and I understand the close-knit nature of that community. They are of course in my prayers today.

I want to address the provisions in the bill that relate to swimming pool barriers on common boundaries. These provisions in the bill deal with pool fences on common boundaries and specifically how these relate to pool safety management compliance. This ensures that pool owners can modify existing dividing fences that form part of the pool safety, with constraint, without having to obtain the agreement of the adjoining owner. The implementation of this pool safety compliance has been an absolute dog's breakfast, although the intent of the legislation was sound, but we would expect nothing less from this government.

Some issues were raised at the time about these pool fencing compliance laws. I have an issue relating to one of my constituents in Kawana Forest who is selling a property. They are trying to sell their property and get a certificate for their pool but everything is out of their hands in terms of their neighbour's garden shed which abuts their fence. They also faced the ridiculous issue of a 90-millimetre gap from the pavers. They had to rip all of their pavers up and redesign the area, but I think you could barely get a rat under a pool fence gap of 90 millimetres.

In closing today, I reiterate the comments of the shadow minister for local government and support him in his recommendations and the amendments he has foreshadowed. I also again place on the record that if we are going to talk in this place about democracy then we must apply democracy at all levels. It should be a democratic process. I believe that people who are serving in a local government capacity and who feel the passion and the need to run for a higher level government in state government should have a right to do so. If we are talking about democratic principles and holding them dear to our heart, as some Labor Party members have been talking about in this place, then those members should support the amendment foreshadowed by the shadow minister for local government.

Mr STEVENS (Mermaid Beach—LNP) (6.17 pm): I rise to speak on the Local Government Electoral Bill 2011 and make a short contribution. I concur with my LNP colleagues about concerns regarding certain aspects of the bill. These will be addressed by the shadow minister for local government, the member for Gympie, when each clause is thoroughly discussed later in the debate. I would like to congratulate the shadow minister for local government for his excellent contribution to the debate today.

The main purpose of the bill is to replace four legislative instruments with one only. The electoral sections contained in the Local Government Act 2009 are transferred over to this bill, as are the relevant electoral provisions in the repealed City of Brisbane Act 1924 and the Brisbane City Council provisions in the Electoral Act 1992. The other statutory instrument that contains electoral provisions that are modified and included in this bill are from the Local Government (Community Forums) Regulation 2008. These relate to a particular model that involves council appointments.

The most significant object of the bill is to move the responsibility of the management, conduct and administration of local government elections over to the Electoral Commission of Queensland for local governments. This brings it into line with the arrangements that are in place by the ECQ for state elections.

This particular change was a recommendation that the then Law, Justice and Safety Committee agreed to in the review of local government laws. As a member of that committee and of course as a former mayor of Gold Coast-Albert and a nine-year servant in local government, I could see the very many positive benefits that that would have on the overall management of local government elections. I could also see the negative impacts it could have on some local governments. The bill before the House today is based on the report from the Law, Justice and Safety Committee titled *A new Local Government Electoral Act: review of the local government electoral system (excluding BCC),* which was tabled in the parliament on 29 November 2010. In that report there were 33 recommendations from the committee and there was a dissenting report on recommendations 32 and 33 from the conservative members—the LNP members—of that committee that related to the abhorrent politicisation of the whole process of that review by one particular member who saw it in their own political interests to try to put in compulsory preferential voting as part of the voting system to protect their own backside in their own particular seat.

Fortunately, that was a recommendation from the Law, Justice and Safety Committee that was rejected by the Bligh Labor government—to my surprise, to be honest. I thought it would be an absolute monty that it would clutch at every opportunity to move to compulsory preferential voting. To this day I am gobsmacked as to why those opposite did not run with the ball. There will be some members, particularly those with large Greens votes, who may be ruing the day they did not take the ball and run with it when they had that opportunity, to use a rugby term that the minister might be familiar with. That being the case, I would say it had good, strong advice from its media colleagues. It would not be able to sustain that sort of corruption of the electoral process, so it walked away from what I thought was a monty and—to my great surprise—we still have the optional preferential system coming into the forthcoming election. The LNP with its vote 1 policy will be very pleased to continue the great work that Terry Mackenroth introduced in putting that 'just vote 1' policy in place across Queensland. I hope that the Labor Party continues in that great tradition that Terry Mackenroth started in putting 'just vote 1' for all of the Labor constituencies across Queensland, because I am sure it will enjoy that 'just vote 1' when it starts counting the preferences from its Greens friends after the election.

I certainly was not going to venture into the realms of conflicts of interests and other matters in relation to a policy that the LNP has had—a policy of fairness and justness—in that it has always believed that a person has a right to run for a seat in this very esteemed state Parliament House. The Labor Party keeps bringing out its book of tricks in terms of elections, and I think this again goes back to 'The Fox's' era. He thought, 'They're all tories coming through the local government area and taking a seat in parliament. We get ours from the union movement or from the advisers around the place. We'll stop these councillors from running for state or federal government positions.' The courts stopped it from doing that. The courts said, 'You cannot do that for the federal parliament.' The courts identified exactly the purpose for which it was brought in—more Labor Party trickery—and they threw that out on the basis that this state government in its legislation had no capacity whatsoever to put in place rules that would apply to the federal government. That was constitutionally incorrect—boom, boom!

It has continued at all stages to run with the hypocritical rhetoric that we get in this House—that is, you cannot run for state parliament while you are a councillor—yet the Labor Party is very happy for Councillor Kerry Rea to be supported with all of the Labor Party resources and all of the council resources while she is on Brisbane City Council to run for federal parliament and win—different standards, total hypocrisy, all about political elections, all about trying to win and nothing to do with the fairness or the justness of people being allowed to run for this hallowed place that we are in. When I was on council, workers or union reps were allowed to run for council. They take leave from their union job to run for council—totally fair, totally appropriate and there is nothing wrong with that.

Mr Elmes interjected.

Mr STEVENS: Yes, absolutely. Quite clearly we are putting in place two standards. The Law, Justice and Safety Committee, which was a bipartisan committee with Labor members and LNP members, voted to let councillors run for state parliament with clear-thinking, intelligent, fair and just Labor members voting for that proposal. Yet the Labor Party in its absolute determination to win power at any cost ignored its own members and said, 'We're going to win at all costs, so we're not allowing councillors to run for state parliament.' It is going to continue with this nonsense in terms of banning appropriate candidates from running for state government. That committee received plenty of submissions on this issue. I looked at them tonight and there were three folders full of submissions that we took on these matters. The other recommendation which was totally ignored by this government was an increase in numbers in country and rural councils. Unfortunately again, because in some cases there are only four members, some councils would not get a quorum to run their meetings through sickness or absence. That recommendation from the Law, Justice and Safety Committee was also refused by the government in ignoring the plight of western councils. The bill before us is basically about electoral provisions in the cities. For those areas it works absolutely just fine. I can remember in the Albert shire days our CEO used to organise the running of the elections.

Mr Watt: Your glory days!

Mr STEVENS: They were glory days. If the member wants to talk about the Albert shire, he should ask people about deamalgamation. I get sick of people saying, 'Bring back the Albert shire.' I get sick of people saying that and that is the success of the amalgamations that this government has been at the forefront of pushing through. All of them have been a disaster. I ask the Minister for Local Government to jump up and tell me what a great success the Gold Coast City Council is in the eyes of Gold Coast residents at the moment, because—

Mr Lucas: I think that's got more to do with the people they elected.

Mr STEVENS: That is exactly what the commissioner said. That is exactly what the commissioner said about amalgamation at the time. I will not refer to him by name, but he knows who he is. He said, 'When I pointed out the skyrocketing staff and the skyrocketing costs that happened after that amalgamation and the fact that people don't get any say anymore and it loses all its local government aspects, it could have been good.' If his father had wings, he could have been a fairy! The reality is you deal with the product that you get in local government. I do not believe for one second—

Mr Lucas: Well, they chucked you out. Was that a good decision or not?

Mr STEVENS: I take the minister's interjection. I do not believe for one second it was a great decision at all to amalgamate the Albert shire into the Gold Coast. I never have. This decision was made through no choice of the councils. There could have been a change in boundaries, but to put them all in together created two different points of interest. That has been the problem with all of the amalgamations since we moved to amalgamations at the minister's insistence. The problem is that there are varied interests from all of these areas right across Queensland, not just in the Gold Coast region. There are different interests that are served by different councils and they are served by local councils that can deliver the local product. It is a wonderful whipping boy for state governments right across the land—Victoria, New South Wales and South Australia. We have seen them all be whipping boys before, but quite clearly from the state government's point of view I would not think that bringing it down to 72 local councils is one of the great successes of this Labor government. I am sure there will be quite a few people in February or March next year—whenever we go to the polls for council elections—

Sitting suspended from 6.30 pm to 7.30 pm.

Debate, on motion of Mr Bleijie, adjourned.

CRIMINAL PROCEEDS CONFISCATION (SERIOUS AND ORGANISED CRIME UNEXPLAINED WEALTH) AMENDMENT BILL

Second Reading

Resumed from 24 November 2010 (see p. 4230), on motion of Mr Springborg—

That the bill be now read a second time.

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (7.30 pm): I would like to assure the parliament and the community that the government is committed to ensuring that those who benefit from criminal activity are required to account for all profits and assets they derive from that activity. Unexplained wealth provisions in the form of proceeds assessment orders already exist in Queensland under part 5, chapter 2 of the Criminal Proceeds Confiscation Act 2002. These provisions were amended in 2009 to provide that, once the state establishes that the respondent has been involved in criminal activity within the previous six years, the burden of proof shifts to the respondent to prove that their wealth has been lawfully acquired. Unexplained wealth provisions also exist in various forms in Western Australia, the Northern Territory, the Commonwealth, South Australia and New South Wales. Generally, these provisions allow the court to make an unexplained wealth declaration if it is more probable than not that the total value of the respondent's wealth is greater than the total value of the respondent's lawfully acquired wealth, with the onus being on the respondent to prove that their wealth was lawfully acquired.

In Queensland and in all other jurisdictions, exempt Western Australia and the Northern Territory, investigating authorities must relate the confiscation process to the respondent's involvement in criminal activity. Once this threshold has been established, the onus of proof reverses and the respondent is required to prove the lawful derivation of their unexplained wealth and/or expenditure. The opposition proposes full unexplained wealth provisions where the mere presence of unaccountable wealth is sufficient for an application to be made for an unexplained wealth declaration. That is funny for a party that professes civil liberties. The proposed provisions make no requirement for the state to establish any connection between the respondent's unexplained wealth and any criminal activity.

Full unexplained wealth provisions have historically been described as draconian and inconsistent with various fundamental legislative principles, including the presumption of innocence, the right to privacy, the notion that property should not be compulsorily acquired without fair compensation or good reason, the principle that law enforcement agencies should not be given powers that could be used arbitrarily and the notion that the onus of proof should not be reversed without adequate justification.

The breadth of the proposed scheme is such that it effectively renders all persons in Queensland potentially liable to be brought before the court to demonstrate the lawful derivation of assets. Indeed, the liberal use of unexplained wealth powers could result in people who have simply failed to keep receipts or records losing their lawfully acquired assets without there being any evidence or even suspicion that they were involved in illegal activity.

The Criminal Proceeds Confiscation Act was designed to remove the financial gain and increase the financial loss associated with illegal activity. It follows that a degree of involvement in criminal activity should therefore be established by the state. The current regime's proceeds assessment orders achieve the act's objectives and do so in a fairer and more measured way than that being proposed by the opposition. In fact, provided serious crime related activity can be shown, the existing forfeiture regime is actually more effective than the proposed unexplained wealth scheme. The bill only allows the state to apply for a declaration in relation to wealth that the respondent has acquired within six years before the date of the application. In comparison, the existing regime, in chapter 2 of the act, allows the state to forfeit all of the respondent's property. No time limit is applied.

Additionally, in cases where drug based proceeds assessment orders can be sought, the current regime has the potential to result in far higher financial returns to the state than unexplained wealth declarations. Proceeds applications allow the state to recover the value of the proceeds derived from any illegal activity that took place within the six years before the date of the application. For example, in the matter of the State of Queensland v Cannon, which is currently before the courts as at 22 August 2011, the state is seeking a proceeds assessment order of $15.75 million. This is based upon evidence of the value of the proceeds derived, and the actual value of the respondent's wealth is estimated at only $9 million.

The Western Australian provisions have been in place since 2000 yet have not been extensively used or evaluated. There is a significant lack of evidence to demonstrate the success of unexplained wealth provisions or their effectiveness in curbing organised crime. There has been no evidence of a marked increase in revenues collected. The Australian Institute of Criminology highlighted this concern in 2010 when it noted that there is a real need for further research into the impact and effectiveness of unexplained wealth provisions, including critical and empirical analysis of comparable international regimes and their relevance in the Australian context.

Before I move on to the proposed drug-trafficking declarations, I should point out that the opposition has attempted to address the potential for abuse of power stemming from the immediate reversal of the onus of proof by putting in a role for the Public Interest Monitor. Under this bill, the Public Interest Monitor has to appear, test the evidence and make submissions as to the validity of an application. But that is not the role of the Public Interest Monitor. The Public Interest Monitor appears on ex parte applications, usually in relation to listening devices and the like, when no-one is there to argue the public interest. These applications are brought against known parties where they presumably, because they have wealth, have the ability to defend themselves without some notional role of the Public Interest Monitor. The opposition is seeking to cover up poor drafting and poor policy by seeking to involve the very good role of the Public Interest Monitor. The function of the Public Interest Monitor is typically performed in circumstances where applications are filed and the accused does not have a right to be heard in relation to surveillance device warrants and covert search warrants. The role of the Public Interest Monitor that is envisaged in this bill is impractical and is entirely inconsistent with the current functions of the Public Interest Monitor.

Of course, as if those provisions are not bad enough, the drug-trafficking declarations are even worse. These are unique to Western Australia and the Northern Territory—and that probably says it all. In both jurisdictions a court is required to—must—make a drug-trafficking declaration when an offender is convicted of certain serious drug offences. Upon making a declaration, all property owned or effectively controlled by the 'drug trafficker' at the time of the declaration as well as any property given away is automatically confiscated and, if you abscond, anything you have given to people is taken away. What happens if you abscond and someone in good faith gets a gift from you without any knowledge? There is no provision to deal with that circumstance. There is no provision whatsoever. So if you put something on the plate at the local church, that is not accounted for. There is an exclusion for innocent parties, but the exclusion for innocent parties is for dependants and only for dependants—not for someone, for example, who you invested in a business with who did not know about anything, because they are unexplained wealth and drug-trafficking provisions.

Mr Rickuss: Don't you reckon a Catholic priest would get off on that one?

Mr LUCAS: No, the law does not allow him to. So you then have a situation which does not address the circumstance of someone who might have invested in a business, which will now go broke, even though it is a legitimate business because you could draw the money out of it.

Worse than that, so poorly drafted is the opposition's bill that the exemption for dependants, including children, applies only to the extent that those dependants had no knowledge of any criminal activity by the person. So if an eight-year-old kid knows their father is up to something crook, they have to get in there and discharge a reverse onus of establishing that they did not know anything about it and that the money was lawfully obtained. How ridiculous! We are going to have eight-year-old kids giving evidence. That could be money, because it is a general forfeiting provision that is left by a grandparent or a parent, and the eight-year-old kid, because they knew their father was doing something funny, is forced to go to court and claim some ridiculous exemption. But they would not qualify as a matter of law.

This legislation offends the principle in Kable v the Director of Public Prosecutions. In fact, it is providing a statutory penalty for someone based on a legislative whim rather than allowing courts to deal with matters. That is not respectable and sensible legislation. It is ridiculous. It is ridiculous to suggest—

Mr Rickuss interjected.

Mr LUCAS: The member should read the provisions that relate to children and dependants. Those provisions mean that their property is confiscated—regardless of whether it was legitimately acquired or not—on the mere knowledge that their father or spouse was involved in criminal activity. So this legislation will drag an eight-year-old child into a witness box so they can keep a house over their head. I have not heard a more ridiculous, ham-fisted, incompetent or inappropriate drafting in my time in this House. The thing speaks for itself.

Mr O'Brien: It's amateur hour.

Mr LUCAS: It is amateur hour. If the opposition want to be serious about these things they ought to do their homework in the first place rather than inflicting ridiculous remedies that do not work, that will never work and that will cause enormous unintended consequences. Regrettably, some people are born into a family where someone does the wrong thing. The last thing we want to do is criminalise them. The last thing we want to do is discourage them from trying to do the right thing by ridiculous provisions that actually not only deal with the drug proceeds—and we are happy to deal with the drug proceeds—but deal with any asset or money acquired no matter how so lawfully, no matter whether it is left to them. Putting eight-year-old, 10-year-old and 12-year-old kids into the witness box to prove that they did not know that their father was a crook or something like that is ridiculous.

Mr WETTENHALL (Barron River—ALP) (7.40 pm): On 24 November 2010 the member for Southern Downs, the then Deputy Leader of the Opposition, introduced this bill. The bill purports to complement existing criminal confiscation legislation by stripping organised criminal groups of their unexplained wealth and giving the state the power to seek an unexplained wealth declaration and/or a drug-trafficking declaration against a person. However, the policy behind these amendments is ill-conceived and highly questionable. I will focus my remarks on the proposed unexplained wealth provisions, but I also have serious concerns about the drug-trafficking declaration provisions which, on any view, are likely to be constitutionally invalid in any event.

In considering the proposed unexplained wealth provisions, it is important to note that Queensland already has unexplained wealth provisions in the Criminal Proceeds Confiscation Act 2002. They are called proceeds assessment orders. The proceeds assessment order provisions do allow the Supreme Court to make an order if it is more probable than not that the total value of the respondent's wealth is greater than the total value of the respondent's lawfully acquired wealth, with the onus being on the respondent to prove that their wealth was lawfully acquired. The state must satisfy the Supreme Court, however, that it is more probable than not that at any time within a six-year period the person was engaged in a serious crime related activity.

The nexus to 'crime related activity' is an important, indeed an essential, element. Within Australia and overseas a number of jurisdictions have unexplained wealth provisions. However, as far as I am aware, in all other jurisdictions, except Western Australia and the Northern Territory, investigating authorities must relate the confiscation process to the respondent's involvement in criminal activity. Requiring such a nexus is not unreasonable. In fact, requiring the state to prove such a nexus is fair and just and it ensures that the confiscation process is consistent with the objects of the Criminal Proceeds Confiscation Act, which is concerned, after all, with removing the financial gain and increasing the financial loss associated with illegal activity.

It is also important to recognise that the 2009 amendments to the proceeds assessment order provisions in the Criminal Proceeds Confiscation Act made clear that where there is evidence of unexplained wealth or expenditure the state is not required to prove that it was derived from a specific illegal activity. The state does have to establish, on the balance of probabilities, that the respondent was involved in a serious crime related activity or activities in a preceding six-year period. Once this threshold has been established the respondent is required to prove the lawful derivation of their unexplained wealth and/or expenditure.

The bill, however, is based on the Western Australia and Northern Territory models where there is no requirement for the state to prove any link—any link—to criminal activity. The only knowledge that authorities may have of the respondent is perhaps inflated or unaccountable new-found wealth. The bill amends the Criminal Proceeds Confiscation Act to insert a scheme to allow the state to apply to the Supreme Court for an unexplained wealth declaration, rendering the respondent liable to pay to the state the assessed value of the respondent's unexplained wealth. The Supreme Court must make such a declaration if satisfied that it is more probable than not that the total value of the respondent's wealth is greater than the total of the respondent's lawfully acquired wealth. The respondent bears the onus of proving their wealth has been lawfully acquired. There is no requirement for the state to prove the respondent has engaged in criminal activity. I repeat that: there is no requirement for the state to prove the respondent has engaged in criminal activity.

Under the LNP scheme all Queenslanders—any Queenslander—will be liable to be brought before the court to demonstrate the lawful derivation of their assets. Queenslanders who have simply failed to keep receipts or records or have lost such records, perhaps in a natural disaster, are put at risk of losing their lawfully acquired assets without there being any evidence or even suspicion that they were involved in illegal activity. I note that the opposition spokesman is smirking in the context of those remarks in this serious debate. I think that speaks volumes.

Mr O'Brien interjected.

Mr Bleijie interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Gentlemen, the member for Barron River is on his feet. I would caution you against comments of that nature, member for Kawana.

Mr O'Brien interjected.

Mr DEPUTY SPEAKER: Order! Member for Cook.

Mr WETTENHALL: I understand that investigating and preparing full unexplained wealth applications is resource intensive because they require a determination of the actual value of the respondent's unexplained wealth rather than simply the amount derived from illegal activity. I also understand that there is a lack of evidence to demonstrate the success of full unexplained wealth provisions or their effectiveness in combating organised crime.

In 2009 the inquiry of the Parliamentary Joint Committee on the Australian Crime Commission on the legislative arrangements to outlaw serious and organised crime groups had cause to review the unexplained wealth schemes. In that context the Queensland Crime and Misconduct Commission, which is the agency responsible for administering the civil based confiscation scheme, commented that the jury is still out on unexplained wealth. Of concern to the CMC is the limited use of such provisions in Western Australia. Western Australia was the first Australian jurisdiction to introduce unexplained wealth laws in 2000. However, the provisions have not been used extensively, with no declarations made between 2004 and 2007. As the Australian Institute of Criminology stated in its July 2010 paper into unexplained wealth laws in Australia, depriving citizens of privately owned assets is a highly intrusive act of the state. It is a coercive exercise of power which should not be undertaken lightly. The obvious risk with reversing the onus of proof is that it raises the risk of confiscating property from innocent people. However, the reversal of onus of proof, which does currently exist in Queensland's Criminal Proceeds Confiscation Act, is required given that it is often the case that criminal entrepreneurs are involved only indirectly in the commission of criminal activity.

It is vital that such laws reach the right balance between the rights of the individual and the community benefit in disrupting organised crime. The proceeds assessment orders in the Criminal Proceeds Confiscation Act provide that balance. This private member's bill tips the scales well and truly over into the realms of unfairness where the potential for the arbitrary application of the laws is of great concern. For those reasons, I oppose the bill.

Mr ELMES (Noosa—LNP) (7.49 pm): I rise to speak to the Criminal Proceeds Confiscation (Serious and Organised Crime Unexplained Wealth) Amendment Bill 2010. I have a long and strong record on public law and order issues in this place and I welcome the opportunity to make a contribution in another important debate on this issue. Often I have been attacked for raising issues related to law and order and on occasion have been accused of undermining public confidence. However, I can tell the House here and now that I am not and never have been guilty of undermining public confidence. I have been active in drawing attention to issues of public safety and welfare and reporting on those, and I make no apology for doing so.

As I said when debating the anti-association laws in this place in 2009, we all, without exception, abhor the criminal element in our society. We all loathe the influence of organised crime in our society. We all despise the element in our society that sees fear, violence and intimidation as its tools of trade. We all despise those who never do an honest day's work for an honest day's pay, but instead rely on the illegal drug industry, the illegal prostitution industry, protection rackets or grand-scale theft for their livelihoods.We all want to see effective laws empower effective policing and enable the judiciary to protect society from villains.

We urge this Labor government to address the surge of crime on the Gold Coast. It took too long to get any action and I feel it will take too long to root out the cause of that crime. The Crime and Misconduct Commission has identified the Gold Coast as a distribution point for the importation of illegal drugs into this state. However, Labor appears unwilling or unable to develop and implement effective laws to deal with this problem. The statistics tell us that of the 612 drug traffickers convicted between 2007 and 2010, only 184 received more than four years jail. That means that almost three-quarters of Queensland's drug traffickers were sentenced to less than four years jail when the maximum is up to 25 years.

Therefore, it pains me when we debate legislation that we feel certain will be ineffective only to have that fear confirmed, as we have with the ineffective anti-association laws. The then Attorney-General admitted that those laws had not been used, but he was reviewing the confiscation provisions. That move led the Labor government to be in lockstep with the thinking of its federal Labor counterparts and its Commonwealth Organised Crime Response Plan 2010-11. On this side of the House we welcomed the launch of the initiative by the Australian Federal Police for the creation of the Criminal Assets Confiscation Taskforce. Why did we welcome those two strong initiatives? Because both provide a focus on the very effective way of dealing with serious, community-toxic, corrosive crime. That way is to affect one area of the anatomy which is universally sensitive in developed economies and knows no language barrier, and that is the hip-pocket nerve.

In the roaring 1920s in the United States, Al Capone was brought to justice by tax evasion legislation. The well thought through private member's bill before the House goes beyond just such a punishment approach. Capone kept the proceeds of his crimes. This bill seeks to ensure that criminals do not profit from their crimes. It is not a substitute for laws that outlaw murder, theft or drug-trafficking. It is another extremely powerful and effective weapon to ensure the truism that we have all too often repeated to our kids, which is that crime does not pay. In the LNP we want to ensure as far as possible that it does not.

The development of this approach has come from stakeholder consultations with the Police Union, the Queensland Law Society, the Queensland Bar Association and the Queensland Council for Civil Liberties. It emerged from a presentation by the Attorney-General of Western Australia to shadow attorneys. Western Australia pioneered these laws in Australia with the Criminal Property Confiscation Act 2000, a lead followed by the Northern Territory. They both trace their roots back to the Italian model of success against the notorious Mafia in that country. Others to explore the pros and cons of such laws include the Australian Institute of Criminology, the Parliamentary Joint Committee on the Australian Crime Commission, the PJCACC, and the Western Australian Office of the Director of Public Prosecutions. The consensus that seems to me to emerge from such thoughtful and informed consideration is best summarised by an extract from the PJCACC. It was suggested to that group that laws of this nature, if applied successfully, remove the financial incentive to commit organised crime and they do so more effectively than the proceeds-of-crime laws because they do not rely on prosecutors being able to link the wealth to a criminal offence.

I draw particular attention to the even stronger penalties and reverse onus of proof provisions in this legislation for drug traffickers who are convicted of serious drug crimes. The Scrutiny of Legislation Committee drew attention to these clauses concerning the confiscation of wealth and property and the reverse onus provisions in developing the bill. On this side of the House we balanced the rights of criminals against the need to develop an effective weapon to tackle serious and organised crime. The Public Interest Monitor role introduced in this bill is specifically designed to address these concerns.

This is a law that Queensland really needs. It will take the state of Queensland one large step ahead of those who work relentlessly to demean the fundamental values on which our society is built. I commend the bill to the House.

Mr DICKSON (Buderim—LNP) (7.56 pm): I rise to speak in total support of this bill as introduced into this House by the member for Southern Downs. Forfeiture of assets by reason of criminal conduct has a long history in law. Broadly, there are two classes of statutory forfeiture. One depends on conviction and is generally referred to as criminal asset forfeiture. The other depends upon unlawful conduct and is designated as civil asset forfeiture.

The first civil asset forfeiture law in Australia was enacted in 1977 when section 229A was introduced into the Customs Act. Civil asset forfeiture was first enacted in the United States in 1789. It provided for the forfeiture of ships' cargoes used in customs offences, piracy and slave trafficking. A criminal assets forfeiture scheme was established in the US in the 1970s by the Racketeer Influenced and Corrupt Organisations Act, otherwise known as the RICO Act.

In the past few decades civil asset forfeiture laws have been enacted in a significant number of countries, including Australia. Royal commissions into organised crime and corruption were held in Australia in the 1970s and 1980s. They recommended the development of effective mechanisms for depriving criminals of their profits. In the past couple of decades, civil asset forfeiture statutes have been enacted by the Commonwealth and most Australian states. There is a widespread acceptance by governments around the world and within Australia that to embrace civil asset forfeiture laws as a tool will deter serious criminal activity that may result in the accumulation of large profits resulting in the acquisition of vast assets.

This bill outlines what the court can consider as a person's wealth when determining an unexplained wealth application. This can include property currently owned or in the effective control of the respondent at the time of the application or property that was owned by the respondent but has since been disposed of. This assessment may also include any benefit that the respondent has derived from and any property that has been acquired by another person at the request of the respondent. For example, a respondent may have been in possession of a number of vehicles but, prior to the application, sold or gave away those vehicles. That property is to be considered when the court assesses the respondent's wealth. Importantly, the bill provides a clause that states that the accumulation of wealth is not limited to Queensland and may include wealth acquired anywhere in Australia or elsewhere.

Dealing with legislation and the question of property 'disposed of', as this bill does, is of particular significance. In 2009 the High Court of Australia ruled in favour of an appellant on that very issue. Section 10 of the New South Wales Criminal Assets Recovery Act stated—

A 'restraining order' is an order that no person is to dispose of or attempt to dispose of, or to otherwise deal with or attempt to otherwise deal with, an interest in property to which the order applies except in such manner or in such circumstances ... as are specified in the order.

The appellant sought to have proceedings in the New South Wales Supreme Court of Appeal dismissed and, further, to have section 10 of the New South Wales Criminal Assets Recovery Act declared invalid. The High Court agreed with the appellant, dismissed the earlier Court of Appeal decision, declared section 10 of the act invalid and awarded costs against the New South Wales government. In order to address the High Court's decision and its implications on future wealth and assets seizure, it then fell back to the legislators to ensure that those who profit from the crime never get to enjoy those profits or the assets acquired from those profits. The New South Wales police minister stated the following in parliament—

So I am pleased to inform the people of New South Wales that this Government ... On the first available sitting day after the High Court judgement, legislation that rectified the anomalies relating to ... the decision of the High Court and ensured that the ill-gotten gains of criminals stayed out of their possession ...

The minister continued—

The potential window of opportunity for criminals to get their fingers back on their crooked cash and assets has now been well and truly slammed shut.

That is what this bill intends to do: keep crooks and their ill-gotten gains well and truly separated.

Mr Wettenhall interjected.

Mr DICKSON: I am sure the Labor Party does not like that. It likes crooks getting the money.

In seeking to deal with this particular class of criminal, namely drug traffickers—I think the Labor Party must like drug traffickers too—proposed section 216O(2) within this bill deals with confiscation arising in special cases where a person has not been declared but is taken to be a drug trafficker. A person is taken to be a declared drug trafficker under proposed section 158(2) in specified circumstances if he cannot be found or he dies prior to the relevant changes being finalised. Without these provisions the objectives of the act would be defeated where the accused person has fled the jurisdiction or died.

An Australian Institute of Criminology paper states—

It was suggested ... that laws of this nature, if applied successfully, remove the financial incentive to commit organised crime and they do so more effectively than proceeds of crime laws, because they do not rely on prosecutors being able to link the wealth to a criminal offence ...

Mr Wettenhall interjected.

Mr O'Brien interjected.

Mr DEPUTY SPEAKER (Mr Elmes): Order! Member for Barron River! Member for Cook!

Mr DICKSON: The paper went on—

... Professor Rod Broadhurst observed that tainted or unexplained wealth may be the only means to—

Mr O'Brien interjected.

Mr DICKSON: Did the member say he likes drug dealers? I cannot help it if he likes drug dealers. If he wants to support drug dealers that is up to him.

Mr O'BRIEN: I rise to a point of order. I find the member's comments significantly offensive. They are wrong and I ask him to withdraw.

Mr DEPUTY SPEAKER: Are they offensive to you, member for Cook, personally?

Mr O'BRIEN: He directed his comments across the chamber at me. His comments are particularly offensive. They are wrong. They are pathetic and he should withdraw.

Mr DEPUTY SPEAKER: If it will help matters, member for Buderim, you will withdraw.

Mr DICKSON: Withdraw. The paper goes on—

... Professor Rod Broadhurst observed that tainted or unexplained wealth may be the only means to reliably identify criminal entrepreneurs whose involvement in [organised crime] is usually indirect in terms of actual commission. Indeed, unexplained wealth laws are one of the most effective means to investigate/prosecute the otherwise very difficult offences of corruption and bribery that often facilitate serious crime ...

It is also thought that unexplained wealth laws constitute a more effective means of dealing with outlaw motorcycle gangs because they target the benefits accumulated by the individuals of greatest concern to law enforcement. Let me say that again: those laws are a more effective means of dealing with outlaw motorcycle gangs. I think those opposite may understand what I am talking about. Legislation that this government put forward some time ago to deal with outlaw motorcycle gangs has not been effective. I would love to know how many people have actually been prosecuted under that legislation. I believe it would be mind boggling if members opposite could count it on one hand.

This bill that we are debating tonight is run by the shadow minister, and I congratulate him. I am sure he will do a great job because Labor cannot manage to do the job. The sooner its members are out of this House, the better it will be for the people of Queensland.

Mr Wettenhall interjected.

Mr DEPUTY SPEAKER: Before I call the member for Waterford, member for Barron River, we have had just about enough. I call the member for Waterford.

Mr MOORHEAD (Waterford—ALP) (8.04 pm): I must say that I did find the attempt by the previous speaker to verbal the member for Cook with an interjection a fairly shameful episode in tonight's debate. To verbal someone with an allegation like that speaks volumes about the person who did it rather than the person at whom it was directed. It does take away from the integrity of the process that we are involved in here tonight.

I rise to oppose the Criminal Proceeds Confiscation (Serious and Organised Crime Unexplained Wealth) Amendment Bill 2010. Like every private member's bill that the Liberal National Party has brought to this place, and particularly those that deal with the criminal law, this is a stunt, is poorly drafted and tries to beat the hairy chest of law and order but does not actually have any substance to it or make any meaningful difference for the people of Queensland. My view is that the opposition is revelling in their irrelevance with this bill. They can come in here and put up any bill provided it has the words 'organised crime unexplained wealth' in the title. They have already written a press release saying that Labor has voted it down. They can come to this place, put up anything they like and they know that this is a responsible government that will not play the politics that they have brought to this place and will vote it down because it is just bad policy and it is a bad proposal for legislation.

What members opposite also miss is that the 2009 review of the Criminal Proceeds Confiscation Act provides for a significant toughening up of the legislation here in Queensland. We already have a very rigorous campaign. I am sure it is what some people might actually call draconian, particularly in respect of restraining orders. Restraining orders require only that the Supreme Court be satisfied that there is a suspicion that a person is involved in serious crime to make sure that that person has no access to their assets. If there is no proof that they have done anything wrong, but there is a suspicion that they have been involved, there is a temporary seizure of their assets to ensure that those assets cannot be removed from the jurisdiction of the court. That is a temporary order and it is a fairly significant power that we have granted to the Queensland Police Service and the Crime and Misconduct Commission.

In this game of one-upmanship that we see here tonight, the LNP has tried to take that one step further and seeks to take away the requirement to actually prove that someone has done something wrong before you get one of these orders—not only take away the suspicion. If you are wealthy and you cannot explain it, they think that should be enough.

Some might question how the LNP candidate for Ashgrove can explain his wealth when he is essentially unemployed at the moment and is being driven around in cars campaigning for his own election.

Mr Ryan: Taxpayer funded cars.

Mr MOORHEAD: Taxpayer funded cars; sorry, that part of the wealth is explained. One might have to question where the wealth of the LNP candidate for Ashgrove is coming from. This legislation is throwing a blanket and will catch a whole lot of people who are honest and hardworking people.

Mr Bleijie: Weren't you just talking about dignity in this place, integrity and verballing?

Mr MOORHEAD: I was not verballing anybody, member for Kawana.

Mr Bleijie: Where is your evidence on that?

Mr DEPUTY SPEAKER: Order! Member for Waterford, member for Kawana, through the chair, please.

Mr MOORHEAD: I understand that the member for Clayfield was driving the car. I am happy to be corrected should he come into this place and tell me. I will withdraw if I am proven wrong.

I want to focus my comments tonight on the drug-trafficking declarations proposed under this bill. This bill proposes a new section 43AA(1) of the Drugs Misuse Act so that where a person is convicted of trafficking in dangerous drugs the convicting court must, on the application of the DPP, declare the person to be a drug trafficker. The court has no discretion to refuse that application. An application may be made at the time of conviction or within six months of the date of conviction.

Upon a drug-trafficking declaration being made, all property owned or effectively controlled by the 'drug trafficker' within six years before the declaration was made, as well as all property that the person gave away, is automatically forfeited to the state. It does not matter whether the property confiscated was legitimately obtained or not. So we have moved from a position where we are actually looking at the proceeds of crime to where we are now looking at a person's assets based on who they are, not what they have done. For example, someone might be a construction worker who earns a wage and has invested that money but who also might get convicted of drug-trafficking. This will mean that that person's income that they have worked hard for will be forfeited to the state automatically along with their ill-gotten gains, which rightly so should be forfeited. Everyone agrees that the ill-gotten gains of crime should be forfeited to the state and we should make every effort to recover them. A principle that I have always stood for is if you work hard and you get paid for it you deserve to spend that money as you decide because that is money that you have invested from your labour.

It is little wonder that the Scrutiny of Legislation Committee has drawn to the parliament's attention the fact that requiring the court to make a drug-trafficking declaration may be incompatible with the court's constitutional integrity. That is polite wording from the Scrutiny of Legislation Committee. What they are saying is that the legislation that we are debating tonight makes a mockery of our court system. This legislation proposes that our court system be converted to a rubber stamp. It is an outcome determined by legislation, not by the court assessing those who come before it.

We have all seen High Court decisions like Kable that have established the principle that, since the Constitution established an integrated Australian court system and contemplated the exercise of a federal jurisdiction by state courts, state legislation which purports to confer upon such a court a function which substantially impairs its constitutional integrity, and therefore its role as a repository of federal jurisdiction, is invalid. This is the same argument that the LNP brought to this place when they were trying to impugn the organised crime legislation debated by this parliament in 2009, when they voted down legislation set to put control orders on people who are found to be involved in serious crime. In that case they were wrong, and now they bring to this place a bill which squarely falls within those attacks on those court systems. The court has no discretion in this case. The court is merely a tool of parliament. This is not a court decision at all. It is actually something which attacks the integrity of our court system.

This proposed new section 43AA effectively conscripts the courts to the task of bringing about the confiscation of property. The proposed scheme does not provide the court with any substantive work to do as, upon a prosecuting authority electing to bring an application, the court must make the declaration sought without any further inquiry. The bill also amends the Criminal Proceeds Confiscation Act to deem a person to be a declared drug trafficker if the person is charged with trafficking and they abscond prior to the charge being determined in circumstances where the person could have been declared a drug trafficker if they had been convicted of the offence. When considering the drug-trafficking declaration provision, it is important to note that it is an offence under section 5 of the Drugs Misuse Act to unlawfully traffic a drug listed in schedule 1 or 2 of the Drugs Misuse Regulation 1987.

This bill purports to target organised crime. However, drug-trafficking declarations will typically capture fewer serious drug traffickers, identified by authorities and successfully prosecuted, rather than those who are at the pinnacle of organised crime who distance themselves from criminal activity. It is that legislation that the LNP opposed in 2009. Rather, they bring here tonight a stunt—nothing more than a poorly drafted stunt—that will only target the small players. When the time comes, they will not support initiatives to tackle the heart of serious organised crime.

Mr RYAN (Morayfield—ALP) (8.14 pm): I rise to oppose the bill before the House. It is a disappointing bill. It is continuing the shameful tradition of the LNP of stunts, of putting things up that are all style but no substance, of wasting the time of the parliament and of putting bills up which effectively achieve nothing. They are all stunts. It is misleading. Not only is it poorly drafted, but it also sets to establish some sort of myth out there that the LNP actually do know what they are doing. Not only don't they know what they are doing, but they are trying to perpetuate this pattern of stunts that will not actually achieve anything for the people of Queensland.

I refer back to the second reading speech of the member for Southern Downs when he introduced this bill into the parliament. He said that the best way forward to smash organised crime was to introduce this bill. That is not correct because the best way forward is actually through a multiplicity of actions, a multiplicity of actions that this government has been not only supporting but implementing over many, many years through the introduction of telecommunications interception and proceeds of crime legislation, which is not only effective but also delivers real results for the people of Queensland, and also through intelligence gathering and through the targeting of networks.

Mr Lucas: Wasn't it bikies that Alex Douglas hired to turn up at his party?

Mr RYAN: I take the interjection from the Deputy Premier. This is an LNP who actually opposed the Criminal Organisation Bill, who actually jumped on the side of organised crime, who actually holds birthday parties in organised criminals' halls. This is the political party who holds birthday parties in halls owned and operated by organised crime and who opposed the Criminal Organisation Bill.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! Member for Cook, member for Lockyer and the member for Mermaid Beach, just a little bit of shush.

Mr RYAN: This is from a political party that opposed the Criminal Organisation Bill. Now they want to perpetuate this myth that just because they put something in a title it shows that they are trying to achieve something. It is nothing more than a stunt.

Where I was going by referring back to the member for Southern Downs' second reading speech is that the only serious organised crime that happened in respect of this bill was when the member for Kawana, along with all of his mates, knifed the member for Southern Downs and knifed the member for Surfers Paradise and did them out of the leadership. That was the only serious organised crime that happened here. The member for Kawana—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! Resume your seat. Stop the clock, please. There is so much audible conversation in this House that I cannot even hear myself think. So from the Deputy Premier all the way through to every member in this House, I would ask for a bit of peace and quiet. I would ask the member for Morayfield to be a little bit less inflammatory in his speech and we might just get through this. I call the member for Morayfield. Start the clock, please.

Mr RYAN: Mr Deputy Speaker, it is very difficult to defend oneself when the interjections are so inflammatory. Where I was actually going with that is that you had the member for Kawana in there with his knife, knifing away at the member for Southern Downs and the member for Surfers Paradise, and then you had the 'Seeney Todd' of the Queensland parliament, the demon barber of the Queensland parliament, come in and knife the member for Southern Downs and knife the member for Surfers Paradise as well. That was the serious organised crime that happened in respect of this bill. It is a great shame that the member for Southern Downs is not here tonight to—

Mr BLEIJIE: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER: Order! Stop the clock. The member for Morayfield will resume his seat.

Mr BLEIJIE: The Speaker has made rulings with respect to making mention of people who are not in the chamber. The member for Southern Downs is attending a funeral in his electorate for a family member. I think if the member wants to be that dishonourable he should remove himself from this chamber.

Mr DEPUTY SPEAKER: That is enough. There is a longstanding convention in this House about referring to members who are absent.

Mr RYAN: I withdraw.

Mr DEPUTY SPEAKER: Start the clock. I call the member for Morayfield.

Mr RYAN: This bill is a naive and simplistic approach to law enforcement. It underestimates the resolve that sophisticated criminals have to participate in organised crime. It goes nowhere towards the actions and the efforts that this Queensland government has taken over many years to take serious steps towards cracking and smashing organised crime. It does not reflect on the record of the Queensland government's success in bringing down significant organised crime operations.

Mr Stevens interjected.

Mr RYAN: Member for Mermaid Beach, there is significant success being made and it has been reported numerous times in the paper. There have been many police operations in conjunction with the CMC which have had significant success in respect of criminal organisation operations. The member for Mermaid Beach needs to get the newspaper a bit more often because he would then see the significant success that this government is having in respect of serious and organised crime.

The Criminal Proceeds Confiscation (Serious and Organised Crime Unexplained Wealth) Amendment Bill—this stunt of a bill which is before the parliament at the moment—seeks to insert a scheme into the Criminal Proceeds Confiscation Act to allow the state to apply to the Supreme Court for an unexplained wealth declaration, rendering the respondent liable to pay to the state the assessed value of the respondent's unexplained wealth. Unlike the existing unexplained wealth provisions, the state will not have to show any nexus between the respondent and criminal activity.

The bill further amends the Criminal Proceeds Confiscation Act by the insertion of drug-trafficking declarations, and I would like to spend some time discussing those drug-trafficking declaration amendments as proposed by this bill. Those provisions provide that, where a person is convicted of the offence of trafficking in dangerous drugs under the Drugs Misuse Act, the convicting court must on the application of the Director of Public Prosecutions declare the offender to be a drug trafficker. Upon such a declaration being made, all property owned or effectively controlled by the drug trafficker within six years before the declaration was made is forfeited to the state irrespective of whether it was legitimately gained or not. It does not matter whether the property was legitimately obtained. I will repeat that: it does not matter whether the property was legitimately obtained.

The Deputy Premier and Attorney-General has already comprehensively outlined the significant issues the government has with this stunt of a bill. I endorse but do not intend to repeat those concerns, other than to say that I am particularly concerned that the liberal use of the unexplained wealth powers advocated in this bill could result in Queenslanders who cannot produce their receipts or records losing their lawfully acquired assets without there being any evidence or even suspicion that they were involved in an illegal activity.

I am greatly concerned that the court is stripped of all discretion and must make such a declaration upon application. I am deeply concerned that the member for Kawana, an officer of the Supreme Court of Queensland, is not concerned that the court has been stripped of discretion. The member for Kawana, as an officer of the Supreme Court of Queensland, should know better: it is a very dangerous field to get into when you strip the court of discretion.

I do not question the fact that we must ensure that we have the necessary weapons to combat organised crime. In my view, as I have already mentioned, this government has not only done the hard yards when it comes to implementing the tools that our law enforcement agencies need in respect of targeting serious and organised crime but we have had significant success in that area.

I would like to again emphasise the significant advances that this government has made in respect of arming our law enforcement agencies with those tools. We have had telecommunication interception laws. We have made sure the CMC is significantly resourced and has significant powers in respect of the restraint and confiscation of assets of people convicted of criminal offences. We also have the Criminal Organisation Act which this opposition opposed.

Not only do the Crime and Misconduct Commission and the Queensland Police Service have the general ability to apply for search warrants, they are also empowered under the Crime and Misconduct Act and the Police Powers and Responsibilities Act to apply for monitoring orders which require financial institutions to provide information to authorities. As I said, the CMC has wide and effective restraint and confiscation powers in respect of assets that may be involved in criminal activities. I oppose this stunt of a bill. This is a bill that is just wrapped up in trickery and stunts.

Debate, on motion of Mr Ryan, adjourned.

ADJOURNMENT

Hon. PT LUCAS (Lytton—ALP) (Acting Leader of the House) (8.25 pm): I move—

That the House do now adjourn.

Burdekin Electorate, Department of Transport and Main Roads Office

Mrs MENKENS (Burdekin—LNP) (8.25 pm): I rise to again speak on the urgent need for a dedicated office of the department of transport in the Burdekin. How many times do I have to come into the House pleading for this office before this government realises that the residents of the Burdekin shire are desperate for their own department of transport office? For years—ever since I was first elected—I have been calling on this government to give the Burdekin this service and for years this government has ignored my calls.

State government data shows the Burdekin region processed hundreds more licences than the Proserpine, Bowen and Charters Towers regions—each of which have a dedicated departmental office. The issue is that department of transport officers from the Townsville office are only available in the Burdekin one day a week. Burdekin residents have to wait for weeks for an appointment to get a licence—be that for first-time drivers or workers requiring seasonal licences. If we had a dedicated departmental office open all week, there would be little or no waiting time and there would not be such a panic at the beginning of the crushing each year.

In her answer to question on notice No. 202, the Minister for Transport said that in the 2009-10 financial year the Burdekin recorded a total of 4,092 licence transactions, while Proserpine in the same period had 1,015, Bowen had 3,368 and Charters Towers had 3,176. The Burdekin also topped the new registrations as shown in answer to question on notice No. 273, with 1,501 processed in 2009-10 compared to 1,015 in Proserpine, 975 in Bowen and 1,014 in Charters Towers. It was not just the last financial year; it was the previous two years as well.

It is baffling as to why the Burdekin does not have its own departmental office. There is a government owned facility—the TAFE college—that could be used to house these offices. It has ample street access and would not have an urban impact. These figures show the workload is there to justify one, so there can be no more excuses.

I had a constituent in the office only this week who was totally frustrated. The Burdekin is in the middle of the sugar harvesting season and haulout drivers are scarce. This gentleman's son has six weeks to wait before he can get his licence to drive a haulout vehicle, and these skills are desperately needed. This has been occurring every harvesting season and this inept government is holding the industry to ransom.

Mr Cripps interjected.

Mrs MENKENS: I can hear the member for Hinchinbrook echoing these sentiments. Having an office in the Burdekin would assist our independent retirees who need an over-18 card. Many of our older citizens, who no longer have a driver's licence, have to go to Townsville to get an ID card. It is appalling. I am still waiting for data on the number of boats and boat licences in the Burdekin district, but I am sure this data will also reflect the dire need for a dedicated office. It is time for the Bligh Labor government to stop the excuses and deliver for the people of the Burdekin.

(Time expired)

Bell, Ms L

Ms MALE (Pine Rivers—ALP) (8.28 pm): It is with fond memories and with all the best wishes for the future that Bray Park State School and the Pine Rivers community wish Lexie Bell well in her retirement. After 31 years of service as a volunteer, a teacher aide and an administration assistant at Bray Park State School, Lexie retired in July. Lexie has assisted many students, parents and teachers throughout this time and will be remembered fondly by the school community for her hard work and kindness.

Lexie has been an integral part of the Bray Park community since her children first attended preschool in 1980. After helping out in the classroom, in the tuckshop and at fetes, Lexie began a relieving role in the library in 1987. A teacher aide position then became available, for which she was the successful applicant, and so began her very long association with the school. Principal Leonie Betts said—

Lexie will be remembered fondly for her very kind heart and the hard work she put in to ensuring we all had fun as we worked together.

Deputy Principal Peter Orphanides said on Lexie's retirement—

Lexie was the one who always organised the social events and was very involved in working bees, events and committees. We are going to miss her terribly.

Lexie is also an active community member at Dayboro, being the president of the Dayboro District Progress Association Inc. While being retired from full-time employment, I am sure Lexie will still have a very busy schedule. In fact, I was chatting to her husband the other day and he was telling me that Lexie had taken her mother on a 'girls only' cruise to fulfil a lifelong dream of her mother's in that she had never been on a cruise, so she is obviously not wasting any time!

After her retirement Lexie sent me a lovely email describing the send-off that she received from the school on her retirement, including morning teas, gifts, flowers, good wishes, hugs and of course a lot of tears all round. Lexie told me that she was glad that she had had the opportunity over the last 31 years to meet so many people, help the children, gain so many friends and skills and that it has been a wonderful journey. I personally would like to wish Lexie very well in her retirement and for the future. It is people like Lexie who keep the school environment running smoothly. I want to thank Lexie for all of her years of service to the Bray Park and Pine Rivers community. I am sure there are many children, parents and maybe grandparents who have been involved with Lexie during her time. Obviously through her ongoing volunteer work in Dayboro, she is never going to be lonely and she is never going to be lazy because she is a very busy and active member. We all love her dearly and we wish her well in her retirement.

Nettle Creek Bridge

Mr KNUTH (Dalrymple—LNP) (8.31 pm): As the wet season races closer, I want to raise the deplorable condition of the Kennedy Highway, the Kennedy Development Road and the Gregory Development Road again, and I will continue to bring this vital freight and transport route to the attention of the House until something is done. One important part of this highway that needs immediate redressing is the Nettle Creek bridge crossing on the Kennedy Highway at Innot Hot Springs. I recently inspected this bridge with transport operators who are wondering how this government fails to recognise the massive cost to operators who have to deal with load restrictions, permit requirements and road closures and the resulting economic damage to the whole region. Nettle Creek bridge is a low-lying, one-lane structure that is a constant source of problems for the trucking industry in the wet season. The bridge is in urgent need of repair. The bridge is substandard and would not be allowed on a major highway in the south-east corner.

Heavy vehicles travel across this bridge every 20 minutes. Main Roads is aware of the problem and last year weight restrictions were placed on heavy vehicles, which is a major inconvenience and massive expense to operators. In March this year a hole in the bridge caused by severe flooding was patched up and a large timber girder is scheduled to be replaced before the 2011-12 wet season. These are bandaid solutions that result in long-term maintenance costs that will be higher than reconstruction. In July the minister rejected requests by transport operators for the bridge to be flood proofed and said that it did not require reconstruction or flood proofing. This is a single-lane, low-lying bridge that looks like it dates back to the 1800s! Water goes over the Nettle Creek bridge every wet season and yet the minister cannot see the need to address this problem. It is unbelievable that the minister can say that this bridge does not require flood proofing. It is on a major transport and tourist highway that could have provided a connection between northern and southern Queensland when the Bruce Highway was blocked off for weeks after Cyclone Yasi.

The transport industry, tourists and general travelling public should not be expected to tolerate this unacceptable and dangerous situation. Every year transport operators experience delays and restrictions which impact on local businesses waiting for food, freight and equipment. These local businesses rely entirely on road transport since rail services were ended. Every year Emergency Services face huge logistical challenges that pose a danger to crews and patients. Every year cattle are unable to be moved to waiting southern markets as the Bruce Highway and the inland highway are cut off by flooding, particularly at the Nettle Creek bridge. Mining developments are expanding, tourism is increasing and industry is growing across the region and this inland highway is the only access to southern markets during most of the wet season. It is time the inland route from the Tablelands to Charters Towers was recognised as a vital highway and this highway is flood proofed and most importantly upgraded at Nettle Creek bridge to solve these burdensome problems once and for all.

(Time expired)

O'Brien, Mr WW

Mr SHINE (Toowoomba North—ALP) (8.34 pm): Recently Toowoomba lost one of its true notables, a man well liked and highly respected. William Wightman O'Brien, or Bill O'Brien, who died on 9 August this year aged 87 years, lived what many would regard as a life worth living. He was a very good man, blessed with attributes which he used to the great benefit of not only his family but to all those with whom he came in contact in all aspects of his fulfilling life. He was many things including a devoted and loving family man, talented sportsman, soldier, businessman, community leader and community worker. He was born into the famous O'Brien Defiance flour milling family, Defiance being a Toowoomba icon in this state in the same league as the Toowoomba Foundry and KR Darling Downs. He rose to the position of executive director, but what stood out above all was the example of his living a Christian life and his compassion, integrity and daily prayer. He came from a large Irish Catholic happy family of seven children, one of whom became a priest and two nuns. He attended Holy Name Primary School in Bridge Street and thereafter Downlands College. He excelled at sport, playing for the First XV rugby and First XI cricket teams. He later played rugby league with distinction for All Whites, now known as Brothers.

On his 18th birthday he enlisted in the Army as an ordinary soldier and was sent to Papua New Guinea with the 101st Mortar Company. He spent four years in the Army during World War II. Like so many veterans, he did not speak often about those years. Until only a few years ago, he was a regular marcher in the Anzac Day parades in Toowoomba. The best fortune he experienced was the acceptance by Elaine, his wife, of his proposal, a marriage which took place in 1950. Bill and Elaine have five children, 16 grandchildren and six great-grandchildren. During his time at Defiance it led the world in developing many milling and baking technologies. He had a hands-on philosophy and, with his straightforward and no-nonsense approach combined with a common touch, he earned the respect of his fellows, including those who worked for Defiance. He was an outstanding community worker. Bill was often in demand to chair or sit on committees or community groups. These organisations ranged from specific local needs such as the Harlaxton Neighbourhood Centre, Cobb & Co Museum, Toowoomba Legacy to Gatton College, St Vincent de Paul and the Queensland Board of the Australian Bicentennial Committee. Bill lived a great life and his passing is a great loss to his family, friends and indeed to the city of Toowoomba.

O'Brien, Mr WW

Mr HORAN (Toowoomba South—LNP) (8.37 pm): It is a great honour for me to speak tonight about the passing of Bill O'Brien, a much loved leader in Toowoomba. Bill's requiem mass was held at St Patrick's Cathedral last week, which was packed with people coming to celebrate a wonderful life and to share the celebration of his life with his family. We give our condolences to his beautiful wife, Elaine; his children, Ellen, Tony, Billy, John, Mark, Andrew and Colleen; his siblings, Mary, Pat, Sister Cecilia, Sister Valerian, Tom, Ted and Father Tony; his 16 grandchildren; and six great-grandchildren. They are a wonderful family led by Bill who provided such a wonderful example of loyalty to family, loyalty to his church, loyalty to his school, loyalty to his town and loyalty to his country.

Bill was involved with the iconic business of the Defiance Milling Co. in Toowoomba, and it was one of a number of iconic companies in Toowoomba including Southern Cross, McCafferty's and KR Darling Downs. During the course of his business life Bill was executive director and later non-executive director of Defiance Milling Co. Pty Ltd; a council member of the Bread Manufacturers Association of Queensland; chair of the then Department of Employment, Vocational Education and Training; and board member of the Queensland Confederation of Industry. Within the community, Bill was the Darling Downs chair of the International Year of Disabled Persons 1981.

He was the Darling Downs chair of the International Year of the Child in 1979. He was chair of the Cobb & Co Museum, Toowoomba and gave wonderful service to the museum. He was a board member for many years of the Toowoomba Carnival of Flowers. He was a member of the Senate of the University of Queensland. He was a member of the Queensland Board of the Australian Bicentennial Committee, the Toowoomba chair of the Australia Day Committee, a member of the Toowoomba Historical Society, the St Vincent de Paul Society, Toowoomba Legacy and the One People of Australia League. Bill was awarded Citizen of the Year, Toowoomba in 1981, the Queensland Museum Medal 2006, the Order of Australia medal and the Order of the British Empire medal.

But I think what most us will remember about Bill O'Brien is the wonderful leadership that he gave to our city. He loved Toowoomba, he loved Australia, but his ultimate love was his wife, Elaine, and his wonderful family—his siblings, his children, his great-grandchildren. He was a great sportsman. We knew him well. He used to walk past our house in Campbell Street as he walked from the Defiance mill back up to his house. He always spoke to our kids as they were playing cricket in the Toowoomba showgrounds. But that was Bill. He took an interest in everybody. Toowoomba has really lost a most wonderful person. Our sympathies go on behalf of this parliament to all of his family.

(Time expired)

Bulimba Electorate, Sport and Recreation

Ms FARMER (Bulimba—ALP) (8.40 pm): In the Bulimba electorate we love our sport. There are so many wonderful stories about how we love it, but I would really like to report on two local sporting initiatives in particular that make me proud of how we make sure that sport is something that is there for everyone in our community. One of these stories is about Balmoral State High School, which must surely have the best playing fields on the south side of Brisbane. Every year for the last four years the school has held a year 4 sports expo for local schools and the 2011 event was held just last week. This is a fantastic event and I want to congratulate the school for its enterprise. The school recognises how important sport is to a child's physical and social development and what a strong role a local sport and recreation club can play in helping children to enjoy being active.

Throughout this day, students—and I am talking about 270 students—are rotated through introductory skills sessions offered by qualified coaches from 10 locally based sports clubs, including the Morningside Panthers and the Southside Eagles. These students come from nine schools across my local area—Bulimba, Morningside, Cannon Hill, Seven Hills, Norman Park and Murarrie state schools from my electorate and Mayfield, Tingalpa and Carina state schools from the electorate of my colleague the member for Chatsworth. I congratulate those schools as well for being such enthusiastic participants in the program and for what they provide to their students as a result.

These events cannot take place without massive organisation and I must mention Brad Forster and Cherry van Ryt for their efforts, Anne Christensen and her home economic students for feeding and waiting on all the sport representatives—and this was an assessment task for her students and I hope they received good marks for it—and, of course, the principal, Alison Crane, for giving her characteristic enthusiastic support for this great program. I know how much she loves showing off her school.

The other great local story is the SportSTAR program, which is run by the Tertiary Place. This centre is an almost magical place in Murarrie, which provides post-secondary education and activities for people with an intellectual disability. The people who run the centre quite simply embody what is surely meant by the word 'goodness' and I am constantly taken aback by their innovation in making life as full and fulfilling as they possibly can for the Tertiary Place family. The SportSTAR program—which is short for support, transition, affiliation, recognition—offers Tertiary Place members the chance to take part in a weekly sport program, which allows them to not only participate in sport but also hopefully transition them to involvement in a local team or club or become a volunteer.

I had the great pleasure of watching them train last Thursday for what was a huge night at the Clem Jones Centre, where they played an exhibition match on Saturday for the Spartans basketball game against Bendigo. This is active inclusion at its best. These are people who would never in their wildest dreams have been given the opportunity to play in competitive sport and they are showing their amazing talent now that they have been given their opportunity. I would shrink at having to play against them, knowing how I would be shown up. I want to congratulate these two organisations in particular for the contribution that they make to their local community and for allowing people in my community to be at their best.

Mining Exploration, Buffer Zones

Mr HOPPER (Condamine—LNP) (8.43 pm): Recently we have heard this government announce a two-kilometre buffer zone to protect towns with a population of more than 1,000 people from mining activity. There is no doubt in my mind that this announcement is a start towards protecting some people. However, there are a lot of towns in rural areas that have nowhere near that number of people. Currently, the township of Oakey is under threat from stage 3 of the Acland mine. Towns like Bowenville, Jondaryan, Clifton, Southbrook, Cambooya, Bell, Jimbour, Macalister, Wyreema and Cecil Plains are all located in or on the edge of my electorate. Under this government's legislation, as it currently stands, these towns could all be under threat.

This afternoon we heard the Premier answer a question in this House about why this government chose 1,000 people as the cut-off mark for these buffer zones. Her answer to me was not satisfactory because everyone deserves to have their rights if they are faced with the decimation that comes from mining that occurs right beside a town, no matter how big that town is. Recently, we heard the announcement of exploration permit No. 1970 for exploration near the town of Gowrie Junction, which is in my electorate. That led to me receiving 1,440 letters. Without a doubt, that is the most emotive responsive that I have had in my 10½ years in parliament. I tabled those letters last week and I would like a response to them from Minister Hinchliffe.

We know mining must exist and I am not against mining; it just must be done properly. No doubt, we need the wealth from mining, but so often the emphasis is taken off the wealth that agriculture provides to this state. Again today we heard announcements that this government is getting closer to protecting strategic cropping land, but it is always just getting closer. Where is the real policy?

Ms Nolan interjected.

Mr Hinchliffe interjected.

Mr HOPPER: Where is the real policy? You have not put it out. All you do is get a bit closer and both of you sit over there and laugh. You will not put it out. We sat in this chamber today—

Government members interjected.

Mr SPEAKER: Order! Those on my right will cease interjecting. The member will direct his comments through the chair.

Mr HOPPER: Today we sat in this chamber and it was thrown at us that we have no policies. It was our policy that this government copied and the work that was done has put prime agricultural land on the map in Queensland. The only reason this nation did not go into recession was agriculture. That is the truth. During the economic downturn, the only reason we did not go into recession was agriculture. My electorate covers the richest cropping land in Queensland—if not the world—and it must be protected. I will not back away from fighting for my electorate. It is as simple as that. The members opposite do nothing. They will allow mining companies to come in and rip up the land. They will. And they sit there and laugh.

(Time expired)

Redbank Plains State High School

Mrs MILLER (Bundamba—ALP) (8.46 pm): And now for some good news. Last week marked the 25th anniversary celebrations for Redbank Plains State High School. It was a whole week of activities and celebrations with the original school principal, who explained the school's motto and logo, through to the current principal, Llew Paulger, who explained his vision for the future of the school. On Tuesday I attended the anniversary parade with 1,300 proud students. That parade was followed by a lunch catered for by the school's hospitality students for the school's principals and deputy principals over the years as well as the school P&C president, Ian Maller. Ian Ferguson was the only school principal who was absent from the celebrations, as I understand he was camping out in the Kimberleys as good retired principals do.

The anniversary formal dinner was held on Friday evening. There were Polynesian dance performances, a stage dance performance and an acoustic duo by two former students, Jessie Luque and Clinton Madden, who sang *Little Daisy*—an original composition—among other original songs.

Mr Elmes interjected.

Mrs MILLER: It was very good. The highlight of the evening was a table of eight students who were the original year 8 students of Redbank Plains State High School who sang the original war cry. It goes something like this—

Blue and gold its in our veins

Who are we, Redbank Plains.

I was so proud that they actually remembered the war cry. One original student even had her diary from year 8. We did not really go into much detail of what was in the diary, but in any case it was there.

What topped off the week was the celebration of Ella O'Brien's win of a National Association of Women in Construction award. Ella is a real star in my community, as she works for the Ipswich Motorway project that is connecting Dinmore to Goodna. She works for Origin Alliance. Origin Alliance said—

From the first time we met Daniella, it was clear to us that she was a stand-out candidate for our training program as well as a fantastic role model for other young female school students keen to find out more about a career in the male-dominated construction industry.

This is a photo of Ella O'Brien and she is there in her Origin Alliance uniform and her Origin Alliance construction hat. Congratulations, Ella. Congratulations to Redbank Plains State High School on your 25th anniversary year. May the school, its teachers, its ancillary staff and all its students shine on for many future years.

Bus Stops, Cooroy-Noosa and Eumundi-Noosa Roads

Mr ELMES (Noosa—LNP) (8.49 pm): There are many in our community who remember with great affection the wonderful British television series *Yes Minister*. One of Sir Humphrey's most distinguishing characteristics was his ability to delay. Indeed, one of his KPIs must have been measuring the delay he could cause for the implementation of anything. Now let us fast forward to the present and focus on TransLink. *Yes Minister* must have been compulsory viewing. I received a letter dated 12 July 2011 from the Minister for Transport in relation to my seeking bus stops on the Eumundi-Noosa and the Cooroy-Noosa roads. Somebody other than the minister wrote the letter but both she and I were profoundly misled by it. For example, the letter refers to a 2011-12 Station and Stop Infrastructure Grant. This program ceased in May 2011 and was then integrated into the Bus Stop Upgrade Program. This current scheme, which is not even mentioned in the minister's letter, mandates compliance with the Disability Discrimination Act 1992. There are other examples. However, this is not an issue I wish to go over tonight and score any political points from. I do not want to see both sides of the political divide get into the trenches over this so that nothing positive happens for my community. I will be seeking a meeting with the minister in the next sitting of this parliament to resolve this matter.

There are two separate issues by which TransLink has created confusion. The first is to replace two bus stops—one on each of the roads at the same point on the Eumundi-Noosa and Cooroy-Noosa road. These would replace, at TransLink's cost, the bus stops removed when TransLink created an express service on the two routes. The second issue is to consider the additional 18 stops—one on each side of the road at nine locations—primarily for the safety of school students and also for the introduction of local services and the sharing of that cost on a fifty-fifty basis with the local council. I have no doubt that when the minister and I meet, the Sir Humphreys from TransLink will seek to delay all construction on safety grounds. They will argue that there are very few suitable sites on these roads, given speed of traffic and that sort of thing. However, we should take those bleatings with a whole warehouse full of salt, not just a pinch. Why should we be dubious? Because now twice a day, on every school day, a significant number of school buses travel these two roads, stopping regularly in the mornings to pick up the community's most valuable asset, its children, and repeating the journey in the afternoon to allow those same children to alight on these narrow and dangerous roads. I will ask TransLink why these roads are safe for a couple of hundred children a couple of times a day and not safe for fare paying adults who are the clients of TransLink.

Employment Opportunities, People with a Disability

Mrs SCOTT (Woodridge—ALP) (8.52 pm): Many people have a considerable level of disability, be it physical such as an amputee, hearing or sight impairment, cerebral palsy or one of many mental disorders such as Asperger's, depression, bipolar or a developmental disorder like Down syndrome. For many of these people, there are few circumstances which can enhance their life experience, increase self-esteem and generally put a smile on their face than becoming a valued employee. People with a disability make wonderful, dedicated employees. It was recently my pleasure to attend a breakfast with Red Cross Employment Services, Job Placement and the National Disability Coordination Officer. Our newly elected president of the Logan Chamber of Commerce, Bill Richards, was master of ceremonies and many business owners were in attendance. Greg Hayden, the National Disability Coordination Officer, related his personal experience of a motorbike accident which confined him to a wheelchair and his very full and active life, including marriage and children, regular work, tertiary studies and finally as a sought after national speaker. Gregg McDonald from Job Placement spoke of the necessity to match the person with a disability to the correct job, some of the special equipment available, subsidies to employers and, most importantly, the mentoring they do to ensure the employee is confident in their position.

Barry Lane, Logan's favourite Coffee Club owner, with four stores, a great team of workers and leader of Team Lane, spoke passionately about his workers and particularly about his daughter Melissa who is such an important and integral member of his team. Melissa has Down Syndrome and is simply a beautiful young woman. She is manager of cutlery and does her job far more efficiently than anyone else on the team. Barry's employee of the month at Springwood is Marcus who also has a disability. Barry has a great understanding of how to train, mentor and inspire his staff members to be the very best they can be.

Patrick Cooper is a businessman. He sells outdoor furniture from his four stores. His warehouse, sadly, was inundated during the recent floods. With $400,000 damage to his stock, he was in desperate need of assistance. The Broncos came to his rescue and helped move the mud out. However, his businesses needed to get back underway. He had 4,000 chairs damaged by mud. Someone suggested he phone Red Cross Employment Services with stunning results. For eight weeks, he had two workers turn up at 6 am each day to scrub and hose down all of those damaged chairs. Some eight to 10 workers took part and his stock was able to be sold as flood-damaged stock. What a fabulous outcome. To those workers it was such an important task and, of course, Patrick's losses were greatly diminished. Yes, people with a disability are fantastic employees. They turn up on time, they are cheerful, they are keen workers and very much value their place in the workforce. I hope there may be many employers out there who will put up their hand to give a person with a disability a chance.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 8.56 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, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson