



# RECORD OF PROCEEDINGS

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

**Tuesday, 15 November 2011**

<b>ASSENT TO BILLS</b> .....	<b>3545</b>
<i>Tabled paper:</i> Letter, dated 28 October 2011, from Her Excellency the Governor to Mr Speaker advising of assent to bills on 28 October 2011. ....	3545
<i>Tabled paper:</i> Letter, dated 4 November 2011, from Her Excellency the Governor to Mr Speaker advising of assent to bills on 4 November 2011. ....	3545
<b>SPEAKER'S STATEMENT</b> .....	<b>3546</b>
Loan of Documents .....	3546
<b>PRIVILEGE</b> .....	<b>3546</b>
Speaker's Ruling, Ethics Committee Report .....	3546
<i>Tabled paper:</i> Letter, dated 31 October 2011, from Mr Rob Messenger MP, member for Burnett, to Mr Speaker regarding alleged breaches of the sub judice rule. ....	3546
<i>Tabled paper:</i> Letter, dated 11 November 2011, from Mr Rob Messenger MP, member for Burnett, to Mr Speaker regarding alleged breaches of the sub judice rule. ....	3546
<b>PETITIONS</b> .....	<b>3547</b>
<b>TABLED PAPERS</b> .....	<b>3547</b>
<b>MINISTERIAL PAPERS</b> .....	<b>3551</b>
<b>MOTION</b> .....	<b>3551</b>
Amendments to Standing Orders .....	3551
<b>MINISTERIAL STATEMENTS</b> .....	<b>3552</b>
Deaths of Soldiers in Afghanistan, Motion to Take Note .....	3552
Gold Coast Commonwealth Games .....	3553
Queensland India Business Council .....	3554
<i>Tabled paper:</i> List of names of members of the Queensland India Business Council. ....	3554
<b>ABSENCE OF MINISTER</b> .....	<b>3554</b>
<b>MOTION</b> .....	<b>3555</b>
Order of Business .....	3555
<b>NOTICE OF MOTION</b> .....	<b>3555</b>
Cost of Living .....	3555
<b>SPEAKER'S STATEMENT</b> .....	<b>3555</b>
School Group Tours .....	3555

Table of Contents — Tuesday, 15 November 2011

<b>QUESTIONS WITHOUT NOTICE .....</b>	<b>3556</b>
Gold Coast Commonwealth Games .....	3556
Gold Coast Commonwealth Games .....	3557
Gold Coast Commonwealth Games .....	3557
Midyear Budget Review .....	3558
Job Creation .....	3558
Gold Coast, Police Resources .....	3559
Job Creation .....	3560
Public Transport, Safety .....	3560
Teacher Aides, Employment Conditions .....	3561
Children's Hospital .....	3562
Kurilpa Bridge, Award; Infrastructure .....	3562
Small Business, Regulation .....	3563
Women .....	3563
Gladstone Harbour, Fish Health .....	3564
Judicial Appointments .....	3564
<i>Tabled paper:</i> Media Monitors article extract from Brisbane Legal magazine, dated 1 November 2011, titled 'Is this Queensland's next AG?' .....	3565
Maryborough Base Hospital .....	3565
Gold Coast, Jobs Expo .....	3565
<b>MATTERS OF PUBLIC INTEREST .....</b>	<b>3566</b>
Gold Coast Commonwealth Games .....	3566
Gold Coast Commonwealth Games .....	3567
Wild Rivers; Steve Irwin Day .....	3568
Carindale Shopping Centre, Paid Parking .....	3569
Ambulance Service, Response Times .....	3570
Samford Road-Wardell Street Intersection Upgrade .....	3571
Great Barrier Reef, Fish Health .....	3572
Gold Coast Commonwealth Games .....	3573
Cape York, National Parks .....	3574
Newman, Mr C .....	3575
Katter's Australian Party .....	3576
Everton Electorate, Traffic Congestion .....	3577
<b>COMMERCIAL ARBITRATION BILL .....</b>	<b>3578</b>
Introduction and Referral to the Legal Affairs, Police, Corrective Services and Emergency Services Committee .....	3578
<i>Tabled paper:</i> Commercial Arbitration Bill.....	3578
<i>Tabled paper:</i> Commercial Arbitration Bill, explanatory notes.....	3578
First Reading .....	3579
<b>CHICKEN MEAT INDUSTRY AMENDMENT BILL .....</b>	<b>3579</b>
Introduction and Referral to the Environment, Agriculture, Resources and Energy Committee .....	3579
<i>Tabled paper:</i> Chicken Meat Industry Amendment Bill.....	3579
<i>Tabled paper:</i> Chicken Meat Industry Amendment Bill, explanatory notes.....	3579
First Reading .....	3580
<b>HEAVY VEHICLE NATIONAL LAW BILL .....</b>	<b>3580</b>
Message from Governor .....	3580
<i>Tabled paper:</i> Message, dated 15 November 2011, from Her Excellency the Governor recommending the Heavy Vehicle National Law Bill.....	3580
Introduction and Referral to the Transport and Local Government Committee .....	3581
<i>Tabled paper:</i> Heavy Vehicle National Law Bill.....	3581
<i>Tabled paper:</i> Heavy Vehicle National Law Bill, explanatory notes.....	3581
First Reading .....	3583
<b>WEAPONS AMENDMENT BILL .....</b>	<b>3583</b>
Second Reading .....	3583
<i>Tabled paper:</i> Copy of two tables headed 'Figure 12—Type of weapon used in homicide, 2008-09 (%)' and 'Figure 13—Victims killed by firearms, 1989-90 to 2008-09 (% homicide victims)'.....	3588
<i>Tabled paper:</i> Extract from <i>Australian crime: facts and figures 2010</i> , page 28, titled 'Armed Robbery: Figure 22 Types of weapon used in armed robber, 2009 (%)'.....	3589
<i>Tabled paper:</i> Photograph of Ms Ros Bates MP holding a weapon at a Defence Force event.....	3593
<i>Tabled paper:</i> Screen shot of photographs at a Defence Force event (paper withdrawn).....	3593
<b>SPEAKER'S RULING .....</b>	<b>3611</b>
Tabling of Papers .....	3611
<b>WEAPONS AMENDMENT BILL .....</b>	<b>3612</b>
Second Reading .....	3612
Division: Question put—That the bill be now read a second time.....	3616
Resolved in the affirmative.....	3616

Table of Contents — Tuesday, 15 November 2011

<b>MOTION</b> .....	<b>3616</b>
Cost of Living .....	3616
<i>Tabled paper:</i> Copy of a Media Monitors transcript of interview between Mr Scott Emerson MP and Spencer Howson regarding public transport fares, ABC 612 Brisbane, breakfast program.....	3620
Division: Question put—That the amendment be agreed to.....	3626
Resolved in the affirmative.....	3626
Division: Question put—That the motion, as amended, be agreed to.....	3626
Resolved in the affirmative.....	3626
<b>HOLIDAYS AND OTHER LEGISLATION AMENDMENT BILL</b> .....	<b>3627</b>
Introduction and Referral to the Legal Affairs, Police, Corrective Services and Emergency Services Committee .....	3627
<i>Tabled paper:</i> Holidays and Other Legislation Amendment Bill.....	3627
<i>Tabled paper:</i> Holidays and Other Legislation Amendment Bill, explanatory notes.....	3627
First Reading .....	3629
<b>POLICE POWERS AND RESPONSIBILITIES (MOTOR VEHICLE IMPOUNDMENT) AMENDMENT BILL</b> .....	<b>3629</b>
Introduction and Referral to the Legal Affairs, Police, Corrective Services and Emergency Services Committee .....	3629
<i>Tabled paper:</i> Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill.....	3629
<i>Tabled paper:</i> Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill, explanatory notes.....	3629
First Reading .....	3631
<b>WEAPONS AMENDMENT BILL</b> .....	<b>3631</b>
Consideration in Detail .....	3631
Clauses 1 to 4, as read, agreed to.....	3631
Clause 5, as read, agreed to.....	3632
Clauses 6 to 23, as read, agreed to.....	3632
Clause 24, as read, agreed to.....	3633
Clause 25—.....	3633
Division: Question put—That clause 25 stand part of the bill.....	3633
Resolved in the affirmative.....	3633
Clause 25, as read, agreed to.....	3633
Clauses 26 to 38, as read, agreed to.....	3633
Clause 39, as read, agreed to.....	3633
Clauses 40 to 46, as read, agreed to.....	3633
Clause 47, as read, agreed to.....	3634
Clauses 48 to 53, as read, agreed to.....	3634
Schedule, as read, agreed to.....	3634
Third Reading .....	3634
Long Title .....	3635
<b>ADJOURNMENT</b> .....	<b>3635</b>
Gold Coast Commonwealth Games .....	3635
Anti-Discrimination Commission .....	3635
Foy, Mr M .....	3636
The Gap, Storms .....	3637
National Diabetes Day .....	3637
Cupcakes for a Cure .....	3638
Maryborough, Clean Up the CBD Day .....	3638
QGC, Momentum Recognition Dinner .....	3639
Gaven Electorate, Crime; Nerang PCYC .....	3639
Hayes, Father Michael .....	3640
<b>ATTENDANCE</b> .....	<b>3640</b>

## TUESDAY, 15 NOVEMBER 2011

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The Legislative Assembly met at 9.30 am.

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

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

### ASSENT TO BILLS



**Mr SPEAKER:** Honourable members, I have to report that I have received from Her Excellency the Governor letters in respect of assent to certain bills, the contents of which will be incorporated in the records of the parliament. I table the letters for the information of all honourable members.

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

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

Date of assent: 28 October 2011

"A Bill for An Act to encourage the proper use of resources by improving ways of reducing and dealing with waste, to repeal the Environmental Protection (Waste Management) Policy 2000 and to amend the Environmental Protection Act 1994, the Environmental Protection (Waste Management) Regulation 2000, the Forestry Act 1959, the Land Act 1994, the Land Title Act 1994, the Nature Conservation Act 1992, the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009, the Water Act 2000 and the Water Supply (Safety and Reliability) Act 2008 for particular purposes"

"A Bill for An Act to provide for the delivery of public sector health services and other health services in Queensland and to make amendments to the Tobacco and Other Smoking Products Act 1998 for particular purposes and consequential amendments of the Acts mentioned in part 15 and schedule 1"

"A Bill for An Act to amend the Disaster Management Act 2003, the South East Queensland Water (Restructuring) Act 2007, the Sustainable Planning Act 2009, the Transport Infrastructure Act 1994, the Transport Operations (Road Use Management) Act 1995, the Water Act 2000 and the Water Supply (Safety and Reliability) Act 2008, for particular purposes"

"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"

These Bills are hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

Governor

28 October 2011

*Tabled paper:* Letter, dated 28 October 2011, from Her Excellency the Governor to Mr Speaker advising of assent to bills on 28 October 2011 [[5801](#)].

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

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

Date of assent: 4 November 2011

"A Bill for An Act to amend the Adoption Act 2009, the Births, Deaths and Marriages Registration Act 2003, the Child Protection Act 1999 and the Family Responsibilities Commission Act 2008 for particular purposes."

"A Bill for An Act to assist housing affordability, increase housing supply, and support employment in the housing construction industry, by establishing a scheme for the payment of grants to persons building or purchasing new homes, and to amend the State Development and Public Works Organisation Act 1971."

These Bills are hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

Governor

4 November 2011

*Tabled paper:* Letter, dated 4 November 2011, from Her Excellency the Governor to Mr Speaker advising of assent to bills on 4 November 2011 [[5802](#)].

## SPEAKER'S STATEMENT

### Loan of Documents

**Mr SPEAKER:** Honourable members, I have to report that, in accordance with standing order 19, I have given leave to allow the removal of *Acts of the Parliament of Queensland*, volume 62. The acts were loaned to the Supreme Court Library for their inspection on 8 November 2011.

## PRIVILEGE

### Speaker's Ruling, Ethics Committee Report

**Mr SPEAKER:** Honourable members, on 27 October 2011 the member for Burnett rose on a matter of privilege alleging that the Ethics Committee, in tabling its report No. 118, was in breach of the sub judice rule. The Deputy Speaker advised the member to write to me, as is provided for in standing order 269. The member subsequently wrote to me on 31 October 2011. The member asserts that, as report No. 118 refers to a criminal matter before the courts, the Ethics Committee has breached the sub judice rule.

I have reviewed report No. 118 and I am satisfied that the report does not comment on the matter before the courts, other than to recognise the matter's existence. As detailed in paragraph 41 of the Ethics Committee's report, the rationale behind the sub judice convention is to prevent comment and debate in parliament from exerting an influence on judicial proceedings and thus potentially prejudicing the position of parties or witnesses in court proceedings.

A statement that a matter is before the courts does not amount to comment or debate. As noted in *Oggers' Australian Senate Practice* 2004, 11th edition, at page 198—

A danger of prejudice would not arise from mere reference to such a matter, but from a canvassing of the issues before the court or a prejudgment of those issues.

The member states that the Ethics Committee is asserting—

If a member merely refers in any way to a matter before the courts then there is by definition a breach of the sub judice rule and it immediately triggers a breach of the Standing Orders.

I find there is no such assertion by the committee.

Over the years in this House there have been numerous examples when members have been on their feet and started to refer to matters before the courts. In such instances the practice in the House has been for the chair to query whether that particular matter was sub judice and, if yes, then rule that the member refrain from further mentioning the case. By the member for Burnett's rationale, the Speaker would be in breach every time he or she sought to enforce the sub judice rule as set out in standing orders. If such reasoning was to be accepted, it would make a nonsense of the standing orders.

Further, it is clear to me that the Ethics Committee's view of the sub judice rule, as outlined in its report, is essentially different from the member's view of the rule as outlined in his letter. I have concluded that the Ethics Committee's view of the rule is correct and reasonable, whereas the member's view is not. Plainly, the word 'refer' in part (2) of standing order 233 needs to be understood in the context of the clear purpose and intent of the sub judice rule, which is stated in part (1) of the standing order, and is not to be considered in isolation or interpreted in a semantic manner that renders the rule nonsensical.

The member wrote to me again on 11 November 2011 claiming that a comment by the chair of the Ethics Committee, reported in the media, also amounted to a breach of the sub judice rule. I came to the same conclusion in relation to this matter as I did regarding the member's other claims. In my view, there is no substance to the member for Burnett's submissions and I rule that they do not warrant the further consideration of the House. I table the member's letters of 31 October and 11 November 2011.

*Tabled paper:* Letter, dated 31 October 2011, from Mr Rob Messenger MP, member for Burnett, to Mr Speaker regarding alleged breaches of the sub judice rule [\[5803\]](#).

*Tabled paper:* Letter, dated 11 November 2011, from Mr Rob Messenger MP, member for Burnett, to Mr Speaker regarding alleged breaches of the sub judice rule [\[5804\]](#).

I advise the House that I considered this matter closely and formed my own conclusions in relation to the points the honourable member raised. I did not seek advice from either the Ethics Committee or its secretariat. My conclusions were, however, confirmed in advice I requested from the manager of the committees office.

In his letter dated 31 October 2011, the honourable member requested his defence to the Ethics Committee's conclusions and recommendations be postponed until after the completion of the court trial. This is not a matter for the Speaker to determine. The timing of the motion to consider the report of the Ethics Committee is entirely a matter for the Leader of the House.

However, as Speaker I offer the following advice as to how I intend to preside over the debate of that motion when it is brought forward. I anticipate that the motion will deal with whether the House accepts the Ethics Committee's conclusions and recommendations in report No. 118. In debating that motion, all members, including the honourable member for Burnett, will need to ensure that their contribution to the debate remains relevant—that is, it deals with the issues of the Ethics Committee's conclusions with respect to the conduct of the member for Burnett and the committee's recommended sanctions to be considered by the House. In addition, and in accordance with my earlier ruling, all members in speaking to the motion, including the honourable member for Burnett, may acknowledge the existence of a matter before the courts. However, if a member seeks to comment on the facts of that matter or debate the merits of that matter, I will enforce standing order 233 and sit the member down.

## PETITIONS

The Acting Clerk presented the following paper and e-petitions, lodged by the honourable members indicated—

### Caloundra Road, Speed Limit

**Mr Bleijie**, a paper petition, from 62 petitioners, requesting the House to ensure Caloundra Road has a consistent speed limit by increasing the speed limit from 80 km/ h to 100 km/h between the Racecourse Road interchange and Kawana Way (Link Road) [5805].

### Mobility Scooters, Helmets

**Mr Sorensen**, a paper petition from 1,066 petitioners, requesting the House to legislate to make the wearing of helmets mandatory for all users of mobility scooters [5806].

### Fraser Island, Dingoes

**Mr Sorensen**, a paper and an e-petition, from 617 petitioners, requesting the House to undertake an independent scientific review of the current management strategy for Fraser Island dingoes and other enumerated actions [5807] [5808].

The Acting Clerk presented the following paper and e-petitions, sponsored by the Clerk of the Parliament in accordance with Standing Order 119(3) and (4).

### Samford Road-Wardell Street, Intersection Upgrade

A paper petition from 1,334 petitioners, requesting the House to stop the concept plan for the Wardell Street/Samford Road Enoggera intersection upgrade, save houses from demolition, construct an overpass on Wardell Street and seek an alternative entrance to the Enoggera Military barracks [5809].

### Wynnum CBD, Upgrade

A paper and an e-petition from 458 petitioners, requesting the House to urgently accept the Brisbane City Council's offer to purchase the disused Wynnum Central State School site so that the Wynnum-Manly community can benefit from new and upgraded public facilities to help revitalise the Wynnum CBD [5810] [5811].

The Acting Clerk presented the following e-petitions, sponsored by the honourable members indicated—

### Goodwill Bridge, Cover

**Dr Robinson**, from 21 petitioners, requesting the House to extend the shade along the entire width and length of the Goodwill Bridge, where possible [5812].

### Ormeau, Police Station

**Mrs Keech**, from 403 petitioners, requesting the House to give priority to the planning and future construction of a new police station for Ormeau [5813].

### ClimateSmart Home Service

**Mr Wellington**, from 48 petitioners, requesting the House to arrange for everyone who has participated in the ClimateSmart home service to receive the standby eliminators at no additional cost [5814].

The Clerk presented the following e-petition, sponsored by the Clerk of the Parliament in accordance with Standing Order 119(4)—

### Corruption Inquiry, Queensland

447 petitioners, requesting the House to support the establishment of a Fitzgerald style independent inquiry to investigate and uncover political corruption in Queensland [5815].

Petitions received.

## TABLED PAPERS

### PAPERS TABLED DURING THE RECESS

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

28 October 2011—

[5754](#) Wet Tropics Management Authority and State of the Wet Tropics—Annual Report 2010-11

31 October 2011—

[5755](#) Industry, Education, Training and Industrial Relations Committee: Report No. 4—Education and Care Services National Law (Queensland) Bill 2011

[5756](#) Unitywater—Annual Report 2010-11

- [5757](#) Response from the Minister for Energy and Water Utilities (Mr Robertson) to a paper petition (1785-11) presented by Mr Mickel, from 371 petitioners, requesting the House to direct Energex to re-evaluate options for the proposed high voltage powerline from Loganlea to Jimboomba to achieve lower community and environmental impacts
- [5758](#) Energy and Water Ombudsman Queensland—Annual Report 2010-11: Erratum
- [5759](#) Queensland's River Improvements Trusts—Summary of Annual Reports and Financial Statements 2010-11
- [5760](#) Queensland's Category 2 Water Authorities—Summary of Annual Reports and Financial Statements 2010-11
- [5761](#) Dumaresq-Barwon Border Rivers Commission—Annual Report 2010-11
- [5762](#) North Queensland Bulk Ports Corporation Ltd—Annual Report 2010-11: Erratum
- 1 November 2011—
- [5763](#) Health Community Councils—Annual Report 2010-11
- [5764](#) Redcliffe Hospital Foundation—Annual Report 2010-11
- [5765](#) Mackay Hospital Foundation—Annual Report 2010-11
- [5766](#) Gold Coast Hospital Foundation—Annual Report 2010-11
- [5767](#) Health and Disabilities Committee: Report No. 4—Quarterly Report on Subordinate Legislation tabled between 1 July 2011 and 30 September 2011
- 2 November 2011—
- [5768](#) Response from the Minister for Employment, Skills and Mining (Mr Hinchliffe) to a paper petition (1787-11) presented by Mrs Pratt, from 1,601 petitioners, requesting the House to reject any application for mining activity closer than 15 kilometres to the gazetted town boundary of any town in Queensland
- [5769](#) Overseas travel report—Report on an overseas visit by the Deputy Premier, Treasurer and Minister for State Development and Trade (Mr Fraser) to Singapore, Japan, Hong Kong, Switzerland, France, the United Kingdom and the United States from 18 September to 2 October 2011—Report on a Queensland Treasury Corporation Annual Investor Engagement Program
- 3 November 2011—
- [5770](#) Queensland Ombudsman—Report, dated November 2011, titled 'The Hendra Virus Report—An investigation into agency responses to Hendra virus incidents between January 2006 and December 2009'
- [5771](#) Transmax Pty Ltd—General Purpose Financial Statements for the year ended 30 June 2011
- [5772](#) Copy of a Gazette Notice from the Queensland Government Gazette, dated 15 July 2011, advising that Her Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the Workers' Compensation and Rehabilitation Act 2003, has approved the payment of \$45,221,513 (GST inclusive) by WorkCover Queensland and \$5,617,737 (GST inclusive) by the Workers' Compensation Regulatory Authority in 2011-12 to the Department of Justice and Attorney-General for the prevention of injury to workers
- 4 November 2011—
- [5773](#) Health and Disabilities Committee: Report No. 5—Health Legislation Amendment Bill 2011
- 7 November 2011—
- [5774](#) Final Report—Rail Safety Investigation—TMR3584: Fatal collision—Occupational crossing 5805, Goonyella Riverside Mine—Near Moranbah, 8 July 2010
- [5775](#) Industry, Education, Training and Industrial Relations Committee: Report No. 5—Education and Training Legislation Amendment Bill 2011
- [5776](#) Land Court of Queensland—Annual Report 2010-11
- [5777](#) Queensland Workplace Rights Ombudsman—Annual Report 2010-11
- 8 November 2011—
- [5778](#) Report to the Legislative Assembly from the Minister for Finance, Natural Resources and The Arts (Ms Nolan), pursuant to section 56A of the Statutory Instruments Act 1992, regarding the River Improvement Trust Regulation 1998
- [5779](#) Report to the Legislative Assembly from the Minister for Finance, Natural Resources and The Arts (Ms Nolan), pursuant to section 56A of the Statutory Instruments Act 1992, regarding the Water Resource (Cooper Creek) Plan 2000
- [5780](#) Report to the Legislative Assembly from the Minister for Finance, Natural Resources and The Arts (Ms Nolan), pursuant to section 56A of the Statutory Instruments Act 1992, regarding the Water Resource (Fitzroy Basin) Plan 1999
- [5781](#) Response from the Minister for Transport and Multicultural Affairs (Ms Palaszczuk), to an ePetition (1712-11) sponsored by Mr Powell and a paper petition (1795-11) presented by Mr Powell, from 180 and 122 petitioners respectively, requesting the House to revise the timetable currently set for the 2026-2031 rail duplication works from Beerburrum to Nambour and to resume the project as a matter of high priority
- [5782](#) Report on the Operations of the Land Tribunal established under the Aboriginal Land Act 1991—Annual Report 2010-11
- [5783](#) Legal Services Commission—Annual Report 2010-11
- [5784](#) Environment, Agriculture, Resources and Energy Committee: Report No. 4—Water and Other Legislation Amendment Bill 2011



9 November 2011—

[5785](#) Auditor-General of Queensland: Report to Parliament No. 10 for 2011—Regulating waste: protecting the environment—Performance audit

[5786](#) Letter, dated 6 November 2011, from the Premier (Ms Bligh) to the Clerk of the Parliament enclosing a copy of correspondence from the Commonwealth Parliament's Joint Standing Committee on Treaties regarding proposed international treaty actions tabled in both Houses of the Federal Parliament on 13 September 2011, and the Treaties and National Interest Analyses for the proposed treaty actions listed in the letter, and advising as to the online availability of the documents

10 November 2011—

[5787](#) Community Affairs Committee: Report No. 4—Examination of Family Responsibilities Commission and Other Acts Amendment Bill 2011: Government Response

[5788](#) District Court of Queensland—Annual Report 2010-11

11 November 2011—

[5789](#) Response from the Minister for Main Roads, Fisheries and Marine Infrastructure (Mr Wallace) to a paper petition (1784-11) presented by Mr Gibson, from 401 petitioners, requesting the House to extend the 90 km/h speed zone on the Bruce Highway from Cooroy to Atkinson Road, Curra

[5790](#) Response from the Minister for Main Roads, Fisheries and Marine Infrastructure (Mr Wallace) to a paper petition (1786-11) presented by Mr Stevens, from 396 petitioners, requesting the House to improve the congestion of Nerang-Broadbeach Road and the roundabout at Gooding Drive, Carrara

[5791](#) Response from the Minister for Main Roads, Fisheries and Marine Infrastructure (Mr Wallace) to a paper petition (1783-11) presented by Ms Stone, from 71 petitioners, requesting a plan to reduce noise and air pollution for residents of Daisy Hill near Winnetts Road and implementation of the plan as part of the construction of the Pacific Motorway Upgrade Project

[5792](#) Environment, Agriculture, Resources and Energy Committee: Report No. 5—Annual Report 2010-11

[5793](#) Legal Affairs, Police, Corrective Services and Emergency Services Committee: Report No. 5—Police Powers and Responsibilities and Other Legislation Amendment Bill 2011

[5794](#) Legal Affairs, Police, Corrective Services and Emergency Services Committee: Report No. 6—Report on the Justice (Fees) Amendment Regulation (No. 1) 2011 (SL No. 115)

[5795](#) Response from the Minister for Transport and Multicultural Affairs (Ms Palaszczuk) to an ePetition (1720-11) sponsored by Mr Ryan, from 11 petitioners, requesting a review of the decision to change the 653 and 654 Caboolture Bus Lines service routes with a view to reinstating these bus services in the Norfolk Esplanade, Caboolture South area

[5796](#) Response from the Minister for Transport and Multicultural Affairs (Ms Palaszczuk) to a paper petition (1788-11) presented by Mr Bleijie and an ePetition (1741-11) sponsored by Mr Bleijie, from 919 and 623 petitioners respectively, requesting the House to ensure Caloundra Road has a consistent speed limit by increasing the speed limit from 80 km/h to 100 km/h between the Racecourse Road interchange and Kawana Way (Link Road)

[5797](#) Response from the Minister for Main Roads, Fisheries and Marine Infrastructure (Mr Wallace) to an ePetition (1756-11) sponsored by Dr Robinson, from 251 petitioners, requesting the House to urgently terminate progression of the concept plan for the Wardell Street/Samford Road Enoggera intersection upgrade

14 November 2011—

[5798](#) Response from the Minister for Environment (Ms Darling) to an ePetition (1742-11) sponsored by Mr Malone and a paper petition (1797-11) presented by Mr Malone, from 59 and 235 petitioners respectively, regarding the right to free access to open waters, and the erosion and pollution concerns of the residents of McEwan's Beach, Dunrock, Louise Creek and other local areas

[5799](#) Response from the Minister for Child Safety and Minister for Sport (Mr Reeves) to an ePetition (1670-11) sponsored by Mr McLindon, from 458 petitioners, requesting a community based motorsport facility to be situated in the Scenic Rim Shire

[5800](#) Response from the Minister for Energy and Water Utilities (Mr Robertson) to a paper petition (1793-11) presented by Mr Moorhead, from 150 petitioners, requesting the House to extend the Solar Bonus Scheme to residents of manufactured home parks

#### STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Acting Clerk—

Neighbourhood Disputes Resolution Act 2011—

[5818](#) Proclamation commencing remaining provisions, No. 209

[5819](#) Proclamation commencing remaining provisions, No. 209, Explanatory Notes

Queensland Civil and Administrative Tribunal Act 2009—

[5820](#) Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2011, No. 210

[5821](#) Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2011, No. 210, Explanatory Notes

Local Government Electoral Act 2011—

[5822](#) Proclamation commencing certain provisions, No. 211

[5823](#) Proclamation commencing certain provisions, No. 211, Explanatory Notes

Transport Operations (Road Use Management) Act 1995—

[5824](#) Transport Legislation Amendment Regulation (No. 4) 2011, No. 212

[5825](#) Transport Legislation Amendment Regulation (No. 4) 2011, No. 212, Explanatory Notes



## Land Sales Act 1984—

[5826](#) Land Sales Amendment Regulation (No. 1) 2011, No. 213

[5827](#) Land Sales Amendment Regulation (No. 1) 2011, No. 213, Explanatory Notes

## Security Providers Act 1993—

[5828](#) Security Providers Amendment Regulation (No. 2) 2011, No. 214

[5829](#) Security Providers Amendment Regulation (No. 2) 2011, No. 214, Explanatory Notes

## Local Government Act 2009—

[5830](#) Local Government (Operations) Amendment Regulation (No. 6) 2011, No. 215

[5831](#) Local Government (Operations) Amendment Regulation (No. 6) 2011, No. 215, Explanatory Notes

## Transport Infrastructure Act 1994—

[5832](#) Transport Infrastructure (Ports) Amendment Regulation (No. 1) 2011, No. 216

[5833](#) Transport Infrastructure (Ports) Amendment Regulation (No. 1) 2011, No. 216, Explanatory Notes

## Natural Resources and Other Legislation Amendment Act (No. 2) 2010—

[5834](#) Proclamation commencing certain provisions, No. 217

[5835](#) Proclamation commencing certain provisions, No. 217, Explanatory Notes

## Sustainable Planning Act 2009, Vegetation Management Act 1999—

[5836](#) Vegetation Management and Other Legislation Amendment Regulation (No. 1) 2011, No. 218

[5837](#) Vegetation Management and Other Legislation Amendment Regulation (No. 1) 2011, No. 218, Explanatory Notes

## Major Sports Facilities Act 2001—

[5838](#) Major Sports Facilities Amendment Regulation (No. 3) 2011, No. 219

[5839](#) Major Sports Facilities Amendment Regulation (No. 3) 2011, No. 219, Explanatory Notes

## Forestry Act 1959, Nature Conservation Act 1992—

[5840](#) Forestry and Nature Conservation Legislation Amendment Regulation (No. 4) 2011, No. 220

[5841](#) Forestry and Nature Conservation Legislation Amendment Regulation (No. 4) 2011, No. 220, Explanatory Notes

## Survey and Mapping Infrastructure Act 2003—

[5842](#) Survey and Mapping Infrastructure (Survey Standards-Requirements for Mining Tenures) Notice (No. 1) 2011, No. 221

[5843](#) Survey and Mapping Infrastructure (Survey Standards-Requirements for Mining Tenures) Notice (No. 1) 2011, No. 221, Explanatory Notes

## Drugs Misuse Act 1986—

[5844](#) Drugs Misuse Amendment Regulation (No. 2) 2011, No. 222

[5845](#) Drugs Misuse Amendment Regulation (No. 2) 2011, No. 222, Explanatory Notes

## Hospitals Foundations Act 1982—

[5846](#) Hospitals Foundations Amendment Regulation (No. 1) 2011, No. 223

[5847](#) Hospitals Foundations Amendment Regulation (No. 1) 2011, No. 223, Explanatory Notes

## Fisheries Act 1994—

[5848](#) Fisheries Amendment Regulation (No. 3) 2011, No. 224

[5849](#) Fisheries Amendment Regulation (No. 3) 2011, No. 224, Explanatory Notes

## Food Production (Safety) Act 2000—

[5850](#) Food Production (Safety) Amendment Regulation (No. 1) 2011, No. 225

[5851](#) Food Production (Safety) Amendment Regulation (No. 1) 2011, No. 225, Explanatory Notes

## Water Act 2000—

[5852](#) Water Resource (Cooper Creek) Plan 2011, No. 226

[5853](#) Water Resource (Cooper Creek) Plan 2011, No. 226, Explanatory Notes

## Transport Operations (Passenger Transport) Act 1994—

[5854](#) Transport Operations (Passenger Transport) Amendment Regulation (No. 3) 2011, No. 227

[5855](#) Transport Operations (Passenger Transport) Amendment Regulation (No. 3) 2011, No. 227, Explanatory Notes

## MEMBER'S PAPER TABLED BY THE ACTING CLERK

The following member's paper was tabled by the Acting Clerk—

Member for Cleveland (Dr Robinson)—

[5816](#) Non-conforming petition regarding concessions for the use of metered Liquid Petroleum Gas (LPG)

## REPORT TABLED BY THE ACTING CLERK

The following report was tabled by the Acting Clerk—

[5817](#) Report pursuant to Standing Order 165 (Clerical errors or formal changes to any Bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

**Disaster Readiness Amendment Bill 2011**

Amendments made to Bill

**Clause 10 Amendment of s 67 (Extending disaster situation)**

At page 10, line 7, 'the'—

*Omit.*

**Clause 13 Amendment of s 72 (Extending disaster situation)**

At page 11, line 26, 'the'—

*Omit.*

**Clause 33 Amendment of sch 4 (Dictionary)**

At page 25, line 19, after 'in relation'—

*Insert—*

'to'.

**MINISTERIAL PAPERS**

The following ministerial papers were tabled—

The Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)—

[5856](#) Supreme Court of Queensland—Annual Report 2010-11

Minister for Police, Corrective Services and Emergency Services (Mr Roberts)—

[5857](#) Australasian Police Ministerial Council (APMC) and Ministerial Council for Police and Emergency Management—Police (MCPEMP) Resolutions—Stage 1

**MOTION****Amendments to Standing Orders**

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (9.40 am), by leave, without notice:  
I move—

That the Standing Rules and Orders of the Legislative Assembly be amended to:

- (a) insert a new order 62A in accordance with the resolution of this House of 11 October 2011 that the Premier should move a motion that the House observe a minute's silence on the first sitting day after advice of the death of a member of the Australian Military on active service overseas;
  - (b) insert new order 194B to clarify that the Committee of the Legislative Assembly will refer Auditor-General reports tabled in this House to the relevant portfolio committees for consideration; and
  - (c) make some minor adjustments to clarify the names and responsibilities of portfolio committees in Schedule 6;
- in accordance with the amendments circulated in my name.

**Amendment to Chapter 14 of the Standing Rules and Orders of the Legislative Assembly**

*Insert—*

**62A. Premier's statements for fallen members of the military**

(1) The Premier shall during the time allotted by Sessional Orders for Ministerial Statements, or at any time during Government Business so as to not interrupt a debate of a matter, make a statement relating to advice of a member of the Australian Military having been killed in action whilst on active service overseas, on the first sitting day following receipt of such advice.

(2) At the conclusion of the statement, the Premier may move 'That the House take note of the statement' and, if so, the Leader of the Opposition or their nominee shall be given equal time to reply to the statement either immediately, or at some other time.

(3) Following the reply by the Leader of the Opposition or nominee the Speaker shall put the question 'That the statement be noted and that the House express its agreement with the motion by observing one minute's silence'.

**Amendment to Chapter 32 of the Standing Rules and Orders of the Legislative Assembly**

*Insert—*

**194B. Consideration of Auditor-General reports by Portfolio Committees**

The Committee of the Legislative Assembly shall as soon as practicable after a report of the Auditor-General is tabled in the Assembly refer that report to the relevant portfolio committee(s) for consideration.

**Amendment to Schedule 6 of the Standing Rules and Orders of the Legislative Assembly***Omit—*

'Transport, Local Government and Infrastructure Committee'

*Insert—*

'Transport and Local Government Committee'

*Omit—*

'Aboriginal Affairs'


*Insert—*

'Aboriginal and Torres Strait Islander Affairs'

Question put—That the motion be agreed to.

Motion agreed to.

**MINISTERIAL STATEMENTS****Deaths of Soldiers in Afghanistan, Motion to Take Note**

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.41 am): On 29 October 2011, during combat operations in Afghanistan, three of this country's finest soldiers, Captain Bryce Duffy, Corporal Ashley Birt and Lance Corporal Luke Gavin were killed in action. Seven other Australian soldiers were wounded as part of that attack and a further three Australian soldiers were wounded as part of a further attack last week. On behalf of this House, I would like to place on the record our deep regret at these deaths together with our appreciation of the service to Australia that these soldiers have given.


Captain Bryce Duffy was a member of the Mentoring Task Force and was from the 4th Field Regiment, Royal Regiment of Australian Artillery based in Townsville. Captain Duffy was born in Sydney in 1984 and was educated in Brisbane. He joined the Australian Defence Force Academy in January 2003 and graduated from the Royal Military College in December 2006. Captain Duffy was on his second deployment to Afghanistan at short notice for which he volunteered after a fellow officer was wounded in action. Captain Duffy is survived by his partner, his parents and other family.

Corporal Ashley Birt was part of Combined Team Uruzgan. Corporal Birt was born in Nambour in 1989 and he was very well known and very well loved in the Gympie community. He enlisted in the Australian regular Army in June 2007. Corporal Birt was on his first deployment to Afghanistan and had previously served in the Solomon Islands from July 2010 to September 2011 and from January to February 2011. Ashley Birt was also part of Operation Queensland Flood Assist, and for his outstanding efforts he was nominated for a Soldier's Medallion. During those dark days after the floods and after Cyclone Yasi, we all remember how important and how reassuring it was to see our armed services out in the streets providing comfort and assistance to so many people. In addition to his military service overseas, we owe Ashley Birt a special debt of gratitude of Queenslanders for his assistance in Operation Queensland Flood Assist. Corporal Birt is survived by his parents and a brother, who also serves in the Australian Defence Force.

Lance Corporal Luke Gavin was a member of the Mentoring Task Force and was from the 2nd Battalion, Royal Australian Regiment based in Townsville. Lance Corporal Gavin was born in Manly, New South Wales in 1982 and enlisted in the Army in 2004. Upon completion of his basic training and initial employment training he was posted as an infantryman to the 2nd Battalion in 2005. Lance Corporal Gavin was a highly qualified soldier, having completed specialist training as a combat first aider, Pashtu linguist and an infantry support weapons operator. Lance Corporal Gavin was also on his first deployment to Afghanistan, having previously served three tours in East Timor from 2006 to 2010. He is survived by his wife and their three children.

Captain Duffy, Corporal Birt and Lance Corporal Gavin were laid to rest at their respective funerals held in Brisbane, Gympie and Townsville in recent days. I place on record the Queensland government's thanks for the years of service that Captain Duffy, Corporal Birt and Lance Corporal Gavin gave in the service of our nation. On behalf of the government, I take this opportunity to extend my sympathy and that of everyone in this House to all of their families, their friends, their loved ones and their mates who continue to serve us in their respective regiments. I move—

1. That the House take note of this statement; and
2. That the House acknowledges agreement by observing a minute's silence as a mark of respect.

 **Mr GIBSON** (Gympie—LNP) (9.45 am): I rise to note the Premier's statement and to support her kind words. On behalf of the opposition, I also pass on my condolences. Captain Bryce Duffy, Corporal Ashley Birt and Lance Corporal Luke Gavin—three names that, until recently, were unknown to most Australians; three names that, until recently, were simply part of the 1,500 strong service men and women deployed in Afghanistan; three names that, until recently, were spoken of by their family and friends with plans and hopes for the future. Tragically, all that changed on 29 October 2011 as these

three soldiers were killed during a parade by a rogue Afghan soldier, who also shot and wounded seven other Australian soldiers and three Afghan soldiers with his rifle before he, too, was shot and killed. Today the Queensland parliament pays tribute to Captain Duffy, Corporal Birt and Lance Corporal Gavin. I join with my parliamentary colleagues in mourning the loss of these three fine soldiers and in saying to their families that our thoughts and prayers are with them at this difficult time.

These tragic events reflect the realities that our troops face in Afghanistan every day and highlight the bravery that is required for them to serve in such a dangerous place. Perhaps the Greek historian Thucydides summed up their bravery best when, in around 400 BC, he said, 'The bravest are surely those who have the clearest vision of what is before them, glory and danger alike, and yet notwithstanding, go out to meet it.' Captain Duffy knew these dangers as he had previously served in Afghanistan and he volunteered for a second tour of duty when a fellow officer was wounded in action. Corporal Birt and Lance Corporal Gavin had also served overseas prior to deploying to Afghanistan and knew of the dangers involved, but none of them would have expected those dangers to find them on the parade ground at Forward Operating Base Pacemaker in the Kandahar province. All three had distinguished careers in the Australian Army. All three died as heroes in tragic circumstances. All three will be remembered for their service.

As the member for Gympie, I wish to particularly pay tribute to Corporal Ashley Birt, who was from my community. As a testament to how well regarded Ash was, nearly 2,000 people attended his memorial service yesterday in his home town. I wish to extend my personal condolences to Ashley's parents, Don and Linda; to his brother, Dale; and to other members of their family. I am sure all members of this House would join with me in expressing condolences to the Birt family and also to the families of Captain Bryce Duffy and Lance Corporal Luke Gavin.

The cost of this Afghanistan conflict has become real to the families and the communities that these three men are from, but it is important that the tragic deaths of these fine soldiers do not derail the efforts to engage with those in Afghanistan willing to renounce violence and work towards peace and reconciliation. We in this House cannot truly comprehend the sacrifice made by these soldiers; nor can we fully appreciate the depth of grief that their families are experiencing at this time. But we can ensure that the names of Captain Bryce Duffy, Corporal Ashley Birt and Lance Corporal Luke Gavin are always remembered. Lest we forget.

Question put—That the motion be agreed to.

Motion agreed to.

*Whereupon honourable members stood in silence.*

### **Gold Coast Commonwealth Games**



**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.51 am): Today I can say without hesitation and with complete confidence that Queensland has a very bright future. I have always said that this was a year of reconstruction, and our success in winning the Commonwealth Games bid is part of that effort. To rebuild our state we have to rebuild our confidence, and now more than ever we need to believe in our potential. This was not only a year to get back up again but also a year to take another leap forward. The Commonwealth Games are coming to Queensland in 2018, and that means that the Gold Coast will host the only major international multisport event in Australia for the next decade.

Queensland won these games because we believed in our bright future during some of our darkest hours, and the bid's success is a credit to all of those involved. I would like to particularly thank Mark Stockwell, who was the chair of the bid committee, all of the other board members, the athletes who participated in the Athlete's Advisory Committee, and all of the staff of the Gold Coast Commonwealth Games bid for their many, many hours of hard work and tremendous effort. It is not well known that earlier this year Mark Stockwell had his own home flooded and two of his businesses flooded as part of Brisbane's flood. But not once did he lose the focus or determination required to launch a successful bid, and I particularly thank Mark Stockwell and his family for their efforts over the last six months.

I also thank my parliamentary secretary for the Commonwealth Games, Peta-Kaye Croft, the member for Broadwater, who has been a great local champion for this bid, particularly in the efforts she made with schools with the adopt-a-country program—

**A government member:** A great success.

**Ms BLIGH:**—which has been a great success, and all of the work she has done to make sure the people of the Gold Coast understood the potential of this bid.

I also place on record my thanks to the people of the Gold Coast and the people of Queensland for their support. I extend a very special thanks to Eve Lutz, the 12-year-old Gold Coast girl who became the face of our bid. She did a terrific job, and I thank her parents particularly for the involvement of the whole family in the effort.

With this success the Gold Coast takes its place among the great Australian cities. The games can generate up to \$2 billion in economic benefit, with up to 30,000 full-time equivalent jobs created between 2015 and 2020. In 2018 we will be ready to host a unique, world-class and friendly event that builds on the Commonwealth brand and enhances our city's reputation. The city will be transformed with new infrastructure and a buzz that only a big international event like this can bring. We saw a little bit of that buzz at the event on the Gold Coast last weekend.

Of course, the successful bid to host the games will mean infrastructure upgrades, including increasing the capacity of Metricon Stadium from 25,000 to 40,000 seats; new badminton and mountain bike facilities at the Gold Coast; a world-class squash complex; development of the Coomera Sport and Leisure Centre; and upgrades to the Broadbeach Bowls Club, the Gold Coast Hockey Centre and the Gold Coast Aquatic Centre. It also means an upgrade to the Chandler Velodrome for cycling events here in Brisbane. We will also see improved transport and an athletes village adjacent to the Gold Coast University Hospital.


These games will bring superb tourism opportunities for the Gold Coast and for Queensland and they will leave a lasting legacy for our state. These will be the Queensland games, not just the Gold Coast games—although of course that is where the centre of the action will be. We plan to hold basketball heats in Cairns and Townsville to give people in Far North Queensland a taste of this international event, and the shooting and the cycling events will be held here in Brisbane.

I expect that we will also see volunteers wanting to be part of these games come from every electorate in Queensland. We all know the support that people across the state wanted to give to the last games and to Expo. They have many fond memories of those events, and I am sure they will want to be just as much a part of these games.

The Commonwealth Games held in Brisbane in 1982 is the perfect example of the kind of legacy that an event like this can leave. Just as one example, the Chandler Sleeman Centre, built for the Brisbane games, now has approximately one million patrons visiting there every year. That is the sort of legacy that is left for the people of these cities.

The right to host the games is now in the bag, but the time for celebrating will soon be over. It will be 2018 before we know it and we have a lot of work to do. This week I intend to introduce into parliament the legislation required to set up a games organising committee and to get the ball rolling on the best Commonwealth Games that the world has ever seen. I also intend to retain responsibility for the games, as I have over the past 18 months. I think it is important at this point in the games' development to maintain continuity and to maintain the central-agency focus across a number of government departments. When Queenslanders believe in themselves, they can do anything.

### Queensland India Business Council


 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.57 am): I am very pleased to announce to the House the membership of the first ever Queensland India Business Council. I am pleased to say that this council will be led by the Deputy Vice-Chancellor (Research and Commercialisation) at Queensland's University of Technology, Professor Arun Sharma, who is also the current national president of the Australia India Business Council. I seek leave to table for the benefit of the House the names of all of the other members of the council.

Leave granted.

*Tabled paper:* List of names of members of the Queensland India Business Council [\[5858\]](#).


Queensland values its trading relationship with India. In fact, Queensland's exports to India account for 42 per cent of all of Australia's trade with India, amounting to some \$6.7 billion every year. In relation to media reports this morning about a possible change to federal policy in relation to the export of uranium to India, this is a matter for the federal government. It has no bearing on the decision by the Queensland state government about whether or not to mine uranium in Queensland. That is a matter that we took to the last election. We have no intention of revisiting that policy. Uranium resources to be developed in Australia can meet the demand from overseas. We have no intention of changing Queensland's policy when it comes to uranium mining.

### ABSENCE OF MINISTER

 **Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (9.58 am): I wish to advise the House that the Attorney-General, Minister for Local Government and Special Minister of State will be absent on Wednesday and Thursday this week. Minister Lucas will be travelling to Canberra to attend the local government ministers forum. He will then travel to Tasmania to attend a meeting of the Standing Council on Law and Justice and the Legislative and Governance Forum for Corporations.

## MOTION

### Order of Business

 **Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (9.59 am), by leave, without notice:  
I move—

That, notwithstanding anything contained in the sessional orders, the hours and order of business for Wednesday's sitting shall be as set out in the document circulated in my name.

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#### Hours and Order of Business for Wednesday, 16 November 2011

2.00pm–3.00pm—

Prayers  
Messages from the Governor  
Question Time

3.00pm–3.30pm—

Matters concerning privilege  
Speaker's Statements  
Appointments  
Petitions  
Notification and tabling of papers by the Clerk  
Ministerial Papers  
Ministerial Notices of Motion  
Any other Government Business  
Personal Explanations  
Tabling of Reports  
Notice of motion for disallowance of statutory instrument  
Government Business (following the completion of other preliminary business)

3.30pm–6.30pm—

Government Business

6.30pm–7.30pm—

Dinner break

7.30pm–10.00pm—

Disallowance Motions, Private Members' Bills or Government Business (in accordance with Sessional Order 1(e))


Tomorrow the Premier must leave parliament at 2.45. She, like other state premiers, has been invited to attend a dinner with President Barack Obama and the Prime Minister tomorrow. Therefore, we have accommodated the change to question time so the Premier will be here for three-quarters of the hour of question time tomorrow and that will be followed by ministerial statements et cetera.

Question put—That the motion be agreed to.

Motion agreed to.

## NOTICE OF MOTION

### Cost of Living

 **Mr EMERSON** (Indooroopilly—LNP) (10.00 am): I give notice that I will move—

That this House condemns the Bligh Labor government's constant increases in the cost of living for Queensland families and businesses.


## SPEAKER'S STATEMENT

### School Group Tours

**Mr SPEAKER:** Honourable members, today we will be visited by St Anne's Catholic Primary School (Sarina) in the electorate of Mirani, the Nundah State School in the electorate of Clayfield and Holy Trinity from New South Wales.

## QUESTIONS WITHOUT NOTICE

### Gold Coast Commonwealth Games

 **Mr SEENEY** (10.00 am): My question without notice is to the Premier. Will the Premier rule out any increase in debt, deficit or taxes to pay for the Commonwealth Games?

**Government members** interjected.

**Mr SPEAKER:** Order! Those on my right will cease interjecting. I am on my feet.

**Ms BLIGH:** Well, it did not take long for bipartisan support to evaporate. In the past 48 hours we have seen a desperate attempt from the Liberal National Party to grab on to the coat-tails of the Commonwealth Games and try to get some credit as supporters of it. Everybody remembers that it was the LNP that opposed the building of Metricon Stadium.

**Mr SEENEY:** Mr Speaker, I rise to a point of order. My question was short, it was succinct and it was to the point. I would ask that the standing orders of the House require the Premier to answer the question rather than attack the questioner.

**Government members** interjected.

**Mr SPEAKER:** Order! Those on my right will cease interjecting. Under the standing orders, there is a standing order about an answer being relevant. The honourable Premier is about to come to that answer.

**Ms BLIGH:** It was the LNP that said there should be no Metricon Stadium at the Gold Coast. What is the centrepiece of this bid? Metricon Stadium. Where will the opening ceremony be? Metricon Stadium. Where will the athletics be held? Metricon Stadium.

One of the great strengths of our bid was that 80 per cent of the facilities are already in place and, guess what, they were built by Labor and opposed by those opposite. These games are scheduled for 2018. Our budget is on track to be back in surplus by 2015-16.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Those on my left. The question was about debt and deficit. The Premier, as I can tell, is referring to debt and deficit in her answer. It may not be the answer the honourable gentleman likes, but it is the answer.

**Ms BLIGH:** Thank you, Mr Speaker. I am very confident of our capability in this regard and would never have bid on behalf of Australia if I were not.

Let us put all of this in context. This government has been spending an average of around \$15 billion each and every year or more on building the infrastructure that Queensland needs. That money goes to some of our fastest growing regions as they need it. This year alone we are spending \$1.5 billion on the Gold Coast for hospitals, schools, rail and roads. These games we anticipate will be in the vicinity of about \$1 billion of investment over the next seven years so out of some—

**Mr SEENEY:** Mr Speaker, I rise to a point of order. Once again, I make the point that my question was short and it was to the point. It was asking the Premier to rule out increasing debt, deficit or taxes. The Premier has taken 3½ minutes to attack me to talk about her government's record. Either the standing orders of this House need to be enforced or they need to be changed.

**Mr SPEAKER:** Order! That is a reflection on the chair and I ask that you withdraw it.

**Mr SEENEY:** I withdraw, Mr Speaker.

**Mr SPEAKER:** Let me make it plain: I have listened to the Premier's answer. I have listened very carefully to ensure the standing orders are being applied equally and fairly. From what I can judge from the Premier's answer, she has spoken about the debt. I have heard her say in her answer that 80 per cent of the facilities are funded. I would have thought that goes to the heart of the answer. I have not heard, unless the honourable gentleman can point it out, an attack by the honourable Premier on the honourable gentleman in that. So what I would say to the honourable Premier is: stick to the standing orders and I will listen very carefully to the rest of the answer.

**Ms BLIGH:** Thank you, Mr Speaker. What is contained in this question—and make no mistake about it—is an attempt to undermine our ability as Queenslanders to deliver a big international event, the Commonwealth Games. Well, let the people of the Gold Coast know this: if they want a government that believes in them, that wants to take their city forward, vote Labor because those opposite oppose every single piece of infrastructure. They opposed rapid transit, they opposed Metricon Stadium, and now they are opposing the Commonwealth Games.

*(Time expired)*



### Gold Coast Commonwealth Games

**Mr SEENEY:** My second question without notice is also to the Premier. Does the Premier agree with the Treasurer that there will be no expenditures for the Commonwealth Games until after 2015-16 and the state's budget will be in surplus by then?

**Ms BLIGH:** Again, as you so often hear from the Leader of the Opposition, contained in the question is dishonest mistruths and attempts to verbal people. I have heard the Treasurer's comments on this matter and he is accurate. As outlined in the publicly available bid book, the bulk of the expenditure required for these games will be put in place post 2015. Why? Because much of the infrastructure is either built by Labor or currently being built and is in the current budget. The Gold Coast Rapid Transit is being built right now by a Labor government and opposed by the Liberal National Party. Skilled Park, which will be the home for Rugby 7s, was built by Labor. Metricon Stadium was built by Labor and opposed by those opposite.

Now we have those opposite all desperately wanting to be seen as champions of the Commonwealth Games. The very first questions they ask are trying to undermine it. No-one will forget the appalling position they took to the 2009 election that the growing city of the Gold Coast, the second biggest city in this state, should not have another stadium. The member for Surfers Paradise was embarrassed about it. The member for Mermaid Beach was embarrassed about it, desperately trying to undo the damage done by their then leader, Lawrence Springborg.

As always, Labor knows where it stands on these issues. Labor believes that a good quality of life for Queenslanders should include not only the essential infrastructure of electricity, water, roads, schools and hospitals but an opportunity for people to enjoy the arts, culture and sport. We aspire to a Gold Coast city that will host a major international event that will do every Australian proud. Will we invest in that in subsequent budgets? You bet we will. We are building now, we are building on the legacy that we have already put in place on the Gold Coast. These games will be the best Commonwealth Games that have ever been staged.

### Gold Coast Commonwealth Games

**Ms CROFT:** My question is also to the Premier. After the great effort to win the bid to host the 2018 Commonwealth Games, would the Premier please update the House further on the facilities which we used to anchor the bid and any alternative approaches to deliver a games bid?

**Ms BLIGH:** I thank the honourable member for the question. I am very pleased to have another opportunity to place on the parliamentary record the great work that has been done by the member for Broadwater. Indeed, I would have to say that all the Labor members on the coast have fully backed this bid. They have been out talking in their schools about the Commonwealth program—

**Mrs Stuckey:** So have the LNP!

**Ms BLIGH:** I have to take that interjection. It is so sad. I am not even sure that the member who made the interjection was there on the day that the games were announced—so much for enthusiasm.

**Mr Wallace:** Slept in.

**Ms BLIGH:** I take the interjection from the member for Thuringowa. What does this mean for the Gold Coast? The sorts of facilities that we will be looking at putting in place and upgrading include the proposal for a complete overhaul of the aquatic centre. This is a swimming pool I know very well, having spent a great deal of my youth at it, but it needs a significant upgrade to meet world standards for international competition. This would be a world-class aquatic centre on the banks of the Broadwater Parklands, which would then put the Gold Coast in a position to bid to host a world swimming championships in years to come. So not only does this infrastructure work when the games are on, it is a terrific training facility at Southport—with the member for Southport fully supporting all of the infrastructure there—and it is there on an ongoing basis for the city to use, as the other facilities will be.

Many of the events like the gymnastics will be held at the convention centre. Who built the convention centre? Labor. If we look at the facilities that are needed, we can see that 80 per cent are already built—many of those by a Labor government—and the remaining 20 per cent are either upgrades of those existing ones or new facilities. An example of this is at Coomera, where one of the fastest growing areas of the Gold Coast will get their own sporting and leisure centre.

Our position on this stands in stark contrast to those opposite, as they do not know from one day to the next where they stand on sporting infrastructure. Who can forget the shadow Treasurer in his budget reply speaking of stadiums as if they were the work of the devil? Every time they have been asked to—

**Mr Nicholls** interjected.

**Ms BLIGH:** Well, I refer you back to your budget speech. You could not say one good thing about stadiums.

**Honourable members** interjected.

**Ms BLIGH:** They hate stadiums. They have always hated stadiums. It is Labor that delivers the Commonwealth Games, with the opposition from those opposite.

*(Time expired)*

### Midyear Budget Review

**Mr NICHOLLS:** I do not know what is running through the Premier's mind, Mr Speaker. My question is to the Treasurer. Will any expected Commonwealth Games expenditures within the forward estimates be included in the upcoming midyear fiscal and economic review? Will you commit to deliver that review well prior to Christmas?

**Mr FRASER:** I thank the shadow Treasurer for his question and for his sudden interest in the finances of this state. I can only ask him to continue along this pathway. I could equally ask him to put out a policy—just a single economic policy—before Christmas but I stopped believing in Santa Claus a long time ago.

Let me make this commitment. This government will update the state's finances with a midyear review prior to the next election and the election will be held next year. That has been something that we have done consistently. The midyear review will be released in accordance with the timetable that has been usual in past years. That much is not under contest, it should not be under suspicion and it is not under doubt. This government will provide to the people of Queensland, to every single person, a full update of the state's finances—

**Ms Bligh:** As we always have.

**Mr FRASER:** As we always have—consistently. We will provide an update of the finances to the people of Queensland before the election is called. Let there be no doubt about it.

The budget already contains the costs that have been expended on the bid process to this point. Of course, given the stunning success of this state under the leadership of this Premier and her initiative with the securing of the Commonwealth Games for the Gold Coast in 2018, we will be updating the budget forecast to incorporate the expenditure that is required now, and indeed there will be expenditure that is required after the forward estimates. The games are in 2018. The current budget forward estimates go to 2014-15. That much is known. None of that is a revelation.

What perhaps might be a revelation to those opposite is that \$300 million worth of stadia, Skilled Park and Metricon, are already built and in place—tick. A \$1.2 billion Gold Coast Rapid Transit project, which goes straight into the Parklands venue where the Gold Coast Commonwealth Games village will be, is already funded in the budget, already being delivered, already underway. There are important upgrades to the sorts of facilities that will be utilised with the surge of people on the Gold Coast, such as a \$1.75 billion Gold Coast University Hospital, which is already funded in the budget and already under construction.

Let us be very clear about the nature of the task here. Because of the decisions by this government, because of the foresight in putting in place a nation-leading infrastructure plan, we have got an absolute head start on delivering the Gold Coast Commonwealth Games and it is thanks to the decisions of this budget. What we are yet to see from the opposition is one single word about how they would ever come about funding any of the promises that they are out there making to the people of Queensland—not a single policy, just a breadth of promises. They have recommitted in the last fortnight to reintroducing a \$1 billion tax break in the transfer duty regime. Where did they say they would get the money from? The answer comes from nowhere—silence then and silence now. They sit there mute because they have nothing to say and nothing to offer.

### Job Creation

**Ms JOHNSTONE:** My question is to the Premier. Could the Premier advise the House what effects the government's strategies are having on business confidence and job creation? How does that compare to the stance taken by others?

**Ms BLIGH:** I was very pleased to note that during my absence the jobs target hit 90,000. We committed in this term of government to create 100,000 jobs, and we are now just 10,000 jobs away from that target with almost six months to go of the term. That comes after seven consecutive months of jobs creation here in Queensland. It is Labor that is building the future of this state with construction projects and with new industries coming on board—all with our support.

What do we see across-the-board? Industry is also getting behind the sentiment the government has about the bright future that Queensland has. We currently have just over \$100 billion of committed private investment under construction or committed. This is a new record for Queensland—\$100 billion worth of private investment. Consumer confidence reached a 12-month high in Queensland, jumping 17.5 per cent this month, according to the Westpac-Melbourne Institute survey. A 17.5 per cent jump in consumer confidence is telling us something. In the NAB business survey, Queensland was the only

state to see an increase in business conditions. We are starting to see the effects of our \$10,000 Building Boost kick in. What did the HIA new homes sales report show this month? It showed that Queensland has achieved a 7.5 per cent increase in detached house sales. What has happened in other states? In the Labor states of Victoria, New South Wales and Western Australia, they have had—

**Mr Fraser:** Liberal states!

**Ms BLIGH:** Liberal states, sorry. Did I say Labor states?

**Mr Fraser:** You did.

**Ms BLIGH:** Sorry, Mr Speaker. That was in the good old days when things were actually happening in those states. The Liberal states of New South Wales, Victoria and Western Australia have recorded a decline in new and detached house sales. So at the same time as they are in decline, Queensland is rising by 7.5 per cent. Much of this has been driven off the back of the new gas industry. Today I am very pleased to advise the House that I will travel to Gladstone to join Bechtel—the company responsible for construction of the three LNG plants—to announce 400 adult apprenticeships. This is one of the largest intakes of adult apprentices in Australia's history. They will be looking to fast-track where appropriate and some may finish in as early as 18 months.

Where do those opposite stand on the LNG industry? They do not know. They are hopelessly divided on this. The members for Warrego and Condamine want it to stop. The member for Callide wants it to go ahead. The leader, Campbell Newman, has a foot in both camps. It is little wonder that the member for Dalrymple has left this shabby mob. They do not know where they stand—

*(Time expired)*

### Gold Coast, Police Resources

**Mr LANGBROEK:** My question without notice is to the Minister for Police, Corrective Services and Emergency Services. Why does the host city of the 2018 Commonwealth Games now have fewer actual front-line police on the beat than at this time last year?

**Mr ROBERTS:** The member for Surfers Paradise has been out there deliberately misleading his Gold Coast community and indeed—

**Mr SPEAKER:** Order! That is unparliamentary. You cannot accuse somebody of deliberate misleading. Change your wording. If you find that the honourable member has deliberately misled, you take action.

**Mr ROBERTS:** The member for Surfers Paradise has not been informing the Gold Coast community about the facts of police numbers. He put out a release a couple of days ago alleging that police numbers in 10 or 11 districts have actually dropped. The facts are that, under this government, police numbers have increased substantially over the past—

**Ms Bligh:** Near 60 per cent.

**Mr ROBERTS:** It is actually over 54 per cent since Labor was brought into government. In fact, in relation to Gold Coast police numbers, 45 of the 203 extra police announced by the Police Commissioner in March this year went to the Gold Coast, Coomera and Logan. That is almost a quarter of the entire growth allocation. In relation to the announcement that was made in August of this year, 35 additional police were allocated—again, almost a quarter of the full allocation. This included 20 additional officers into the Gold Coast district to make permanent the serious and violent crime squad, and 15 additional officers into Coomera to establish the first component of a tactical crime squad and a dog squad et cetera.

Police numbers on the Gold Coast have not decreased over the past 12 months. The member for Surfers Paradise quotes a figure given in an answer to a question on notice relating to actual numbers at a particular point in time, which he knows very well will fluctuate from day to day and month to month according to staff movements. A couple of months ago we put 50 extra police into the Gold Coast. On the logic of the member for Surfers Paradise, we would have reduced by 50 the day after. These are special operations. There are a whole range of reasons police numbers will be up or down on any particular day. The facts are that this government has increased police numbers on the Gold Coast, increased police numbers in the South-East region and increased police numbers over the entire state. The facts are there for everyone to see.

When the National Party was in government, there was one police officer for every 507 people. Now, there is one for—

**Mr Johnson:** You're in government now.

**Mr ROBERTS:** That is right. We have increased police numbers such that there is now one officer for every 436 people. What is the result of that? Crime rates have come down substantially. Under the National Party, there were low police numbers and high crime rates. That was the story of the National Party. Under the Labor Party, there are high police numbers and low crime rates, and those trends are coming down. This government has a very proud record of increasing police numbers in districts and regions across the state. The National Party's record is absolutely woeful. That was not just

the case when it was last in government; people should go back to the Fitzgerald era and look at the history of the National Party in terms of resourcing the Police Service. It is endemic in their culture not to support the Police Service. The other thing is that we will not be closing The Gap Police Station, like they did when they were last in government.

### Job Creation

**Mr CHOI:** My question is to the Deputy Premier. Can the Deputy Premier update the House on the latest ABS job numbers for Queensland, and is he aware of any alternative plans for job creation in Queensland?

**Mr FRASER:** I thank the member for Capalaba for his question and, indeed, his solid commitment to the economic reform agenda that this government has been pursuing and in particular his commitment to expanding our trading relationships with our near neighbours to ensure we can secure the jobs of the future. This government has been getting on with delivering the jobs of the future. Last Thursday we saw the independent umpire, the Australian Bureau of Statistics, put out the labour force data, the jobs data. What did the jobs data say? There were 90,000 jobs delivered by this government in this term of government. There are 10,000 more to be delivered in order to meet the commitment made by this government. One hundred thousand jobs was the commitment and 90,000 jobs have been delivered, so 10,000 more jobs will mean that commitment has been met.

We are absolutely on track to meet the commitment that we made to the people of Queensland. Across the way, what is the jobs target of those on the other side of the House? Their jobs target still stands at zero. Over the last little while they have been concerning themselves a little with jobs, but it is not jobs of Queenslanders. No, it is their own jobs. While they have been measuring up the curtains, out there ordering the Pimm's ready for the garden party, putting themselves about town making all sorts of pledges and promises saying who has what and who is going to do what, a couple of them have had their doubts. One of them is back yonder.

The member for Dalrymple had an epiphany. He realised something. He knew something intuitively and innately—something that he did not have to be told by the LNP speechwriters, whose workload now is so much less—and that was a sense of self-survival. Ever since Mr Katter got into the arena the member for Dalrymple has had that sinking feeling. Once 'Newman the Ego' went out there with his bold preference strategy, the member for Dalrymple did not have to go and ask anyone in the opposition office what was up. He knew what was up, and that was his time in here unless he jumped up the back and got on board with the Katter crusade. We know that the member for Dalrymple has adopted that age-old strategy: if you can't beat 'em, join 'em. So he has decided to save his job.

However, the member for Condamine is putting about a job application—a rather unobtrusive application for the front bench in last week's *Country Life*—saying that he is very dissatisfied with this mob up the front and that he wants to come back down the front. Can I say to the member for Condamine that we miss him down the front. Come on back down the front! The member for Gympie, however, has been passing comment about the member for Southern Downs. He said that he has had his job for too long and that it is time to move on.

Maybe they should concern themselves with Queenslanders' jobs, not their own jobs. In the end, it is this government that has delivered 90,000 jobs. They are concerned only about their own jobs. I say to Queenslanders interested in a government that is going to deliver jobs: back Labor, not the same old, tired, divided, in-fighting Liberals and Nationals—the same they have always been.

### Public Transport, Safety

**Mr EMERSON:** My question is to the Minister for Transport and Multicultural Affairs. Given that the most recent quarterly TransLink Tracker shows that commuters believe that train travel has become less safe, why is the minister making people feel even less safe by scrapping staff at stations?

**Ms PALASZCZUK:** I would like to thank the member very much for the question. These issues are the subject of negotiations at the moment, but let me make it very clear to this House that at no stage will this government ever compromise the security of patrons on stations—not ever, not ever. There has been no decision made in relation to this issue. However, these stations are some of our least patronised stations. The idea of reducing employees at some of these least patronised stations would mean that each of these employees would be redeployed to busier stations. The simple fact is that, as commuters embrace go cards, the need for certain stations to remain staffed around the clock becomes less and less. Twelve of these 16 stations—and this is where you are misleading the public, and you listen to this—

**Mr SPEAKER:** Order! The honourable minister will direct her comments through the chair.

**Ms PALASZCZUK:** The member for Indooroopilly. The simple fact is that 12 of these 16 stations are currently open on weekdays only for the morning peak, between 6 am and 9 am. The other four are staffed until lunchtime on weekdays. So these stations are not staffed in the afternoon. They are not

staffed all day. They are not staffed in the evening. But every station on our network has security cameras that protect the security of the patrons. This is our fundamental commitment. There are also police transit officers and mobile dog patrols.

These are early negotiations. These are issues that the unions will raise with Queensland Rail and which Queensland Rail will discuss with the unions. There has been no decision made and discussions will continue.

Whilst I am on my feet talking about transport, I cannot let this opportunity go. Recently the Acting Premier—the Treasurer—and I announced an incentive for people who regularly use go cards. That is, after 10 trips people who regularly use our system will be able to travel free on weekends. We have been waiting weeks and months for a credible transport policy from the opposition. What do they reveal? What was the stunning revelation of transport policy that the shadow minister has been working on for months and months? Well, we promised 10. What did they do? They promised nine. This is 'Copycat' Campbell. They could not even explain to the public where the money was coming from. You are a disgrace. You cannot even explain where the money is coming from.

**Mr SPEAKER:** Order! Honourable the minister, direct your comments through the chair.

**Ms PALASZCZUK:** Ours is budgeted for and we will continue to invest and grow our public transport network.

**Mr SPEAKER:** Order! Honourable the minister, the question was about safety. Come back to the question.

**Ms PALASZCZUK:** All you do is cut and slash.

**Mr SPEAKER:** Order! Come back to the question.

**Ms PALASZCZUK:** You have no idea when it comes to public transport.

### **Teacher Aides, Employment Conditions**

**Mr WENDT:** My question is to the Minister for Education and Industrial Relations. Could the minister please update the House on the resolution of the teacher aide wage negotiations and is the minister aware of any other dispute resolution methods?

**Mr DICK:** I thank the member for Ipswich West for his question. I have had the opportunity to travel to his electorate and visit schools in Ipswich, Lowood and Fernvale and see the great work that he is doing in his community as well as the great work that teachers and teacher aides are doing in those schools—and not just in his electorate, but throughout Queensland. I am pleased to report to the parliament that last Friday afternoon an in-principle agreement was reached with the United Voice union for the next enterprise bargaining agreement with teacher aides. Under that agreement, teacher aides will receive a three per cent wage increase, being a 2.5 per cent wage increase plus a 0.5 per cent increase for productivity initiatives in line with government wages policy or \$30 a week; a mandatory maximisation of hours clause allowing teacher aides to be permanently employed for up to five and three quarter hours a day; and an entitlement to four days leave during the school holidays.

This is a very significant outcome for the hardworking teacher aides we have in Queensland schools. It is a great outcome for them. I have had the opportunity to go to dozens of schools throughout Queensland and see the great work that they do. It demonstrates how Labor governments work and how the Bligh Labor government works: sitting down in good faith with unions, with employers and with employees to ensure that all workers get a fair go in the workplace.

Regrettably, however, the same cannot be said of the LNP. Their approach to negotiation is led by their negotiator-in-chief, Barry O'Sullivan. His idea of negotiation and counselling of candidates is to put them in a room for two hours and abuse them. That is their form of negotiation. We have seen in the last few weeks an insight as to how those members opposite would run government. In fact, the members opposite would not run government, it would be those members of the LNP outside of the parliament, the Bruce McIvers, the Barry O'Sullivans, the James McGraths. They would be the ones running government.

**Mr Robertson:** Some things never change.

**Mr DICK:** Some things never change, I will take the interjection from the minister. We have also seen Mr O'Sullivan's tawdry little bet about the federal election. How shameful that was. At least the member for Southern Downs had the courage of his convictions to speak out against the obscene behaviour of the LNP with the dirt files and the tawdry little bet. The member for Dalrymple has stood up for the courage of his convictions. I know there are many members opposite who are revolted by the behaviour of their organisation. Some have the courage of their convictions, others simply acquiesce to the leadership of others outside the parliament—the bullyboy Barry O'Sullivan leading from the front. He is a lawless man in a lawless party. There is no-one in control, especially not Campbell Newman. He is the last person in control. He either supports this behaviour or he condones it or he has no power, no authority or no ability to stand up to the organisational wing. It is simply not right. This is a divided party that cannot govern itself. It has demonstrated that it is unfit to govern Queensland.

### Children's Hospital

**Mr McARDLE:** My question is to the Minister for Health. Will the minister confirm that the cost to build the Queensland Children's Hospital has blown out by a further \$100 million to \$1.5 billion, more than double the budget figure of \$700 million just four years ago?

**Mr WILSON:** I thank the honourable member for the question. I thank the honourable member for his interest in building a Queensland health system for the future in which he displays an occasional interest. I can tell the honourable member that the Queensland Children's Hospital project is on budget and on time. There has been no blowout as alleged by the honourable member. You should stop reading the newspaper and go to the facts. It is on budget and on time.

The opposition has taken about five different positions on the Queensland Children's Hospital. On one occasion they were in favour of it; on another occasion they were against it; on another occasion they were in favour of two campuses; now we have a position from Campbell Newman that all policies are cancelled. Therefore we have no policy from the LNP on the Queensland Children's Hospital, let alone on Queensland children's health services. I reiterate that this project is an Australian first, bringing together all of the highest quality clinicians and health specialists to provide the highest quality health services in Australia, and in the world, to our sickest kids. Why should we not be doing this? It is on budget and it is on time.

It is very interesting that the opposition shadow spokesperson for health has an interest in health infrastructure given that he supports the \$400 million cut to the health budget in Queensland. Where is this cut, announced by Campbell Newman on 17 June this year, going to go? This cut will go to the Sunshine Coast University Hospital in his own electorate.

**Mr McArdle** interjected.

**Mr SPEAKER:** Order! The question related to the Children's Hospital. I would ask the minister to direct his comments to that.

**Mr WILSON:** As I was saying, the Queensland Children's Hospital project is on time and on budget and is an expression of the confidence that this Queensland government has in the bright future of Queensland. The children deserve this. In contrast to what we are doing in relation to the Queensland Children's Hospital, the LNP would cut \$400 million from the health budget and they would cut it from the Sunshine Coast University Hospital. There are five LNP members who have sat silent and will not stand up to Campbell Newman's announcement to cut \$400 million from that project and services on the Sunshine Coast. You ought to be ashamed of yourselves.

### Kurilpa Bridge, Award; Infrastructure

**Ms GRACE:** My question is to the Minister for Government Services, Building Industry and Information and Communication Technology. Can the minister please inform the House about the most recent award won by the Kurilpa Bridge project and any other plans the minister is aware of regarding infrastructure in Queensland?

**Mr FINN:** I thank the member for Brisbane Central for her question, a member who has an eye for architectural detail and who values the great strength that is tensesgrity. I am delighted to inform the House that Queensland's home grown design and engineering talent has been recognised on the international stage. At the prestigious World Architecture Festival in Barcelona just over a week ago, Brisbane's \$63.3 million Kurilpa Bridge won the 2011 World Transport Building of the Year award. The Kurilpa Bridge stood out as the best amongst a field of impressive competitors from China, Sweden, the United Kingdom, the Netherlands and the United Arab Emirates. This bridge has enjoyed an extraordinary award-winning run. To be recognised as the world's best is an honour and proof of the superior level of talent in Queensland. This award, an international global transport building award, is its ultimate accolade.

Unlike those opposite, this government will continue to deliver world-class infrastructure like the Kurilpa Bridge. What do we know about alternative infrastructure plans? What we know is that Campbell Newman opposes everything that works and supports everything that fails. He opposed this international award-winning bridge. In fact, in a *Courier-Mail* article in June 2009 he labelled the building of the Kurilpa Bridge a scandal of epic proportions. There he was out there scaremongering on safety and saying the bridge should never have been built. Unsafe bridges do not win global architecture awards. Campbell Newman simply did not want this bridge because it was not his idea. What else did he oppose? He opposed the Gold Coast stadium. There he was throughout the last election campaign saying the stadium was a waste of money. If we did not have the stadium we would not be having the Commonwealth Games.

Campbell Newman opposes what we build that succeeds and what he builds fails. Now he is out there saying he supports the Commonwealth Games. What would we get if these were Campbell's games? An aquatic centre no-one can swim in? Maybe an open-air indoor sports centre that doubles as a sauna? What about his record with town bikes? Would you trust this man to build you a velodrome? I

don't think so! Campbell Newman opposes everything that works and builds things that no-one can use. We know about his tunnel that no-one can drive in. We know about his town bike scheme that no-one can ride on. We know about his city square that is a frying pan. On this side of the House we are creating jobs, we are building the infrastructure Queenslanders need and use and we are providing better services for Queensland's bright future.

### Small Business, Regulation

**Mrs STUCKEY:** My question without notice is to the Minister for Tourism, Manufacturing and Small Business. Will the minister explain how the new Business Commissioner will single-handedly cut through Labor's mountain of red tape when her government's Office for Regulatory Efficiency has been overwhelmed by the 90,000 pages of regulation that is choking small business in this state?

**Ms JARRATT:** Nobody likes paying tax and nobody likes filling in forms, but governments will always operate with regulation because it is regulation that brings order to our system of business, that keeps our workers safe and that collects the money that builds the schools, the hospitals and the roads and provides the jobs for Queenslanders. I am absolutely proud of this government's record when it comes to reducing regulation. The Business Commissioner, Blair Davies, who takes up his role this week—

**Honourable members** interjected.

**Mr SPEAKER:** Order! The question related to the Business Commissioner. As I understand it, that is the answer being provided. The honourable minister has the call. Those on my left will observe the courtesies of the House.

**Ms JARRATT:** Just as those opposite knocked the Metricon Stadium before it was built, today they are knocking the Business Commissioner before he has even put his feet under the table. What sort of support is that for the business community? Those opposite are well aware that the Business Commissioner will work with Queensland's peak industry groups such as the Tourism Industry Council, the CCIQ and the Australian Industry Group to look at the systemic issues of regulation in the state and to reduce that regulation in a very measured way with world's best practice.

What does the shadow member have to say about business regulation? According to the shadow spokesperson, the LNP will examine initiatives and programs relating to cutting red tape and reducing regulatory burdens for business and only the LNP can deliver change. Well, really! I think the member opposite is the Kim Kardashian of the LNP. The Kardashian can-do affair was a huge production, all glitz and glamour and a promise to 'trust me, our marriage will last forever'. The party is over. We know that only hard work will make a real difference to supporting business in Queensland.

### Women

**Mrs KIERNAN:** My question without notice is to the Minister for Community Services and Housing and Minister for Women. Could the minister please advise the House about the Bligh government's efforts to increase opportunities for women compared to other approaches?

**Ms STRUTHERS:** The mighty member for Mount Isa is a great advocate for women and I thank her for the question. The Bligh government is securing a bright future for women in Queensland with increasing job opportunities. Currently, in Queensland women represent just 16 per cent of the mining sector and 11 per cent of the construction industry. The Queensland government is improving women's access to jobs in those high-paying non-traditional industries.

Tomorrow I will launch the inaugural 4Girls2 forum, funded as part of our Girls in Hard Hats initiative. The forum will encourage girls in years 8 and 12 to try on a hard hat and think about careers in mining, construction, engineering and the trades. At the forum, girls will try their hand at practical activities and hear from women already working in the industry who will be role models for them. The Brisbane forum is one of three forums to be held this year, with others to be held in Mount Isa and Gladstone. Another seven forums will be held at the beginning of next year.

The Bligh team is proud to have 46 per cent female representation on our team. On the other hand, a mere 15 per cent of LNP candidates are women. As we know, Afghanistan's parliament has more female representation than the LNP. What about some of the other countries around the world? How do they fare compared to the LNP? I will read a few statistics. Iraq has 25 per cent women representation, Mexico has 26.2 per cent, Ethiopia has 27.8 per cent and Angola has 38.6. Can members guess what Mozambique has? Mozambique has 39 per cent female representation. Cuba has 43 per cent. The LNP has lower female representation than Ethiopia and Cuba.

Campbell Newman and the LNP have reached a new low. The LNP's little dictator may be very comfortable with his boys' club. African and eastern European strong men allow more women into their parliamentary teams than Mr Campbell Newman does into the LNP. Queensland women have to ask themselves: why choose this bullyboy team? Why pick a team that really pays little attention to women's needs? Why pick a team that does not think women are worthy of being on their team?



### Gladstone Harbour, Fish Health

**Dr ROBINSON:** My question is to the Minister for Main Roads, Fisheries and Marine Infrastructure. For two months the minister assured parliament and the Queensland public that the Gladstone Harbour fish disease was confined to barramundi, despite contrary evidence from fishermen, scientists and the LNP that salmon, mackerel, shark and other species—

**Government members** interjected.

**Mr SPEAKER:** Resume your seat, please. Those on my right will cease interjecting. The honourable member has the call. He has the right to be heard in silence.

**Dr ROBINSON:** My question is to the Minister for Main Roads, Fisheries and Marine Infrastructure. For two months the minister assured parliament and the Queensland public that the Gladstone Harbour fish disease was confined to barramundi, despite contrary evidence from fishermen, scientists and the LNP that salmon, mackerel, shark and other species were similarly diseased. Will the minister now admit that he was wrong on this matter and that he misinformed parliament and the public and now remove himself from the process to restore integrity, confidence and independence to the ongoing investigation?

**Mr WALLACE:** I again thank the honourable member for the question. The fact is that we have tested a number of other fish species including shark, cod, whiting, prawn and mud crab coming from the Gladstone area. Results to date show the mild skin abnormalities on these species were not due to that parasitic flatworm or any other bacterial parasitic or fungal pathogens. These samples were taken from a range of locations such as the Boyne River, China Bay, the Calliope River, Gladstone Harbour and Turkey Beach between 30 August and 24 October.

One of the two conditions affecting the fish in Gladstone Harbour that we have identified through various biosecurity reports is red spot. But the most prevalent condition that we have detected is *Neobenedenia*, which is a parasitic flatworm. *Neobenedenia* has been confirmed as the cause of the milky eye within the barramundi. Also, my scientists advise me that *Neobenedenia* is the most likely cause of the red rash on the barramundi. We have taken a number of sharks in Gladstone Harbour. We have taken skin scrapings from those sharks. Fisheries scientists advise me that they have observed a larger parasite, which they are trying to identify, and that this is the probable cause of the redness on those particular sharks.

It has to be remembered that these parasites are endemic to Queensland waters; they have been found before. Indeed, in 2000 there was a major outbreak of *Neobenedenia* in the sea cage in the Hinchinbrook Channel. This outbreak occurred at a similar time in terms of the climate—that is, winter—when we do know that barramundi are more susceptible to stress and are more susceptible to suffering from these particular conditions. *Neobenedenia* has been found in other locations across the globe. There was a large reported outbreak in Japan a number of years ago in kingfish—again in winter, when many of these tropical fish do find themselves under stress.

The two conditions, *Neobenedenia* and red spot, have been identified as affecting barramundi, and we have taken some skin scrapings from sharks to identify the possible parasite that has affected those particular animals. The latest advice that I have from Fisheries Queensland is that sampling is continuing in the harbour. They have noticed a large decrease in animals presenting with lesions. In fact, only one barramundi with a cut-like appearance has presented in the last couple of weeks. This may have been due to another cause, such as a bite from a predator or a net. We are still continuing to sample those particular animals and tomorrow, again—

*(Time expired)*

### Judicial Appointments

**Mr LAWLOR:** My question is to the Attorney-General, Minister for Local Government and Special Minister of State. Can the minister please inform the House of any significant appointments to the Queensland judiciary and any recent views about the role that judges play in the Westminster system?

**Mr LUCAS:** I thank the honourable member for the question. The honourable member is an extremely experienced legal practitioner and has a very high reputation in this state. When I was in practice I had matters against him, and I found him to be an absolutely first-rate lawyer. It is wonderful to have someone who actually practised law and practised it at the level he did.

Of course, we have appointed a number of judges over the last year or so. All of those appointments have been welcomed by both the Law Society and the Bar Association. The independence of the judiciary is fundamental to our justice system in this country. In fact, many countries in the world envy our Westminster system with the separation of powers. Of course, I would note that, notwithstanding the very great independence of our judiciary, this government has managed to introduce a number of law reforms that have seen a very tough attitude taken to crime. Our imprisonment rate is 160 per 100,000, which is significantly higher than Victoria's at 105; yet our crime rates have decreased by 26 per cent in the 10 years to 2009-10.'

Of course, this side of parliament has a very significant commitment to the doctrine of separation of powers. However, there is a historical lack of commitment to it on the other side of the House. No-one would ever forget Michael Forde asking during the Fitzgerald inquiry of the then Premier Bjelke-Petersen, the hero of the member for Southern Downs—

What do you understand by the doctrine of the separation of powers under the Westminster system?

Of course, he said—

I don't know which doctrine you refer to.

...

... you tell me. And I'll tell you whether you're right or not.

That sort of reminds me of something that I read in a legal periodical the other day. *Legal* contains an article headed 'Shadow AG talks tough'. There is another one. What does he say on the separation of powers? He stated—

I never attack a judge but will call into question his or her judgement. Our judicial system needs to hand down sentences that our government requires it to. So I never attack a judge; I just attack what they do—

He went on—

I never attack an engineer; I attack their engineering. I never attack a doctor; I attack their diagnosis.

What a silly thing to say from someone who puts himself about. But he goes further. He stated—

I have had an interest in politics since I won a mock election when I was in year 7. Many people told me that I would be in politics one day.

Sounds like Mozart! There he is, a child prodigy in year 7, saying, 'I'll throw my hat in the ring for an election and, la-di-da, soon I will be in parliament telling judges that I will not criticise them, just their judgements.'

The problem is this: dealing with our courts is very serious business. We need a shadow Attorney-General who understands that.

*Tabled paper:* Media Monitors article extract from Brisbane Legal magazine, dated 1 November 2011, titled 'Is this Queensland's next AG?' [\[5859\]](#)

### Maryborough Base Hospital

**Mr FOLEY:** My question without notice is to the Minister for Health. With Hervey Bay Hospital's special care unit for premature babies regularly being overcrowded—for example, it currently caters for 10 in a facility designed to care for four—will the minister open a special care facility for premature babies at Maryborough Base Hospital so that families affected do not have the added stress of travel each day and to reduce the current strain on Hervey Bay Hospital?

**Mr WILSON:** I thank the honourable member for the question. It is always important that we make sure that appropriate health services are delivered hospital by hospital around our big state. I am confident that, indeed, the health service planning has been done appropriately in terms of the provision of services to the Maryborough Hospital. Of course, the department takes advice from the clinicians there about the appropriate delivery of services at that hospital as distinct from a hospital, for example, at Hervey Bay or even further beyond that is more appropriate to provide the health care needed by patients generally, let alone those infants who may be seeking health services and medical treatment at the Hervey Bay Hospital. I will make some inquiries with the director-general about the matter that the member raises and come back to him.

### Gold Coast, Jobs Expo

**Mrs KEECH:** My question is to the Minister for Employment, Skills and Mining. I ask: with thousands of job seekers turning up to the very successful jobs expo on the Gold Coast, can the minister advise the House of the opportunities on offer for Gold Coast job seekers in the resource sector and advise of any alternative plans being suggested?

**Mr HINCHLIFFE:** I want to thank the member for Albert for her question. I know that she was there at our jobs expo on the Gold Coast which saw 10,000 keen and expectant job seekers turning up to gain an understanding of how they can have a slice of the action as part of the great mining and gas jobs that are on offer in this state.

That is why it is important that we understand that the Gold Coast will be a key part of the optimism that we have for the bright future that this state has. That region will play a key role as it has a great airport and a great ability to be part of fly-in fly-out operations. That is part of a range of ways that the resources sector will be supported.

Currently there are some 3,500 vacancies in the resources sector, with jobs for engineers, electricians, riggers, diesel mechanics, labourers and boilermakers. It is a great opportunity for Queenslanders and people on the Gold Coast. It is important for skilled workers, and we will need to see people broadening their skills. But the announcement that the Commonwealth Games will be hosted on

the Gold Coast in 2018 adds another element to the importance of people on the Gold Coast developing and broadening their skills to meet the needs of the jobs that will be created not only across the length and breadth of Queensland in the resources sector but also on the Gold Coast in the lead-up to the 2018 games.

It is in this context of looking at the bright prosperity and jobs opportunity into the future that it is appropriate that we look at what Campbell Newman and the LNP are doing about training and skills for Gold Coast job seekers. I am afraid that the answer is nothing. The only job that Campbell Newman is interested in is his own. But this is something that we will see more of because, with the on-again, off-again support for the Commonwealth Games, we need to look at what role LNP members will play in those games.


For a start, we can see how they will land in the hurdles. We have the member for Dalrymple. He has already jumped out of the LNP and into the Katter party, which might be the small bore party for the games. Of course, we know that boxing and wrestling will be covered by Barry O'Sullivan. Also, we have the new shadow minister for the Commonwealth Games. He was for the high jump at one stage but, with his on-again, off-again support for the Commonwealth Games, maybe it is more about a gymnastics opportunity. He has had so many backflips. Maybe it is the high jump with the Fosbury flop. But when it comes to fencing, there will be no-one better than Campbell Newman. We know that he sits on more fences than you could poke a *épée* at.

*(Time expired)*

**Mr SPEAKER:** Order! The time for question time has ended.

## MATTERS OF PUBLIC INTEREST

### Gold Coast Commonwealth Games

 **Mr SEENEY** (Callide—LNP) (Leader of the Opposition) (11.00 am): The first thing I want to do this morning is to congratulate those people who made up the bid team for the Gold Coast Commonwealth Games.

**Government members** interjected.

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

**Mr SEENEY:** I want to congratulate Mark Stockwell and his committee, along with the mayor of the Gold Coast, Ron Clarke, and assure them of the bipartisan support that we have already given to the Gold Coast because the Commonwealth Games on the Gold Coast have the potential to be a great event for Queensland. But there is also the potential for that event to be spoiled by an incompetent state Labor government, a state Labor government that has not been able to deliver anything.

This is the government that could not even pay the nurses. This is the government that has not been able to deliver the major infrastructure that Queenslanders need for their everyday lives, let alone what is needed for a major international event. This is the government that has not been able to deliver the water, the roads, the electricity infrastructure that every Queenslanders needs. This is the government that could not build the Traveston Dam and wasted \$600 million trying. This is the government that wasted billions of dollars trying to build a water grid that now stands unused and rusting. That is this government's record, and it is against that record that we must see their empty assurances about the Commonwealth Games.

Of course we support the Commonwealth Games. Of course this side of the House will support the Gold Coast in its efforts to run the best games that the Commonwealth has ever seen. But that will not stop us questioning this state government's ability to play its part in assuring those games are a success. It is the ability of this state government to manage anything at all that is on the minds of every Queenslanders at the moment. Those doubts surely would have been reinforced by the announcement last night that the Premier was going to be make herself the minister responsible for the Commonwealth Games.


So now the Premier is not just the Premier, not just the Minister for Reconstruction, but the minister for the Commonwealth Games as well. It begs the question: does the Premier not trust any other ministers? Is there nobody else in the cabinet who can do anything? The Premier has to be the minister for everything. She has no choice, because the other ministers are ministers for nothing. The Premier has to be the minister for everything because the other ministers are ministers for nothing.

Certainly the Premier could not trust the Minister for Sport to run the Commonwealth Games. His record of running the A1GP on the Gold Coast would rule him out—it would rule him out completely. The A1GP has become symbolic of the failure of this Labor government. When you look at the other ministers that the Premier had to choose from, it is no wonder that she had to make herself the minister for the Commonwealth Games. Look at the other members from the Gold Coast. What other members from the Gold Coast did the Premier have to choose from? She could not even make any of the Gold Coast members ministers for anything. The Gold Coast is the second largest city in this state, and the

Premier could not make any of those Gold Coast members ministers for anything at all. So it is no wonder that the Premier had to make herself minister for the Commonwealth Games because there is nobody else in the cabinet, nobody else in the government, no other Labor member representing the Gold Coast who could possibly do the job.

We, on this side of the House, will certainly continue to put the pressure on the government in relation to playing the role that it needs to play to ensure that the Commonwealth Games are a success. But we do that against a background of a government that has failed, a government that has brought us the health crisis, the water crisis, the power crisis, the kids in care crisis, the Bruce Highway crisis—a long list of failures to deliver the things that the people of Queensland need, a long list of failures to deliver the infrastructure that Queenslanders need in their everyday lives. The challenge of delivering the infrastructure that is needed for a major international event is surely beyond this failed Labor government.

### Gold Coast Commonwealth Games

 **Mr NICHOLLS** (Clayfield—LNP) (Deputy Leader of the Opposition) (11.06 am): I, too, congratulate the bid team—Mark Stockwell and all of the participants—on their great work in presenting Queensland's bid to host the Commonwealth Games in our second largest city, the Gold Coast, from 4 to 15 April 2018. It was of course in the bipartisan spirit of support for those games—

**Government members** interjected.

**Mr DEPUTY SPEAKER** (Mr Wendt): Members on my right, order! The member for Clayfield has the call.

**Mr NICHOLLS**:—that we, too, were briefed by the bid team. We, too, were taken through it, and we offered our full and unqualified support for that bid on a number of occasions.

**Ms Jones**: That is not true.

**Mr DEPUTY SPEAKER**: Order! Member for Ashgrove.

**Mr NICHOLLS**: And we sought and received monthly updates from the bid team about their progress for which I thank the bid team and also the government for allowing those to come through.

Winning the bid to host the games is not the end of the competition; it is only the start of the race. It is important that we now focus on delivering the games and avoid any of the pitfalls and traps that have been experienced by other hosts in the past. Queenslanders, quite rightly, are asking questions about how the games will be delivered and how they will be paid for. These questions need to be answered and dealt with clearly and concisely by the government. They cannot stand up and attempt to take all the glory for winning the bid and not also then explain how it will be paid for, because it is not their money; it is Queenslanders' money.

This Labor government is sending out mixed signals. We had the Premier at the weekend in a bid to stamp her authority and expose herself as a tough leader saying that she had to take on the doubting Thomases in her own cabinet. She had to stare them down to make sure that the bid went ahead. She had to stare down the doubters in cabinet back in February who were concerned about the costs of the games because of the floods and the cyclones. These are her words.

Then we had the doubter, the self-confessed doubting Thomas, who outed himself earlier this week—this is the Deputy Premier and Treasurer—who said, 'Yes, I had my doubts. I questioned whether the bid should go ahead because of the storms and cyclones we suffered.' So we had the man responsible for the funding saying, 'How are we going to pay for it?' And that is exactly the question that Queenslanders have to worry about.

**Mr Schwarten**: Wouldn't you ask that question as the Treasurer? I hope you don't end up as Treasurer.

**Mr NICHOLLS**: We know that the member for Rockhampton does not care, because he is on his way out. He has left all the nurses and doctors short-changed in their pockets. He avoided all responsibility for a payroll system that did not pay people. He ducked and weaved. He had the old boxer look about him as he was going down. They do not call him 'Punchy Rocky' for nothing. He was ducking and weaving. He does not care. But the Treasurer had questions to ask.

The question that Queenslanders ask, looking at this government's record of waste and mismanagement, is: what is the plan for paying the freight? That is a simple question that this government has failed to answer so far. We have a record of waste and mismanagement. We have the waste of the Traveston Crossing Dam, \$600 million, washed away. We have the waste of the nurses payroll system supervised by the then minister, the member for Rockhampton, the specialist at avoiding the answers, the man who was the focus of the Auditor-General's report, at a cost of \$220 million. We have the driver's licence system, another \$150 million. We have the Western Corridor Recycled Water Project.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Member for Clayfield, it is very hard for me to provide protection if you keep interjecting with the member for Rockhampton. I would ask the member for Rockhampton to cease interjecting.

**Mr Schwarten:** He needs to stop talking about me then.

**Mr DEPUTY SPEAKER:** Order! I appreciate and I understand that.

**Mr NICHOLLS:** We have a government that paid millions of dollars for a northern pipeline stage 2 water interconnector that does not connect with anyone. When it comes to waste and mismanagement, this government is legendary. The people of Queensland are now entitled to ask: how is the government going to pay for it? Because the cost is going to be over a billion dollars. The feds have not come to the party yet and the government has not detailed where it is going to get the money from. This government and Treasurer need to detail it in the Midyear Fiscal and Economic Review. The Midyear Fiscal and Economic Review should be out before Christmas, not hidden away over the Christmas break. This government needs to come clean and not do what it did at the last election, and hide all its nasties until afterwards—the fuel tax, the asset sales, the increases in taxes and charges.

### Wild Rivers; Steve Irwin Day

**Ms MALE** (Pine Rivers—ALP) (11.11 am): I thought this day would never come but it finally has. I am afraid that I have to put this on the record in this House. What I am about to say has come about due to an unbelievable and unfortunate set of circumstances. It is probably one of the most difficult sentences I have ever had to utter. What I have to say is that John Winston Howard, the ex-Prime Minister of Australia, was a visionary and a greenie at heart. However, there is one important rider to this statement. John Howard was a visionary and a greenie at heart on one issue and one issue only. That was for the breakthrough decision to grant federal funds for the purchase of what is now known as the Steve Irwin Wildlife Reserve, a 135,000 hectare property in northern Cape York which is bounded by the Wenlock River at its southern end and the Ducie River to the north. As Terri said at the time, 'This magnificent gesture by the Australian government will allow us to actively manage this land for conservation and research, as a perpetual memorial to Steve's work.'

Among the reserve's many natural attributes are a set of perched springs, semi-evergreen vine forests and dry vine thickets. The biodiversity is phenomenal. The land and waters are home to many rare and endangered species. The Steve Irwin Wildlife Reserve supports 35 different ecosystems which provide habitat and refuge for at least 157 native bird species, 43 reptile, 19 amphibian, 20 mammal and 43 freshwater fish species—a total of 282 vertebrate species.

With the help of the Wild Rivers Act, the Steve Irwin Wildlife Reserve was to be preserved for future generations. So it was joint Howard and Bligh government actions that would save the Wenlock and preserve the pristine area around Bertiehaugh, which is now the Steve Irwin Wildlife Reserve. But that is going to end thanks to two of the world's biggest Howard sycophants—Tony Abbott and Campbell Newman. Both have been shown to be environmental vandals of the highest degree by vowing to scrap the wild rivers legislation. They are both willing to jeopardise something that was one of the Howard government's few lasting good legacies. If Abbott and Newman have their way, they will overturn a Liberal Party legacy.

As if it is some bizarre conservative sermon from the mount, it seems that what the Liberals giveth, the Liberals can taketh away. At least Tony Abbott went through the motions and pretended to consult with real traditional owners before attempting to make the wild rivers legislation invalid. Campbell Newman did not even bother with this pretence. He has vowed to wipe out the protection of the Wild Rivers Act and again open up the Wenlock River to mining.

It is common ground that Newman has travelled many times already, making decisions based on the last person he spoke to. Unfortunately for the environment, that last person was Noel Pearson. As the Premier aptly pointed out, Noel Pearson is not a traditional owner in this case but he does have a vested interest in the result just like the mining companies.

**Opposition members** interjected.

**Ms MALE:** Like the mining companies, Noel Pearson has adopted similar policies. Rather than being a traditional owner or an Aboriginal leader looking out for the best interests of all Aboriginal peoples, he has become a fly in, fly out leader—a bit like Campbell Newman: someone more interested in what he can extract for his family and friends and someone who does not care about the long-term effects of this grab-and-run policy.

All I can ask of Campbell Newman is that he go to the cape and talk to the traditional owners, those leaders who truly represent the people of that area. Visit the Wenlock and see for yourself why your political mentor and philosophical idol decided to preserve this property. John Howard knew that this area was unique and that it needed and deserved to be protected for all time. Of course, he is not the only person who feels this way. I had the pleasure of the company of more than 350 people last


Saturday night at the Steve Irwin Day Gala Charity Ball. It was an opportunity to once again honour the memory of one of the world's true conservationists, a man of the earth, a great Australian and a great Queenslander. It was also a chance for everyone to pledge themselves to Steve's dream. Steve's dream was to preserve places like the Wenlock.

One of the biggest cheers last Saturday night came when Australia's leading crocodile expert, Professor Craig Franklin, called for everyone to fight for the wild rivers legislation. That is what we all must do. Today is Steve Irwin Day—a day to celebrate all of the magnificent attributes that Steve had. He was a strong and caring man, family oriented, hardworking and loyal. He was a friend to all animals and a tireless conservationist. Steve was the original wildlife warrior. I now ask everyone here in the House and in Queensland to join the cause. Become a Wildlife Warrior and save the reserve and the Wenlock River from the destruction that Campbell Newman and his rag-tag team want to do to our environment.

I see they have finally gone silent after their whingeing and complaining about my speech, but this is important. These are our wild rivers. They are pristine areas that we are saving and those opposite want to destroy the lot. They are behind Campbell Newman. I have not seen them talking to the traditional owners. I have not seen anyone on that side of the House up there dealing with the issues of preserving the cape. We have wildlife rangers there whose job it is to provide Aboriginal people the chance—

*(Time expired)*

### **Carindale Shopping Centre, Paid Parking**

 **Mr KILBURN** (Chatsworth—ALP) (11.16 am): I rise today to speak to a number of issues that are important to the members of my local electorate, one of which is the decision by Westfield to implement paid parking at the Carindale Shopping Centre from March 2012. I also want to take the opportunity to provide some facts to counter the campaign of misinformation and untruth being sent around the local area by our LNP councillor, Councillor Adrian Schrinner.

The decision by Westfield to implement paid parking is regrettable and it is causing a bit of concern in my local community. I think it is important to put the facts on the record to dispel the myth put about by Westfield and by some LNP members of parliament and candidates that this decision has anything to do with preventing commuters from parking in their car park. The fact of the matter is that this is a money grab pure and simple by a corporate giant that is using its position to gouge local residents for parking in their parking spots.

Let us think for a minute about the commuters that they say they need to keep out of their car park. A commuter in my area will usually get on the bus at around 6.30 am or 7.00 am, travel to the city, work all day and come home. That means they are there for between eight and 10 hours. If Westfield's decision were about keeping commuters out of their car park, they would have six or seven hours of free parking and then charge \$100. That would keep commuters out of their car park.

This decision has absolutely nothing to do with keeping commuters out of their car park. It is a cash grab pure and simple. It is also an example of Westfield completely giving up their role as a good corporate citizen. I look at what has happened in the past. I have congratulated Westfield for providing sites for JPs, for example, that provide a free JP service in their shopping centre. The JPs that I speak to are now saying they will not do that because they are not going to give up their time and then have to pay for the privilege of providing that service.


I call on Westfield today to be upfront and honest about this decision. At least have the guts to be truthful about what they are doing. What they are doing is making money for their shareholders. I do not have a problem with that if that is what they want to do, but at least be open, upfront and honest about it. If they are fair dinkum and this is purely about stopping commuters, then there should be no problem with extending the free time for parking in Carindale Shopping Centre to at least five hours. I have written to Westfield and asked them to do that on behalf of my local community, and I await a reply from them on that issue.

Currently there is a major expansion going on at Carindale Shopping Centre. A few hundred car-parking spots have been required to be unavailable whilst the expansion takes place. I do appreciate that this has led to a number of people parking in the area around the shopping centre. The local councillor, Adrian Schrinner, has taken advantage of this and has started a campaign to have a park-and-ride facility on the corner of Creek Road and Old Cleveland Road. This sounds great in theory, but what he fails to tell people when he sends out his letter—at ratepayers' expense, from his office on behalf of the LNP candidate for Chatsworth—is that the site that he recommends to people is already a car park and has been for over 12 months. It has 300 spots in it and those spots are currently being used by those who are working on the expansion of the Carindale Shopping Centre. If, as Mr Schrinner suggests, it is simply a case of putting up a sign and turning it into a park and ride, the net gain for my local community is zero. All that will happen is that those who are currently working on the site will move out into the streets of Carindale and around the people who live in the local area.

Interestingly, Councillor Adrian Schrunner has written to people demanding that the state government build a park-and-ride facility on the government owned land. What he fails to tell them is that it is local government owned land. It is in fact a road reserve for Creek Road and Old Cleveland Road owned by the Brisbane City Council. He does not even know that he is in control of the land on which he is calling on the state government to build the park and ride, and he fails to acknowledge that it is already a parking site and that people can park there now and ride the bus if they like.

This is a case of misinformation being delivered at Brisbane City Council ratepayers' expense, purely for the political purpose of propping up the LNP candidate for Chatsworth. I think it is a shameful and disgraceful act. He should spend his time trying to get better footpaths for the people of Gumdale and Wakerley, rather than wasting his time trying to make a political campaign on the state government.

### **Ambulance Service, Response Times**

 **Mr ELMES** (Noosa—LNP) (11.21 am): On Wednesday, 26 October, during the last sitting of the parliament, I asked the Minister for Emergency Services a question without notice, and for the benefit of the House I will repeat the question. I asked—

Ambulances were called to cardiac arrests in the Noosa region on 25 September, 28 September and 2 October 2011. On all occasions, crews arrived outside the appropriate response time and in all cases the patient was pronounced dead on arrival.

My question then was: why does this government continue to employ the unsound management practice of reduced rostered shifts? When there have been three deaths in one specific area within a week, that is a very serious question to put before the minister. To be fair, it is unlikely that a minister would be across such specific incidents when questioned in the parliament. I accept that, and I also accepted his statement at the time that he would look into the matters raised in my question.

As a follow-up, I received a call from the minister's office at 3.50 that same afternoon requesting all of the information in my possession, which I gladly gave. Information provided to the minister's office included dates, times and, for one incident, even the ambulance case number. I also passed on the details of why ambulances were arriving outside the time limits permitted. If my allegations had in some way been wrong, the minister would have been on his feet in the parliament that afternoon or the following day nailing my hide to the wall. The fact is that he has been strangely silent on the whole matter.

It is important for the parliament to understand why these tragedies came about, and can I add here that it is nothing to do with the professionalism of the personnel of the Queensland Ambulance Service. That is first-rate, and every member in this House knows that to be the case. It is the upper echelons of the Ambulance Service—those who are far removed from the care of patients—all the way through to senior public servants and the minister himself who determine the policy that allows severe staff shortages not just in Noosa but also across the Sunshine Coast.

Rostered shifts were not being filled when these incidents took place and they are still not being filled today. This puts our paramedics under increased pressure and endangers the lives of people who need their assistance. On the Sunshine Coast, the regional director of operations, Craig Emery, and his assistant, the area director of the Sunshine Coast, Neil Reid, must be directed to cease the policy of unfilled rostered shifts. Couple this with the rampant ramping of ambulances in our hospitals and, in my view, you have a service in crisis.


Another area of concern involves the number of intensive-care paramedics who are available for work across the 24-hour period. Increasingly, these highly trained officers are being promoted into management roles and, therefore, are only available during daytime hours. In my area of Noosa, only one intensive-care paramedic is now available for duty. It is not unusual for there to be no intensive-care paramedics available for duty during the night anywhere on the Sunshine Coast, other than what is needed at the Sunshine Coast Airport for use by the AGL rescue helicopter.

It is well and truly time that the people of Noosa, the people of the Sunshine Coast and, I suspect, the people in the rest of the state had a government that actually delivers the services required, rather than one which hides behind a public relations spin machine in order to cover up their serious deficiencies. In fact, I would invite all honourable members to make inquiries of the minister's office or to ask a question on notice for their specific electorate and the ambulance stations within it as to how many rostered shifts are going unfilled and how many ambulance stations are being closed, particularly at night, so that a station many kilometres away can remain open. The example I would give in one of the incidents that I reported to the minister is that the Kawana Ambulance Station was closed due to an unfilled rostered shift and the only other officer present was directed to travel to Noosa, some 60 kilometres or 49 minutes away, in order to keep that station open.

I gave the minister's office the details of three tragedies. I informed them that I also knew of a fourth death but did not have sufficient ironclad details to include that incident in my question to the minister. Twenty-one days ago, I asked the Minister for Emergency Services about three tragedies in my community. He has not given me or anyone else a response to the question; nor has he done anything about ensuring that all rostered shifts are filled and that the state provides a better and more responsive ambulance service.



### Samford Road-Wardell Street Intersection Upgrade

 **Ms JONES** (Ashgrove—ALP) (11.26 am): I am pleased to advise the House that work has now started on the first part of the Samford Road-Wardell Street intersection—

**Mr Watt:** Hear, hear!

**Ms JONES:** I take that support from my neighbour, the member for Everton, who has also lobbied very hard for this project for our community. Construction is occurring of a longer left-turning lane for northbound traffic travelling from Wardell Street into Samford Road. This part of the overall project should mean less rat-running in side streets, shorter traffic queues and reduced travel times. It will also involve the upgrading of the adjacent footpath, new road surfacing and the relocation of streetlights. Work has started to relocate underground water pipes and telecommunications cables, and it is hoped that roadworks will start before the end of November, depending on progress by Telstra to relocate cables.

To minimise delays during peak hours, work will be carried out at night as far as possible—between 7 pm and 5 am, Monday to Friday—as well as on some weekends. Lane closures will also occur after 8 pm, and traffic controllers will be on site to ensure the safety of roadworkers, motorists—

**Dr Robinson** interjected.

**Ms Grace** interjected.

**Mr Powell** interjected.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! There is too much interjection across the floor between members. I do not mind interjections on the member who is speaking but not across the floor.

**Ms JONES:** Thank you, Mr Deputy Speaker. We well know that the LNP do not support an upgrade to the Samford Road-Wardell Street intersection. That has been clearly articulated by both of the shadow ministers in the chamber here today and by the LNP candidate for Ashgrove, Campbell Newman.

**Dr Robinson** interjected.

**Ms JONES:** We will get to Campbell Newman's plan—don't you worry about that. However, despite these contingencies, roadworks will inevitably cause some disruptions, so I want to thank—

**Dr Robinson** interjected.

**Ms JONES:** I take that interjection, because the LNP supports a plan that will not deliver any relief of the traffic congestion which is experienced by everybody in my community and which is experienced by those in the community of the honourable member who sits next to me and by those in the electorate of Ferny Grove. That is right: the LNP have promised to do zip, nothing. The larger Samford Road-Wardell Street intersection upgrade is now in the planning phase, following the recent completion of public consultation on the concept plan. I also want to advise the House—

**Dr Robinson** interjected.

**Ms JONES:** If you did care about this issue then you would listen. I also want to advise the House that, following the announcement I made in August that the Department of Defence has now agreed to provide a Samford Road entrance to Gallipoli Barracks, a joint meeting with Defence and Main Roads is being held again this week on site regarding the new entrance.

**Honourable members** interjected.

**Ms JONES:** I take the interjection from the honourable opposition member who, like the candidate for the LNP in Ashgrove, totally missed the announcement back in August, some three months ago, that we—

**Dr Robinson** interjected.

**Ms JONES:** Keep up, Mark! Keep up, Campbell! We announced back in August, in writing, that we had advice from Defence that they are going to deliver a new entrance to the barracks on Samford Road.

**Mr Wilson:** Hear, hear! Well done!

**Ms JONES:** I take that interjection from the member for Ferny Grove. This vital part of the information completely passed the LNP candidate for Ashgrove. We all know why Mr Newman knows nothing about this. He is not a local. The fact that he is not a local shows with his do-nothing plan for this busy intersection. Only someone who lives at Windsor would claim that you can fix the bottleneck at this intersection with no money and no extra lanes. That is what the LNP is promising the people of Ashgrove.

Campbell Newman is happy to trip around the rest of the state and promise \$200 million for intersection upgrades at Bracken Ridge and Geebung but have nothing—nothing—to fix the intersection in the electorate that he is pretending to care about. I will never stand by and let Campbell Newman take the people of Ashgrove and the people of Enoggera for granted while he travels around the countryside promising every other community major upgrades to their intersections and promising us nothing. Despite him talking for months that he had this secret plan that was going to somehow miraculously fix the intersection and involve no resumptons and deliver huge time savings, we now see in his weasel words—


**Mr Watt:** We don't know who came up with that figure.

**Ms JONES:** Is there a figure? Have they got a figure?

**Mr Watt:** Apparently five per cent.

**Ms JONES:** Sorry? They are going to do it for five per cent of the money? What we have seen now is Mr Newman continuing to speak like a slick politician—using weasel words but delivering absolutely no money, no infrastructure and no upgrade to the busiest intersection in the Ashgrove electorate and it is not good enough.

### Great Barrier Reef, Fish Health

 **Dr ROBINSON** (Cleveland—LNP) (11.31 am): The government's continued bumbling and cover-ups with respect to Gladstone have now caused a crisis of confidence in every port region on the Great Barrier Reef. The Gladstone Harbour crisis, as it has become known, was a problem that should have been handled better—with openness, accountability, independent science and integrity. Instead, this incompetent, long-term Labor government—the fisheries minister in particular—has made the problem worse and its attempted bad old Labor cover-up has now created the crisis in confidence that now exists in Gladstone. This crisis of confidence is how this government handles ports and harbours on the Great Barrier Reef. This crisis in confidence on the reef has now spread to other parts of Central and Northern Queensland.

Firstly, the minister sat on the problem for months—since his department first knew about the problem in May this year. The minister gave the unbelievable assurances in this House that he only knew about it in mid-September. Secondly, the minister gave false assurances to the parliament and to the public over a period of two months that the fish disease problem was limited to one species of fish only—barramundi—when it was known to fishermen and then to scientists that many other species were involved. The minister is the only person today who believes that the fish disease is confined to barramundi. In parliament today the minister was given a chance to correct the record. Instead of admitting that he was wrong, he continued to cover up the problem.

Ted and Simon Whittingham, who are the owners and managers of the Gladstone fish market said this on 24 October—

I would like to express my concern that the governing authorities are suggesting that the unknown disease is only present within barramundi. The disease has now been identified in blue salmon, flat salmon, king salmon, bream, shark, stingrays, golden trevally, Spanish mackerel, whiting, sea snakes, prawns, crayfish and mud crabs.

Yet the minister continues to this day to ignore this and now can only be seen as deliberately misrepresenting the facts in the parliament today.

Thirdly, the minister even today continues to state that the skin lesions, rashes or burn marks on diseased barramundi are red spot despite scientists in his own department stating otherwise. The facts are that we still do not know what has caused the lesions on the barramundi. Recently, Biosecurity Queensland stated—

The cause of the severe ulcerative lesions on the barramundi samples from Gladstone Harbour could not be determined. EUS (red spot) and bacterial infection have been ruled out as causative agents. The skin damage is serious and increases the likelihood of mortality in affected fish.

These are the scientists who are speaking and they are saying the opposite to what this minister continues to repeat in this House, which is inaccurate, not factual and, in my view, is a deliberate misrepresentation of the information.

Fourthly, the minister has stated that fewer than 20 per cent of the fish tested were diseased. That is hardly a normal or expected level of sickness. Fisheries Queensland has admitted that this figure is not correct and that the figure is actually higher—at least 30 per cent to 40 per cent. Fishermen have found the figure to be up to 80 per cent. The minister's 'count barramundi only' policy means that the government has underestimated the magnitude of the problem and continues to do so.


I join many other people—and we saw them express their views on the *Four Corners* program—in voicing my concern for the health of the Great Barrier Reef through the way this government is mishandling and covering up the situation. The government has failed to adequately protect the reef.

When planning for the upgrade of Gladstone Harbour was done environment ministers, starting with the member for Ashgrove, failed to plan to protect the reef. The former environment minister has said nothing about protecting the Great Barrier Reef in the Gladstone area since she cut and run from the reef. Since the government knew about the problem in May, what did she know?

The LNP in government will not risk the Great Barrier Reef like this government has as we will balance the needs of resource industries with the environment, with the port and with future developments. The government stands condemned for its mishandling and cover-up and Mr Wallace should be withdrawn from the process.

*(Time expired)*

### Gold Coast Commonwealth Games

 **Ms CROFT** (Broadwater—ALP) (11.36 am): The date of 12 November 2011 will forever be remembered by Gold Coasters as the day their community united. It was the day they stood together, shoulder to shoulder, in anticipation and the day they celebrated together as their city was announced as the best place to host the 2018 Commonwealth Games. It was a privilege and an honour to have been so closely involved over the past 10 months with the Gold Coast bid company. Indeed, standing with the bid team and with the Gold Coast community as we awaited the decision from the voting delegates last Saturday was a moment that bore my deepest pride as a Gold Coaster. I am very proud of the efforts of the bid team and all who were involved—from the athletes, to the local residents who hosted delegate barbecues, to the business community led by Andrew Bell, who worked very hard. Our win was not an easy victory and I acknowledge the strength of the bid put forward by Hambantota in Sri Lanka.

The Commonwealth Games in 2018 and all the preparation for it will redefine our city. This great event will showcase our ability to deliver world-class sporting events. Our Commonwealth Games will also demonstrate our city and, indeed, our state's cultural diversity and the depth and range of talent that is working in many industries and the publicity will bring to the fore our reputation as a great international tourism destination.

The games will act as a catalyst to fast-track infrastructure, ranging from sporting facilities to transport. It is this Labor government that has committed \$500 million worth of infrastructure to be ready for the games, including \$40 million for an upgrade to the Southport aquatic centre, upgrades to the Labrador Hockey Club, a new facility for the Runaway Bay indoor sports facility and more.

I am very proud to be part of a Labor government that has developed the Gold Coast over the past 10 years into a regional city that is capable of putting itself forward to host a major international event such as the Commonwealth Games. It was this Labor government that built the Gold Coast convention centre, Skilled Park stadium—without which we would not have been able to secure the NRL team the Titans—and Metricon Stadium, the home of the Gold Coast Suns. It is embarrassing for the LNP members opposite. I recall an article in March 2009 where the then Brisbane Lord Mayor Campbell Newman commented about how we had committed \$60 million to the construction of Metricon Stadium. The article said that Campbell Newman's blood had boiled when he had heard that this government had committed to building Metricon Stadium.


It is an embarrassment that LNP members on the Gold Coast did not support the building of Metricon Stadium that was pivotal in our bid to put forward the Gold Coast as the host of the 2018 Commonwealth Games. In 2018 the Gold Coast convention centre will house the international media and will be the venue for the netball; Skilled Park will be the venue for the Rugby Sevens; Metricon Stadium, built by Labor, will be the venue for the opening and closing ceremonies; and behind this the government will build the athletics venue. It is this Labor government that has invested in a light rail network that will transform the way that people travel on the coast. The \$1.5 billion to build the new 750-bed hospital is an election commitment that this government is delivering on. It has been this government, led by Premier Anna Bligh, that has delivered our city and our state the most exciting opportunity for our industries and our people—the 2018 Commonwealth Games. The Premier's contribution to this bid win should not be underestimated. It was the Premier who persistently called Australian CGA president Sam Coffa requesting his support. It was the Bligh government that committed funding to establish the bid company and all the work that has been done to secure the games. The Premier also actively met with delegates to talk about our bid and presented to the CGF during their visit and presented in St Kitts and Nevis.

I would like to thank my parliamentary colleagues from the Gold Coast—Peter Lawler, Margaret Keech and Christine Smith—for their efforts in ensuring that schoolchildren on the Gold Coast were part of our bid through the Adopt a Commonwealth Country Program. Seventy-five schools across the Gold Coast joined the program which saw students and teachers research their adopted Commonwealth country. They presented their work to visiting delegates during the delegates' inbound visit. The program was an initiative that provided students on the Gold Coast the opportunity to learn about the

unique cultures and traditions of Commonwealth nations. It was a fantastic effort. I understand that the bid team believes that this program can be developed nationally and integrated into the Australian curriculum. I look forward to beginning the work to make this happen.

This week the government will introduce legislation to establish the 2018 Commonwealth Games Corporation. This is just the beginning of the work to be done. We have 2,365 days in which to put on the greatest show the Gold Coast and the Commonwealth has ever seen. Congratulations, Gold Coast!

### Cape York, National Parks

 **Mr POWELL** (Glass House—LNP) (11.41 am): A can-do LNP government will protect Cape York's iconic natural areas and waterways, but we will do it with locals, not against them. An LNP government will ensure iconic natural areas and areas of high conservation value are properly protected, but will do so in balance with appropriate economic development. The LNP believes Indigenous communities, pastoralists and other local stakeholders should be the ones to determine that balance, not a Labor government centred in George Street supported by Brisbane based green groups. The duplicity of this Labor government is that, while it stifles the voices of Indigenous people on the cape under the guise of environmental outcomes, it fails its own environmental legislative benchmark. Cape York national parks continue to go without management plans and are part of the nearly 70 per cent of Queensland's protected areas that are not actually protected. It just goes to show that wild rivers declarations on the cape, with little genuine consultation, were more about dodgy green preference deals than about genuine environmental outcomes. This is hurting the aspirations of local Indigenous communities and makes the task of breaking out of the welfare spiral even harder because of its one-size-fits-all application.

The LNP will replace Labor's controversial wild rivers declarations on Cape York in order to give locals greater control of their economic future. The LNP trusts locals to get the balance right. After all, the LNP acknowledges the Indigenous stewardship of the rivers of Cape York, a stewardship that has existed since time immemorial. To assist local Indigenous communities, pastoralists and other cape stakeholders in continuing this stewardship, and to address Labor's appalling environmental management of the same, a can-do LNP government will develop a Cape York bioregion management plan in consultation with locals. A bioregion management plan will allow a broader approach to the management of Queensland's iconic natural areas. It will provide a regional focus on conservation activities, weed and pest management, fire management and the deployment of infrastructure and maintenance. It will encompass broader natural resource management targets, currently developed by organisations like Cape York NRM, to deliver a coordinated approach across the cape. To support the development and implementation of the bioregion management plan and in acknowledgement of the LNP's commitment to the joint management of national parks with traditional owners, a can-do LNP government will employ 30 additional Indigenous rangers in its first term. The Indigenous rangers assigned to the cape will have a particular focus on protecting its pristine waterways, protected species like dugongs and turtles, and national park management.

What has been the reaction to the LNP's policy for Cape York? Cape York Land Council Chairman Ritchie Ah Mat said—

I think it's a great day for all partners in Cape York; we absolutely welcome the announcement by Mr Newman and his colleagues about Cape York ... If black fellas in the Cape York and the Torres Strait don't get this message from the LNP and vote for the LNP, I think it will be a sad day.

Indigenous leader Noel Pearson responded in this way—

We believe that there is a way forward for conservation, development and Aboriginal land rights. We believe that a balanced approach to Cape York can work. It's worked in the past, it can work in the future. I want to see white fellas, black fellas, green fellas all working for a balanced future and at the moment what we've had under the Wilderness Society and the Labor government is the green fellas putting their foot on our throats. We'll get better and more conservation outcomes when we cooperate, when people trust the government, because at the moment we live in fear of the Government.

Cape York Sustainable Futures CEO Trish Butler said—

It is heartening to see that the decision making will go back to the whole region and not just a few people across Cape York under an LNP government. For too long Cape York has been divided by groups from outside our region making decisions on our behalf without proper consultation.

The Anglican Church's the Very Reverend Dr Peter Catt said—

There's no question about the value of an undiminished environment for the benefit of future generations. It would be a travesty for environmental safeguards over the wild rivers areas to be removed altogether, and it's good to see that the proposed plans include an appropriate level of protection. Sustainable development includes both the well-being of communities and the protection of the environment.

Bligh Labor and the 'green fellas' will use terms like 'open season for mining on the Cape', but quite frankly it is ridiculous to suggest the LNP plan would allow unlimited damming or mining of the cape's pristine waterways. Any mining or significant development must still pass through a stringent EIS

process. It would be assessed against myriad state and Federal legislation, including the EPBC act. It should also be understood that mining is already occurring on the cape under current Labor government legislation. Do not listen to what Labor says; look at what it does.

In conclusion, let me reiterate that this announcement is about the future of Cape York. The LNP does not currently have plans to repeal or replace any of the other wild rivers declarations. In contrast to Labor's approach, we will consult with local stakeholders. We know Labor's one-size-fits-all approach is failing the environment and local communities alike. We will discuss the future of each region with locals in those regions. We will work with locals, not against them.

### Newman, Mr C



**Mr LAWLOR** (Southport—ALP) (11.46 am): Recently the LNP leader Campbell Newman told the mining industry conference that Queensland had not had a good government since 1986. Maybe he picked 1986 because that is when he arrived in Queensland. I am not too sure how some of the LNP members took that news. We on this side of the House are accustomed to those in the LNP mindlessly denigrating the achievements of Labor governments, but now they are bagging their own side of politics. I am not sure how the former National Party premier Rob Borbidge and his Liberal Party deputy premier Joan Sheldon might feel about Mr Newman's assessment that they led a totally forgettable and bad government from 1996 to 1998. Maybe the member for Gregory might tell us if he shares Mr Newman's attitude to the Borbidge government. After all, he was minister for transport and main roads back then. He would most likely know just how bad that government was. We would all be interested to see if he shares that assessment of the leader. How about the member for Warrego? He was minister for natural resources in what his current party leader said was a bad government. Maybe he might enlighten us on whether his leader is correct in saying that the government he previously served in was a dud. Better still, does my friend the member for Southern Downs, who was also a minister for natural resources in the Borbidge government, agree with his leader's views on the apparently pitiful and forgettable nature of that government?

Let us stop to reflect on what Campbell Newman claims is the year that public administration in this state reached its zenith. Those of us around at the time will recall just some of the highlights of life under the Bjelke-Petersen government in this state in 1986. It was a time when 'public accountability' were dirty words. Nobody in government dared utter them. Perhaps that is why Mr Newman pines for 1986. Back then he would not have had to release any details of his pecuniary interests. We have seen how unwilling he is to let voters know the truth of his own web of financial interests. He had to be dragged kicking and screaming to reveal even the most basic details. He would have been right at home back in 1986. Back then the expression 'civil liberties' was also an offensive expression to anyone in government. It was illegal to be gay in 1986. Mr Newman is on record as supporting gay marriage but he will not allow his party a conscience vote on civil unions. That is consistency for you. Let us not forget the needless confrontational nature of industrial relations back then. The Bjelke-Petersen government hated unions and anyone who wanted to improve the lot of average workers. We all remember the SEQEB dispute where workers were imprisoned. The ultimate insult was the confiscation of the superannuation of thousands of workers. It was the first job of the elected Goss government in 1989 to reinstate to those workers their rightful dues in relation to superannuation.


In 1986 in this state, corrupt police tainted the good name and reputation of honest officers. Bent police were allowed to spend their time lining their own pockets instead of fighting neighbourhood crimes. There was no anticorruption machinery for the simple reason that the government was afraid of what it would find. It took the Fitzgerald inquiry to reveal the true extent of the swampland of public sector corruption that Campbell Newman now holds up as his benchmark.

In 1986 Queensland was spending less than most other states on vital services such as education, health and law and order. In state schools, class sizes were a national disgrace. The need for better educational standards for our nurses was ignored, as was the need for better life-saving training for vital workers such as ambulance officers. There was no such thing as a level playing field for business in the state. If you were a friend of the government, you got the contracts; if you did not wear white shoes and carry a brown paper bag, sorry, you just missed out, no matter how good you were. In 1986 even National Party trustee Sir Roderick Proctor went public and complained about the culture of cronyism. Underpinning it all were the rorted electoral boundaries that gave the National Party a head start at each election.

**Mr Schwarten:** Halcyon days, they say.

**Mr LAWLOR:** He refers to them as halcyon days; the member for Rockhampton is exactly right. This is the year that Campbell Newman wants to repeat and return to. His favourite year of 1986 represents the style of government he wants to deliver. What an indictment on his standards and lack of vision!

### Katter's Australian Party

 **Mr KNUTH** (Dalrymple—KAP) (11.51 am): It is a great honour to address this parliament as a representative of the new, powerfully emerging Katter's Australian Party. Before I was elected to parliament in February 2004, I committed to my electorate that I would passionately and sincerely represent my constituents—the workers, the ringers, the farmers, the bush battlers—and uphold the Australian way of life. However, given the stronghold that the two main political parties have over their members, I have found this to be almost impossible, as on many occasions members are forced to vote contrary to their conscience and the needs of their electorate. I believe that that is undemocratic and goes against the principles we were elected for.

It is refreshing that Queenslanders are positively embracing a new political force to break the iron grip and to hold these political parties to account. There are many good parliamentarians on both sides of the House, but they are hamstrung, bound and chained to party politics and the threat that if they do not vote along party lines their careers may be over. The Australian Party assures Queenslanders that their representative will take their views to parliament and that their members will vote according to their consciences and their electorate, rather than according to a political party or factional ideology, thus truly representing the people.

For example, the assets that were sold were generating an income for the benefit of Queensland, yet members of parliament were forced to vote along party lines, going against the fundamental principles of what they believe in. As we saw with the privatisation of the retail arm of the energy sector, which both major parties backed aggressively, Queensland has been hit with massive increases in electricity costs. The further sale of assets, particularly in the energy sector and SunWater, will add to the massive increases to our electricity and water costs and add further costs to rural areas. The Australian Party is the only party committed to not selling our profitable assets, as we believe that the government should provide essential services such as airports, water, electricity, gas, health services, road networks, public transport and communications—not profit-making transnational companies at the expense of consumers.

A massive expansion taking place in relation to coal seam gas will see more than 44,000 gas wells embedded over our Great Artesian Basin and prime agricultural land. Every passionate lobby group is crying out and pleading for a moratorium to whoa it up, to slow it down and to ensure we get the facts right. We have to ensure that our Great Artesian Basin is protected, we have to ensure that our farmers' rights are not trampled on and we have to ensure the future of a \$14 billion agricultural industry that is already battling against overseas imports and insecure land tenure.


The only groups opposing the moratorium are the two major political parties. Both major parties will put their hands on their hearts and talk about policies to protect the man on the land. They both claim to be a party for the bush and that they will ensure the DPI is returned as a stand-alone department. However, the reality is that, if they cannot protect the farmers from the rapid pace of coal seam gas expansion, that is all words and promises. It is just rhetoric and con. The Australian Party will implement immediately a 12-month moratorium on all proposed new coal seam gas projects. We will ensure the viability and the sustainability of Queensland's food-producing regions by protecting them and we will uphold landowners' rights—full stop.

Just to set the record straight, a newspaper article indicated that one reason I left the LNP was discontent with LNP president Bruce McIver. That is not the case. I do not know where that came from or how it was misquoted. Over the years of Bruce being president, I have always had full respect for him. My reason for leaving has been clearly articulated. In addition, I was elected as a National member of parliament, not a Liberal member of parliament.

We all acknowledge the value that mining contributes to the economy and the wealth and growth it creates. However, there must be a balance to ensure mining communities are sustained and liveable. I am opposed to 100 per cent fly-in fly-out as it separates families and does not provide choice, social interaction or community participation. For example, the Moranbah region produces \$6 billion in gross revenue, yet it lacks accommodation infrastructure, appropriate health services and general services. The Australian Party will ensure a royalty-for-regions initiative whereby a minimum of 20 per cent of the mining royalties earned from the region must be returned to the region in the form of social and capital infrastructure, including the provision of affordable housing and associated services for miners and their families so they can enjoy the quality of life that communities have to offer. The Australian Party will protect Australian jobs, ensure freehold land is yours and not the government's, not support asset sales, return community participation to local hospitals and ensure the Australian way of life is not eroded.

*(Time expired)*

### Everton Electorate, Traffic Congestion

 **Mr WATT** (Everton—ALP) (11.56 am): Since I was elected nearly three years ago, improving traffic and transport in the north-west of Brisbane has been my top priority. As a father, I strongly believe that any time we spend in traffic is time that we could better spend with our families. That is why I am so pleased that the government is delivering major traffic and transport improvements for local residents. We have provided numerous new bus services, with more to come. We have duplicated the Ferny Grove rail line to Mitchelton and currently it is being extended to Ferny Grove. However, I recognise that many north-west families are car dependent, so improving our roads is also vital.

Over the last year, the members for Ferny Grove, Ashgrove and I have fought hard to deliver an upgrade to the intersection of Samford Road and Wardell Street at Enoggera. Our community campaign succeeded, and work on stage 1 is now underway. My next target is the intersection of Stafford Road and South Pine Road at Everton Park. As anyone who has driven through the north-west knows, that intersection is a source of enduring frustration to locals.

**Mr Hinchliffe:** Hear, hear! It's terrible.

**Mr WATT:** I take the interjection from the member for Stafford. On numerous occasions I have met with the minister and departmental officials to discuss fixing it. Last year at the community cabinet held in Everton, I convinced the Premier and the Minister for Main Roads to fund investigations and design work for an upgrade to the bottleneck. A few weeks ago I commenced a campaign to convince the government to fix the intersection. I am pleased that, to date, over 1,000 local residents have signed petitions to the main roads minister, calling for action.

Today I am also pleased to inform the House that this campaign has taken a big step forward. The government has now released, for public feedback, designs for improvements to the intersection. The plan proposed by the Department of Transport and Main Roads involves two stages. Stage 1 involves the construction of a new four-lane road using part of the existing north-west travel corridor, known to most locals as the Trouts Road corridor. This new Everton Park link road will connect Stafford Road and South Pine Road by going around the disused Woolworths distribution site and the Everton Park Homemaker Centre. It will allow residents who wish to turn right at Stafford Road or left at South Pine Road to make that turn earlier, bypassing the intersection. This will take a significant amount of traffic out of the intersection, leaving remaining traffic with a shorter wait to move through. I am pleased that this stage will involve minimal property impacts and disruptions to local residents.

Stage 2 of the upgrade will involve widening entry points to the intersection and straightening the dog leg between Griffith Street and Stafford Road which will reduce delays passing east-west through the intersection. All up, the proposed plan will result in time savings of up to 10 minutes each way for north-west residents. Coming on top of the time savings resulting from the upgrade of the Samford Road-Wardell Street intersection, every day locals will have more time to spend with their families.

This past weekend, residents throughout Everton would have received the plan. I encourage everyone to give their feedback to the design team. It is important that we tell the government how important fixing this intersection is to our area. Once feedback is in, the next stage of my campaign will be to convince the government to find the money to undertake these improvements. My community has runs on the board when it comes to convincing the government to find funds for our area. The start of works at Samford Road-Wardell Street is evidence of that.

In contrast to the government's progress in reducing congestion in our area, there has been a deafening silence from the LNP. After initially announcing a plan for a massive overpass at the Samford Road-Wardell Street intersection that was not funded and was not wanted by the community, Campbell Newman has finally announced his so-called plans for this intersection. He has delivered an absolute dud that has no additional lanes, no funding and provides no solution. My LNP opponent has also failed to show any leadership on the issue of congestion in Everton. He has yet to announce whether he supports the do-nothing plan of his leader. Will he stand up for locals on this important issue and announce his support for a real upgrade or is he too weak to stand up to his leader? Or is it that he just does not get how important relieving congestion is to residents of the north-west?

**Mr Kilburn** interjected.

**Mr WATT:** I take the interjection from the member for Chatsworth. Perhaps it is all of the above.


The LNP's much hyped infrastructure plan contains not one infrastructure project for the entire north-west of Brisbane—no roads, no public transport, no school projects, no health projects, no sports infrastructure—nothing. When will my opponent stand up for Everton residents and announce his plans to tackle the issues that matter most to people in our area? I, for one, will continue to work hard on behalf of Everton families and deliver results that make a difference for locals. I encourage all local residents to give their feedback on this major initiative to relieve congestion in our area.

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! The time for matters of public importance has expired.



## COMMERCIAL ARBITRATION BILL

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

 **Hon. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (12.01 pm): I present a bill for an act to provide for the conduct of commercial arbitration, to repeal the Commercial Arbitration Act 1990 and to make consequential amendments to the acts mentioned in the schedule. I table the bill and the explanatory notes. I nominate the Legal Affairs, Police, Corrective Services and Emergency Services Committee to consider the bill.

*Tabled paper:* Commercial Arbitration Bill [5860].

*Tabled paper:* Commercial Arbitration Bill, explanatory notes [5861].

With a burgeoning economy and significant growth in commercial activity, there is a growing need for a fair, flexible and cost-effective commercial dispute resolution system. The Commercial Arbitration Bill 2011 will update and modernise commercial arbitration law in Queensland in a way which is consistent with not only new national uniform legislation but also international best practice. The bill will ensure that Queensland is a jurisdiction which accords with world standards for facilitating the resolution of commercial disputes. The bill will encourage the greater use of the domestic commercial arbitration services. It will do this by providing businesses with access to a commercial dispute resolution process which is fair, timely, cost effective and final.

Arbitration is a formal dispute resolution process in which two or more parties refer their dispute to an independent and impartial third person—the arbitrator—for determination. The result of the arbitration, known as the award, is enforceable in the same manner as a court judgement. Commercial arbitration is used in resolving commercial disputes and is commonly used by the insurance, construction and engineering, oil, gas and shipping industries as well as by banking and financial services.

The bill will replace the current Commercial Arbitration Act 1990 which governs domestic commercial arbitrations in Queensland. This act was developed under the auspices of the Standing Committee of Attorneys-General as one of a series of substantially uniform laws across Australia, commonly referred to as the Uniform Commercial Arbitration Acts. In April 2009, SCAG agreed to develop new uniform commercial arbitration legislation. The objective was to update and modernise existing commercial arbitration law to ensure that arbitration provides an efficient and cost-effective alternative to litigation, consistent with international best practice. SCAG undertook targeted consultation on the model bill and in May 2010 agreed to its implementation.

The model bill is based on the United Nations Commission on International Trade Law Model Law on International Commercial Arbitration. The bill before the House will make Queensland's commercial arbitration law consistent with the model bill which has been either introduced or enacted in most other Australian jurisdictions. The bill will also help align the domestic commercial arbitration regime with the Commonwealth's International Arbitration Act 1974. It is clear from consultation with key Queensland stakeholders that there is strong support for the bill and for there to be uniformity among jurisdictions.

I seek leave to have the remainder of my speech incorporated in *Hansard*. I have sought leave from the Speaker.

Leave granted.

I turn now briefly, to the structure of the Bill itself.

The primary object of the Bill, set out in clause 1AC, is to facilitate the fair resolution of commercial disputes by impartial arbitration tribunals without unnecessary delay or expense.

Part 1 of the Bill makes it clear that the Bill applies to domestic commercial arbitration not international commercial arbitration, which is provided for under the Commonwealth Act.

Part 2 of the Bill provides for parties to make arbitration agreements to submit to arbitration all or certain disputes which have or may arise between them in respect of a defined legal relationship, whether contractual or not.

Part 3 deals with the appointment by the parties, of an arbitrator or arbitrators, that is, an arbitral tribunal. This part provides flexibility and autonomy to parties in selecting the arbitrator or panel of arbitrators to decide their dispute. Parties can agree on the number of arbitrators, the process by which they will be selected, and how they may be challenged. It also provides that in default of an agreement by the parties, the courts will have the power to appoint an arbitrator.

Clause 12 sets out the grounds on which the appointment of an arbitrator may be challenged. It obliges proposed arbitrators to disclose any circumstances likely to give rise to justifiable doubts as to their impartiality or independence.

The jurisdiction of an arbitral tribunal is dealt with in Part 4. An arbitral tribunal is competent to determine whether it has jurisdiction in a dispute. However, a party may seek a ruling on the matter of jurisdiction from a court if a tribunal determines that it has jurisdiction.

Interim measures, akin to injunctions given by courts, are dealt with in Part 4A of the Bill. Arbitral tribunals may grant these temporary measures for purposes such as maintaining the status quo and the preservation of assets and evidence.

Arbitral tribunals have the flexibility, unless the parties otherwise agree, to conduct an arbitration on a “stop-clock” basis, that is, the time allocated to each party is recorded progressively and strictly enforced. This allows arbitral tribunals to conduct arbitrations in a manner that is proportionate to the sum in dispute and the complexity of the issues set down for determination.

Similarly, clause 33B, in Part 6 of the Bill, allows an arbitral tribunal to limit the costs of arbitration, or any part of the arbitral proceedings, to a specified amount, unless otherwise agreed by the parties. This gives arbitral tribunals the flexibility to cap costs on the basis of proportionality.

Clause 24B imposes a duty on parties to do all things necessary for the proper and expeditious conduct of arbitral proceedings.

Clause 27D, provides that if the parties agree, an arbitrator may act as a mediator, conciliator or other non-arbitral intermediary. This is intended to provide flexibility for parties to agree on how their disputes are to be determined. However, if a mediation or conciliation is unsuccessful, an arbitrator may only continue to arbitrate the dispute with the written consent of all parties.

The clause also provides for how confidential information obtained from a party during mediation proceedings, which the arbitrator considers is material to the arbitration proceedings, is to be treated.

The Queensland Law Society has expressed some residual concerns about the operation and usability of this clause. To address these concerns, I have invited further submissions from the Society on how the provision might be improved. However, given the Bill is drafted in accordance with the national model, suggestions for refinement would need to be raised with my colleagues on the Standing Council for Law and Justice. In view of this, the Society did not wish these concerns to hold up the introduction of the Bill, particularly given the strong stakeholder support for the Bill.

Part 5 provides an optional confidentiality regime which is drafted consistently with the corresponding provisions of the Commonwealth Act. Confidentiality is viewed as one of the key benefits of arbitration for parties dealing with sensitive commercial topics. The Bill provides for the confidentiality of information relating to the arbitration or award, unless otherwise agreed to by the parties.

Part 6 of the Bill covers the making of awards and the termination of proceedings.


Part 7 outlines the circumstances in which an application can be made for the setting aside an award. It also provides for the grounds upon which parties can appeal an award, if they have agreed to allow appeals, which is optional.

Recognition and enforcement of arbitral awards is dealt with in Part 8 of the Bill. The Part provides for the recognition of an award irrespective of the State or Territory in which it was made. It also states the grounds on which enforcement can be refused.

The updated commercial arbitration framework contained in this Bill will ensure Queensland is in keeping with national and international standards for facilitating the fair and final resolution of commercial disputes in a timely and cost-effective manner. It will promote Queensland as a jurisdiction in which parties conducting business both in Australia and in the Asia Pacific region can access commercial arbitration services which accord with international norms. Importantly, it will help alleviate the burden placed on our courts by litigation.

I commend the Bill to the House.

## First Reading

 **Hon. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (12.04 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.

## CHICKEN MEAT INDUSTRY AMENDMENT BILL

### Introduction and Referral to the Environment, Agriculture, Resources and Energy Committee

 **Hon. TS MULHERIN** (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (12.04 pm): I present a bill for an act to amend the Chicken Meat Industry Committee Act 1976. I table the bill and the explanatory notes. I nominate the Environment, Agriculture, Resources and Energy Committee to consider the bill.

*Tabled paper:* Chicken Meat Industry Amendment Bill [[5862](#)].

*Tabled paper:* Chicken Meat Industry Amendment Bill, explanatory notes [[5863](#)].

This bill will amend the Chicken Meat Industry Committee Act 1976 to give effect to the relevant recommendation of the 2009 independent review of government bodies for the abolition of the Chicken Meat Industry Committee and the transition of relevant functions from the statutory committee to an industry run body. At the outset, I thank the Chicken Meat Industry Committee for their support and leadership during this process.

Importantly, this bill will ensure the continued stable development of the Queensland chicken meat industry. These amendments will continue to promote stabilisation of the chicken meat industry by requiring industry to establish an industry owned and industry controlled non-statutory replacement

body, the purpose of which will be to facilitate the formation and workings of collective negotiating teams. The amendments will also provide for the appointment of an independent chairperson for the replacement body.


A review of the Chicken Meat Industry Committee Act in 2010-11 considered the functions of the Chicken Meat Industry Committee and how these functions promote stability in the chicken meat industry. This review determined that some functions of the committee should be continued, such as facilitating collective negotiating between growers and processors. However, the review found that the committee no longer needed to exist as a statutory body. To ensure the collective negotiating remains in place, the current statutory authorisation provision will be retained to meet Commonwealth trade practices legislation requirements.

In abolishing the statutory committee, the bill will provide for an industry run non-statutory body to take on the function of facilitating negotiating teams. In order to assist the industry run non-statutory body to facilitate collective negotiations, the bill will provide for other related functions. These functions ensure that the receipt and supply of broiler chickens occur under a written agreement and that a processor keeps a register of written agreements with broiler growers that are supplying that processor with broiler chickens.

As we transition from a statutory committee, I would like to thank the chicken meat processors and growers for providing their support for the direction we have taken in establishing an industry owned and industry controlled non-statutory body. The two sectors of the industry have requested that the committee retain a provision for an independent chairperson, and this bill supports that request. The bill provides for a framework for an orderly transition of the assets and liabilities of the committee to a replacement industry owned and industry controlled non-statutory body, with the committee to establish the replacement non-statutory body. The amendments will require that, in future, chicken meat industry supply agreements state a process for dispute resolution rather than relying on a resolution process detailed in the act. It is not appropriate for the new corporate entity to have a role in disputes resolution. However, in effectively transitioning industry arrangements away from a regulated environment, there is merit in assuring that existing and future supply agreements contain commercial contract standards for dispute resolution.

This bill also inserts an explicit review clause into the act. There will be a further review required within 10 years to ensure the act's relevance. I commend the bill to the House.

### First Reading

 **Hon. TS MULHERIN** (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (12.08 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 Environment, Agriculture, Resources and Energy Committee.

## HEAVY VEHICLE NATIONAL LAW BILL

### Message from Governor

 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.09 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE

HEAVY VEHICLE NATIONAL LAW 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 providing for the adoption of a national law regulating the use of heavy vehicles.

(sgd)

GOVERNOR

Date: 15 NOV 2011

*Tabled paper:* Message, dated 15 November 2011, from Her Excellency the Governor recommending the Heavy Vehicle National Law Bill [\[5875\]](#).

## Introduction and Referral to the Transport and Local Government Committee



**Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.10 pm): I present a bill for an act providing for the adoption of a national law regulating the use of heavy vehicles. I table the bill and explanatory notes. I nominate the Transport and Local Government Committee to consider the bill.

*Tabled paper:* Heavy Vehicle National Law Bill [[5864](#)].

*Tabled paper:* Heavy Vehicle National Law Bill, explanatory notes [[5865](#)].

I am pleased to introduce the first Heavy Vehicle National Law Bill. This is the first piece of legislation from a major reform process that will transform regulation of the heavy vehicle industry in Australia. It has been a long-term goal of the Australian, state and territory governments, along with the heavy vehicle industry, to work towards greater harmonisation in heavy vehicle regulation.

The Council of Australian Governments, known to many as COAG, is driving a national program of micro-economic reforms in a range of sectors to produce single regulatory environments for the Australian economy. The reforms aim to improve productivity and international competitiveness and reduce compliance burdens for business and workers, making it easier to operate across state borders.

In July 2009, as part of the national reforms to deliver a seamless national economy, COAG agreed to establish a National Heavy Vehicle Regulator to administer a national body of law to govern the regulation of all heavy vehicles. This recognises the importance of national consistency in heavy vehicle law and regulations and the huge contribution made by the transport industry to the national economy and the fact that the majority of the freight task in Australia cross state and territory borders. Preliminary estimates indicate that the net benefits to Queensland from the establishment of the regulator and the national law are approximately \$1.47 billion in present value terms over a 22-year period.

In recognition of Queensland's positive working relationship with industry and our strong support and adoption of previous national heavy vehicle model laws, Queensland was named host jurisdiction for this regulatory reform in February 2010. This meant Queensland would help lead implementation of the regulator reform in conjunction with the regulator project office, the National Transport Commission and all jurisdictions.

Queensland will be the first state to introduce the new national heavy vehicle law that will ensure a safer and more productive heavy vehicle industry. The COAG endorsed intergovernmental agreement for this reform requires national law legislation to be passed by the Queensland parliament by 31 March 2012.

In the past, the heavy vehicle industry was governed and regulated by a dozen model laws that had been nationally approved over the last two decades. Despite being introduced with the best of intentions, these model laws often lacked conformity as jurisdictions would often adapt the model laws to suit their individual needs and concerns.

With this bill we will now have one single national law to be adopted in a consistent manner in every jurisdiction as template law, with the exception of Western Australia, which is planning to mirror the legislation. All jurisdictions will pass legislation to ensure the national law, as enacted by Queensland, is effectively applied as law in their own jurisdiction.

The national law will provide provisions to create a single national regulator and give the regulator authority to perform all regulatory functions for Australia's heavy vehicle industry, with the exception of administering a national heavy vehicle driver licence and the harmonisation of dangerous goods laws. The regulator will commence operations on 1 January 2013 and will be responsible for administering the new law for heavy vehicles on matters such as registration, mass and loading, fatigue management, vehicle standards, and compliance and enforcement.

This new national law includes provisions to create a national regulator that will have responsibility and authority to perform all the regulatory duties for Australia's heavy vehicle industry. The regulator will commence operations on 1 January 2013 and will be responsible for administering the new law for heavy vehicles on matters such as registration, mass and loading, fatigue management, and compliance and enforcement. The national law will apply to all heavy vehicles over 4.5 tonnes, with the exception of heavy vehicle driver licensing.

As Queensland had diligently applied the previous model laws, the only significant new inclusions for Queensland from previous model legislation are the provisions necessary to create the regulator as a separate corporate entity, including human resourcing, financial controls and governance structures.

Queensland has only varied from previous national model laws where necessary to cater for the unique nature of operations in the state or Criminal Code requirements. There are few policy changes required to bring Queensland completely in line with the national legislation. In determining how to approach the task, the Australian Transport Council determined that in developing the national law the focus would be squarely on consolidating the previous model laws and not substantially reviewing existing policy positions.

The basic objective driving the introduction of the uniform national heavy vehicle law was to achieve the 'same outcome in the same circumstances' across all jurisdictions and to reduce the legal and administrative costs of compliance. In order to ensure this goal did not lead to an increase in the regulatory burden on operators, a regulation impact statement was produced for national consultation on this reform. The purpose of this rigorous national consultation process was to explore the potential impact of the national law and to provide an opportunity for governments and industry to comment on the reform.

Due to the extremely complex nature of combining a dozen pieces of heavy vehicle legislation, it was necessary to split the national law into two separate bills. The bill introduced today contains the vast majority of the legislation the regulator will administer and establishes the regulator itself. A second bill will be introduced in mid-2012, which will contain a range of technical amendments and policy refinements.

Enshrining the bulk of the agreed legislation within COAG time frames will allow the corporate structures of the regulator to be established from July 2012, as required. It also sends a clear signal to stakeholders that governments are committed to the regulator reform. This approach will also maximise the opportunity for other jurisdictions to draft and enact the legislation within agreed time lines.

Critical to the success of the regulator reform was industry consultation and engagement. An early priority of the regulator board was to establish an industry advisory group in October 2010. Industry have been actively consulted and have worked with jurisdictions to devise a forward work program. The forward work program will address policy and technical issues in the second amendment bill, as well as matters to be addressed following implementation of the regulator.

Other mechanisms were adopted to ensure that consultation and engagement was broad ranging and reached out to communities and industry, including face-to-face meetings and public forums in key regional centres.

The regulator will provide a platform for industry and governments to adopt a unified approach based on evidence and applied to all aspects of heavy vehicle regulation. As an independent entity, the regulator has the potential to assist with identifying issues and trends and ascertain measures that will meaningfully improve safety, promote more productive and innovative arrangements, and make customer service more efficient.

The regulator will enable owners and operators to conduct heavy vehicle business with governments at one place. For example, this one-stop shop will allow registration renewals and the issue of access permits to be coordinated through a single point of contact, cutting down on unnecessary costs and time for operators.

At the moment heavy vehicle operators and drivers need to comply with different regulations in each state and territory they drive through. For example, an interstate operator taking freight from Townsville to Melbourne would need to contact and receive access approvals from three state jurisdictions—jurisdictions that could potentially apply their own specific access requirements. These different requirements create extra cost, red tape and confusion.

The regulator will facilitate negotiations with asset owners across jurisdiction borders and local governments to ensure that a single permit with a simplified set of operating conditions for all participating jurisdictions is issued. Queensland operators will be able to contact one central regulatory agency for advice on logbooks, escort requirements for wide loads, or to gain access permits on their long cross-border journeys south or west. I cannot stress enough how positively this new, simplified approach to transport regulation is being received by the hardworking owners, operators and drivers of Queensland's freight industry.

Queensland has a long history of working with industry to find practical solutions to operational realities. This has resulted in the implementation of a number of local productivity initiatives to suit Queensland conditions, which vary from productivity initiatives implemented in other jurisdictions.


A good example of this is the Grain Harvest Management Scheme. This scheme recognises the inherent difficulties of transporting a bulk commodity where varying moisture contents and densities can prevent an accurate load calculation. The Grain Harvest Management Scheme relieves this element of uncertainty by providing scheme participants with a certain amount of flexibility above normal mass limits. Through the use of agreed administrative processes and compliance activities, industry and my Department of Transport and Main Roads can ensure the conduct of an efficient grain harvest and protection of road infrastructure.

A further example is Queensland allowing access for innovative multicomination vehicles on designated routes in Queensland through the use of multicomination guidelines. These high-productivity combinations are safer than comparable sized road trains and provide greater efficiency as fewer trips are required to complete the same freight task.

The national law will allow for existing local productivity initiatives such as these to continue, with an added benefit to industry being that the regulator will assess the benefits of applying local productivity initiatives across other jurisdictions.

In conclusion, Queensland can be rightly proud of the role we have played in developing heavy vehicle regulation over the past few decades. That commitment to ease the burden on industry and improve safety continues with the national heavy vehicle regulator reform. I wish to finish by acknowledging the incredible amount of work put into this reform by the national regulator project office, the National Transport Commission, all jurisdictions, industry organisations, unions, and in particular members of my department for their ongoing commitment to this reform.

### First Reading

 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.20 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 Transport and Local Government Committee.

## WEAPONS AMENDMENT BILL

### Second Reading

Resumed from 8 September (see p. 2965), on motion of Mr Roberts—

That the bill be now read a second time.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (12.21 pm): I rise to speak to the Weapons Amendment Bill 2011. Every time one of these bills is presented to parliament, there is a reaction in the community. I am sure I, along with other members, have received correspondence, particularly from current licensed weapons owners who have expressed concerns. I will get to some of those soon.

The genesis of the weapons legislation that curbed ownership of weapons was the Port Arthur massacre. I was a member of this parliament at the time of that debate. It certainly generated in the community one of the biggest responses, then and since, in relation to the community's response to the proposed restrictions. One of the issues that was faced at that time was dealing with people who had weapons who for various, particularly medical, reasons should, for either a short period of time or perhaps permanently, not be able to have ownership of weapons. I do not believe that issue has to this date been addressed, and it is not addressed in this bill, either.

We must come to that point in time, particularly when it involves domestic violence, when people who are unwell for a variety of reasons have the opportunity to own weapons curtailed for the period of their illness, whether that is a short- or a long-term issue. That responsibility in great measure would fall to the medical fraternity, but I believe it would address the gap in the legislation that exists in relation to the ownership of weapons.

In the last year there have been 49,000 incidents of domestic violence, and I would be surprised if many of those have occurred by registered weapons owners. Again, I refer to the proposal some years ago for a prohibited persons register. That issue was never properly pursued and I believe it should be. It would answer the concern about licensed weapons owners who, for health or behavioural reasons, should not have access to weapons.

This bill, as have other weapons amendment bills, will not address the issue of illegal weapons ownership. It will put further constraints on honest weapons owners. There are many articles in newspapers telling of drug busts by the police. The articles consistently relate that the bust occurred and they found cash and illegal firearms. Again, this legislation will not address the issues in relation to illegal weapons ownership.

There are a number of matters in the bill that I wish to speak to. Then I want to put on the record some, certainly not all, of the concerns that have been raised with me by licensed weapons owners. The bill deals with the use of weapons including artillery at RSL clubs and at other memorials. I think our remembrance of Anzac Day and Armistice Day is growing in the community—I am sure everybody has noticed that in their electorates—and I welcome it. I think the only way to remember the price of war is to also remember the price of peace. This bill reinforces the need to permanently incapacitate weapons that are used or displayed at these RSL clubs.



The bill also talks about the possession of a knife in a public place or in a school. I certainly do not believe there is any justification for a student to have a knife in a school environment. I believe that each school would have policies in place with or without this legislation to prohibit that. This legislation talks about possession of a knife in a public place for genuine religious purposes, and it gives an example of a Sikh who may possess in a public place a knife known as a kirpan. I ask the minister whether there is going to be a requirement for that knife to be blunted or whether they will be carrying that sharp in a public place. I notice that a reasonable excuse to carry a knife for religious reasons does not include in a school environment, and I welcome that.

The bill also deals with the possession of laser pointers. We know that over time there have been incidents where laser pointers have been used mischievously. It is always sad to see something that is a potentially valid use of equipment curtailed because a handful of people use the equipment wrongly. However, I believe these are fairly powerful laser pointers and therefore they have the potential to create a great deal of harm.

Clause 28 deals with retrospectivity for the declaration concerning Serco. I ask the minister to clarify if there will be any implications with the passing of this clause in terms of validation of action taken by Serco or any other entity included in this clause in relation to behaviour that they may have carried out that was disadvantageous to people. I am just trying to get an understanding of whether any behaviour or incidents will be validated as a result of this retrospectivity to get an understanding of the implications of that retrospectivity.

Perhaps the area I am most concerned about is clause 32 in relation to category M weapons. Many of these issues are not of concern, but I do have a problem with subsection (b), which describes the prohibition to have 'any knife so designed or constructed so as to be used as a weapon that while the knife is held in 1 hand, the blade may be released by that hand'. Initially you would think that is flick-knives, and I believe that is the terminology. I have had quite a debate with somebody that I care for greatly over this matter. The description also covers Stanley knives. All of us use Stanley knives or box cutters. I have said in this chamber before that I have two brothers who are amputees. One has only one arm. He uses a knife at home for what blokes do—

**Mr Roberts:** A Stanley knife is not manufactured as a weapon. It is a tool so it will not be caught by those provisions.

**Mrs CUNNINGHAM:** Thank you, Minister. In case Hansard did not get that, I would really appreciate it if you could say that in your reply to the second reading debate, because the definition does not clarify that. It says 'any knife so designed or constructed so as to be used as a weapon', and I am sorry but Stanley knives have been used as weapons in the past. Box cutters have been used as weapons in the past. I believe it can catch Stanley knives. So somebody who may have a disability who uses a one-handed knife, even a knife that would be broadly described as a flick-knife, in a home situation may do so for very valid reasons. I am interested in the minister's response because there are people who need those who cannot use any other sort of knife. They use it in their shed. They use it for their hobbies. If that is inadvertently captured, then it would be retrograde.

**Mr Roberts:** There is no proposal to change that situation at all, and I am prepared to put that on the record later.

**Mrs CUNNINGHAM:** Thank you. I look forward to that. Clause 37 talks about the requirement for training courses. I seek clarification as to whether it is only new gun owners who will have to do the course or whether all licensed owners will be required to redo the course or redo new elements of the course.

In relation to the prohibition on the possession of particular magazines, I thank the minister for the briefing we received quite some time ago. It was a very extensive briefing and I valued the time of the minister's staff to give us that briefing. This area deals with centre-fire rifles which often have detachable magazines. I have had registered gun owners talk to me about the fact that they will have magazines in their possession but they will not have a weapon that the magazine fits. I was told that they may have had some weapons but that they have on sold them or disposed of them; their words were 'and there are bits left over from weapons previously held'. I guess the trite answer is to say that they can get rid of it, but when this legislation is passed they will be breaking the law. Some of the people who own these weapons will be immediately caught even though they do not have a weapon to use the magazine but they are in possession of the magazine.

Quite a bit of concern has been expressed to me—and I am sure to others—about the new modification requirements. For fusion welding, there are eight clauses, and the bill states—

A bolt action rifle may be modified to make it permanently incapable of being discharged by doing all of the following—

It is the same with the self-loading rifles—'all of the following'. It is a huge impost on weapons owners. It is my understanding that, while the 1996 permanent inoperability requirements were easy to get around, the current requirements—not the ones in this bill but the current requirements—are not. Therefore, a lot of angst has been expressed that the obligation on weapons collectors to render their weapons inoperable will also render them worthless.

In the time remaining to me, I want to put on the record some of the information that has been passed on to me by residents both in my electorate and outside my electorate. I quote from Ian Horner—

It has recently been brought to my attention that the QLD government is planning to introduce further unwarranted restrictions on law abiding shooters in QLD.

I am very disappointed to read that these planned changes have no real basis in improving public safety, and in fact appear to be more about the continued scrutinization and marginalisation of already law abiding Australian citizens. I feel like I am being harassed further and further for simply enjoying my sport, with little or no actual safety benefit for the community.

I would ask the people concerned to instead focus their energy on real issues as opposed to bullying small interest groups.

I quote from Mike Krause—

I am concerned my social interests will be affected by changes to the current Weapons legislation proposed in this bill. Moreover the long standing re-creation by re-enactment of world history including Australia will be inhibited. We cannot limit the remembrance of the sacrifice, struggles and sad cost to our nation's defence forces and the impact wars have had on every Australian. I am concerned that all our efforts to bring public attention to focus upon historical sites in Queensland, and the extensive involvement in school education programs and education in arms of yesteryear will be severely hampered. Our fear is that decent citizens will be penalized and inhibited in their efforts whilst there will likely be no impact upon the criminal use of weapons within our communities today.

Everytime a criminal commits a crime with a weapon, the State Government has a knee-jerk reaction by bringing in legislation and laws that really impact on decent law abiding citizens, but does absolutely nothing to the criminals. Criminals can get a weapon anywhere and at anytime. Why punish the law abiding citizen? Should not the Government focus on criminal activity that involve weapons? We the decent citizen have done everything that the law has asked, and now you want to punish us again and again by introducing and changing laws that affect the law abiding citizen? ... If these laws change, what is going to happen on Anzac Day? Nothing, because the law will then not allow the re-enacting community to participate in ceremonies and educational events around the country.

**Mr Hoolihan** interjected.

**Mrs CUNNINGHAM:** The member for Keppel may believe it is rubbish. I believe that there are honest, law-abiding citizens in Queensland who have complied with all of the requirements. They have properly contained and housed their weapons, and they have properly disabled their weapons. This bill adds an unnecessary load to those people who legally own weapons or collect weapons. I quote from Kevin Stiller—

1. Banning firearms with over 10 shot capacity will not reduce crime and make Queensland a safer place.
2. Increased penalties on licensed shooters does not prevent crimes against the public.
3. Banning knives does not solve a knife problem; it only places restrictions on law abiding members of the community, such as Butchers, Chefs, Farmers, (Farmers have already been charged for having stock knives in a belt pouch. When they come to town)
4. All of the increased regulations on firearms do nothing to make the community safer, or to prevent or solve weapons crimes. They only place restrictions on the law abiding.

I quote from Jarrad Smith—

As I pointed out to various state members during the presentation of the previous "bill", the shooting community are the most law abiding citizens in this country. We have to satisfy rigorous checks, waiting periods and other conditions that would make a prison parolee cringe. All the while the criminal element do as they please in regards to firearms making any legal amendments moot and only affecting the law abiding majority. With all these restrictions to law abiding firearms owners I have yet to hear of a single incidence of a registered firearm being used in a crime. As previously stated these laws have no effect on the criminals who use guns to rob and murder with abandon.

The Penfolds wrote—

It would be unwise to assume that any part, of any Act or Regulation, will prevent deliberate misuse of any object, thing or substance. If it were the case, there would be no narcotic trade and drug abuse, there would only be responsible and fully trained drivers of vehicles, theft and stealing would not occur and there would be no bribery and corruption. Sadly, as we know, all of these things do occur, despite the best intentions of legislators and law enforcers. It is then incumbent upon this review to encourage responsible participation in firearm related activities by making the Act and the Regulations as unobtrusive as possible to current and future responsible participants, while at the same time achieving the best practical level of the stated objectives.

In 1990, when Weapons Licensing was introduced, we were assured that licences would be permanently valid. As you will be aware, that changed in 1997 and licence holders were informed that a licence renewal was required at no charge for a maximum five year term. This again changed and in 2008 the fee was \$56.75 for a five year license. The fees in Schedule 1 of the Draft Regulations 2010, state that the proposed fee for a firearms license to be \$26.25 per year or \$131.25 for a five year period. As there can be no demonstrated improvement in public or individual safety (the object of the Act) by these changes, a return to permanently valid licenses with no ongoing fee is warranted to decrease costs and ensure maximum responsible participation.


The final comment I wish to raise—and there were certainly plenty that came to my office and I am sure to the offices of many members—came from a gentleman in my electorate who said that the weapons branch is not operating effectively. He said that they went to a new computer system and the wait back in March was three months. He said that this was not efficient or effective.




Much has been said about this legislation. I have spoken in this chamber on many occasions about weapons legislation. I do not believe this legislation does add to safety in the community because it again addresses those honest citizens who are licensed. The problems that we see in the community are caused in the main by people who obtain weapons illegally and who use weapons for the wrong thing, and they will not be caught by this legislation because they are not honest—

**Mr Hoolihan** interjected.

**Mrs CUNNINGHAM:** They do not obtain them from honest people most of the time. They buy them on the black market. The greatest concern of licensed weapons holders is that they are constantly being barraged with new regulations and new obligations, yet the people who use weapons illegally and irresponsibly usually obtain them from the black market or illegally. Those concerns are valid and I certainly have great concerns about this amendment bill.

 **Ms O'NEILL** (Kallangur—ALP) (12.39 pm): I rise to speak very briefly in support of the Weapons Amendment Bill 2011. The aim of this bill is to strike the right balance between the rights of individuals and the protection of the community. I am a holder of a firearm's licence, a gun owner and a proud member of the Mariners Rifle Club. I know of the care and attention paid to safety and storage and use of firearms by the members of my club and others and the pride that they have in their skills on the range. Their firearms are kept for legitimate purposes and I know that these amendments are not intended to reduce or take away the enjoyment that these registered gun owners have in their sport and in gun ownership.

This round of amendments will focus on increasing penalties, defining bladed weapons and regulating lasers as well as make other important changes that have been spoken of previously in this debate. This bill is about getting the balance right. I am contacted regularly by law-abiding registered gun owners who wish to ensure that proper practical consultation will always take place prior to any further changes. Not one of them is proposing that there be no regulation, but many have questions regarding whether continuing to restrict registered gun owners and their sport is having the desired impact on outlaw gun owners and the resultant tragic effect on society. They have raised concerns about terminology, for example, regarding knives and believe that there is a danger of tradespeople and other law-abiding citizens being labelled as law-breakers simply because they carry a Stanley knife or a folding pocketknife. I heard the minister say that Stanley knives are not covered by this legislation. Nevertheless, these people are confused. The minister and the department are always happy to clarify and explain the intent of any amendments, but my constituents wished me to reiterate that any change should be in full consultation with on-the-ground, everyday law-abiding folk as well as with stakeholder groups.

 **Mrs MENKENS** (Burdekin—LNP) (12.41 pm): I am happy to make a short contribution to the debate on the Weapons Amendment Bill. I note the comments of the shadow minister, the member for Surfers Paradise, and I commend him on his research and his presentation. Most of this bill appears to either upgrade penalties or make minor amendments to provisions that have presumably been brought to light through the use of the act and the regulations. This could be normal process, although the LNP has seen no need to amend the current laws that surround the use of firearms in Queensland.

Much of this bill is an exercise in overregulation. It creates further red tape and it is going to impose an increased burden on the Police Service. As well, as we have heard from many speakers, this bill goes nowhere towards combating the real crimes that are occurring in the community. The illegal use of weapons in criminal activities within the community is an ongoing and horrific problem. It really is a horrific problem and one that this government, with its track record of being soft on crime, is not really addressing.

**Mr Roberts:** So you are opposing the increase in penalties? Who is opposing the increase in penalties? For the illegal use of weapons, you are opposing them?

**Mrs MENKENS:** I note that comment, but we are seeing an increase in penalties for law-abiding gun owners, which is the problem with this legislation. Tougher laws that focus on the actual criminals would be far more beneficial to the community than tinkering around the edges of the current Weapons Act, which is what this bill is doing.

The primary concern for the LNP is that the state government, instead of introducing this bill, should overhaul components of the Penalties and Sentences Act so that tougher laws are focused on the actual criminals. We are seeing convicted armed robbers continue to escape jail sentences. Under this government's justice system, in the years from 2005 to 2007 alone 30 per cent of all convicted armed robbers did not spend so much as one night behind bars. That resulted in a total of 172 armed thieves being released back on to our streets and into our neighbourhoods without even spending one night in jail.

**Mr Roberts:** Were they using firearms?

**Mrs MENKENS:** These statistics relate to armed thieves. These are the statistics that this Labor government should be looking at, not focusing on the majority of law-abiding citizens, which most of the amendments in this bill focus on. There is a strong school of thought that firearms legislation should not belong in a Weapons Act. It is a reasoned view of many gun owners that knives and other prohibited weapons should not be considered in the same classification as firearms. When one considers this theory seriously, it makes sense. The only legal use of firearms in Australian law, apart from use by the armed forces and police, is as tools of trade or for sporting purposes. Therefore, many shooters reasonably argue that firearms should not be classified as weapons. Legally licensed firearms are not weapons. When you consider the firearms component of this legislation—

**Mr Roberts:** Firearms are not weapons? That's a new one.

**Mrs MENKENS:** I am talking about the Weapons Act. When one considers the firearms component of this bill, it is legislating for the legal use of these firearms. The legal use of firearms is when firearms are used as tools of trade, such as for pest extermination, or for sporting purposes. To that extent, it makes sense that many gun owners are annoyed at being branded the same as criminals.

This bill outlaws the carrying of knives in schools, and that makes sense. It acknowledges the right of people who carry knives for religious purposes but carrying knives within a school does not fit in that category. There have been many incidents of crime involving knives occurring within schools. It is disappointing that this government does not take knife culture seriously enough to keep records of the number and type of incidents involving knives or weapons that have been reported in Queensland schools. It really is disappointing and very sad to see that our society has degenerated to a state where we are seeing knives in schools. As I say, that is a very sad indictment on our society. So certainly, this part of the bill is very sensible.

The number of defendants found guilty of knife possession compared to the number of such defendants who serve a term of imprisonment highlights how this government is paying only lip-service to combating these crimes. There are some major discrepancies. In 2006-07, of the 1,214 defendants who were found guilty of knife possession, only 109 were sentenced to imprisonment. In 2007-08, 1,257 defendants were found guilty and 126 of them were sentenced to a term of imprisonment. It is no wonder that the general public is asking serious questions about the government's approach to tackling crime.

It is fair to say that this legislation relates to a very emotive issue. Rightly or wrongly, over the years many gun owners have felt that they are being victimised. Owning a gun and the sensible use of firearms is part of the culture of rural Australia. But that activity must be balanced with the public perception of firearms, particularly when they involve horrific crimes and illegal use. I have no doubt that virtually all crimes that occur through using firearms are committed by people who are using illegal weapons. However, owing to the major concern in the community about law and order, it is understandable that a regulated use and licensing arrangement is necessary for firearms.

The increase in penalties is aimed at those people who are already obeying the law. That is the concern of the community. There is no acknowledgement of criminal intent or criminal use of guns in these amendments. We have yet to see the acknowledgement of criminal intent or criminal use of guns in these amendments. Discharging a weapon on private land, for instance, has attracted double the penalty. As the firearms dealers have said, the discharge of a weapon over a fence could very easily be an error, particularly in thick bush. There is no reference to criminal intent or dangerous behaviour in that particular area.

The numbers of unregistered firearms in Queensland that have come into police possession in 2006, 2007 and 2008 are over 3,000—3,231 in 2006, 3,202 in 2007 and 2,727 in 2008. That is a large number of unregistered firearms. Certain areas in this bill are over-the-top. I am quite astounded at organisations being required to license old cannons, some of which have been on display outside RSL clubs since World War I. I have no doubt that some of these organisations will not be particularly happy about this.

The bill also seems to somewhat unfairly target performing arts groups with the need to regulate replica firearms and weapons. I am unaware of how many homicides have occurred on stage during performances in Queensland up to this point in time. Most of this bill is legislated to the nth degree. There is so much variation between firearms that it would be better to have a simple statement requiring the firearm to be rendered permanently incapable of discharging a cartridge as certified by a local gunsmith or armourer. Clause 51 contains much detail. When one looks in detail at what is suggested to actually render them inoperable, at the end of the day it certainly does make those weapons permanently incapable of being discharged.

This bill has caused a lot of anxiety and worry amongst many gun owners and people living in rural communities. I understand that they do not trust the government's approach to legitimately licensed gun owners. There has been a lot of discussion and confusion regarding certain types of guns, particularly .303s. There has been quite a lot of traffic coming through my office in relation to that. I

believe it is possibly because of the wording in the explanatory notes. Clause 44 inserts a new section 68CA. It is the information in that section that covers that particular type of gun. It is reassuring to those owners of guns such as .303s that they are not included in this category. From that perspective at least the anxiety that is in the rural areas is not carried through here.

As the shadow minister has stated, there are parts of this bill that we certainly support, but there are reservations about several clauses. The LNP does not see a pressing need to amend the Weapons Act, but it is fair to say that there are real concerns in the community as to where Labor intends taking this legislation in the future.

**Dr DOUGLAS** (Gaven—LNP) (12.53 pm): There is very little in the bill that should now be feared. The title of the bill seems to be inflammatory and possibly is an indicator of how the Labor government media unit intends to market this legislation once enacted. The nature of the changes should have been expressed within the aims of the bill, and that has been addressed here today in particular by the member for Burdekin. The growth in illicit, highly dangerous weapons, such as knives and certain types of guns, in the hands of those who should not, moreover must not, have them is frightening and needs a response. This bill does not address illicit weapons at all and that is a negative.

Fairly, this legislation is a type of response to it. Of great concern to agricultural based cousins and colleagues is that the laws will restrict their ability to run their farms and townships. Unfortunately, these things are not contained in the legislation and it is likely that there will be other legislation that the government will soon follow with. There is a history of preamble bills to both soften up the opposition and also drive a wedge in the opposition. To do so now, after it was John Howard in government who introduced the gun legislation that Australia probably deserved following a disaster at Port Arthur, and criticise the LNP intent is outrageous. What Port Arthur, Columbine and other disasters, such as that recently in Norway, have clearly demonstrated is what a madman can do with modern military equipment. No-one ever wants to see this type of problem repeated. The massacre in Norway is testament to the view that we must never be complacent, never fail to watch out for extremists and, critically, severely restrict any unbalanced persons from obtaining weapons that kill or maim anyone anywhere but specifically, in our case, here in Queensland.

This bill imposes further gun restrictions and is proposing to increase penalties for behavioural offences involving weapons. The focus of the government should be to review the Penalties and Sentences Act, as the shadow minister and opposition members have raised. Always judge governments and individuals on what they do, not on what they say they will do or what they say they might do. The incidence of armed robbery in my electorate of Gaven is up 100 per cent in 12 months. Thirty per cent of the offenders are non-permanent residents or the children of non-permanent residents. Interestingly, 30 per cent of all armed robbers between 2005 and 2007 were given non-custodial sentences—that is, 172 offenders.

**Mr Roberts:** Were those offences using a firearm or another type of weapon?

**Dr DOUGLAS:** I will table documents for you, Minister. You are most welcome to have these.

*Tabled paper:* Copy of two tables headed 'Figure 12—Type of weapon used in homicide, 2008-09 (%)' and 'Figure 13—Victims killed by firearms, 1989-90 to 2008-09 (% homicide victims)' [[5866](#)].

**Mr Roberts:** Were they using a firearm? How many firearms were used in these offences?

**Dr DOUGLAS:** It is all listed here.

**A government member:** You don't know, do you?

**Dr DOUGLAS:** I will get to it. Why don't you just listen? I am going to go into that in detail.

For areas such as Gaven, this has a very significant impact. If offenders are not correctly dealt with they will become recidivists and may increase their offence profiles. In general terms, the number of homicide victims killed by offenders with firearms is decreasing. In fact, there is an 18 per cent decrease from the peak.

**Mr Hoolihan:** It shows the law is working.

**Dr DOUGLAS:** Listen to this: in 1995-96, the year of the Port Arthur massacre, 35 people were tragically murdered. There was a slight increase from 2007-08 to 2008-09, from 11 per cent to 13.5 per cent. I have actually tabled that document. The most common weapon used in homicides in 2008 to 2009 was a knife. Knives were involved in 35 per cent of all homicides. I have tabled that document as well. The issue of restricting laser pointers is justified and obvious. For those who are uncertain of some of the other details I have a full copy of *Australian crime: facts & figures 2010*, which contains all those details for those who wanted to make smart comments earlier.

If this is template legislation and it mirrors what Kevin Rudd was keen on when he was Prime Minister and Labor states were just cheering along, then times have changed. What members must realise is that the normal scrutiny of such template legislation initiated in unicameral parliaments is inadequate or incomplete. Most other states have upper houses to deal with that. Those other parliaments have a dim view of such legislation being rammed through and then sent on for passage.

At the recent scrutiny of legislation conference that was held here, a Labor member of the upper house of the West Australian parliament who is on its scrutiny committee said that template legislation was becoming more regular, was too opaque and was grossly unsatisfactory. The details of the laws prescribed were too often to be added later—that is, the details prescribed in these laws—and this was not acceptable. The bill looks somewhat like that. It is no reflection on the Weapons Review Committee or any other stakeholders. This stage amendment bill is probably a little more balanced and is deserving of support. For those reasons, to obstruct it would be unreasonable. What seems unreasonable is that the laws look a little bit like Queensland is soft on crime yet low-level crime is increasing and the government's focus is on this weapons law. That seems odd. There is a critical disconnect and this observation, as I say, is being ignored.

The tragedy—I will go on—is that we have a wonderful history—

**Mr O'Brien:** Oh, that is the tragedy.

**Dr DOUGLAS:** Member for Cook, just—you can have your chance later on.

**Mr O'Brien:** 'Just' what?

**Dr DOUGLAS:** You will have your chance later on.

**Mr O'Brien:** I have already had my chance. Didn't you listen?

**Dr DOUGLAS:** No, I missed it. It must have been so startlingly noticeable I did miss it.

**Mr DEPUTY SPEAKER** (Mr Ryan): Member for Gaven, this might be an appropriate time for us to break for lunch. The House will resume at 2.30.

Sitting suspended from 1.00 pm to 2.30 pm.

**Dr DOUGLAS:** The bill deals with offences relating to the misuse of weapons. It strengthens provisions relating to knives in line with the national prohibited weapons agreement and the national prohibited weapons list. It clarifies who may have a knife in a public place, schools excepted. It restricts and limits laser pointers to those with an output of less than one megawatt if there is no reasonable excuse. It restricts the possession of high-capacity detachable magazines for category B rifles in accordance with the Australian Police Ministers' Council 2005 resolutions. Category M weapons under the category regulation will be extended. In general terms, it expands the genuine reasons for the possession of a weapon to allow for medieval re-enactments, paint pellet sports and for those involved in the collecting of weapons, including the study of those weapons. It makes minor amendments to allow police to possess explosives for evidence and other authorised use. The Sikhs may possess knives for genuine religious reasons, but not at schools. Body armour is now defined under the regulation, which is a good thing. The commission can suspend, revoke or modify those exemptions. Those are worthwhile aspirations.

There are many ways to look at so-called preamble type legislation, but on this occasion it may not be thin-end-of-the-wedge legislation as possibly perceived. It might be just the appropriate response for what we need and what our police services need to control what is an ever-escalating problem in our society. The motives of those who acquire, carry and even use those weapons obviously vary enormously. Increasingly, too many younger men are carrying knives and, tragically, schoolchildren seem to be doing the same. Reports from the UK particularly are damning, especially in relation to the issue of knives. At this stage, for those who were seeking clarification on the incidence and types of weapons used in armed robberies in 2009 alone, I table this document. It shows that in 2009 knives were used in 45 per cent of armed robberies; armed robberies involving firearms comprised 17 per cent of all armed robberies. This comes from *Australian crime: facts and figures 2010*.

*Tabled paper:* Extract from *Australian crime: facts and figures 2010*, page 28, titled 'Armed Robbery: Figure 22 Types of weapon used in armed robber, 2009 (%)' [[5867](#)].

These statistics confirm that the individual reports that are occurring in Australia appear to be demonstrating that the types of behaviours have spread. If social media is the cause, we have both much to fear and a lot of hard work to do in the future. The extension of this is the massive growth in illicit larger weapons and handguns, which seems to be almost unrestrained, yet currently the weapons licence scheme has an overspend of \$7.5 million due to a problematic computer system. If the problem is criminal and it is handguns, should not we focus our energies on that?

The problem we face is that the penalties for those caught with illicit firearms are too soft. It is not enough to make them indictable offences. If the Labor government will not consider mandatory sentencing, it might need to consider using other strategies. Initially, such strategies might well include, for some people, the permanent ownership of weapon bans. Secondly, a parallel strategy such as a two-year suspension or greater of a driving licence, with good behaviour, has produced good statistics in other regions. It is not unusual for some criminals to carry or have secreted on them weapons, concealable or otherwise. Those who are not as professional are carrying knives. They are escaping any real sentence by using all sorts of trivial excuses. The government is being taken advantage of. The courts are dealing too leniently with such offenders, whereas law-abiding citizens are probably being

dealt with more harshly. Recently in my electorate of Gaven we had the shooting tragedy of a responding policeman. The particular weapons involved in that shooting should never have been in the hands of a drug fuelled drug addict. That is a wake-up call that must not be ignored.


I was pleased to hear the stories raised, interestingly enough, by members on the other side about those involved in pistol shooting clubs and shooting clubs. In Australia there is a good history of such people looking after their responsibilities very well. Of course, many people have gone on to compete at different levels. Indeed, in Australia we have Olympic medallists in a variety of shooting categories. We have to be careful that we do not allow ourselves to be drawn into hysterical changes that make no difference in our society.

The recent change in our laws to allow the CMC to be charged with managing those who seek to use the laws regarding self incrimination as a method of escaping laws involving such weapons is admirable. Primarily, law enforcement officers need to know how those weapons were obtained and from whom. Using coercive power laws, offenders and alleged offenders will be and are compelled to answer questions and cannot claim the self-incrimination privilege. This is a major step forward and should assist our police in their very difficult tasks. The CMC wanted to do this and we must all support its major efforts in this regard. I cannot stress enough how important it is to support the CMC in this task.

Many people have made submissions to the public hearing and many are looking forward to the outcomes of that public hearing. We have openly taken all sorts of submissions, some of which include issues that are related to this matter. As the chair, I have given my personal guarantee that we will attempt to include all those in the recommendations going forward to the minister from the three-yearly review. We would hope that the government takes on board all those things and sees that those sorts of changes will be reflected in better laws for ourselves and for the public at large.

What are the laws that we are imposing on our sons and daughters of the soil? I would ask that no-one judge them too harshly or unfairly when they defend their need to use the firearms referred to under the firearms regulations. In this bill it is called 'weapons regulations', but everywhere else it is 'firearms regulations'. The farmers must be heeded. They are too easily ignored. They are an endangered species. As some members will know, throughout the country there is a decline in farmer numbers. Three years ago we had 50,000 farmers and that number has declined by 5,000 since then. Farmers are a selfless group. They are a critical national asset because they supply a lot of our food.

If the current legislation is sensibly directed to those areas that represent a serious threat to both individual and collective safety, then that is what must occur. There will never be an argument with that. If any member or party feels that this is a cheap-shot legislative tool to vilify either another member, another party or a regional community, they must be outed as scoundrels and opportunists. This is one of those occasions when leadership is best measured. Some rise up to the occasion and others use it for their own self-interest and future. On this subject, the Premier is on notice. What will she do? Having passed this legislation, will she seek to wedge the opposition on the use of a very small group of firearms included in this bill—albeit a very small use—or will she take a broader and more inclusive view and accept there are times when legitimate needs outweigh the blanket legislative approach and that members are just seeking to clarify those needs as they have done? Thank you.

 **Mr HOBBS** (Warrego—LNP) (2.39 pm): I rise to speak to the Weapons Amendment Bill 2011. This weapons bill before the House requires some clear answers from the government and the minister. Many people have expressed concern about this legislation and they need some clear answers. There is very little trust out there that this Labor government is capable of balancing the needs of gun owners and that of the community. This is a chance for the government to come out and make it quite clear. I ask: can the minister give an assurance that no Western style lever-action guns will be banned or affected by this legislation? Can the minister give an assurance that no lever action guns similar to the gun that won the west—the old Winchesters—with a fixed magazine will be captured by this legislation?

**Mr Roberts:** Have you read the legislation?

**Mr HOBBS:** Yes, I have read the legislation.

**Mr Roberts:** What does it apply to?

**Mr HOBBS:** You tell me.

**Mr Roberts:** It applies to detachable magazines, not the weapon.

**Mr HOBBS:** So is the minister saying that the old Winchesters will not be impacted at all?

**Mr Roberts:** The legislation applies to the detachable magazines, not the weapon. It applies to detachable magazines, not the weapon. That is what is being regulated—the magazines, not the weapon.

**Mr HOBBS:** That is exactly why I am asking you. I thank the minister for that answer. This needs to get out there because people are concerned about it. It needs to be talked about here today. Can the minister describe exactly what lever action or magazine that he refers to in the legislation will be banned? If we know that fixed magazines will not be, which ones will be?

**Mr Roberts:** I will answer that.

**Mr HOBBS:** Can the minister answer that when he does his summing-up?

**Mr Roberts:** Yes.

**Mr HOBBS:** Thanks for that.

**Mr Roberts:** Have you read the definition in the bill?

**Mr HOBBS:** Yes, I have. I have read it. Some people out there—

**Mr Roberts:** I will give you a clue: it provides the answer

**Mr DEPUTY SPEAKER** (Mr Kilburn): Order! The minister will have a chance to answer the questions in his summing-up.

**Mr HOBBS:** We will wait with bated breath. Can the minister also give a guarantee that the old military style Lee Enfield .303 rifles will not be captured by this legislation? Will you be able to give a guarantee that the old military style Lee Enfields .303 with magazines—some are 10- and some are 20-shot magazines—will not be impacted by this legislation?

**Mr DEPUTY SPEAKER:** Order! Member for Warrego, it would be helpful to stop the crossfire if you would ask the questions through the chair for the minister to answer later.

**Mr HOBBS:** I am asking through the chair whether the minister can answer that question. I am happy to have the answer later on when he deals with that. However, it is important that we talk about these things so that it is clear. The people out there need to know exactly where the government stands. Can the minister explain exactly what is necessary to obtain a condition on a gun owner's licence to have a magazine in excess of the limit of 10 or 15 rounds? Can he give an example of what would be an acceptable reason to have more than 10 or 15 shots?

**Mr Roberts:** Yes. I will do that as well.

**Ms Grace:** Who is writing these questions for you?

**Mr HOBBS:** I did it all myself.

**Ms Grace:** I am surprised.

**Mr HOBBS:** It would be good if the member reads the legislation, too. I refer to the amendment to change the way of modifying firearms to make them permanently incapable of being discharged. Can the minister explain why the government has decided to bring these conditions for making weapons inoperable into legislation? Have there been problems with the existing regulations that presently control how weapons are made permanently inoperable? That is another question that is important. There are regulations in place now and there are not a lot of changes to those. We need to know the background; why are these changes being made?

**Mr Roberts:** Did you read the document that I tabled in the parliament this morning?

**Mr HOBBS:** Not the one this morning I have not, no.

**Mr Roberts:** I will give you another clue: have a read of that.

**Mr HOBBS:** I would be interested in that. It is pity the minister did not put it out beforehand. I ask: do we really have to go to such extreme lengths to make some of these old weapons permanently inoperable? I would be very interested to read what the minister tabled this morning. I would like to know the reasons for going to extreme lengths. While the present regulations cover similar conditions, the amendments before the House today contain a couple of additional ones that have gone through. If you go through the clauses of the current regulations, under modifying firearm to make it permanently inoperable, section 73(1) is straightforward. Then it goes on—

(2) If the firing pin can be removed as a separate item, the pin must be removed and the end of the pin hole nearest the chamber must be closed with weld.

That is the current rule. It goes on—

(3) If the firing pin can not be removed as a separate item, the pin must be ground or cut so it can not strike a round of ammunition in the chamber.

(4) The chamber must be made incapable of taking a round of ammunition by welding a steel insert into the end of the chamber or welding a steel rod vertically across the chamber.

(5) The firing mechanism must be immobilised by welding its internal components together and to the trigger.

(6) An authorised officer may, on written application, give the applicant written approval to make a particular firearm or type of firearm incapable of being discharged, in a stated way.

(7) However, the authorised officer must be satisfied that the way proposed to be approved gives at least the same level of inoperability as compliance with subsections (2) to (5) would give.

The reality is that this is enough to make a weapon inoperable. How many times do you have to shoot a dead animal to make sure it is dead? That is the reality. The minister is adding further conditions to the regulation by drilling holes in them and cutting off magazine lips and things like that. I hope the answer is in the document that the minister tabled this morning. So far, from what I have heard, I am not really sure if there is a genuine reason for it or not.

We do not want to destroy these guns. We just want to make them inoperable if that is what has to happen. They can be welded inside; they do not have to be welded outside. They can be welded inside so that you would not know there is anything wrong with them. As I understand, there is no need to weld outside the trigger guard or weld outside the hammer; that can be done from inside. Let us see what the minister said in his statement this morning.

I refer now to the increase in fines in this Weapons Amendment Bill. Fines are set to double, which is nothing more than revenue raising by a broke and incompetent government that is bereft of any financial management skills. This Labor government has plunged Queensland into an \$85 billion debt and will look at any method of bringing in money to maintain its hunger for spending someone else's money.

**Mr Roberts:** So you want to go soft on people who break the law? Is that what you want to do?

**Mr HOBBS:** No, if people break the law they should feel the full force of the law. All the government is doing is increasing the revenue. It is just like speeding fines: all it is doing is trying to rake in more money from the taxpayers.

I turn now to knives. None of us want knives in schools. When we send our kids to school we want to know that they will come home safely. No-one wants to see anything other than that. We should do anything we can to ensure the safety of our children. Can the minister give a guarantee that folding knives such as the genuine pocketknife will not be captured? I am talking about the normal Henry Boker pocketknife or the Leatherman. We do not want to see knives in school. We want to see that managed, and that is good. However, we want to make sure that the 'folding knives' provision does not capture the ordinary pocketknife that people carry or those Leathermans. People wear them all the time, particularly in the rural areas. Farmers put them on and away they go, whether they are going to the pub, working on a station or somewhere else.

**Mr Roberts:** Where in the bill is that proposed to be changed?

**Mr HOBBS:** The definition of folding knives.

**Mr Roberts:** What amendment in the bill proposes to change the current situation in relation to those knives?

**Mr DEPUTY SPEAKER:** Order! Member for Warrego and minister!


**Mr Roberts:** You're making it up.

**Mr DEPUTY SPEAKER:** The member for Warrego is asking questions which he is asking you to answer later on, minister. If you could answer them in your summing-up that would be great. The member for Warrego has the floor.

**Mr HOBBS:** These are questions that have been raised out in the community and people need to hear the answers from you, Minister. That is why I am asking these questions. The people need to hear from you as a minister of the Crown—

**Mr DEPUTY SPEAKER:** Member for Warrego, it would be helpful in this process if you continue to ask your questions through the chair instead of directly to the minister.

**Mr HOBBS:** Yes. This legislation is important. It is important that the minister is able to respond because people are concerned. There is no secret about that. It is important to have a reasonable discussion in this chamber and to talk about the issues that are important to people. With those words, I ask the minister in his summing-up to please give consideration to those issues.

 **Hon. SD FINN** (Yeerongpilly—ALP) (Minister for Government Services, Building Industry and Information and Communication Technology) (2.49 pm): I rise in support of the Weapons Amendment Bill. The bill recognises the need for tough regulations on weapons that pose a threat in our communities and to improve the ability of police to enforce laws as well as uphold the expectations of the community.

Our government has a strong record in enhancing community safety and reducing crime. Strengthening the state's weapons laws will ensure we can continue to contribute to safer Queensland communities and the safety of people who use and own weapons in a lawful and legitimate manner. This bill does just that. It does not impose any new requirements on current or prospective firearms licence holders. Today I will touch briefly on a few of the proposed amendments contained in the bill.



Firstly, this bill will strengthen and streamline the process of obtaining a firearms licence through the introduction of a consistent approach to training. Currently, the act requires a person to complete a firearms safety training course that is approved by the commissioner. These amendments define what the commissioner may consider in approving safety training courses under both the act and the regulations. Safety training courses will be required to include components about the safe use, storage and maintenance of the weapon possessed under a particular licence.

The bill also contains an amendment to tighten regulations on the possession of high-capacity detachable magazines, some of which will be generally prohibited in Queensland. This amendment will reduce the overall firepower available on the market and ensure Queensland is consistent with national standards.

The bill also sends a strong message of deterrence to those who would commit weapons related offences. Amendments in the bill increase the penalties associated with 20 offences under the act and the regulations, and the penalties are double for offences including possessing a knife in a public place or a school; carrying a loaded firearm in public; dangerous conduct with a weapon; discharging a weapon in public; and offences that involve the modification or shortening of firearms and the alteration of identifying marks on weapons. These offences cause serious safety concerns in the community, and doubling penalties expresses community condemnation of offences involving weapons and will increase the deterrence for weapon offences.

Issues relating to the regulation of firearms need to be considered carefully. The primary focus of legislation needs to be the safety and protection of Queenslanders. Of course there are many people who enjoy firearm sports, and regulation must enable the safe pursuit of these sports.

As community leaders, we must all in this place set the example and the laws. The documented proliferation of weapons in Australian communities contributes to real and perceived safety fears. We as leaders must not tolerate any glorification of weaponry. Unfortunately, it is disappointing that this is not the view of all members. I was shocked to recently find on the member for Mudgeeraba's Facebook page a photograph of the member posing proudly with what appears to be a big gun but is, I am told, a rocket launcher. This is a weapon of war and terrorism, not of sport. This is the photo on the Facebook page. I table the photo for the benefit of the House.

*Tabled paper:* Photograph of Ms Ros Bates MP holding a weapon at a Defence Force event [5868].


*Tabled paper:* Screen shot of photographs at a Defence Force event (paper withdrawn) [5869].

This might be all very innocent—taken at an event she attended with a family member—but it behoves all of us as community leaders not to be seen enjoying the company of weapons. The weapon in this photo is a weapon of war and terrorism, not a weapon of sport. What might be a bit of harmless fun for some is irresponsible for community leaders. Former Labor candidate for Fairfax Ivan Molloy found that out when the Labor Party would not tolerate the glorification of weapons. What the LNP should do is require the member for Mudgeeraba to remove these photos from her Facebook page.

**Ms Male:** She has them on her Facebook page?

**Mr FINN:** These photos are on her Facebook page. I table for the benefit of the House the list of screenshot photos from her Facebook page, which contains this photo and more.

The Bligh government's priority is to ensure that Queensland has rigorous and robust laws that balance the need for community safety with the legitimate interests of weapon users and owners. But our message is clear: the misuse of weapons should not be tolerated, no matter who you are.

 **Mr McLINDON** (Beaudesert—KAP) (2.55 pm): I would like to make a contribution to the Weapons Amendment Bill 2011.

**Mrs Kiernan:** Oh, this'll be good.

**Mr McLINDON:** It will be. Thank you for your interest.

**Mr Shine:** Are you the left or the right wing?

**Mr McLINDON:** It takes two wings for a bird to fly. There are numerous inconsistencies and questions that this bill poses in the further 50 pages of regulation that we see here before the House today. The first of those that I would like to highlight is the fact that the bill clarifies that a person may have physical possession of a knife in a public place, other than a school, for a genuine religious purpose. I think about the programs that are run at Beaudesert State High School—the home economics program, which uses knives in the kitchen; and the picks, the shovels, the spades and the saws in the agricultural section of the school—and I think to myself that this bill is absolute and utter nonsense. We have another 50 pages of regulation in this parliament in which we do not include the two most important words that we have taken out of society in the last two decades—'individual responsibility'.

We have failed as a government. We have seen 90,000 pages of legislation for small businesses. We have seen regulation after regulation strangling society. I am pleased to say that the Australian Party protects the freedoms of the basic recreations that we enjoy in Queensland and Australia. These



50 pages add to more and more bureaucracy and make a complete joke of the political process not only in this House but also, in enacting this law, outside of this chamber. When I did metalwork at St Joseph's College, Gregory Terrace, we made fishing knives. Are they going to be banned now? Are spring fairs at schools going to be banned? Where are we going to draw the line?

Clause 32 is extremely concerning, as it goes on about the ballistic knife, the butterfly knife, the flick-knife, the push knife, the sheath knife, the star knife and so on. They have just made everybody who is affected by this legislation criminals. When this bill passes tonight it will see potentially more than half a million Queenslanders become criminals. At what point in time are we going to say that enough is enough and look at a cultural shift?

**Honourable members** interjected.

**Mr DEPUTY SPEAKER** (Mr Kilburn): Order! The member for Beaudesert has the call. We will stop arguing across the chamber.

**Mr McLINDON**: I note that the member for Mudgeeraba is here, and I will go to her defence. I think it is extremely unfair for the member for Yeerongpilly to pull from her personal Facebook page pictures of her son, who is in the SAS. How can we stand in this House and give thanks for the freedoms and protections we have and then see a member of parliament who is proud of her son's service to this state and this nation slurred by another MP? It is an absolute disgrace that the freedoms we have all enjoyed—the Australian way of life—have been attacked in the most deplorable way.

**Mr FINN**: Mr Deputy Speaker, I rise to a point of order. I find the comments offensive. I did not table a photo of her son; I tabled a photo of her.

**Ms Bates**: You tabled a photo of my son at his march-out as the most outstanding soldier at Singleton.

**Mr DEPUTY SPEAKER**: Order! Member for Mudgeeraba.

**Mr FINN**: I made no reflection on her son. I made a reflection on her posing with a weapon and publicising that, and I think that is inappropriate. I ask the member to withdraw.

**Mr DEPUTY SPEAKER**: The member for Yeerongpilly has asked the member for Beaudesert to withdraw.

**Mr McLINDON**: Mr Deputy Speaker, can I do that on the condition that the tabled document is withdrawn as well?

**Mr DEPUTY SPEAKER**: No, you cannot do that under any condition. You either withdraw or you do not withdraw.

**Mr McLINDON**: I withdraw the statement, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER**: While you on your feet, member for Beaudesert, please stay relevant to the bill.

**Mr McLINDON**: I believe that it is not fair for another MP to table a document of another MP showing pictures of her son as a member of the SAS, who ultimately puts his life on the line for all of us to enjoy the democratic process we see here in this House.

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

**Mr Rickuss**: Don't mislead the House.

**Mr DEPUTY SPEAKER**: Order! Member for Lockyer, I will deal with this. It is not up to you to make the decision in this instance. I will hear the point of order.

**Mr FINN**: I tabled a photo of the member holding a weapon. I tabled a screen shot to establish that. It legitimately came from the family page. That is what I tabled.

**Mr DEPUTY SPEAKER**: Were you asking for something to be withdrawn?

**Mr FINN**: Yes, I was asking the member to withdraw.

**Mr DEPUTY SPEAKER**: Member for Beaudesert, will you withdraw the statement?

**Mr McLINDON**: I withdraw, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER**: Before you go on and so we can nip this in the bud, member for Mudgeeraba, if you feel offended by what has occurred there is a process for you to go through and you are welcome to go through that process. I call the member for Beaudesert.

**Mr McLINDON**: I would like to acknowledge the great work that Alan Smith, the principal of Beaudesert State High School, does for his students. I am sure that schools such as Beaudesert State High School, like many schools across this great state, will be perplexed with what they have to do in their metal work, their home economics, the school fairs, the agricultural and farming subjects that are now available—

**Mr ROBERTS:** Mr Deputy Speaker, I rise to a point of order. The member is misleading the House. The provisions before the House at the moment do not change the current situation in relation to schools and their activities in any way whatsoever.

**Mr DEPUTY SPEAKER:** There is no point of order.

**Mr McLINDON:** I welcome the speech by the member for Gladstone, which was a very considered speech. The point that she highlighted was that we are penalising the people who in most cases, if not all, are doing the right thing. We have to get away from regulating people who are doing the right thing. As a member of the law, justice and safety committee we looked at alcohol fuelled violence and potential weapons in terms of the glassings that were taking place. I did seven years in hospitality and I once got a cash register thrown at me by an angry drunk. Do we then have a policy that every cash register in every single bar and club in the state has to be screwed down? Where do we draw the line?


This overregulation is completely suffocating the goodwill of Queenslanders in this state. We have another 50 pages in front of us today that effectively says that all those people with a whole raft of categories of knives are categorised as potential criminals. This is wrong. You can call me proweapons. Call me whatever you want. The reality is that we have all dressed up as army soldiers in our youth or gone down to the creek and had our fishing knives. It is called individual responsibility. Unless we start focusing on a cultural change, these violent statistics that we have seen today where knives have been used will not change. Do not think that if you ban some knives all of a sudden these violent circumstances will not take place. I am sorry; we need a cultural shift.

What I find insulting is that within walking distance from this parliament we can see movies being advertised at a bus stop where the murderer who has blood splashed all over his face is holding a knife at a bus stop. I am expected to sit at that bus stop with my two-year-old daughter and accept the trash and violence that is in our faces on a daily basis and then walk into this parliament and listen as those people doing the right thing are treated like criminals. That is criminal in itself. I will not tolerate this perception of politics in this place where we play silly little games on people who are doing the right thing.

I would also like to acknowledge the flippant use of the term 'without a reasonable excuse'. This is just opening the doors for lawyers to have a field day. It is hardly definitive in its approach. There are many good gun and pistol clubs in Beaudesert which all do the right thing. It is a great sport. I am sure we have all heard Bob Katter say to try to tackle obese societies we need to get people outdoors—get them doing all the things that we used to do when we were younger. We have become so politically sanitised now that we are breeding robotic monkeys left, right and centre because they have to operate within legislation such as has been brought before this House today, which is a direct attack on our recreational freedoms in a democratic society.

I would also like to acknowledge the fantastic work that Michael Diamond did winning gold medals at the 1996 Atlanta Olympics and at the 2000 Sydney Olympics. I think the member for Gaven alluded to the achievements of many people in the shooting sports. We are very quick to pat people on the back, but when you start looking at the realities some people need to get out of the 10-kilometre radius of Brisbane to realise that there is a real world out there. We are not going to be driven by perception and driven by lines in articles that come and go. This will be a stain on the democracy that we have so freely enjoyed for so many years in this state and nation.

I am pleased to see many members of the opposition—in fact, probably close to all of them—speak against this bill. I look forward to their support in opposing the Weapons Amendment Bill 2011. There was a rumour in the corridors that they were going to vote for the government bill, but I will not believe that one for a moment. There is no way anybody in a western democracy would support the sort of rubbish that is before the House today. Katter's Australian Party will not let governments successively attack the freedoms which each and every one of us have enjoyed, but which they are trying to take off us.

 **Mr MESSENGER** (Burnett—Ind) (3.06 pm): In rising to speak to the Weapons Amendment Bill 2011, I congratulate the member for Beaudesert and leader of Katter's Australian Party on his speech and for the way he has succinctly summarised some of the issues that will face Queenslanders if this bill passes. I will quote a couple of members who I believe have made very thoughtful contributions to this debate.

The shadow minister for police and member for Surfers Paradise said that, when it comes to managing the Weapons Act, it seems Labor is more interested in tightening the screws on law-abiding Queenslanders than doing something real about tackling serious crime in Queensland. Gun control laws have addressed issues surrounding gun possession and gun related crime in Australia and in Queensland. However, further changes to these laws and regulations will not address the causes of the current gun related crime.

The member for Burdekin said words to the effect that this legislation is definitely going to create more red tape and overregulation. The member for Gaven made a wonderful contribution. He noted that there was a growth of illicit weapons that is not being addressed. I can understand that on the Gold Coast. He cited figures which showed that 30 per cent of armed robbers over a particular period—I think it was 2005 onwards for a number of years—were not given a custodial sentence.

The member for Warrego asked some very good and pointed questions about the types of rifles that may or may not be banned. I am looking forward to hearing the minister's summation on those, as will many shooters in the Burnett district. The member for Gladstone made a very pointed comment and one which I think summarises this bill very nicely. She said that it would not add to the safety of the people in the community. Legal owners are being victimised while criminals are being let off the hook.

We all appreciate and understand that the gun laws have to be changed. Back in the bad old days I can remember talking to a cousin of mine who told me that when he was 13 or 14 he wrote away to a mail order place using a coupon in the back of a comic. I think he paid \$40 or something like that and Uncle Ken ended up seeing a pump action riot shotgun all wrapped up and neatly delivered on the kitchen table. Uncle Ken said, 'What the bloody hell is that?' Cousin Matthew said that it was a pump action riot shotgun. A 13- or 14-year-old was able to buy that weapon in Queensland. Those bad old days have gone. We have regulations, but unfortunately this legislation seems to be adding unnecessary red tape to those regulations.

I have seen some thoughtful correspondence, as other members have, on this bill which deserves to be raised in this place. Mr Mike Krause wrote—

I am concerned my social interests will be affected by changes to the current Weapons legislation proposed in this bill. Moreover the long standing re-creation by re-enactment of world history including Australia will be inhibited. We cannot limit the remembrance of the sacrifice, struggles and sad cost to our nation's defence forces and the impact wars have had on every Australian. I am concerned that all our efforts to bring public attention to focus upon historical sites in Queensland, and the extensive involvement in school education programs and education in arms of yesteryear will be severely hampered. Our fear is that decent citizens will be penalized and inhibited in their efforts whilst there will likely be no impact upon the criminal use of weapons within our communities today.

Everytime a criminal commits a crime with a weapon, the State Government has a knee-jerk reaction by bringing in legislation and laws that really impact on decent law abiding citizens, but does absolutely nothing to the criminals. Criminals can get a weapon anywhere and at anytime. Why punish the law abiding citizen? Should not the Government focus on criminal activity that involve weapons? We the decent citizens have done everything that the law has asked, and now you want to punish us further by introducing and changing laws that affect the law abiding citizen?

He pleaded for us to 'stop this stupidity'. He continued—

If these laws change, what is going to happen on Anzac Day? Nothing, because the law will then not allow the re-enacting community to participate in ceremonies and educational events around the country. Isn't it about time that the Government concentrate on the criminal? Change the laws to make tougher penalties against the criminal such as: No fines—jail term for minimum 10 years, No good behaviour—jail term for minimum 10 years. If criminals do the crime then make them suffer with the time. Please not make the law abiding citizen and re-enactor suffer in their place.

He then went on to highlight a number of clauses and he stated—

Matters of immediate and urgent concern relate to—

Clause 31 Amendment of s 6 (Category E weapons)—body armour (although obviously intended to control the unlawful use of such items) will drastically impact upon members of the Queensland Living History Federation portraying events as far back as the English Civil War.

Clause 32 Amendment of s 7A (Category M weapons) involving the weapon known as a Trench Knife will make it difficult to display such items which have been used for many years and which now add to the accuracy of the performance of re-enactors.

Also 68CA will prohibit the possession of particular magazines used as part of licensed Category B military as well as other collectable antique rifles. For example the British and Australian army classic .303 calibre Short Magazine Lee Enfield rifles using 20 round magazines. The prohibition of these magazines impacts on the historical worth of these weapons.

In the Bill Schedule 2A refers to methods of modifying firearms to make them permanently incapable of being discharged. The deactivation of historic weapons is of particular importance and needs to be carefully considered. It is understood the Bill will likely be passed on Tuesday 11th October 2011—

It is now a month or so later than that. He continued—

It is respectfully submitted it is important for Parliament to ensure that it has effectively enacted amendments to the Weapons Legislation which will have no unfair impact upon many law abiding and licensed citizens who seek to preserve our Australian history as well as to display realistically.

Alex 'Dusty' Penman said—

The first and maybe most important point is the fact that this proposed legislation is being presented without any allowable input from concerned parties, representative bodies or industry representatives. Unlike the input that was allowed for the 2010 draft that raised valid points that led to an overhaul of the draft, any further representation from the bodies that I am bound to be a member of by virtue of the laws governing weapons licensing in this state it is ironic that the same bodies that deal with issues on a daily basis are now to be ignored for the sake of expeditiousness.

I believe the government is trying to occupy the high moral ground and is sending a message out there that they are getting tough on users of unregistered and illegal firearms. We can look at some of the penalties in this bill and compare them with other penalties that criminals face. For example, clause 9 states—

Amendment of s 50A (Possession of unregistered firearms)

Section 50A(1), '60 penalty units'—

omit, insert—

'120 penalty units'.

That is a maximum fine of \$12,000. We can compare that fine with the fine the government gives for people who, for example, kill flying foxes. If you kill a flying fox, you are up for a maximum \$300,000 fine and a two-year jail sentence, whereas if you possess an unregistered firearm the maximum fine is \$12,000. This is the comparison—if you possess an unregistered firearm and potentially use it for illegal purposes, you are looking at a \$12,000 fine; if you kill a flying fox while you are trying to protect your crops or your house from flying foxes soiling your water supply, you are up for a \$300,000 fine. It is a crazy old world we live in in Queensland at the moment.

I remember talking to a theatre director once about a very unusual cover used for a play they had recently done. It was called *The Boiling Frog* and there was a picture of this green frog on the cover and I said, 'Tell me about the boiling frog.' He said, 'The boiling frog is quite a well-known psychological syndrome.' I said, 'Please explain,' so he went on to further explain. He said that he had never done this because it would be illegal and highly cruel, but if you put a frog into a boiling pan of water the frog jumps out straightaway naturally but, apparently, if you start off with a cold pan and put the frog in that and then gradually heat the pan up, the frog will stay there and it will die.

**Mr Shine:** Have you tried this?

**Mr Wilson:** It's like climate change.

**Mr MESSENGER:** We could go into a whole debate about climate change. I am talking about it in a metaphorical sense, member for Toowoomba North. I know it is sometimes difficult for you to understand metaphors, even though you do have a law degree. He was using it to describe a psychological process. That psychological process is that we start out with a small regulation which is very reasonable. Then once we get that small regulation through we start turning the heat up on the regulation and we just have to add a bit more regulation and a little bit more regulation.

They started it in Germany when the greens brought in fishing legislation. They started with a very reasonable thing that you need to have a fishing licence and all of that, but now all of a sudden you have to do a two-week course at TAFE and you have to go through all this red tape and pay out all of this money just to become a fisherman. What has happened with the firearms legislation is very similar. They started out with minor and justifiable regulation, but now we are in the process of heating up the pan, so to speak, and after a while, down the track, it will be virtually impossible for people to own sporting rifles. That is the ultimate goal of some of those members opposite—they want to get rid of firearms altogether from law-abiding citizens. The only people who would have firearms are the people who get them on the black market and they are the criminals using them against the law-abiding citizens. That is something we have to keep in mind when we talk about legislation like this that is introducing large swathes of red tape.

I cannot support this legislation. I support the previous members who have spoken against the legislation, especially those members of the LNP who have spoken out so strongly against this legislation. I look forward to joining them on the opposition benches when the time comes to vote on this legislation.

**Mr SPRINGBORG** (Southern Downs—LNP) (3.17 pm): A year or so ago when the government put out a draft of potential changes to the gun laws and the Weapons Act in Queensland, I was most concerned by what was being proposed at that stage with regard to certain restrictions and also further regulation for storage. It is also fair to say that the iteration of this legislation that is before the parliament is generally reasonably innocuous in so many areas compared to that which might come at some time in the future. That is why I am reasonably comfortable in supporting many of its particular provisions.

Before I go through some of those issues, I want to raise a couple of points with regard to the firearm ownership laws in Queensland. I am a licensed firearm owner in this state of Queensland. I am obviously not going to say how many firearms I am licensed to possess and which categories I am licensed for, but I can say that when you are brought up in a rural area you need to be able to not only possess but own a firearm. It is basically a fundamental necessity because a firearm is an essential tool of the trade.

It concerns me in so many ways that there has been a significant demonisation of firearm ownership in Queensland, and indeed in Australia, by many people who have an absolute misunderstanding and who have probably been scared into believing that there is no legitimate reason to not only own a firearm but also use a firearm in Australia. If we go back to the early history of Australia

we see that much that has chiselled and honed the reputation of this country has been not only with regard to our early settlement but also the heroism of many people on the battlefield—the marksmanship of those people who have gone to places beyond our shores and who have defended our nation and the rights and liberties that are embedded in our traditions and who we are. In many ways, we have not only recognised but also saluted and acknowledged that heroism. We have acknowledged that extraordinary contribution. In many ways, the capacity and the capability of many of those people who came from rural and regional areas of Queensland, where they grew up with a firearm and where they were able to use that in defence of their nation, has been recognised significantly. Indeed, we do that by our commemoration on Anzac Day and our commemoration of other conflicts that happened in times past. So we have to understand that the use of firearms and law-abiding firearm ownership have been very much a part of the history of our state and nation.

Just because people yearn to own a firearm or have to own a firearm for whatever reason does not mean that they are people of ill intent and that there is not a legitimate reason for them to own a firearm. Yet there is that particular misconception out there with some in the community. Many people enjoy the sport of shooting. It is a fantastic, disciplined sport. It is probably one of the safest sports that you can engage in. If you go to the Queens shoot at the Belmont Rifle Range every year, you will see the extraordinary skill of those men and women with their firearms. It is just amazing what they can do—the discipline, the diligence of those people—in that highly regulated environment. If you go to other shooting ranges you will see families—children and mums and dads—enjoying what is a remarkable sport and a remarkable recreational pastime for many people. It is important that we recognise that particular aspect of firearm ownership.

Also, some people want to be collectors of historical firearms. In many ways, those firearms were fundamentally important to our being able to maintain the freedoms and liberties that we have today and they are collected by military collectors. I think that is a wonderful thing as well. There are also occupational shooters, and I am certainly one of those.

In recent years I have seen a more highly regulated environment for firearm ownership. In that regard, we had that debate in this place a number of years ago following the tragedy of Port Arthur. I understand, and I put on record at the time those laws went through this parliament, the feeling that many people had that they were being made responsible for the actions of people who want to be irresponsible in the most craven, despicable way. Yet as a consequence of that event we had to regulate firearm ownership more highly in Queensland and the nation.

Nothing galls legitimate firearm owners more than seeing somebody who has committed a crime with a firearm receiving little more than a slap on the wrist and basically walking free. Indeed, the figures, including for those who committed crimes with knives and other weapons, show that more than one-third of armed robbers in Queensland did not spend one day in jail—not one night behind bars. We should really be targeting the illegitimate users of firearms—those people who want to use firearms in the direct and deliberate commission of a crime. I will touch on the provisions of this legislation that relate to penalties for certain firearm misdemeanours. I think we need to target those people who do not use firearms for the right reasons.

As a legitimate firearm owner—somebody who is an occupational user of a firearm, somebody who principally uses a firearm for vermin control and the humane destruction of livestock because, frankly, owing to the size of them and the circumstances there is no other way of doing it—I sometimes find even the existing law a bit onerous. In the past you might have had a firearm more readily available to you. You tended to have it more readily available if there was vermin around such as a wild pig, a wild dog or some other feral animal. Now, you have to find your keys, go to the safe, go and find your bolt and go and find your ammunition. I understand why that is the case, but I would say that we need to be very careful, if we are going to make other legislative changes, about going any further. For law-abiding people who follow the rules and regulations—law-abiding gun owners already do—there is almost a disincentive for them, as occupational owners, to get hold of their firearm and have it with them just to go about their day-to-day business. If we go further down the track and look at trigger locks and a whole range of other things, I dare say that vermin control issues will arise as a consequence.

Really, what sort of deterrent are those provisions going to provide to a determined criminal who is going to break into a person's place and use whatever means they so wish to access a gun safe which, in many circumstances, is highly secure? There needs to be an appropriate line drawn in the sand. I think in many ways we have that appropriate line in the sand.

It behoves this parliament, this minister and this government, or indeed any other government that attempts to change the law, to make sure that there is adequate justification for a change in the law—that they have factual information, that there are real security threats, that there is a real indication that the law is failing in such a way that it necessitates the change that would further regulate and restrict legal firearm ownership in the state of Queensland.

One of the specific issues that I would like to touch on relates to the restriction on laser pointers. As anyone who has read my parliamentary biographical details would know, I am somebody who is very interested in astronomy. Indeed, other than politics it is one of my very great passions. In the time that I

have been in this place, astronomy has taken a back seat. But I am fortunate to own a couple of wonderful telescopes. There is no better device to point out to someone who is new to the appreciation of astronomy a particular object in the sky than an effective laser pointer. In the past 12 months I have been through a regulatory process to import, with the appropriate permits through the Commonwealth and state authorities, a five-milliwatt laser pointer. I understand that, under the legislation that the minister has introduced, such a laser pointer will still be available to be used by those who have an astronomical interest, but those people will have to be members of a reputable astronomical association. I have not been part of an astronomical association. Astronomy is an interest that I have. The laser pointer is a significant investment that I have made, but I am a long way from an astronomical association—indeed, probably many hours away. If I had to join an astronomical association to keep that laser pointer then, indeed, that is something I would be prepared to do.

For anyone who has not seen a laser pointer used to point out in a very dark sky a star cluster, a galaxy, an individual star, a planet—whatever the case may be—I can say that they are very effective. For anyone who has gone out and tried to explain to their children or anyone else what they can see in the night sky and tried to pinpoint what they are looking at, I think it is fair to say that they could end up describing a patch of sky probably the size of a football—

**Mr Kilburn** interjected.

**Mr SPRINGBORG:** I would say to the honourable member for Chatsworth that he would need to come out to where we have dark skies to see the wonderful Milky Way and that sort of thing. If you try to point out with your finger some object in the sky, you can be a long way away from the object that you are trying to define to somebody to give them an appreciation of some sort of astronomical event or object in the sky. I think those restrictions are proper. They allow for legitimate possession and ownership of laser pointers for astronomical purposes and also for those people who have a legitimate reason to have them fitted to a firearm.

I do not think we have any problems in relation to the banning of knife possession in schools. We have seen a number of incidents in recent times which strike many of us at the core. It is very sad. I think this is an essential and important part of the amendments to this legislation.

I turn now to the increase in the penalties in the legislation. In his explanatory notes the minister has stated that there is a significant indication that the current laws for certain firearms or Weapons Act breaches have not been recognised or seen as a deterrent in the community. I would dare say that there would be very few people who would have any idea whatsoever of what the maximum penalty is for the unlawful discharge of a firearm on someone else's property, the unlawful possession of a firearm on someone else's property or some other unlawful possession of a particular weapon offence. I think for the minister to justify these changes, of which I am very concerned, he needs to stand up here and indicate how many times the court has imposed the maximum penalty for those firearms or Weapons Act breaches which are contained in his legislation not only in the last 12 months but also in the last two or three years. If there is a failure in law then it would be because the courts have been imposing what are the maximums and they do not believe that the maximums are a deterrent because they are not high enough. If the evidence indicates that there has not been the imposition of any of those maximum penalties that are available to the courts at the moment then I think that the minister is effectively pulling our leg and using this opportunity to bring in additional penalties in this legislation when the maximum penalties as currently available are not already being used.

Once again I come back to what I said some time ago. If one looks at people who go out in the most craven, sadistic, dreadful, heinous way and commit a crime with a firearm—they hold up a service station and might shoot somebody—where is the evidence that we are even imposing the maximum penalty? Surely we should be dealing with those people. Surely we should be saying to those people, who are the most deliberate criminals that you could ever find and who terrorise our community, that you will have minimum penalties—that you are going to go to jail for a certain period of time—let alone the maximums. If you commit a crime such as a hold-up using a firearm you will go to jail for five years; if you pull the trigger it is 10; if you injure somebody it will be 15. Why do we not look at going that way? That is what the real deterrence is, not coming in here with these particular penalties which, I would argue, in the context of serious Weapons Act crimes, are really at the lower end and there is probably little justification for increasing those maximums when, I would argue, those maximums are not being imposed currently. I would be very surprised if one single maximum has actually been imposed by the court in the last couple of years.

The issue of magazines is of some concern. The minister has circulated some information here today that is broadly along the lines of what was contained in the COAG brief from the various ministers in relation to particular restrictions placed on magazine ownership. There is a distinction between your ability to own a firearm and the magazine that is part of that firearm by and large as an accessory. The point needs to be made that there is no talk, that there is no intention in this legislation whatsoever to actually confiscate someone's firearm for having a particular capacity detachable magazine. We are talking about the possession or ownership of a magazine. It is not the firearm. It is wrong to say that firearms are going to be taken off people; it is the magazines. Could the minister actually explain how

many firearms in the lever action and pump action category are likely to be affected by having potential restrictions placed on the ownership of magazines. I have spoken to people here, including the honourable member for Rockhampton, and I do not think we have ever seen a lever action or a pump action firearm—maybe one, the honourable member for Rockhampton said—with a detachable magazine. We would like to know what we are actually voting on, what we are dealing with and how many magazines with a capacity of greater than 10 shots we are talking about are potentially affected.

I want to make the point again that this does not affect the capacity of the person to own the firearm. In the case of a lever action or a pump action firearm, it only says you cannot have a magazine with a capacity greater than 10 shots or a repeating rifle—we are talking about category B rifle centrefires—that has a capacity greater than 15 shots. I think it is very important that we know the types of rifles we are dealing with. There has already been discussion here of a limited manufacture of a type .303 rifle that had a magazine capacity of 20 shots. Certainly I do not think that was the run of the mill with a .303—certainly not the one that I have.


I would like to know from the minister what evidence there is to bring about these changes with regard to the magazine. Is this a pre-emptive strike by the ministerial council because it feels that there is some potential threat or is there some evidence that we have that these pump or lever action rifles that have a quicker loading action have been or could be used in the commission of more serious crimes given the potentiality of having a larger detachable magazine? It comes back to what I have said before: there needs to be an evidentiary base for these particular changes to have the community's support and the community's comfort that we are doing this for the right reasons and that it is not some sort of covert way of legislating away the rights of individuals in the community.

Could the minister indicate—he has been asked to do this throughout—what would be a general reason to possess? I understand if you are an occupational user that there will be a fairly easy genuine reason to possess, but if you are somebody who likes to collect firearms, such as that limited edition .303 with a 20-shot magazine, how will it apply in those circumstance? Will there be a circumstance where that person might be able in some way to have that magazine, whilst it might not be externally interfered with, internally interfered with in such a way that it can be restricted to fewer than 15 or fewer than 10 shots?

The other issue that I would like to touch on is the issue of pocketknives. Tradesmen and many of us in our work in the rural industry carry a utility or a pocketknife. That is something that is part of the culture of so many people. It is an essential thing to be able to carry because there are so many things that you need a pocketknife for. I would like a clarification from the minister that there is nothing in the knife components of these Weapons Act changes that will in any way limit or restrict a person's ability to carry a pocketknife or penknife, something which so many people do.

**Mr Roberts:** It doesn't change anything in that regard at all.

**Mr SPRINGBORG:** That is the way that I read it. But it is important that we get that reinforcement to address the concerns of people who do raise these sorts of issues.

 **Mr KNUTH (Dalrymple—KAP) (3.38 pm):** I rise to speak to the Weapons Amendment Bill 2011. The draft of the Weapons Bill 2010 was released for public comment and the majority of submissions fiercely criticised it. This bill has been rushed, and was not released for public comment. It should have been brought to the public's attention before it was tabled in parliament.

**Mr ROBERTS:** I rise to a point of order. The member is misleading the House. All of the provisions in this bill were part of the draft bill which was released to the public for consultation.

**Mr DEPUTY SPEAKER (Mr Elmes):** Order! There is no point of order. I call the member for Darymple.

**Mr KNUTH:** Back in the late 1990s, the John Howard gun law reforms were a whopping big issue that caused a great impact across rural and regional Queensland. In the past we saw people rise up to the point where there was a lot of anger and angst. I can understand why, at the moment, certain interest groups are very concerned about this bill and I will bring up a number of amendments in relation to that. When the first reforms were introduced, a number of members of parliament lost their seats over what was a very emotional issue. I believe that those gun law reforms were among the toughest in the country, if not the world.

I will give members an example. A gun owner has to have those guns in a safe. If a criminal was breaking into my home while I was away, the first thing my wife and children would have to do would be to find the key. After finding the key, they have to open the safe. Then they have to grab the guns. Then they have to go to another room to grab the bullets. Then they have to go to another room—

**Mr Schwarten:** You ring 000.

**Mr KNUTH:** A lot of people do not live close to cities. They have to put the bullets in the magazine, load them up and then use the gun. I feel that that is as tough as you can get.

**Mr Roberts:** Do you want to keep a loaded gun in the house? Is that what you are saying?


**Mr KNUTH:** No, I use this example to show how tough are the laws. I cannot see any problems with the penalties, such as for the possession of knives in schools. There is no issue with that. However, some people are concerned about the classification of folding knives, which will not be classed as ordinary pocketknives. This has to be addressed. The removal of licensing requirements for deactivated monuments deserves acknowledgement. It is plain commonsense. The bill reviews the rights of the RSL to display deactivated and imitation arms.

However, the majority of the amendments within the bill increase the penalties for responsible licensed gun owners, do little to enhance community safety and do nothing to address the criminal element involved in weapon ownership. The bill takes the focus off weapons for criminal activities by treating everyone who owns a weapon like a criminal. Alternative deterrents, such as heavy sentencing, will do much more to effectively target criminals than will increasing the penalties for recreational and sporting shooters, gun club members and law-abiding citizens. An essential aspect of our democracy and a necessity of our environment is that Australians have the right to own and operate firearms, with the exceptions contained in a prohibited person's register. However, targeting law-abiding gun owners with unjustifiable penalties and loading them up with so much red tape that legal gun ownership becomes impossible is a small step towards prohibition.

I grew up with guns, as did many members who have contributed to this debate. I know that if you grow up around guns, you learn how to treat them with respect. This is why rural gun owners and sporting shooters recognise that we need sensible regulations and do their best to comply with the existing legislation.

One of the big issues with this bill is clause 44, which inserts section 68CA regarding the possession of a large-capacity magazine for lever and pump action or centre fire rifles. This section has caused a lot of concern in the community regarding lever or pump action and centre fire guns that have built-in tubular magazines with a high capacity of more than 10 rounds. We need clarification on this point: if you have a gun that has a tubular magazine of more than 10 rounds, does the whole gun have to be handed in? That needs to be clarified. When the minister sums up the debate, I would like further clarification on the criteria for obtaining a special provision to own a large-capacity magazine for category B weapons. If you have a magazine that has more than 10 rounds, this bill says it has to be handed in. According to this bill, I have to tell my friends and people who live in rural and regional Queensland who have a magazine that has more than 10 rounds that they have to hand in that magazine.

It is important to recognise that further regulation of weapons licensing is no longer effective in deterring the criminal use of weapons, but is casting a burden of bureaucracy on law-abiding firearm owners. The truth is that those who wish to carry out criminal acts will obtain firearms in the illegal firearm trade, which has no restrictions and no regulations. As a gun owner who complies with the current legislation, at a significant cost, I sympathise with gun owners who feel that they are being demonised simply because they own a gun. I believe that the legislation has no relevance to criminal activity or public safety. The draft weapons bill, which was released for public comment, takes the focus off the use of weapons for criminal activities by treating everyone who owns a weapon like a criminal. There are alternative deterrents, such as effectively targeting criminals rather than law-abiding citizens. I have a lot of concerns with this bill. It goes against the Australian way of life. It goes against personal firearm owners and law-abiding citizens. I cannot support the bill.

 **Hon. RE SCHWARTEN** (Rockhampton—ALP) (3.45 pm): In 1989, I spoke in the debate on the original legislation that was introduced by the incoming Goss government. It is with some nostalgia that I record that I spoke on the last debate on firearm legislation before the parliament. Therefore, I am no stranger to the legislation that has come before this parliament. The sort of ratbaggery that I just heard from the member for Beaudesert and the member for Burnett I also heard at that time and it came from one Bob Katter, who is still at it. He is still saying things such as the member for Dalrymple just said, that you need to keep a locked gun in your bedside table to protect your family when, in fact, the statistics show that many innocent people, and indeed children, have been killed that way.

A lifelong friend of mine was shot with a .22 rifle while playing a game of cowboys and Indians in his backyard. He is the same age as I am. He never walked after his eighth birthday. Both his brothers died as a result of that, through other circumstances that I do not wish to talk about. I have seen what firearms can do. I have seen what people can do with them. I am a gun owner. I am a licensee. Along with the member for Kallangur, I am a member of a rifle club and have been for many years. I respect firearms immensely. Firearms are designed to kill people or things.

**Mr Roberts:** Not according to the member for Burdekin; they are tools of trade.

**Mr SCHWARTEN:** I accept that for some people in rural pursuits they are a tool of trade and I do not have any problem with that. That is a tiny minority of people in our society. I know that people on properties use them very responsibly as tools of trade. There are other people who suggest that they are tools of trade, but they are fraudulently claiming that they are so. I have been on many properties. Most property owners I know of will not allow people to come onto their properties and shoot, because they value their stock, because they value their kids and because they understand how dangerous



firearms are. I do not accept that firearm owners in rural Queensland are any problem whatsoever, although there may be the odd one who is. There is always the occasional person who does the wrong thing. By and large, they are a part of the group of people who suggest that having a loaded firearm at your home is the best protection you could offer for your family. That has been proven to be wrong many, many times. That was the argument that I recall Mr Katter put up in this place way back then. Things have not moved on in terms of those people.

I notice that the member for Gladstone said that it would not add one bit to the safety of the public. The member for Beaudesert said that we should get real and live in the real world and stop taking away people's rights to have firearms. Tell that to the shop owner not far from my place who was recently held up. A couple of young girls were held up with a military firearm that was allegedly stolen from a property nearby. Tell them to get in the real world when they are staring down the barrel of a .303 across the counter. Tell them that we do not need to have very strong sanctions for people who do not do the right thing regarding their firearms. As Professor Wilson said—and as quoted by the Leader of the Opposition—the more guns there are in our community, the more likely people will be to use them. I can well understand that people see that having to lock up their firearms is a problem, and I would be the first to agree to that. But having them within easy access for people to pinch, as we have seen, is a similar problem. In fact, it is a worse problem.

In terms of knives and the idea that it is unreasonable for police to have some discretion about what is fit for purpose, tell that to my mate whose son was stabbed through the heart two Friday nights ago. Tell that to the hotelier in Brisbane who had security at his dance floor, where people went along to have a good night out, and yet somebody still ended up dead from a knife. Tell that to the people who have had a Stanley knife run down their arm and ended up with more stitches than a handmade suit. Tell that to people who regularly see people with knives and cannot do anything about it—and that means our police.

Those who suggest that this is somehow out of the ordinary and continues to take away people's rights forget that it was the Port Arthur massacre that really focused Australia's attention on gun ownership. So strongly did they feel about it that they were prepared to pay a levy on top of their Medicare levy to take firearms away from people. It was a conservative government that did that. As honourable members would know, I am no fan of John Howard, but we could have gone one of two ways back then. We could have gone down the path of the National Rifle Association, which in Australia is led by Bob Katter and thoroughly supported by people who like to shoot giraffe and hippopotamus and all of those beautiful creatures—and what brave souls they are to take a high-powered rifle with a telescopic sight and shoot a giraffe or a hippopotamus! I would not give those people last year's calendar to use for sanitary purposes much less take their money from them to form a political party. The reality is that that is who Katter gets his money from: a frontman for the National Rifle Association in Australia.

I am delighted that we had bipartisan reform in this country so that we did not go down the path that leads to what we saw occur in the US last week or the week before. A dozen or so National Guard were having a cup of coffee—unarmed—somewhere in Kansas and some lunatic came in off the street and shot the lot of them. I am glad that we do not live in such a culture. Once in Seattle I saw a fellow in a very senior executive position pull out his handgun and put it in his drawer. People think that people in cars in the United States have pump-action shotguns and handguns stuffed inside. In Seattle about five years ago, a woman was shot through the head with a high-powered rifle and the child who shot her—a 14-year-old kid—did not face any sanctions whatsoever because he said that he mistook her for a bear.

They are the sorts of laws we could have ended up with in this country if we had gone down the Katter path of allowing people free access to firearms. They are the sorts of laws that did not exist when I came to this place—and I referred to them in 1990 when I spoke on the then legislation—whereby you could go into Kmart and buy a cheap Stirling pump-action shotgun and as many cartridges as you could carry, walk out into the street and mow everybody down in your sight. That was the Bob Katter way. That is what he agreed with. That is what he thought the law should be. Tommy Burns knew an old worker who, on the day he lost his job, bought a Chinese made .22 for about \$25—it still had the price tag on it—and a box of cartridges, took it home, put it together with a kitchen knife, put it to his head and blew his head off. That is the sort of easy access that the ratbags who stood in here today to oppose these measures think people should have. I respect firearms and I respect people who own them, but they in turn deserve to be under the most powerful scrutiny.

As for pocketknives, I carried a pocketknife through my primary and secondary school years and through my adult years, right up until, because of terrorists, we could no longer carry them through airports. Do I like that? No, of course I do not like it. But I tell you what: I understand it. I understand that the world has changed, that you cannot do those things anymore and that those elements now exist in our schools. It was great to be able to do that when I grew up. You could peel an orange, cut a fork, make a ging—whatever. Those days are gone and they are gone forever. The reality is that they are never going to come back—and neither should they—because people use those implements to do the wrong thing by other people. We have seen that on a number of occasions.

I do not get this business that this is a right. It is no more a right to have a firearm than it is to get on a plane with a loaded firearm in your pocket—and, believe me, I know people who used to do that, too. When they came down to Brisbane they would put their .38 in the briefcase—no questions asked—and get on the plane. As far as I know, nobody was ever shot on a plane as a result of that, but that is what people did. People had that sense but we have moved on from that laissez-faire environment whereby everybody had them hanging around the house and we now have good and sensible laws.

I was intrigued by the argument of the Leader of the Opposition on this, because he was having two bob each way if ever I heard it: on one hand we do this and on the other we do that. Does anybody seriously think that when the police ministers get together in Australia they are doing this as some almighty conspiracy? I know that the ratbags at the back think that, but they have conspiracies about all things. However, no sensible person should really consider that. I might point out to the Leader of the Opposition that if he were to become a minister he would find out that people do not get hold of the minutes of those police ministers' meetings. They never have and, as far as I know, they never will. The reality is that those meetings are always held in-confidence, and there is very good reason that they should be. He should not be criticising this minister for following that path, because that is exactly what Russell Cooper did when he brought this legislation to Queensland. At the time I said good on him for doing that. I voted for it at that stage and I will be voting for this legislation.


**Mr Johnson** interjected.

**Mr SCHWARTEN:** It was. It was a very good job in difficult circumstances, and the blokes in the National Party had to wear it in those days. However, I do not buy this nonsense of the Leader of the Opposition, in his two-bob-each-way statement, that somehow the penalties are going to hit the security firms. Why would they hit security firms unless they are doing the wrong thing? If they are doing the wrong thing, they ought to be hit for six. I do not advocate that they should be put in jail for it, but there should be a huge deterrent. Those security firms have concealable firearms. If they leave one of them laying around on the bonnet of a car and a thief gets hold of it and shoots somebody with it, there needs to be a very strong sanction. I do not care how high the penalties are because they will only affect those who break the law; they will only affect those who hold in contempt the laws that this parliament is putting forward. Only people who want to break the law should worry about the penalties.

Finally, I say to the opposition: do not ever come into this place and lecture us about law and order again. This has come from the police, who are trying desperately to make our streets safer. They are grappling with the very issues that people raise such as: what is an occupational use for a knife? I have a nail bag and in it I have a Stanley knife. If I had that bag in my car and I went down the street to buy some fish and chips and I left it unattended in the car, somebody could break in and take it and then stab someone with it. Do you think I want that on my conscience? I am very mindful now of what I do with that. Tradies need to do the same thing; we all need to do that. The reality is that the police have to make a call.

What is that show on razors? Why were they carrying cutthroat razors in the 1920s? It was because Labor governments in Australia banned handguns and so they started to carry razors. That is what people are doing with knives, and they will find a way of doing it. We need to give the police the powers that they want in order to deal with this. I do not care if they pick up a couple of tradies who are legitimately doing the right thing and let them go if they also pick up just one kid who is carrying a Stanley knife who may be going to stab my son outside a pub or whatever.

I support the legislation. I particularly support the minister's very sensible idea to divide the legislation, because there are other areas such as amusements and so on—paintball and all of those things—that need to be looked at and viewed separate to this legislation. I think the minister took a very common-sense approach to it. My friend Judy Spence started working on this when she was police minister, and it is good to see that the momentum has been kept up. This is by no means the last piece of legislation on this subject matter that this parliament will ever see, but it is the last piece of legislation that I will ever speak on.

 **Mr KILBURN** (Chatsworth—ALP) (3.59 pm): I would also like to make a short contribution in support of the Weapons Amendment Bill. This government—at least since I have been here and I am sure long before I arrived—has shown a commitment to ensuring that Queensland remains a safe place to live, work and visit. It is almost universally accepted by most thinking people that in a modern society there is a need to regulate the ownership and use of weapons. It is pretty obvious that that needs to be done.

In 2006 a review was instigated by the Beattie government. There was wide-ranging public consultation. Regardless of what the member for Dalrymple said in his speech, there has been an endless amount of public consultation on this issue. A review committee was set up. The committee initially identified 440 proposals, a number of which proved to be contentious. The member for Rockhampton acknowledged that. I also acknowledge and congratulate the minister for breaking up this bill into two parts to enable us to get through some of the more obvious and necessary amendments and to allow some more time for public consultation on the more contentious issues. I, like many others

I am sure, was approached by a number of gun owners concerned about the application of some of those recommendations. So I congratulate the minister on the way in which he has brought this bill to the House.

The minister released the draft bill for public comment again between 4 August and 14 September—another period of time in which people could make submissions, and I know that many people did. The fact that we have gone through this process—we have had extra public consultation and the bill has been divided—is a clear sign, I believe, that this government and this minister is listening and is willing to take the views of all the stakeholders into account.

The Belmont Rifle Range is located in my electorate of Chatsworth. It will soon host the shooting disciplines of the 2018 Commonwealth Games, which will be a great event for the local community. I am looking forward to the money that will go into upgrading that facility—another example of this government supporting the legitimate sporting shooters in Queensland. A lot of money has been spent. I know, Madam Deputy Speaker O'Neill, that you also visit that site and, as the member for Southern Downs has mentioned, I have seen him a number of times at the Queens tournament presenting awards. One of the common things remarked upon by people who visit this site is the great facilities and the amazing support that the Belmont Rifle Range gets from this government.

**Mr Rickuss:** It's been there a long time.

**Mr KILBURN:** It has been there a long time, and it has been supported by all sides of politics. I recognise that. One of the things that has been mentioned to me a number of times by people when I go there is that they are quite surprised by the number of members of parliament from both sides who regularly visit that rifle range, and they are very pleased to see the level of support that sporting shooting gets particularly in Queensland.

Hundreds of shooters and their families come to enjoy the fantastic facilities each year, and I am very happy to have them there. As was mentioned before, they are all very disciplined and very committed to their sport and obviously are not the sorts of people who are going to cause problems. But to say, as some people do in some of the form letters that we all receive in the mail, that licensed gun owners never cause a problem and that we are picking on innocent people who never cause a problem: the facts state that between 2007 and 2010 a total of 1,270 licensed gun owners had their licences removed. They had their licences removed not just for fun and not for no reason but because they committed crimes, such as violence and threatening violence, weapons offences, drug offences, domestic violence offences. So there is a need to regulate. There is a need to have laws to control the right to have a gun. With every single right comes a responsibility, and that is to do the right thing. We have to have controls and regulation in place to allow the police to manage it.

I think it is interesting that we have had members of the LNP—and I recognise the LNP are supporting the bill—and particularly members of the Katter party saying that we never support the police and that we are not tough enough on crime. Where do members of the LNP think that these recommendations come from and who supports them? The Queensland Police Service supports them. Why? Because they need this legislation and these regulations to allow them to do their job. With this bill we are putting in place regulations and controls to allow the Police Service to do their job. That is what we are doing. It is a bit strange when we get castigated by members of the LNP that we are not doing enough to support the police when some of them have raised concerns about this but more particularly when the Katter party is voting against this bill. They come in here and say that we do not support police enough but then they are going to vote against a bill that police want to help them do exactly what they want to do—that is, their job, which is to keep the streets safe. I think that is an interesting conflict.


I also found the member for Warrego's speech interesting. It was not really a speech; he just asked a series of questions of the minister. That is fair enough. He said that he needed to have things clarified. What I do not understand is what he actually does for the rest of the time when he is not in here. I had some people contact me about issues regarding licences and all of those sorts of things, and I did what I thought we all did, which was contact the minister's office and find out the information. I find it amazing that after all of this time we get to today and the member for Warrego still does not actually know what is in the bill, has no understanding of it, does not appear to have read it and has no clue as to how it is going to work.

**Mr Watt:** He's a very busy man.

**Mr KILBURN:** He is obviously very busy locking the gate out there, because he does not have time to read anything that is going on in this place. He asked some questions—and I am sure the minister is going to answer them—about the magazine. I think the minister has answered it once and I am sure he will answer it again. A lot of the points that have been put, particularly by the members for Gladstone and Nanango, have come from form letters that are sent by people who are opposed to any type of legislation. They quote these form letters as if they were some sort of legitimate claim—some sort of legitimate attack on the rights of these people—when in fact nearly every single claim is wrong. None of it is based in fact and no-one seems to take the time to educate themselves.

I had a number of people who contacted my office and a number of people who wrote to me, and I replied to them. After I explained that a lot of the time what they were fearful of did not apply to them they were much less fearful and realised that this legislation was not going to impact upon them at all. There have been a number of comments made about knives and carrying weapons—for example, will you be caught out if you carry your pocketknife around the street? I think the amendments are pretty clear. It is not an offence against the act if you have a knife to perform a lawful activity, duty or employment; to participate in a lawful entertainment, recreation or sport; for exhibiting the knife; or to use a knife for a lawful purpose. One of the comments was, 'Well, what's a lawful purpose?' I will give members a hint: peeling an orange is a lawful purpose; stabbing someone is not. I do not know that it takes much of an explanation to be clear about it, but I am sure the minister will clear those things up.

As I said, I have a number of shooters regularly visit my electorate office. I look forward to continuing to visit with them and seeing sporting events held in my electorate right up to the 2018 Commonwealth Games. I am confident that the amendments we are bringing in with this bill will do nothing to damage their right to participate in legitimate sport, nor will it do anything to damage the right of legitimate landowners, farmers and people who have a lawful and useful purpose for having a rifle. There is nothing to fear in this legislation.

 **Mr RICKUSS** (Lockyer—LNP) (4.08 pm): I rise to make a few comments on the Weapons Amendment Bill 2011. I agree with the member for Surfers Paradise. We must support this bill because of the fact of how can we not support the banning of knives in schools and those sorts of things. That really is just common sense. As the member for Chatsworth has said, a lot of form letters went around that were full of misinformation from people who had not read the bill. I spoke to a couple of people who sent me information and very few of them had read the bill or had even tried to read the bill to understand it. I must admit though that some of the public concern that arises is due to the fact that some of this legislation is rather poorly drafted, poorly put together and not very well explained.

I had somebody point this out to me. I got this from one of the QBuild staff. It is a one-handed Stanley knife that a lot of craft people use. You can bring the blade out and backwards and forwards quite easily. The bill states—

... any knife so designed or constructed so as to be used as a weapon that while the knife is held in 1 hand, the blade may be released by that hand.

This is a perfect example—

**Madam DEPUTY SPEAKER:** Order! Member for Lockyer, I would ask you to put that down. It is unparliamentary to show such a thing in this House.

**Mr Roberts:** It is not a weapon. It is not designed as a weapon.

**Mr RICKUSS:** One of the QBuild tradesmen walking around here had that.


**Mr Schwarten:** He has an excuse to have it; you haven't.

**Mr RICKUSS:** I wanted to sharpen my lead pencil. People are reading that: any knife so designed or constructed so as to be used as a weapon that while the knife is held in one hand the blade may be released by that hand. It is a Stanley knife.

**Mr Roberts:** Read the legislation. It is not designed as a weapon.

**Mr RICKUSS:** It says, 'So designed or constructed so as to be used as a weapon that while the knife is held in 1 hand, the blade may be released by that hand'. It does not say that it has to be designed as a weapon. That is exactly what it does. It is poorly constructed and poorly put together legislation. As I have said, I support the legislation but some of this stuff is badly put together.

It is the same with the magazines. People have misinterpreted those provisions. When you look into it properly there are very few guns that will be exempted by this because very few have that sort of magazine. The member for Rockhampton and I were discussing it before. Even most of the underbarrel magazines will not hold more than 15 rounds. We cannot oppose this bill, but there is a lot of misinformation in the public arena that has been put around by some people. I implore the minister to make sure that when such legislation as this is drafted it is drafted clearly so that people can understand it. That is the real problem. Get the correct information out there.

 **Mr HORAN** (Toowoomba South—LNP) (4.12 pm): This is a pretty important debate today about an important and sensitive subject. I find it appalling that the member for Yeerongpilly came in here today and used this House to say a few words about this and then attacked someone over their Facebook page and the fact they had their photo taken beside what he called a weapon of war. It is a shame that this place, which should be used to debate serious bills, is being used for this gotcha syndrome that seems to have crept in where a minister of the Crown comes in for that trite purpose.

Gun legislation in the state commenced mainly in the early nineties when legislation was brought in that prevented people from being able to buy guns off the rack. You could go to K-mart and buy a gun. It was only after Port Arthur that legislation, which is probably the contemporary legislation that we are looking at amending, was introduced. In a wonderful nation like Australia it is awful to think we had something like the Port Arthur, massacre where 37 people were killed. My eldest boy was the first

mainland journalist to go into Port Arthur after that horrific massacre. He flew from Canberra and he interviewed the fellow who lost his wife and two daughters. My eldest son had been an officer in the Army Reserve so he knew and understood about guns but he was appalled by what happened there.

Not long before that we had the Strathfield massacre in the shopping centre at Strathfield and we had the Hoddle Street massacre in Melbourne. I bring those up because I was one of the members of parliament who went through that very serious and difficult time in 1996 following Port Arthur when legislation was developed and brought in. We had to balance the absolute right of law-abiding citizens to own a firearm for sporting purposes, for recreational purposes, for rural pursuits or occupation or for security reasons. I had many of these citizens in my electorate. I had old ladies who had a firearm given to them by their father and when they retired to Toowoomba they had it in their house for security reasons.

There were thousands and thousands of good people in Australia who suffered pain, difficulty and inconvenience because of the legislation that was brought in. They did all feel hurt because of that, but I am sure most of them understood that the time had come in society whereby we had to prevent evil people from obtaining guns to massacre people. The political party that I was a member of at the time was the National Party, and we as a coalition in government supported that legislation. I pay tribute to Russell Cooper, who as the Queensland police minister went to all those negotiations and negotiated. The legislation would not be there today without what he did because he knew and understood guns and understood the good law-abiding people.

He negotiated, for example, the right to own, which means that if people have a property where they need to use their firearm, if they are a member of a sporting club, if they have a letter from someone to say they can shoot on their place—all those types of reasons are a right to own—then good, law-abiding people can legitimately have a firearm, admittedly with more inconvenience than in years gone by, but the world had changed because of the massacres that occurred. He also negotiated the ability of those who needed to have a semiautomatic for reasons of their work or their activity. He also ensured that young people of a certain age could be trained in the safe use of firearms under supervision. In the drama that occurred, we owe much to Russell Cooper for being able to achieve that for the good, law-abiding people.

We have all the sportspeople who are involved in sport and who are up to Olympic standard. It is a wonderful sport, whether it is rifle shooting or pistol shooting. I know many members of this parliament who have been to these events. You are amazed at the organisation, the safety and the family nature of those sports. I know where I live at the moment we have an absolute plague of snakes—browns and eastern browns. You can understand why people on properties need to have firearms to protect their children or protect their house.

The key issues in this legislation are the magazines, the lasers and the knives. Before I look at those three aspects, I want to read through what this bill does. Some others have done it, but I think it is important because this bill covers many issues and we need to be careful to be accurate about what we debate. There are also some answers that need to be provided by the minister in his summing-up.

This bill increases the penalties for behavioural offences involving weapons. My colleague the member for Southern Downs spoke eloquently about the need for minimum offences. If people commit murder or a hold-up using a weapon, at least there is a minimum that will act as a deterrent to stop those dreadful crimes. This bill extends the current definition of bladed weapons to accord with national standards. I will go through those weapons later. It regulates the possession of laser pointers with an output greater than one milliwatt. I think everyone in this House, even members who may be opposing this bill, realises the danger to human life of lasers being used to point into the eyes of pilots trying to land a plane or from an overhead bridge into the eyes of people driving cars.

The bill regulates the possession and use of high-capacity magazines for category B firearms—not the firearms, just the magazines. I will go through those categories of centre fire, lever action and pump action firearms later.

The bill also does the following: defines an approved safety training course and what the Commissioner of Police may consider in approving such a course for the purposes of obtaining a firearms licence; clarifies that a person may have physical possession of a knife in a public place, other than a school, for a genuine religious purpose; and removes licensing and registration requirements for permanently deactivated public monuments. I think we all agree that is good, particularly for RSL clubs and for a friend of mine who is quite an expert at putting together turrets for old World War II planes and the weapons that go into those turrets for the Milne Bay Military Museum in Toowoomba and for the Air Force museum at Oakey. He also likes to take them around to schools to show people the historical turrets that he has made and the historical weapons made out of wood which are from Mitchell bombers and so forth from World War II.

The bill also exempts off-duty members of the Queensland Police Service and special constables required to possess service issued weapons and exhibits; clarifies that incorporated shooting clubs must nominate a representative; clarifies that range officers cannot be minors; permits range officers

from another state or territory to officiate on ranges; and introduces additional genuine reasons for the possession of a weapon to include medieval re-enactments, paint pellet sports and for the collection, preservation and study of weapons—there are many people who do that and I will touch on a couple of those shortly. The bill also allows an exemption from a provision of the act to be revoked if the exemption is breached; adopts the Australian Federal Police firearm deactivation standards—and I want to mention that later; amends the weapons categories regulation to better define body armour; and amends schedule 2 of the Weapons Regulation to reflect changes to government service entities and prescribed functions.

With regard to knives and knives in school in particular, we have seen a couple of dreadful incidents in recent years in Brisbane at two schools, one of which was my old school. These knife incidents have happened at two former Christian Brothers schools. The last thing parents want to see is their children going to school and being injured in this way. More than that, there is a culture of violence that sometimes is associated with night spots. You could only reasonably expect a few of the knives that are listed in the bill to be held for hunting purposes. There are the circular knives, which are the ones with the circular things that can be thrown, and there is the little one that fits in the palm of the hand with a sharp point protruding so if they punch someone it also cuts them. There are all of those sorts of knives. We would all like to think that the places our children and grandchildren go to and congregate at night are safe. We also do not want to see workers being held up by people using these types of weapons.

I hope the minister can clarify the issue of pocketknives. I know that has been a part of previous legislation and I would like the minister to clarify it because others have mentioned this and it has been in emails that have been sent to us and so on. My understanding is that if you have a pocketknife in a pouch and it is part of your occupation you can use that and if you go to town you can take it with you—for example, if you are in the ute and you need to pick up hay, cut baler twine or cut out a weed and it is just part of your normal life. We need to clarify that so that we can properly respond to people who say that people are arrested—

**Mr Roberts:** It is already existing in the act.

**Mr HORAN:** I understand that but there has been so much on it that I think it would be good if the minister could actually clarify that as well.

With regard to guns, this legislation refers to detachable magazines. We are basically looking at two types of firearms. There is a limit in this legislation to a capacity of 10 rounds for weapons which are either pump action or lever action centre-fire rifles. I am not sure whether there are many pump action or lever action centre-fire rifles that have magazines of that capacity—disposable retractable magazines. Most of them have a permanent magazine, so they are not captured by this. I had a constituent who came in to see me about his Browning which was a collectors piece, if you like, and then he realised that the magazine on it was attached; it was not detachable. Most of them have about five rounds in their magazine, so my understanding is that very few, if any, will be captured by this.

What might be captured by this is high-powered rifles with a tubular high-capacity magazine. That is the pump action and that is the centre-fire, so it would appear that nobody will lose their guns. But if they had a magazine of over 10—and it is highly unlikely—then they would not be able to have that magazine. The minister might be able to clarify technically just how many other types of pump action or lever actions there are that have a capacity of over 10, but my understanding is there are very few. It is aimed at those high-powered rifles with tubular magazines.

Finally, there is the repeat action centre-fire rifles whereby you are not allowed to have a magazine of any greater capacity than 15. Again, there are very few of those, but one of them would be the old Lee Enfield .303 that was short magazine, as it was called, which was used in World War I or World War II. A number of collectors have those and it is probably—

**Mr Roberts:** It doesn't apply to collectors licences.

**Mr HORAN:** The minister has just said that it does not apply to collectors licences, so that has answered that particular part of my query. I think there needs to be some understanding of the extent to which this legislation will stop people being able to use their current weapons. I can understand that the police are trying to prevent people from getting access to firearms that could be used in violent robberies. To some extent, whether it is a 10, a 11 or a 12 would probably make little difference if they had other clips in their pocket or on a strap over their shoulders. I can understand that the police are endeavouring to try to prevent violent hold-ups by criminals.

I think it is important that people also understand that those who have a licence for a category D or R firearm, which is the semiautomatic types of firearms, still have the right to possess and use those if they actually have a licence for them. I also wanted to bring up the fact that there are some matters in this legislation where people have to seek approval or seek permission.

I think it is relevant to this legislation to mention the problems that some people are having with the Weapons Licensing Branch after the computer system was upgraded about a year ago. I know of someone who submitted an application for a category H so that they could participate in a sporting

competition and they inadvertently did not sign one particular part of that application. In order to have that application reconsidered, the Weapons Licensing Branch has to create a case number to get the application process in motion. It has taken a number of weeks and still that case number has not been put in place because of a shortage in staff or because the upgrading of the computer system has not been adequate to handle that type of work.

I started my speech by talking about the good, law-abiding people who have firearms and who have suffered some inconvenience, hurt and at times offence and have felt that they are the ones who have been punished for the evil deeds of others.


I think we should be treating those people with respect. That means that the system in the Weapons Licensing Branch should be absolutely up to date and that the branch should be fully staffed and fully resourced so that when people pay their \$180 licence application fee there is a prompt and accurate response.

This legislation is the result of a review of weapons legislation undertaken some years ago. That review was undertaken nationally as well as within the state. But many people fear not this particular bill but what the Labor Party may do with further legislation to be introduced. While working with the Queensland police to make sure we limit opportunity for criminals, I think it is time for everybody to start respecting the hundreds of thousands of law-abiding people who need firearms for their occupation, for their pastime or for their sport. We should ensure any future legislation is enacted only if there is an absolute need to protect human life.

I would like the minister in his reply—and I know that others have asked about this matter—to explain why there is such a complicated deactivation process. The people who deactivate their firearms are the good people. The criminals never deactivate anything. The people who are prepared to come along honestly and deactivate a firearm that they have collected are the good people who are abiding by the law. A simple, practical and effective deactivation should be enough. They should not have to drill holes and do all sorts of welding which makes the weapon hardly worth being considered as a collectors item.

I would like to congratulate our shadow minister on what was a very considered speech informed by some deep research and for the way in which he is considering the needs of the good, law-abiding people in this state as well as protecting our families and children from any future evil deeds.

*(Time expired)*

 **Ms SIMPSON** (Maroochydore—LNP) (4.32 pm): I also want to thank our shadow minister, John-Paul Langbroek, for outlining our position in regard to this bill. He has affirmed that we support keeping Queenslanders safe and also that the greatest threat to that safety is not the law-abiding gun owners, who regulated and who pay significant licensing fees, but the criminals, who operate outside any licensing scheme. I declare that I am a patron of the North Arm Rifle Club. I have listened to the concerns of local sporting shooters. This bill deals with a range of issues, including tougher knife laws; includes an expanded definition of bladed weapons to include daggers such as fantasy knives; and ensures the regulation of laser pointers, among other amendments that we support.

Currently under Labor there is a revolving door, where criminals committing armed robbery get bail and go on to offend again. This legislation does not address the serious issue of weak sentencing for armed criminals and the problem of the application of the Bail Act. Instead, this bill seeks to significantly increase penalties for other offences concerning licensed gun owners about which our shadow minister is seeking an explanation from the minister.

I have had a number of questions asked of me about what weapons will or will not be impacted by these changes. I believe it is important that we make decisions today based on the facts. I appreciate that there is also some angst among law-abiding shooters about more change which was particularly caused by the prior consultation draft. This legislation before the House is significantly different from that consultation draft, but, as has been alluded to by my colleagues, there is more legislation that Labor has planned that we are yet to see. I think that has continued to unsettle people, because they have faced a lot of changes. As I have said, law-abiding sporting shooters are the ones who are operating within the system. Our concern has been that it is time there was truly a focus on going after the criminals, who are breaking the law and who are causing so much havoc in this state.

I appreciate that issues raised in briefings have been addressed by prior speakers, but I will put on the record that one of the clauses raised with me by some licensed gun owners on which they want clarification is clause 44. I appreciate that at briefings assurances have been given that, for example, old .303s would not be impacted. I seek the minister's confirmation on that in the chamber as well. Specifically, clause 44 of the bill states that certain size magazines—not the guns—are restricted and have been reclassified. Furthermore, in the definitions in the primary act magazines are defined as detachable, not fixed. This matter is important, because some licensed shooters thought this legislation

may extend to detachable magazines. I certainly seek the minister's confirmation that that is the correct reading of the bill—that the definition in regard to magazines in this legislation is 'not fixed'. A magazine is detachable, not fixed. Clause 44 states—

The holder must not possess a magazine—

- (a) if the category B weapon has a lever or pump action—with a maximum capacity of more than 10 rounds for the weapon; or
- (b) if the category B weapon is a repeating centre fire rifle—with a maximum capacity of more than 15 rounds for the weapon.

In the primary act the definition of a magazine makes it clearer that it is a detachable magazine, not a fixed magazine. However, I seek the minister's confirmation on what guns specifically will be captured by this legislation so that there is clarity about the implementation.

**Mr Roberts:** But it's not the guns which are captured; it's the detachable magazine.

**Ms SIMPSON:** I thank the minister. I appreciate his correction. He is correct: it is the magazines. So more specifically, what combination is envisaged? I understand that there has been concern about more high-powered combinations coming onto the market. Certainly that is the intention behind the legislation, but I think the minister will understand that these are issues that people have sought clarification on.

This legislation covers a number of other weapons, such as knives. Knives are already banned in public places. I think this legislation highlights that in some of the public debate the previous changes to the legislation to capture knives were not well understood. This legislation makes some further changes, but I think we acknowledge that there has been a growing problem in our community with violence being caused by people using knives, a lot of concern about knives in schools and some very recent tragic events in that regard. So this legislation makes it clear where there are exemptions in respect of knives, what knives are banned and what knives are restricted. Certainly, knives are already banned in public places unless there is a legitimate requirement for them. We as a community have to address this issue. We have to take a strong stand against any violence through whatever measure people are using. We have to stand against any climate of fear and to ensure our communities are safe.

The issue of laser pointers has been raised. A lot of people will say that laser pointers are used in daily life and that they would be innocuous in most circumstances. Unfortunately, these amendments are an example of where the abuse of laser pointers by a few people has necessitated legislation around the use of laser pointers so that they are restricted to where there is a legitimate use for them. There have been some really nasty examples where laser pointers have been used to try to blind the eyes of pilots as they land planes. That is quite wicked. Certainly, I would urge anyone who is aware of people who seek to do this to not keep a cone of silence around such offences. This is extremely dangerous. There are many things that people can use as weapons—for example, children or adults throwing stones from overpasses onto cars which has ended in tragedy. We have seen laser pointers pointed at planes. The intention of this amendment is to clamp down on the abuse of this particular object. That is unfortunate, because in most cases people would have these laser pointers for innocuous purposes. But this is a change that has come about because of the abuse of laser pointers by a few.

I want to address a disturbing exchange that occurred earlier in this chamber when one of the Labor members attacked a colleague of mine, the member for Mudgeeraba. I thought this was a cowardly act and one which certainly sought in a most offensive way to attack my colleague—who was, as I understand it, with her son who is in the military and was commemorating a family member's achievements in the military—in regard to a photo that was taken. I think that we need to respect that there are families that quite rightly stand strongly behind their children who are in the military who need support. We do not want this hysterical language from Labor members about members of the military supported by their families. The military, by the nature of what they do, happen to have weapons for the protection of this country. We must understand that they have a legitimate role in this country. The language that we heard from that Labor member I thought was cowardly and was designed to be a political attack that was wrong and offensive.

Other issues have been raised by my colleagues in relation to other details of this legislation. We welcome the further explanations that have been sought from the minister in this regard. Once again I thank my colleague, the member for Surfers Paradise, for the work that he has done in this regard and those who have taken part in the consultation. At the end of the day we want to ensure that people have a voice and that good, fair and law-abiding citizens are listened to.

**Ms MALE** (Pine Rivers—ALP) (4.41 pm): I rise this afternoon to speak to the Weapons Amendment Bill 2011. At the outset, I should state that I was fortunate to be chosen to be the co-chair of the Weapons Review Committee, which was established by the then Minister for Police, the Hon. Judy Spence in 2006. During that process there was a large amount of community consultation which took place, as well as work that was done with stakeholder groups, including the Sporting Shooters Association, the Queensland Rifle Association, the Queensland Shooting Association, the Firearms Dealers Association of Queensland, the Arms Collectors Guild of Queensland, the Historical Arms Collectors Branch and the film ordinance industry.



The committee considered a large number of proposals from the public and industry and we proposed over 400 legislative amendments. From that, last year the government released an exposure draft of the Weapons Bill 2010 for community consultation and additional stakeholder consultation was undertaken. Earlier this year the minister announced that he felt that it would be important to proceed with the amendments in two distinct stages. This bill is the first stage. I should note that there was a great deal of consensus within the review committee when we were discussing the proposed amendments and a great deal of goodwill to produce workable legislation.

The types of amendments in this first bill include regulating the possession of laser pointers with an output greater than one milliwatt. Obviously this is an important issue as we have seen numerous reports of dangerous behaviour of people who get their fun out of attempting to blind pilots and drivers with laser pointers. It also defines an approved firearms safety course and the elements of the course. The bill removes the licensing and registration requirements for permanently deactivated public monuments, which is obviously a sensible move. It introduces additional genuine reasons for possession of a weapon to include medieval re-enactments, paint pellet sports and for the collection, preservation and study of weapons, as well as clarifying that a person may possess a knife in a public place for a genuine religious reason.

A number of my colleagues and the minister have spoken about most of the other issues in the bill, but I particularly wanted to talk about the issue of knives. Whilst I was familiar with the vast array of weapons that are available, including concealable weapons, I was interested to find out further information regarding bladed weapons. Firstly, the bill expands the current definition of bladed weapons to include ballistic knives, butterfly knives, flick-knives, push knives, sheath knives, star knives, trench knives and knives that are concealed in other items such as riding crops, walking sticks and other apparel or accessories. As members would appreciate, the types of knives dealt with in this bill are those that pose a significant danger to the community. For example, a trench knife is a knife that consists of a blade or spike with a handle that is designed to fit over the knuckles of the hand to increase any effect of a punch or a blow. Or there is the ballistic knife, which has a detachable blade capable of being propelled as a projectile. The effect of these amendments is to restrict the capacity of people to possess these kinds of knives. They are now regarded as category M weapons.

I note that, amongst a number of people who have contacted my office and who may be listening to the speeches in the House, there is some confusion about the issue surrounding what I term one-handed knives—that is, knives that can be deployed by one hand. Currently the act makes it an offence to be in possession of a knife in a public place without a reasonable excuse, but reasonable excuse includes possession of a knife to perform a lawful activity, duty or employment or to participate in a lawful entertainment, recreation or sport. So, if a person is a tradesperson who carries a knife as part of their work, nothing in the bill changes their ability to do that. The only changes to this section in the bill are to double the penalty associated with the offence and to clarify what is a reasonable excuse. If a person has been utilising a knife for a reasonable excuse already then nothing in the amendments changes that.

None of the definitions contained in clause 32 capture pocketknives. For example, clause 32(b) reads—

any knife so designed or constructed so as to be used as a weapon that while the knife is held in 1 hand, the blade may be released by that hand;

This definition does not capture conventional pocketknives, utility knives or box cutters, as these are not knives designed or constructed to be used as a weapon. The inclusion of knives described in clause 32(c) reflects restrictions currently imposed on the importation of these items as described in schedule 2 of the Customs (Prohibited Imports) Regulation 1956. There is nothing in the bill that alters the current position of the law as it relates to the carriage of pocketknives for a lawful purpose.

Another issue raised with me has been about high-capacity detachable magazines. The issue seems to be not so much about the number of shots but more about people having their category B weapons confiscated or their belief that they will have them confiscated. I want to make it quite clear that the bill does not place any restrictions on the possession of firearms. It relates only to the possession of high-capacity detachable magazines used in category B weapons. Accordingly, the clause places no restrictions on firearms with an inbuilt capacity, such as lever action firearms with integral magazines. It also does not apply to these firearms held under a collectors licence. A firearm will not be taken from a person just because it can be fitted with a high-capacity detachable magazine. Again this amendment reflects a nationally agreed approach to high-capacity magazines and is consistent with Commonwealth restrictions on the importation of these items imposed under the Commonwealth Customs (Prohibited Imports) Regulations 1956. This is a community safety issue. We do not want weapons fitted with high-capacity magazines that can deliver a continuing and large amount of firing.

Several members of the Living History Federation have also put forward their concerns to me, some of which I have discussed above. I checked further with the minister and he has clarified that body armour was and continues to be a category E weapon. The amendment in clause 31 will simply clarify


that body armour is designed for anti-ballistic purposes as opposed to catching schrapnel such as in a flak jackets. The proposed definition, while having the capacity to include any projectile that is affected by ballistic conditions, is not intended to capture historical replicas of items such as chainmail, breast plates or other similar items used for the purposes of re-enactments. I think some members opposite may have been accidentally or purposely spreading misinformation about the changes and clarifications that have been outlined in this bill.

Members in this House may know that I grew up on a farm. Firearms were a regular part of my childhood, either for putting animals down, keeping us safe from wild animals and dogs or for killing rats and vermin—but only if you were a really good shot. Obviously farmers are not the only people who would need to have firearms as part of their occupation, and the government understands this. The many changes to weapons legislation over the past couple of decades has been about safety for the users of weapons and safety for the wider community. I know the large amount of work that has been done by the minister's office and the Queensland Police Service and I commend them for their obvious care and concern for all Queenslanders. I commend the bill to the House.

Debate, on motion of Ms Male, adjourned.

## SPEAKER'S RULING


### Tabling of Papers

 **Mr SPEAKER:** As I have advised on a number of occasions in this House, the tabling of documents in the Queensland Legislative Assembly is very liberal compared with other houses of parliament. In this House members have an almost unfettered right to table documents, at least in the first instance. It is a very great privilege to table documents in a relatively unfettered manner, but it must be balanced by the right of the chair, assisted by officers at the table, to ensure that the standing orders of the House and rulings of the House are not transgressed or subverted by the tabling of documents or the contents of documents.

Objection can be taken to the tabling of documents at any time. If taken at an early stage it may result in the document not being tabled, but in other instances it may require the action of the House or the chair to deal with the objection. The Speaker has the right, indeed the duty, to ensure that no tabling or tabled document offends the rules of the House and to take such action as is expedient in all circumstances.


This afternoon, the Minister for Government Services, Building Industry and Information and Communication Technology tabled a page of images that depicted the member for Mudgeeraba and some members of the Australian military. The member for Mudgeeraba has subsequently brought to my attention the fact that some of the officers of the military depicted in the images are about to embark on active service overseas. The minister, having become aware of this fact, has approached me to request that the documents be withdrawn.

Previous Speakers, for example Speaker Reynolds on 21 February 2007, have ruled that if the chair determines that a breach of standing orders and rules of the House has occurred and that a tabled document offends the rules of the House or the ruling of the chair, the chair has the option available to have the member who tabled the document or documents seek the leave of the House to withdraw the documents. While there is nothing in the document in question that specifically offends the rules of the House, given the possible implications for the security of members of the military, I think it is appropriate that I take the minister's advice and have the document withdrawn. Accordingly, I invite the minister to seek the leave of the House to withdraw the document in question. I call the minister.

 **Hon. SD FINN** (Yeerongpilly—ALP) (Minister for Government Services, Building Industry and Information and Communication Technology) (4.50 pm): Earlier today I tabled a photograph of the member for Mudgeeraba holding a firearm. This took place during the debate on the Weapons Amendment Bill. Subsequently I was asked by members about the source of this photo and I then tabled a document to show the photo was published on the member's Facebook page. The member has more than 1,000 Facebook friends. Like many members, the member promotes the Facebook page on the LNP website as a communication tool in the community.

Subsequent to tabling the document, an LNP member raised a concern with me about the second document. I have since discussed the matter with the Speaker and asked that the second document be withdrawn. In doing so, I stand by my contribution to the substantive issues of the debate. However, I accept that this was an inappropriate document to table and I apologise to the House. I seek leave to withdraw the second document.

Leave granted.


 **Mr SPEAKER:** Accordingly, honourable members, I rule that the document is withdrawn and no longer considered a tabled document.

## WEAPONS AMENDMENT BILL

### Second Reading

Resumed from p. 3611, on motion of Mr Roberts—

That the bill be now read a second time.

 **Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (4.51 pm), in reply: I start by thanking all members for their contributions. While members from both sides of the House have made quite reasonable contributions, sadly, a number of members have made a number of misleading—and I believe deliberately misleading—submissions in terms of the provisions of the bill. At the outset I say that the government does recognise the legitimate rights and interests of law-abiding firearm owners. Whether they be landholders using firearms for genuine occupational purposes or sporting shooters who participate in local level competitions or, indeed, international competitions, it is important that we have legislation that enables those lawful and legitimate uses to continue in a way that is balanced and does not unnecessarily restrict the lawful use of those weapons.

During the course of the review of the Weapons Act—and work on the review of the Weapons Act commenced some time before my appointment as minister—a lot of work was undertaken with a range of stakeholders from the weapons community. As minister, obviously I continued with that work. A significant amount of consultation took place to the point where a draft bill was prepared and circulated for public comment. The response to that draft bill was quite significant. Around 2,500 submissions or comments were received on that bill. As a consequence of that, and as a genuine indication of the government's desire to listen to users of weapons and, indeed, the broader community, I took a decision on behalf of government to split the bill into two bills. One bill dealt with what I described as the more routine or non-controversial amendments. Some people differ from that view, but I think that is generally the accepted view. The other bill deals with more significant policy changes that went to the issues of storage, imitation weapons et cetera. As a genuine act of recognition that those issues were raised during the consultation, I took that decision to enable more community consultation on the key provisions of the second bill.

I come back to this bill, because tonight we need to focus the debate—and indeed a number of issues will be raised on the clauses—on the specific issues presented in the bill. As I have indicated, there has been a lot of misrepresentation of these provisions. I understand that many members of the public, in reading some of these provisions, may have misinterpreted the intent of the provisions. Obviously there is a duty on all members, government and non-government members, to properly explain the meaning of the provisions to our constituents as they approach us. It is really unfortunate, both through some of the submissions that have been received by members of parliament and some representations of the shooting associations et cetera, that the level of misrepresentation has been quite significant. I am going to try to address as many of those issues as I can in the time I have. Obviously, the quite extensive range of issues will also be dealt with during the debate on the clauses.

The first issue to be dealt with is the claim that the amendments do not address the criminal misuse of firearms, but focus on law-abiding gun owners. That is simply and absolutely untrue. Any fair reading of the bill will clearly indicate that it is targeting unlawful behaviour. I recognise that the overwhelming majority of licensed firearm owners are law-abiding decent people with a genuine interest, whether it be sporting or occupational, in their weapons. To suggest that the bill is targeting law-abiding gun owners is absolutely untrue.

The amendments to the bill directly address the criminal misuse of firearms. I will give a couple of examples of what it appears some members opposite and others are saying is not in that particular category. In my view, carrying a loaded firearm in public is an unlawful activity; law-abiding firearm owners do not engage in that activity. Discharging a weapon in public, dangerous conduct with a weapon generally or the possession of a weapon while under the influence of liquor are not the actions of law-abiding firearm owners. A minority undertakes that sort of unacceptable behaviour. This is not an attack on law-abiding firearm owners. The increase in behavioural offences targets those irresponsible people who are breaching the law. I reject the assertion that it is targeting law-abiding gun owners. I respect the right of owners to legitimately own weapons, and this bill in no way seeks to disturb that position.

The member for Surfers Paradise argued that there was insufficient consultation on the bill. I am quite astounded by that claim. The consultation, particularly with stakeholders, has been ongoing for a considerable period to the point where a draft bill was prepared and put into the public arena, not once but on two occasions, with opportunities for people to make comment on it. In fact, all of the provisions in the stage 1 bill were a part of the original consultation. To come in here and suggest that there has been inadequate consultation is absolute nonsense. As I have indicated earlier, around 2,500 submissions and online comments were received during that consultation phase. As I have indicated, I listened to the feedback that I received and, as a result of that, I took a deliberate decision to pull out of this bill the more controversial and significant policy changes to enable more discussion to take place. I

have reconstituted the Weapons Review Committee. It is really disappointing that some members of that committee are out there undermining not only the content of this bill but also what I believe is a genuine attempt on behalf of government to listen to the legitimate interests of law-abiding firearm owners and users in the community. The member for Surfers Paradise said the bill should have been referred to the committee. This bill entered into the parliament before those standing orders were put in place.

A number of members have questioned me on the justification for the increase in penalties. The bill increases the penalties for 22 behavioural offences found in the current act and regulations. Those increased penalties were designed to send a clear and unequivocal message of deterrence to the community. As I have indicated, the types of offences we are talking about are not the types of activities that law-abiding firearm owners engage in. I listed those just a few moments ago. These are targeting 22 offences where inappropriate behaviour is such that it should receive a significant response from the authorities. In terms of that issue, the government publicly committed to doubling penalties some time ago. It has taken us a considerable period to get here because we have been engaged in a very lengthy period of consultation, but that commitment was made some time ago and has been a part of the ongoing consultation since the commencement of the review of this act.

The increases in penalties ensure that Queensland penalties are more aligned with those in other states, particularly in relation to offences that have a clear connection with criminal offences. To give a couple of examples, clause 7 doubles a penalty associated with the offence, under section 63 of the act, of altering serial numbers. Law-abiding firearm owners do not alter serial numbers. Conduct such as the alteration or removal of serial numbers has a clear nexus with criminal activity. In relation to that particular offence, all other jurisdictions impose a penalty of between three and five years imprisonment for that type of conduct. The amendment before the House will double the existing penalty to four years imprisonment, bringing Queensland into line with the other states. This is one of the increases that the opposition and others have been arguing against, saying that they are not justified. In many instances, these are bringing us into line with the penalties applying in other states. To be fair, there is quite a disparity in the range of offences. However, we gave a commitment some time ago to double the penalties for these offences to send a clear message that it is unacceptable behaviour.

Another example is provided by clause 12, which doubles the penalties associated with the offence of carrying a loaded firearm in a public place. Law-abiding firearm owners do not carry loaded firearms in a public place. Other jurisdictions with comparable offences have a penalty of between two and three years imprisonment, and the amendments before the House will double the existing penalty to two years imprisonment, bringing Queensland into line, as I have indicated, with other jurisdictions.

A number of members have raised the definition of category M knives, particularly with reference to folding pocketknives. Clause 32 of the bill amends the Weapons Categories Regulation 1997 to include a number of knives as category M weapons. Arguably, many of these new definitions or inclusions are actually covered by the existing arrangements. The definitions are reflective of the national prohibited weapons agreement. There is nothing in the bill that alters the current position of the law as it relates to the carriage of pocketknives for lawful purposes. A number of members in this House have tried to convey a position that the carrying of pocketknives for legitimate purposes, whether it be by a tradesperson or a person on a farm, is suddenly changed by this bill. That is absolute rubbish. I have indicated that on numerous occasions but, unfortunately, a number of members continued to run that line. There is also nothing in the bill that changes the legal position of folding knives. Clause 32(2)(b) states—

any knife so designed or constructed so as to be used as a weapon that while the knife is held in 1 hand ...

That simply replicates the current definition in 7A(c) of the Weapons Categories Regulation. So all this nonsense—and the member for Lockyer was standing there grandstanding with a Stanley knife—is absolute rubbish. It reflects an existing provision in the legislation. There is no proposal to change the situation in relation to those knives. Again, it is just another example of people going out there in their community and in the weapons community scaremongering and creating hysteria about things which simply do not exist.

I return to the point I was making earlier. I can understand that a lot of people in the community sometimes find it difficult to read legislation because all legislation cannot be written in such a way that everyone understands it. Members of parliament, however, should have a greater grasp of legislation. From some of the contributions we have heard today it is absolutely clear that some members of this parliament simply have not read the provisions of this bill. That has been demonstrated by some of the comments they have made. The definition that I read out earlier does not currently capture pocketknives, utility knives or folding knives, and nothing in the bill changes that position. As I have indicated, that wording is already used in the current regulations.

Section 51 of the Weapons Act makes it an offence to be in physical possession of a knife in a public place or a school without a reasonable excuse. However, the act provides that it is a reasonable excuse to physically possess a knife for the following purposes: to perform a lawful activity, duty or employment; to participate in a lawful entertainment, recreation or sport; for exhibiting a knife; or to use a knife for lawful purposes. Again, if members who raised these concerns simply went to section 51 of

the act they would see a number of very clear examples which address many of the alleged concerns that members have raised. For example, a person may carry a knife in his or her belt for performing work in primary production; a scout may carry a knife on his or her belt as part of a scout uniform; a person may carry a knife as an accessory while playing in a pipe band; a fisher may carry a knife for use while fishing; a person who collects knives may exhibit them at a fete or another public gathering; a person may use a knife to prepare or cut food at a restaurant, in a public place or when having a picnic in a park; and a person may carry a penknife or a Swiss Army knife for use in its normal utility purposes. All of these things are already in the act. There is nothing in this bill which changes the position that has existed in this state for years. It is extremely disappointing that not only some members of this House but also some of the representatives of the weapons community have been out there spreading misinformation about these provisions.

The only change to section 51 of the act is to double the penalty associated with this offence and to clarify that it is a reasonable excuse to possess a knife in a public place other than a school for genuine religious purposes. Section 51(2) of the Weapons Act lists a number of circumstances in which a person may have a reasonable excuse for possessing a knife in a public place, and I have just outlined those in more detail through some of the examples.

In terms of knives, the member for Nanango asked whether the reasonable excuse provisions for a genuine religious purpose would apply to Wiccans who carry knives in public. Section 51 of the act outlaws the physical possession of a knife in a public place without a reasonable excuse. As I have indicated, the bill expands that now to include as a reasonable excuse a genuine religious purpose. The government intends that this provision will be interpreted very narrowly. It is the government's expectation that this excuse will be limited to those people who carry a knife as an article of their faith. The clear intent of the provision, and indeed all the consultation leading up to the development of this provision, was to address the carriage of knives by members of the Sikh religion and a kirpan. It is not the government's belief that this provision would extend to Wiccans or any other similar group. However, ultimately, as with all legislation, the courts will determine if a person is carrying a knife for a genuine religious purpose. I note that, whether it be a Wiccan or, for that matter, 'Bob the Builder', people may carry a knife in a public place for another lawful purpose—and I have outlined a range of those which already exist in the legislation—and there is no proposal to change that.

A number of issues were raised about detachable magazines. Again, this is something about which I have received—I know that other members have as well—questions about the implications, so we need to clear the air on this issue. Under the current act, in schedule 2, a magazine is defined as a detachable receptacle for ammunition for a weapon. Accordingly, the reference to a magazine in the amendment bill must be read in conjunction with the definition contained in schedule 2 of the act. Therefore, a reference to a magazine in that clause is, by virtue of the definition of magazine in schedule 2, a reference to a detachable magazine—not the weapon, to the detachable magazine. Clause 44 of the bill relates only to the possession of high-capacity detachable magazines and not to the possession of category B weapons or those with an established inbuilt capacity. A number of members have raised the issue that there are a number of weapons with an inbuilt capacity greater than 10 or 15. This provision does not affect those weapons; this provision affects the detachable magazines. I do not know how many times I have had to say it. I said it last time during the debate. Members and indeed some representatives of some sporting associations have been out there spreading misinformation about this issue as well. Similarly, the amendments do not apply to magazines for category B firearms held under a collectors licence. I can understand people raising that legitimate question, but I will say it again: it does not apply to a collectors licence. This provision only applies to the detachable magazines.

Further capacity limits only relate to the magazine itself and not to the whole weapon, and I have said that. The amendment reflects a nationally agreed approach to high-capacity magazines. It is also consistent with the Commonwealth restrictions on the importation of these items imposed under the Commonwealth Customs (Prohibited Imports) Regulations 1956. As you can appreciate, when weapons are fitted with high-capacity magazines they are capable of delivering a high rate of sustained fire. In that context, the government believes, as do all police ministers and indeed police services across the country, that decreasing access to weapons with a high rate of firepower improves community safety.

However, in recognition of the fact that there may be some circumstances in which the possession of these items—that is, detachable magazines—is warranted, the bill allows flexibility by ensuring that a licensee will be able to possess a high-capacity magazine in circumstances where an express condition on their licence authorises them to do so. I am advised by the Queensland Police Service that, if a licensee is able to demonstrate that they require a high-capacity magazine to, for example, participate in a recognised shooting discipline on an approved range or to engage in the culling of animals, consideration will be given to the imposition of a condition on the person's licence allowing the use of a high-capacity magazine for that purpose. I just wanted to make the point that this particular provision, as I understand it, has been applied as policy since at least 2006. I am happy to be corrected on that, but, once the ministers passed that resolution, the Police Service has been applying that as policy since around 2006.

The member for Gympie and I think others raised the unavailability of APMC and MC resolutions—that is, ministerial council resolutions. As members would be aware—and I think I have indicated this in responding to some members—under the protocols of ministerial councils I cannot unilaterally release resolutions of ministerial councils. However, following that request, I did take that request to the ministerial council, which met in Auckland last week, and the council has approved me releasing those resolutions, and I did that in the House here this morning.

A number of members have raised issues about the Australian Federal Police deactivation standards and the possible effect on owners and collectors of old style weapons. Clause 51 of the bill relates to the regulation of deactivation standards. The proposed amendments reflect the AFP deactivation standards that prescribe procedures for deactivating pistols, rifles, shotguns including self-loading and fully automatic firearms. Those standards are based on the Royal Australian Electrical and Mechanical Engineers standards and procedures specifically developed to address collective firearms. These standards arise out of the recognition that uniform standards of deactivation are required to mitigate the risks associated with the reactivation of permanently inoperable weapons and their diversion into the illicit firearm market.

When police ministers considered that issue some time ago—and this was in 2006 when this particular provision was agreed to—the police ministers and commissioners agreed that the threat of diversion arising from the lack of registration of deactivated firearms and the current potential for physical reactivation in some jurisdictions necessitated the improvement of those standards. So we had a situation where police services across the country were concerned about the level of reactivation of firearms because appropriate standards were not being applied. The only way to address that is to have professionally developed standards apply in a uniform fashion across the country, and that is why that particular provision has been developed.

A number of members raised alleged difficulties in the renewal of category C and D weapons licences for the eradication of feral animals on rural properties. Again, there is nothing in the current bill that alters the present position with respect to obtaining category D or C licence approvals. I will repeat that: nothing in this bill affects the present position with respect to obtaining category D or C licence renewals.

The member for Currumbin raised an issue in terms of the disparity between the number of unregistered firearms that came into police possession and the number of persons charged with possession of an unregistered weapon. That is actually the result of a range of reasons. Firearms can be surrendered to police. The number of unregistered weapons in police possession will differ from the number of people who are charged for a number of reasons. They can be surrendered to police without an offence being committed. That is already a provision of the act. There are a number of other explanations. Section 35(5) of the Weapons Act allows a person to surrender without penalty. Unregistered firearms can come into police possession when they are simply found by police and also in circumstances where a person surrenders their firearm on the expiry of their licence. So there is an explanation for the disparity between the number of people charged with possessing unregistered firearms and the number of unregistered firearms in police possession.

The member for Surfers Paradise raised a general issue about the government's refusal to provide information concerning the number and type of knife incidents in Queensland schools. If he would like to re-read the advice provided by Minister Dick in response to question on notice No. 863, he would see that it actually referred the member, in relation to the different elements of the complex question that he asked, to the specific agencies that were responsible. The advice I have is that the member has not followed up in asking those particular questions.

In terms of some issues raised by the member for Gladstone, she was concerned that the bill captures folding knives, such as pocket and utility knives. I think, again, I have dealt with that issue quite substantially, but just to repeat it: there is nothing in the bill that changes the legal position of utility knives or pocketknives. People will still be able to possess such a knife, as they currently can, in a public place if they have a reasonable excuse to do so. Again, I invite all members, and indeed members of the public, to read section 51 of the act which outlines quite clearly a whole range of examples where it is legitimate and lawful for a person to possess a knife in a public place.

A number of members towards the end of the debate again raised the issue of there being nothing to address criminal conduct. I think I have addressed that issue quite clearly. The bill does not target law-abiding firearm owners; it targets those people who step outside of the lawful process and the legal requirements of owning and using a weapon.

The member for Warrego, and I think the member for Dalrymple, raised the issue that Western style lever-action firearms are going to be captured and asked what kinds of circumstance would give rise to an exemption under the bill. Again, I can only reiterate that the restrictions do not apply to the capacity of the weapon; they apply to the detachable magazines. I need to keep repeating this and repeating this because it is something which apparently is not well understood. But if members simply read the bill they would see that that is clearly the case.

Again, I think the member for Warrego raised the issue of the justification for the increase in deactivation standards. I think I have addressed that in my previous comments. Again, just to reiterate: this is about ensuring that when a weapon is deactivated—and we are talking here about some pretty serious weapons in some cases—our police, and indeed the public, expect that deactivated means deactivated. It is not something whereby you can do a quick modification, put a bullet into the chamber and use the weapon. There are legitimate reasons that people will want to keep deactivated weapons—for collectors, for display, for historical purposes. But the public expect and the police expect, the government expects that when they are deactivated that is what it means—permanently deactivated. We cannot have these weapons coming back into the system and being used in the types of criminal behaviour that members have been raising in the debate.

There are a whole range of other issues which I am sure we will get the opportunity to talk about in a bit more detail in the clauses. But I again just want to take the opportunity of thanking all members—on the government side, the opposition side and the crossbenches—for the contribution they have made. This is an important issue, and I again reiterate my own personal recognition, and indeed the government's recognition, of the legitimate needs and requirements of law-abiding firearm owners, whether it be occupational or sporting.

I do not hold a weapons licence, but I did in fact grow up in the bush. I am a Charleville boy. I grew up with a .22 in my bedroom wardrobe. I was on properties where a .303 was at the back of your head when you were driving around in the ute. I lived in that environment. I understand the need for weapons, particularly in rural situations. I have been involved, not involved personally, but I have visited the small-bore rifle club in Charleville and watched people shoot there. I understand the legitimate interest and the passion that people hold for what is a legitimate sport, a legitimate pastime, an international sport, and we need to ensure that regulation and legislation do not get in the way of it being conducted in an appropriate way. But we have to balance that with the need to ensure that weapons are stored appropriately and used appropriately by licensed weapons owners. This bill, in my view, takes an additional few steps towards achieving that goal.

I again reiterate my genuine desire, particularly regarding the stage 2 amendments, to listen to the legitimate questions and issues that have been raised by weapons users right across the spectrum of their use. The weapons review committee is there to hear those views, and there will be strong disagreements on a whole range of proposed policy issues that have been put, but I am genuinely listening. That is why I chose deliberately to split this bill into two, so that we could have some further community debate on those more contentious issues.

In closing, I want to take the opportunity to thank the staff of the Legislation Development Unit and Weapons Licensing branch of the Queensland Police Service who have put a tremendous amount of time and effort over a long period of time in not only working to develop this legislation but also working with stakeholders and indeed my office to develop this legislation. I do thank them for their hard work, their technical advice and their support during the preparation of this bill. They have done a great job in supporting me in this role. With those few words, I commend the bill to the House.

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

**AYES, 78**—Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Kiernan, Kilburn, Langbroek, Lawlor, Lucas, McArdle, Menkens, Miller, Moorhead, Mulherin, Nicholls, Nolan, O'Neill, Palaszczuk, Pitt, Powell, 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, Wetenhall, Wilson. Tellers: Keech, Male

**NOES, 6**—Cunningham, Knuth, McLindon, Pratt. Tellers: Messenger, Foley

Resolved in the affirmative.

Bill read a second time.

Debate, on motion of Mr Langbroek, adjourned.

## MOTION

### Cost of Living



**Mr EMERSON** (Indooroopilly—LNP) (5.29 pm): I move—

That this House condemns the Bligh Labor government's constant increases in the cost of living for Queensland families and businesses.

Queenslanders are suffering under the constant increases in the cost of living driven by this failed Labor government. Across South-East Queensland, across regional, remote and rural Queensland, families and businesses are struggling to cope. Every time they get in their car, jump on public transport, turn on their lights or get a glass of water they are paying more under this failed government.

As the Queensland Council of Social Service reported earlier this year, under Labor endless bills roll out of the letterbox showing increased cost. Queenslanders need relief but only an LNP government can deliver that relief. Labor has demonstrated over and over again that it is a high-taxing government that has made an artform out of wasting money, bungling projects and making Queenslanders pay for their mistakes. It makes Queenslanders pay for their massive debt and it makes Queenslanders pay the \$100 million a week interest bill on that Labor debt.

In my portfolio area of transport we have seen Labor increase the cost for commuters whether they drive a car or take public transport. Regarding motor vehicles, Queensland is now the most expensive state across Australia in which to own and run a car. That is based on figures from the RACQ. How can that be? Well, there are at least three areas in recent times where the cost has increased so dramatically to explain why Queensland is the most expensive place to run and own a motor vehicle.

The first is the fuel subsidy. How can anyone forget the promises made by the Premier before the last election? She told the public that she would not kick Queenslanders when they were down and that the fuel subsidy would stay. Of course, weeks after the election it was scrapped. Then there was the Treasurer, who made a vow that the fuel subsidy would stay and that it would not be removed by a Labor government. But, again, just weeks after the state election it was scrapped. That is why Queensland has the fuel tax and that is why Brisbane has the highest petrol prices in Australia.

**Mr Hoolihan:** Spain and Portugal.

**Mr EMERSON:** It is good to hear the member for Keppel wanting to talk about Labor's broken promises. He was there. He was a Labor member hearing the Premier say, 'We won't scrap the fuel subsidy,' and hearing the Treasurer say, 'We won't scrap the fuel subsidy.'

**Mr HOOLIHAN:** Mr Speaker, I rise to a point of order. I find the personal comments by the member offensive and I ask that they be withdrawn.

**Mr EMERSON:** I withdraw.

**Mr SPEAKER:** Thank you.

**Mr EMERSON:** As I said, it is amazing to see how the Labor members in this House do not like to recall the broken promises made by their Premier and their Treasurer. Here is the Premier, who promised that the fuel subsidy would stay, and here is the Treasurer, who promised before the election that the fuel subsidy would stay, but what did we see straight after the election? It was scrapped.

It is not just the scrapping of the fuel subsidy that makes it so expensive to run and own a motor vehicle in Queensland; there are the registration fees as well. We have seen registration fees increase by 30 per cent since 2008—an extraordinary increase. It was not that long ago that the LNP voted in this House to oppose the latest increase in registration fees, but what did we see from the Labor members in here? Every man and woman in this room on Labor's side voted to increase the registration fees when they had the chance to stop it. When they go back to their electorates and their constituents ask them, 'Why is the cost of living going up? Why does it cost so much to run a motor vehicle in Queensland?' they need to explain why they voted to increase the cost of registration when they had the chance to vote against it. They had the chance to vote against it but, no, they voted for it.

**Opposition members:** Shame!

**Mr EMERSON:** Yes, shame. Let us talk about drivers' licences. We have the five-year drivers' licences doubling in cost from \$73 to \$152. This is for the smart licences that the government claimed would be cost neutral. Instead, we saw the Auditor-General's report earlier this year explain another Labor bungle—a failure to plan, a failure to do the business case. There was a \$148 million bungle on those drivers' licences and that is why we see the cost of them doubling. Those five-year licences have increased in price from \$73 to \$152—another bungle by this government.

So we see the scrapping of the fuel subsidy that was promised would not happen, we see registration going up by 30 per cent since 2008, and we see the cost of the five-year licence doubling. That is why Queensland has become the most expensive state in which to run and own a motor vehicle. But if you cannot afford that motor vehicle—even though it is essential for many people and many people do not have access to public transport—you turn to public transport. But what do we see? The government has hit Queenslanders again. We have seen the fares increase again and again under this Labor government. The government's fare strategy is to double the cost of fares in five years, with a 20 per cent increase last year, a 15 per cent increase this year and three more increases to come of 15 per cent each—next year, the year after that and the year after that.

What we saw today as a result of those fare increases is an extraordinary situation in Queensland history. For the first time in 50 years, the number of people using public transport has fallen. For the first time in 50 years, we have seen that public transport usage has fallen; it has gone backwards. We saw the latest figures today from the Brisbane City Council, and they show that their bus patronage has fallen. For the first four months of this financial year, compared to the same period last year, there have been 230,000 fewer trips, and that backs up the last TransLink Tracker results.



The TransLink Tracker is the state government's own report card on how it is performing, and it showed there were 1.7 million fewer train trips taken in the last quarter of the last financial year compared to the same time in the previous year. That backed up the annual report, which showed that three million fewer trips have been taken by public transport this year compared to last year. This is an extraordinary result by this government. Public transport numbers are falling, even though we have a population increase.


The number of people taking public transport is going backwards. Why is that? We saw the transport minister previously blaming the floods. She blamed the floods for the fall, but the trouble is that the Brisbane City Council result was in the first four months of this financial year, and that was a flood-free period, and the TransLink Tracker result was from the last quarter of the last financial year, and they were flood-free months as well. The flood was an excuse but tonight on the TV she said, 'It's not the floods anymore.' What it is, Minister, is affordability.

We saw in the TransLink Tracker that people said it costs more. It is less and less affordable to use public transport; that is what the government's own report card said. It is becoming less affordable, and that is what the interim CEO of TransLink said. He said, 'Yes, fares are going up. It's a factor. That's why people are using less public transport.' But we have seen this minister trying to con commuters. She talks about the floods and that it is everyone else's fault, but the reality is that this government has failed on public transport and it continues to fail on public transport.

**Mr Lucas:** Ha, ha!

**Mr EMERSON:** It fails on public transport. I hear the member for Lytton. He is going out. He is disappearing from this House. The record he leaves is as another failed public transport minister. Let us not forget the results for this government. Public transport numbers are falling. Why are people not using public transport? For the first time in 50 years—for the first time in more than a generation—fewer people are using public transport because of affordability. What we get is Labor trying to force the public to pay for its mistakes. It has increased the cost of travel by motor car. It has increased the cost of public transport. The LNP will freeze registration cost increases. Our announcements will help public transport. All this government does is bungle and make the public pay for its bungles.

*(Time expired)*

 **Mr DICKSON** (Buderim—LNP) (5.40 pm): I second the motion moved by the member for Indooroopilly. I rise to contribute to this debate on the cost-of-living pressures on the people of Queensland. Without doubt, the greatest concern in the community is the rising cost of living. An ever-growing number of households are reporting difficulties paying higher prices for essential items, particularly food, electricity, water and transport.

This week we saw a report that contained some very disturbing information regarding the cost of living. This report was compiled as a result of a recent survey. The report told us that one in three parents are going without meals to ensure their children have enough food. One-third of the people surveyed went without a meal in the past year to ensure their family was fed as the rising cost of living forced cutbacks to bare essentials. Seventy-five per cent of the 1,000 people who were surveyed also said that they had to cut back on buying food or had to cut items from their shopping list altogether. Basics such as meat, fruit and bread were among the most common items that were deleted from the shopping list. Sixty per cent of the people said that they were worried at least some of the time about not having enough money to feed their family.


Here in Queensland, it is pretty easy to see what has happened. The current state Labor government went to the polls six months early. As we now know, the Premier called the election because Labor knew what its budget following that election would disclose. It disclosed a blueprint for financial mismanagement. Labor also knew that it needed to get the cash rolling in, so it embarked on a plan to do what Labor governments do best—and Labor does it best because it is in its DNA. The plan was to increase every possible fee and charge imaginable. Queensland once touted itself as the lowest tax state in Australia. But no longer can Queenslanders make that claim under this Labor government. Under this current Labor state government there has been the introduction of the 8c per litre fuel tax and increases in electricity prices, vehicle and vessel registration charges, water charges, land taxes, road tolls and public transport fares. They have all gone through the roof.

I refer to water bills. The government created the current system of water supply in South-East Queensland. Released figures show that bulk water prices on the Sunshine Coast will rise from \$683 per megalitre in 2008-09 to \$2,755 per megalitre in 2017-18. Just as they did this year, bulk water prices have increased by at least 25 per cent per year under this Labor government.

I move on to electricity. Since 2007, electricity prices have increased by 673 per cent in Queensland. Now we have Labor's carbon tax and we will also have to contend with its effect on power prices. During budget estimates in July, CS Energy CEO David Brown confirmed that the carbon tax will be the single biggest cost item for electricity generators. The average household electricity bill will bear the brunt of this job-destroying carbon tax. The carbon tax will account for around 50 per cent of electricity generators' operating costs, and you can guarantee that that increase will find its way to the end user. As I have said previously, I have seen the list of the alleged top 50 big polluters. There are 13

electricity companies in the alleged top 16 polluters. Indeed, 17 electricity companies are in the alleged top 50 polluters. There are also a few gas companies. Come the next election day, I would like all voters to gather up their electricity bills, their car registration renewals, their licence renewals, their petrol bills and their water bills, take them along to the polling booth, have them right beside them at the ballot box and look upon each of them as a monument to financial heartache and look upon voting day as a referendum and their chance to have their say on the cost of living and the carbon tax.

This morning at five o'clock I walked through the park next door, because I like to have a bit of a walk around. I passed 10 joggers. It was good to see people out there getting fit and healthy. But the 30 people who were sleeping in that park are the ones we should be worried about. This Labor government is driving people out of their houses. They have nowhere to live under this government. That is what Labor is about. They do not want you to own a home and they do not want you to own a car. They do not want you to live. They want you to just survive so that they can drain money out of your pocket. Labor has its hand in people's pockets, trying to steal their wallets. There is one way to get rid of it: cut it off. Vote them out the next election. Vote for an LNP government led by Campbell Newman. That is the way we will get rid of this Labor heartache in this state of Queensland. It was not like this when I grew up, and I know what has changed. Queensland has been run by Labor for 20-odd years and it has torn the guts out of this state. It has ripped it apart and it has ripped off the people of Queensland. I think the people of Queensland have just about had enough. So just vote them out and make life better for us all.

 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (5.45 pm): I move—

That all words after 'condemns' be deleted and the following words inserted—

'the LNP's complete failure to release costed and funded policies and acknowledges the initiatives of the 2011-12 state budget to:

- abolish the ambulance levy from electricity bills;
- increase rebates for electricity for low-income groups; and
- increase the local government rates rebate for pensioners.

Further, that this House calls on the LNP to table costed policies in the parliament at the next sitting.'

This government has a very proud record of delivering public transport for people in South-East Queensland and for people in regional Queensland. We have seen the largest integrated ticketing system established in South-East Queensland, encompassing some 10,000 square kilometres, where 80 per cent of the people are using the go card and there are two million go cards out there.

I ask members to compare those figures to figures in the other states. Two weeks ago the *Australian Financial Review* advertised in Sydney for people to come there to put together an integrated ticketing system. That legislation has just passed through the House in New South Wales. Down in Victoria, the situation is even worse. Twenty per cent of people are using the myki system there. For the opposition to come in here and criticise the record of this government is beyond belief. The other side has nothing. It has no policies—absolutely nothing at all. We have continued to invest in public transport. Every single dollar that we collect through fares goes back into growing our transport network. The opposition has uncosted policies. It has not said what it will slash to introduce its policies. For every \$1 that a passenger pays, the state government puts in \$3. This is a commitment that we will stand by and continue to abide by.

Over the past two years we have added more than 300,000 weekly seats to our network, and we will continue to add that year after year after year. You have not stated whether you support this, and from your recent announcement—the policy that you announced with Campbell Newman—you would actually slash 150,000 seats—

**Mr SPEAKER:** Order! The honourable minister will direct her comments through the chair.

**Ms PALASZCZUK:** Our recent timetable overhaul delivered 150,000 seats, and shortly I will be releasing the consultation for the second stage of our timetable overhaul. As the Attorney-General—a former transport minister—stated, we have a proud record of delivering world-class bus networks in South-East Queensland. We opened the second stage of the Eastern Busway just recently, adding an extra 100,000 seats. But we are seeing real benefits for the public in the outer suburbs of Brisbane. When it comes to delivering bus services and rail services in the inner city, we have had high frequency but we are now seeing those services being delivered in the outer suburbs. I can remember that when I was growing up in Inala we did not even have a Brisbane City Council bus service—absolutely nothing.

**Mr Lucas:** Tory councils wouldn't give buses to Wynnum or Inala.

**Ms PALASZCZUK:** That is right. There was absolutely nothing. It took a Jim Soorley Labor council to implement buses for us. With our expansion and our investment in public transport we have been able to deliver for people living in Inala, Forest Lake and Mount Gravatt. We are delivering off-peak frequency of every 15 minutes for a bus. What does that mean? That means there is no need for a timetable; people can turn up and go. From the days of Sallyanne Atkinson, when there were no Brisbane City Council buses out there, this Labor government has delivered buses and has delivered high-frequency bus services. We will continue to do that right across South-East Queensland.

We will continue to invest in growing our rail networks. Work on the Darra-Richlands line is going extremely well, and the first sod has been turned on the rail line out to Springfield. We also have Gold Coast Rapid Transit and the Moreton Bay Rail Link.

How could I let this opportunity go by without talking about what the shadow minister for transport said when he was asked about fare increases. Time and time again Spencer Howson asked him questions. 'What are you going to do if you get into government?' was the first question. The second question was, 'Well, what are you going to do as transport minister if the LNP is elected?' The third question was, 'Right, so I will ask you a third time: what are you going to do about the transport fares when you are the transport minister, Scott Emerson?' Again there was silence. Again there was nothing—absolutely nothing.

**Mr EMERSON:** I rise to a point of order.

**Mr SPEAKER:** Stop the clock. Minister, resume your seat. I will hear the point of order.

**Mr EMERSON:** The minister is misleading the House. As she knows, there were answers to each of those questions.

**Mr SPEAKER:** There is no point of order. Resume your seat.

**Ms PALASZCZUK:** Spencer Howson said, 'So you are not going to promise this morning that you will revise and review the fare increases that have been promised since 2009. You are not going to be able to make this commitment this morning?' What did you say? Nothing! Spencer Howson, 'Thank you for calling in. That was the shadow minister, Scott Emerson.'

**Mr EMERSON:** I rise to a point of order again, Mr Speaker.

**Ms PALASZCZUK:** 'Just to summarise that, I think under the LNP government the fees will go up the same amount as they are going up under the ALP government.'

**Mr SPEAKER:** Order! The minister's time has expired. The honourable the member for Indooroopilly on a point of order.

**Mr EMERSON:** Once again, Mr Speaker—

**Ms PALASZCZUK:** I table the full transcript.

*Tabled paper:* Copy of a Media Monitors transcript of interview between Mr Scott Emerson MP and Spencer Howson regarding public transport fares, ABC 612 Brisbane, breakfast program [5870].

**Mr SPEAKER:** Order! Resume your seat. The honourable the member for Indooroopilly.

**Mr EMERSON:** Once again, the minister is misleading the House. There were answers to those questions. I would ask that the minister withdraws those comments because she has misled the House.

**Ms PALASZCZUK:** How have I misled the House? I am quoting what Spencer Howson said.

**Mr SPEAKER:** Order! Just resume your seat. The minister will resume her seat. There is no point of order under that provision.

**Hon. KL STRUTHERS** (Algerst—ALP) (Minister for Community Services and Housing and Minister for Women) (5.51 pm): I rise to support the amendment moved by the Minister for Transport. Members have talked about when they were kids. When I was a kid my mother had the envelope system. She had money for electricity in one envelope, money for school fees in another, money for something else in another. She said she would pinch from Peter to pay Paul and she shuffled it around. That was her little system. She was a low-paid factory worker and at times on a pension raising four kids on her own. All of us on the Labor side know that every dollar counts for Queenslanders and that is why we have allocated more than \$1.4 billion for concessions, rebates and subsidies right across government. That is \$16 million above last year's commitment.


One of the best ways to ease the cost-of-living pressures on people is to generate jobs. What is this government doing? This government is determined to generate jobs, jobs, jobs. The Premier announced today that we are well on track to our 100,000 jobs target with 90,000 jobs now created across Queensland. Another way to ensure a bright future for Queenslanders is to invest in education and skills. The Labor government's commitment to education is what helped me out. It is what has helped out a lot of people in this state. With our Flying Start program, the Queensland Skills Commission and many other initiatives in the training and education area we are supporting people to improve their livelihood and establish a well-paying job and career for themselves.

The LNP went to the last election promising cuts not jobs. That is the stark difference between the two of us. We are committed to generating jobs, jobs, jobs; those opposite keep promising cuts. Cuts to the public sector is one of their keen targets. The Queensland economy is bouncing back and many people are doing well. We have a bright future ahead. For those who are not able to share in this economic prosperity due to disability, age or retirement or they are on low incomes, we have a strong safety net and an extensive range of concessions in Queensland. Who is delivering the broadest range of concessions in Australia? We are, Mr Speaker. The Bligh Labor government is delivering over 970,000 concession services to eligible pensioners, seniors and veterans in Queensland. Who is delivering benefits and savings to everyday Queenslanders? We are through the ambulance levy that we have taken off electricity bills, saving all Queensland households and small businesses \$113 each

year. We recently extended the Queensland Kindergarten Funding Scheme, taking around \$1,179 a year off kindy costs for eligible Queenslanders. We also increased the electricity rebate by six per cent to \$230 per annum; pensioner rebates by 11 per cent to \$200 per annum; and South-East Queensland water subsidies by 20 per cent to \$120 per annum.

Who is delivering the biggest ever investment in social and affordable housing? The Bligh Labor government. What has the LNP committed to? It has said it could not commit to more funding for social housing. Those opposite come into this House and talk about homeless people around Brisbane. Homeless people do not have a bright future under the LNP. The LNP government is a great risk to vulnerable Queenslanders who need a supportive government. Look at what the Tories have done in other states. The O'Farrell government has only been in government about eight months or so but it has already put the rents for social housing up by \$15 a fortnight. We know that every dollar counts and \$15 is a big hike to pensioners in New South Wales. The government in Western Australia has only been in a few months and what has it done? It has ripped out \$11 million from concessions. That is what the Tories do. This mob over here are full of promises and will not deliver. They cannot deliver.

Pensioners living in other states are certainly facing hikes in their public housing rents and a decline in spending on public housing. What will Mr Newman do in Queensland? As the lord mayoral candidate in 2004 what did he promise? He promised the world, as he is doing now. He went to the people of Brisbane asking them to elect him and he said if rates go up more than CPI he would resign. What did he do about that commitment? What did he do about that promise? He finally cut and run, but it was not because of the rates hike, it was because of his own career. Campbell Newman is a high risk to Queenslanders. He promises the world and cannot and will not deliver.

 **Mrs STUCKEY** (Currumbin—LNP) (5.56 pm): I rise to support the motion moved by the honourable member for Indooroopilly that this House condemns the Bligh Labor government's constant increases in the cost of living for Queensland families and businesses. Every time Queenslanders fill up their cars, turn on the tap, flick on the lights and pay their rego they are paying more as a direct result of the economic mismanagement and poor decision making of this tired and toxic Bligh Labor government.

The Minister for Community Services and Housing obviously has not listened to what is in the QCOSS Annual Poverty Statement this year which revealed that more than 480,000 Queenslanders are living in poverty. It showed the cost of household essentials such as electricity, water, petrol and rego had risen faster than CPI in the past five years, but it would appear that the minister does not want to hang around and listen. When I surveyed the entire Currumbin electorate 12 months ago cost of living was by far the biggest concern of the some 3,000 respondents, surpassing police, law and order and health for the very first time. People are hurting under this incompetent, heartless government. Despite Bligh's promise that nobody would be worse off under the Labor government's electricity changes—

**Mr SPEAKER:** The honourable member will refer to the Premier by her correct title.

**Mrs STUCKEY:** Despite the Premier's promise that nobody would be worse off under the Labor government's electricity changes, electricity prices have spiralled up 63 per cent and will rise by about \$120 this year. South-East Queenslanders' water bills are set to double over seven years because of Labor's bungled water reforms that ran roughshod over councils and households. Queensland is now the most expensive state in which to own and operate a car. Queenslanders are slugged an extra 9.2c a litre after this government promised not to introduce a fuel tax.


An LNP government will reduce water, electricity and car rego bills and save the average Queensland family \$250 to \$330 a year. We will reduce the cost of commuting for loyal public transport users by reintroducing discounted weekly fares for go card users. Queensland Labor has had a long period of opportunity to reduce regulation, but it has failed miserably. For the past week the *Courier Mail* has been asking this toxic Labor government to back off small businesses, exposing them for hammering businesses to the wall. The Chamber of Commerce and Industry Queensland recently released an update on its *Blueprint for fighting Queensland's over-regulation* and discovered the Bligh government has failed to deliver on regulatory reform and the situation has deteriorated dramatically. The CCIQ says the cost and burden of regulatory compliance is the single most important ongoing issue for the Queensland business community. It increases the cost of running a business and acts as a significant barrier to business growth, investment and productivity.

Over 80 per cent of Queensland businesses believed red tape had increased in Queensland over the past two years and they were right. In 2007, Queensland had some 70,000 pages of regulation but now it has over 92,000 pages of red tape, representing a 31.6 per cent increase. How could the Minister for Small Business stand in this House this morning and say she was 'proud of this government's record when it comes to reducing regulation'? It shows how completely unfit she is for the role and how out of touch she is with what makes small business tick. This minister was advocating for more red tape, not less. The annual cost of this state based legislation has increased from \$4.8 billion in 2007 to now over \$7 billion a year in taxes, fees and other charges. The latest survey found 93.8 per cent of businesses indicated that government regulation affected the way they ran their business; 78 per cent indicated that government regulations affected their ability to employ staff; 70 per cent indicated that government

regulation had prevented them from investing in business growth, meaning the current level of regulation is a disincentive to growing business in Queensland; 93 per cent of businesses believe Queensland has become a nanny state.

The impending waste levy bill or 'Scrooge' tax comes into effect on 1 December this year and is another kick in the intestines for small business in the lead-up to the busy Christmas trading period and the carbon tax is looming on the horizon, but our Labor small business minister told business to just wait and see. She has not a care in the world about supporting them, even though she is supposed to represent them. This minister is more interested in name calling and personal insults than she is in helping small business and tourism operators. Denial, deception and outright untruths have become the hallmarks of this Labor government, which continues to ignore the plight of countless small business and tourism operators, choosing to bleat the mantra that a wave of prosperity is about to wash over us.

I dearly wish that were true, but the fact remains that we are deeply in debt and more of the same will not erase it; just ask Queensland residents and small business operators. Today I stand before you and pledge that a can-do LNP government will work for Queensland, not for our own self-serving political agendas. We can be a can-do Queensland again. Anna Bligh and Labor: not again, not this time.

 **Hon. RE SCHWARTEN** (Rockhampton—ALP) (6.01 pm): In the absence of any lucid policies from those opposite, we must look to the past record of Mr Newman. If we projected it forward, we would find that under Newman taxes in the state will double and debt will double, because that is exactly his record at the Brisbane City Council. He promised that he would spear himself if he raised rates above CPI. In Brisbane, rates have gone up by 40 per cent. Last time I looked, CPI was nothing like that. If such an increase happened in Rockhampton, the mayor would be hung from the highest post in the town.

We have seen all manner of folly in terms of debt. Newman promised that he would not increase the debt, but the debt has more than doubled from \$1 billion to \$2.4 billion. He said that the upgrade of King George Square would cost \$12 million, but it cost \$28 million. He said that people would only pay \$2 to use the Clem7, but \$4.28 is the real figure. This bloke Newman is a bigger bandit than Brendan Abbott. He could give Brendan Abbott some advice about hiding, because today he has been hiding again, this time from the issue of uranium. No doubt he is waiting for Clive Palmer to clear it up with McIver before he can state a position, because I will bet any money that Palmer has some interest in uranium. Newman will be waiting for that to happen. Again we see the curly tail in action.

The reality is that this lot says one thing and does another. However, thus far they have not said anything at all. Inviting Mr Newman to form a government in this state would be akin to getting in a logger with a chainsaw to trim the legs on your Queen Anne billiard table. That is the sort of rigour that he will bring to this place and we have seen it with every single project he has touched in Brisbane. The push bikes across the road cost \$38,000. Every week they get moved around. I do not know what they pay the people who move them, pretending that they have moving wheels. The amount of vandalism that occurs at night is costing ratepayers a fortune yet that lot over there, the opposition, has the hide to come in here and talk about the cost of living. The single biggest cost that any ratepayer in this city pays is the lump sum payment for rates. That is the thing that they struggle to meet. What has Mr Newman done? He has placed that further and further and further from the reach of the average person on an average wage. That is his record.

It is little wonder that we see the deception that is occurring here. They all camp under the shady tree of unhappiness with the current government. They sit here piously and say nothing, waiting for the sun to shine upon them and take them to the other side. I can tell them that the people of Queensland are not stupid. At the moment it might be well and good for Mr Newman to hide away whenever things get a bit tough. If somebody like Patrick Condren asks him a tough question, he makes a fool of himself, scuttles away and lies low for a couple of days and then out he springs. However, you cannot be a Premier of this state and do that. You cannot hide on tough issues when it suits you. We have seen him do it time and time again. Here we are in the last quarter, in the run-up to an election and none of the people of Queensland are any the wiser as to what this is going to cost.

**Mr Roberts:** No-one is defending him.

**Mr SCHWARTEN:** No-one is defending him. Isn't it interesting that tonight they have put him up for a head kicking on his performance? Doesn't that tell you something? Talk about leading with your chins! Members should not think I am getting enjoyment out of tipping this on him. I am sure he will be pleased that the fools over there have led with their chins on this. He will be delighted to see me up here, pointing out the fact that he has doubled the rates of the people of Brisbane.

**Mr DICKSON:** I rise to a point of order.

**Mr SPEAKER:** Order! Member of Rockhampton, I will hear the point of order.

**Mr DICKSON:** I take that as a personal reflection that is cast upon us. I ask the honourable member to withdraw, please. I do not consider that we are fools.

**Mr SCHWARTEN:** I will apologise and withdraw whatever the thin-skinned fellow finds offensive. He can dish it out, but he cannot cop it. I finish on this note: it is a very stupid person who buys a pig in a poke, which is what this lot are asking Queenslanders to do. Queenslanders are not stupid. They will want to see this bloke's track record. Judging by what he has done in Brisbane, every Queensland who is worried about the cost of living ought to be very worried about this lot being let loose on any form of Treasury funds in this state. If he does what he did to the Brisbane City Council, this state will become destitute. It won't have a AA rating; it will have a minus AAA rating.

**Ms SIMPSON** (Maroochydore—LNP) (6.06 pm): What a load of rot! It was the Labor Party that put the battler into bat by ripping out the last dollar from the poor people's pockets. Never have so many Queenslanders been hungry and homeless as we see now. Never have we seen so many people looking for food at Foodbank and other services in our community, sleeping under bridges, sleeping rough, sleeping in cars and desperately trying to keep afloat.

This Labor government is 20 years too long in this place. It is out of touch and it is arrogant. This House should condemn the Bligh Labor government for the constant increases in the cost of living for Queensland families and businesses. Labor's bungles have hurt the battler and, as we have seen from recent reports through QCOSS, a record number of people have slipped below the poverty level. Worsening unemployment among women and our youth has delivered a shocking result, with more than 480,000 Queenslanders living in poverty. Queenslanders are going without meals, they are unable to pay their bills on time, they are struggling to afford second-hand clothing.

That is a reality of Labor's nonstop attack on household budgets, but it does not care. It does not say sorry. It does not have any answers for the mess that it has created, other than to ignore it and turn a blind eye. The Queensland Council of Social Service's annual poverty statement released recently shows that in the past five years household essentials, including power, water, petrol, rego, bus and rail fares have risen faster than CPI. Who is to blame for that? The Labor Party! Nearly half a million Queenslanders are living in poverty and that is the shameful result of the Bligh government's incessant cost-of-living increases.

The Bligh government's gross mismanagement of our state has meant that Queenslanders are being hit by higher costs at every turn. Our struggling economy is falling behind. Jobs are the financial benchmark in many of our regions, and those opposite do not want to talk about that. We see in many areas that people are hurting and they have never faced what they are facing today. Seniors and other Queenslanders on fixed incomes have been hit particularly hard by Labor's increases in household expenses. Despite Premier Bligh's promise that nobody would be worse off under the Labor government's electricity changes, power bills have spiralled up by over 60 per cent and average home bills are going to rise a further \$118 this year. Queensland is now the most expensive state in which to own and operate a car. Once again, who is to blame for this? The Labor Party! Anna Bligh broke her promise not to introduce a new—

**Mr SPEAKER:** Order! The honourable member will refer to the Premier by her correct title.

**Ms SIMPSON:** The Premier, Anna Bligh, broke her promise not to introduce a new 9.2c per litre fuel tax immediately following the last election, resulting in Queenslanders paying an extra \$2.4 billion over four years when they fill their petrol tanks. Who is to blame for this? The Labor Party! Registration for the family car is going up another three per cent, or \$23, this year, and that is on top of the 24 per cent increase over the last three years. The cost of drivers' licences is also set to double, from \$73.70 to \$152.50 for a five-year licence. Who is to blame for this? The Labor Party! It is no wonder that QCOSS reported a massive jump in the need for community assistance, revealing that community based support had increased by seven per cent in just one year. There was also a six per cent increase in the number of people who were turned away from assistance and a 73 per cent increase in demand for financial services.

Premier Anna Bligh and Labor do not deserve another go—not this time. Only the LNP will get the four-pillar economy back on track and control government waste to assist Queenslanders' cost of living. We have already announced our plan to save average Queensland families around \$250 to \$330 a year through reforms to electricity and water pricing, freezing the family car rego for a term and scrapping Labor's \$7,000 stamp duty slug on the family home. This government—this tired, lazy and toxic Labor government—has been here too long, it has lost touch and it is arrogant. The people who have paid the price for its bungling are the people in Queensland. Labor's bungles have hurt the battler in Queensland. It does not deserve another go. It is time for a change. It is time to give Queenslanders a fair go and an opportunity to have hope in this nation.

*(Time expired)*

**Ms GRACE** (Brisbane Central—ALP) (6.11 pm): I rise to support the minister's amendments. When it comes to cost-of-living increases, I have two words to say to those opposite: parity factor. That effected a massive, unheralded increase in council rates for unit and townhouse owners in Brisbane. The promised 10 per cent rates cap was unilaterally removed for all unit and townhouse owners, particularly affecting those in the inner city within my electorate of Brisbane Central. It increased their rates bills hugely in excess of the removed 10 per cent cap, and this was done by none other than the

previous lord mayor and now candidate for Ashgrove. Increases of 100, 200, 300 and even 400 per cent were not uncommon, leaving many ordinary unit owners grossly out of pocket with, in some cases, residents having to sell their units because they could no longer afford their unit and pay their rates bill.

Past Brisbane councils had recognised the need to protect Brisbane property owners from sudden and large unexpected rates increases due to land valuations in a heated market and so introduced a 10 per cent rates cap. However, not so the immediate past lord mayor and candidate for Ashgrove, who, without any prior warning or announcement of policy changes to the city's residential rating system, buried these massive increases in the council budget—I believe on page 290—immediately after his election and proceeded to gouge ordinary unit and townhouse owners. These unprecedented and unjustified increases have adversely impacted on what is now a very large property ownership community without notice, justification or recognition of their negative impact on their cost of living and, often, the largest quarterly bill for many households.


Claims that these property owners were millionaire penthouse owners were erroneous and incorrect. Many residents I spoke to own units that were bought for between \$400,000 and \$500,000, often following the sale of a former house or property. Additionally, those statements particularly annoyed me and residents alike because some of the people hardest hit were Kelvin Grove Urban Village unit owners. They had to fork out, on average, almost \$800 extra in their next rates quarter. In some cases this represented increases of 400 per cent—not staged, not averaged over a period of time, but immediate. Ironically, most residents of Kelvin Grove Urban Village are ordinary homeowners, with most units' market value probably around \$400,000. They do not have river views and they are adjacent to affordable housing in what can only be described as an exciting inner-city development which is housing many ordinary people and families—hardly the millionaires who could afford the tripling of their rates bill. Rightly so, they are still outraged by the hefty hikes they are continuing to have to pay.

Equally, residents in Newstead were hit hard. One resident was advised that his rates would rise from \$411 to \$973 per quarter—that is an increase of nearly 250 per cent—and rightly wrote that a 175-unit block does not use the same level of infrastructure as 175 houses, despite what the previous lord mayor claimed.

Inner-city unit owners were also hard hit. One resident who downsized her inner-city apartment due to ill health sold her house with a swimming pool for \$610,000 and purchased a smaller unit for \$455,000, only to have to pay more in rates for her unit than she did for her larger house. I have many examples of residents in apartment blocks in my electorate experiencing significant increases in their rates bills, such as Parkland Boulevard, 540 per cent; River Place Apartments, 400 per cent et cetera. Did they receive extra services for these huge increases? Did they have extra bins emptied? Did they get better footpaths or more sewerage? No! In fact, they received nothing except an unfair rates parity formula which delivered percentage increases to their rates bills and they had no opportunity to budget for that or to take measures, such as one can do with water and electricity use, to reduce their cost.

Interestingly, we hear nothing from those opposite. We have seen the single biggest cost increase for city unit and townhouse owners in living memory and there has been silence from those opposite. There has been no mention of the flow-on costs such as rent increases as unit owners pass on increases directly to tenants. These are real and direct costs with ordinary people driven to extraordinary measures, such as the formation of BARE, which took the council to court. I would hazard a guess that the reason the LNP candidate for Ashgrove is not running in my electorate of Brisbane Central, where he lives, is that he would struggle due to the backlash from unit owners in my electorate who will not forget the unprecedented cost-of-living increases.

*(Time expired)*

 **Mr CRIPPS** (Hinchinbrook—LNP) (6.17 pm): I rise to support the motion moved by the shadow minister for transport, the member for Indooroopilly. As the shadow minister for regional Queensland, I rise to say a few words on behalf of Queenslanders in rural and regional Queensland. It is appropriate that the shadow minister for transport moved the motion because it is in the area of transport costs that families and businesses in regional and rural Queensland have arguably suffered the most under this Labor government. Was it not interesting that the Minister for Transport, who moved the government's amendment, failed to mention in her contribution one single issue in relation to the cost of living as it relates to transport for rural and regional Queenslanders?

In the first instance, because families and businesses in regional Queensland rely more on their own private vehicles or business vehicles, in many instances due to the absence of alternatives such as public transport services, they have been more heavily disadvantaged by one of the Bligh Labor government's more disgraceful deceptions of the people of Queensland; that is, the removal of the fuel tax rebate. In the absence of Citytrain services, CityCat services and the extensive bus services in Brisbane and in our other major provincial cities, rural and regional families drive their cars more. When they drive more, they fill up more. When they fill up more, they pay more fuel tax which, until the Bligh Labor government betrayed them, they were not burdened with. Labor's celebrated go card will not do Queensland families in regional and rural areas much good when they are filling up in Cooktown, Cloncurry, Greenvale, Emerald or Dirranbandi. The track record of this Labor government in relation to transport costs is appalling.

All the way back in 2007, it was this Labor government that increased stamp duty on the sale of motor vehicles. The policy adopted by Labor once again targeted rural and regional Queenslanders, particularly heavy vehicle road transport vehicles, which are the lifeblood of regional Queensland. At that time, stamp duty on a four-cylinder vehicle increased by 50 per cent. But for six-cylinder vehicles, stamp duty increased by 75 per cent and stamp duty on eight-cylinder or more vehicles increased by 100 per cent. So the higher the capacity of a vehicle, such as four-wheel drives or utilities with six or eight cylinders—vehicles that people in rural and regional Queensland rely on because of where they live or the work that they are employed in—the more they copped it in the neck under this Bligh Labor government.


It was also interesting to note that the increase in stamp duty targeted people who were not wealthy. Families with a couple of kids who needed to own a decent sized car like a Falcon or a Commodore—a larger type of vehicle with six cylinders that would accommodate a couple of kids—but were not in the market for a new vehicle still copped the 75 per cent stamp duty increase if they purchased a second-hand vehicle. Yet this government claims to be concerned about the battlers, like the Minister for Community Services claimed. But the facts in this case have exposed her rhetoric on cost-of-living issues.

In the area of transport, you can continue to make the point—such has been the consistent and the relentless extraction of more and more revenue from Queenslanders—when you look at significant hikes in motor vehicle registration and drivers' licences. It is worth making the point again that in respect of hikes in motor vehicle registration rural and regional Queenslanders lose out more because, on average, they need to use six-cylinder or eight-cylinder vehicles, which attract higher registration costs, and they depend on them more every day of their life.

I turn now to skyrocketing costs of utilities across Queensland. I recognise that they impact on families and businesses across the state, but again they impact more on rural and regional Queenslanders. In North Queensland, where I come from, our hot tropical summers mean that families rely more heavily on services like air conditioning and businesses rely more heavily on refrigerated transport. They are really struggling with the skyrocketing costs of electricity prices. In southern Queensland, where the winters are more severe, the problem is reversed but no less challenging. I have heard my friend the member for Toowoomba South speak on more than one occasion in this place about the massive increases in the cost of gas and how pensioners in his electorate struggle to meet the cost of staying warm when those bitter westerlies blow in in the Garden City on the hill.

Finally, I cannot let this opportunity go by without mentioning the significant increases in the cost of environmental compliance for agricultural industries in regional Queensland. The various blow-outs in permits and licences required to operate a farm business are too numerous to list here tonight, but I have done that regularly and on more than one occasion in this place in the past. The big problem with Labor is that they just do not get it. They continue to implement more taxes—most recently in Queensland the waste tax and at the federal level the carbon tax.

*(Time expired)*

 **Hon. AP FRASER** (Mount Coot-tha—ALP) (Deputy Premier, Treasurer and Minister for State Development and Trade) (6.22 pm): I oppose the motion moved by the opposition and support the amendment moved by the Minister for Transport earlier in the debate. What we see here is the great tragedy of the Abbott-esque politics that has infected the tories in this country—where vacuous platitudes and dog whistles replace substance, where a focus group moan is meant to be a replacement for the development of real substantial policies. All we have seen for 2½ years from the LNP in this place is just a combination of mantras and slogans, spin and bluster. That is the sum total of the thin gruel that has been served up by the LNP in this state over the last 2½ years.

It stands in stark contrast to what this government has done, and that is get on with delivering substantial improvements for Queenslanders. This government in this budget delivered a result in abolishing the ambulance levy to reduce electricity prices, which is to the benefit of 1.4 million households and small businesses—1.4 million account holders—and those opposite opposed it all the way. They opposed it all the way through the budget process, but that is the result delivered. This budget delivered an increase in the electricity rebate to low-income earners, to pensioners in particular, of \$230 and it increased the local government rate subsidy, for the first time in a long time, up to \$200 to take account of the fact that their good mates whom they like to talk about in local government, like Mr Newman, have of course been hitting the till when it comes to rate rises in this state.

Ultimately that is what we have been doing. It is worth asking them what it is that the LNP are proposing, what it is that they are putting forward, what it is that they are actually saying in this debate here tonight. What exactly is it that they are offering? Are they saying that in dealing with the cost of living they are going to re-regulate the bread and milk market? Are they going to go back and purchase an airline and make airline travel as unaffordable as it used to be—make it the equivalent of a weekly wage? At least that way they will not have to worry about the riffraff coming on board an aircraft anymore, and only those with their hair done and a tweed jacket will be able to fly like it was in the past.



Are they going to build a wall around whatever mates' rates requests they get for whatever little protections they want for any of their mates out there to try to put things like everything from DVD players to shoes way back up the price chain?

In truth, what has happened is the great Labor project in this country for more than a generation has delivered a result that has made many of those things much more affordable for people. That is the great Labor project and the economic reform that we have undertaken. So what exactly is it that those opposite are offering? What exactly is it that they are saying? How about these facts? The great project that has been undertaken has delivered this result over recent years. The fact is that between 2003-04 and 2009-10 household expenditure in this state went up by 49.5 per cent. That is only half the story. What is the other half of the story? In the same period, between 2003-04 and 2009-10, household income went up by 57.1 per cent. What does that tell us? The fact is that there has been a rise in disposable income for many Queenslanders—not everyone, and that is why the budget targeted its resources, all of its firepower, at low-income earners in particular, as good Labor governments should do.

But the question then remains: what exactly is it that those opposite are offering? They complain about the fuel subsidy but will they reverse it? The answer is no. They have not committed to it. I say to those like the member for Buderim that if there is a fuel tax in this state the simple proposition to them is this: stand up and say the words in this parliament, 'I will abolish the fuel tax.' They will not stand up and say that, and it exposes their deception. They say that they are going to cut electricity bills by \$200. They will not say how. They will not say with what. Are they going to pay \$700 million to electricity companies? They will not tell the people of Queensland what they are going to do.

They say that they are going to squeeze rego for three years—\$226 million. Do they say how they are going to do it? No. They cannot and will not say. They will not say because they cannot say. Then there is their billion dollar promise on the stamp duty concession that was in this budget—a billion dollars is their promise there. What have they said? How will they fund that? We have heard not a word, except that they had a go at saying they would take \$200 million or \$400 million out of the Sunshine Coast University Hospital. Either way, whatever they want—\$200 million or \$400 million—it is not a billion bucks. And the truth of it is this: they will be coming back for more from a hospital project, from a building project, near you to fund their promises.

In the end, look at their record. That is what Campbell Newman says: 'Judge me on my record'—a record which delivered a 42 per cent rate rise during his time when he said he would keep it to inflation or resign. In truth, in reality, he did neither. He built a \$1 billion tunnel that became a \$2 billion tunnel that became a \$3 billion tunnel. He saw a cost blow-out on King George Square. He saw a cost blow-out on the Go Between Bridge. I invite the people of Queensland to judge him and them on their record.

Division: Question put—That the amendment be agreed to.

**AYES, 49**—Attwood, Bligh, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Foley, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Miller, Moorhead, Mulherin, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

**NOES, 36**—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, McArdle, McLindon, Menkens, Messenger, Nicholls, Powell, Pratt, Robinson, Seene, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Rickuss, Sorensen

Resolved in the affirmative.

Division: Question put—That the motion, as amended, be agreed to.

**AYES, 50**—Attwood, Bligh, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Foley, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Miller, Moorhead, Mulherin, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

**NOES, 33**—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, McArdle, McLindon, Menkens, Messenger, Nicholls, Powell, Robinson, Seene, Simpson, Springborg, Stevens, Stuckey. Tellers: Rickuss, Sorensen

Resolved in the affirmative.

Motion, as agreed—

That this House condemns the LNP's complete failure to release costed and funded policies and acknowledges the initiatives of the 2011-12 state budget to:


- abolish the ambulance levy from electricity bills;
- increase rebates for electricity for low-income groups; and
- increase the local government rates rebate for pensioners.

Further, that this House calls on the LNP to table costed policies in the parliament at the next sitting.

Sitting suspended from 6.39 pm to 7.40 pm.

## HOLIDAYS AND OTHER LEGISLATION AMENDMENT BILL

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

 **Hon. CR DICK** (Greenslopes—ALP) (Minister for Education and Industrial Relations) (7.40 pm): I present a bill for an act to amend the Holidays Act 1983, the Land Sales Act 1984 and the Liquor Act 1992 for particular purposes and to make minor and consequential amendments to the Industrial Relations Act 1999 and the Trading (Allowable Hours) Act 1990. I table the bill and the explanatory notes. I nominate the Legal Affairs, Police, Corrective Services and Emergency Services Committee to consider the bill.

*Tabled paper:* Holidays and Other Legislation Amendment Bill [\[5871\]](#).

*Tabled paper:* Holidays and Other Legislation Amendment Bill, explanatory notes [\[5872\]](#).

Queensland is a great place to live, to work and to raise a family. We have natural attractions the equal of any in the world and a lifestyle envied by Australians and visitors. The Bligh government has been working hard to improve the quality of life for Queensland families. The government in September released a discussion paper titled 'Getting the balance right: a proposal on holidays in Queensland' as part of its review of the state's holiday system. Queenslanders told us they wanted change, and they overwhelmingly supported the government's proposal to improve our work-life balance.

The bill is designed to ensure that Queensland workers can enjoy a more even spread of public holidays across the year, similar to other Australian states and territories. To this end, the bill provides for the movement of the Queen's birthday holiday to the first Monday in October from 2012, and creates a special holiday to mark the Queen's Diamond Jubilee on Monday, 11 June next year.

In addition, the bill provides for the observance of additional public holidays when Christmas Day, Boxing Day and New Year's Day fall on a weekend. The Holidays Act 1983 prescribes those days which are public holidays in Queensland. The Queen's Birthday is currently celebrated in June. 25 December, Christmas Day; 26 December, Boxing Day; and 1 January, New Year's Day are also listed as public holidays. However, when those days fall on a weekend the public holiday is moved to the following week and the actual day is not a public holiday. This means that Queenslanders working on Christmas Day do not get paid public holiday penalty rates.

In September, the Queensland government undertook an extensive public consultation process regarding amendments to the act. The results showed Queenslanders overwhelmingly support shifting the Queen's birthday holiday to the second half of the year and to a Monday in October. The bill before the House allows this holiday to be commemorated on the first Monday in October from 2012. Some 85 per cent of 22,700 respondents supported shifting the Queen's birthday holiday to the second half of the year, and of these 96 per cent wanted it on a Monday in October.

In recognition of the potential impact on community and sporting events planned for the June long weekend next year, the bill provides for a one-off holiday to commemorate the Queen's Diamond Jubilee. This arrangement recognises the importance of such community events as the Discovery Festival at Cooktown, the state netball championships and the Boyne Island fishing competition which will all be able to continue without disruption in 2012. It will also give the organisers of these events an extra year to consider what they will do for 2013 and beyond.

Although Queensland's private sector industrial relations jurisdiction was referred to the Commonwealth from 1 January 2010, the Commonwealth Fair Work Act 2009 recognises as a public holiday any day declared or prescribed under a law of a state to be observed within the state as a public holiday. Therefore, this bill's amendment of the act to provide for observance of a special Queen's jubilee holiday in June and additional public holidays when Christmas Day, Boxing Day or New Year's Day fall on weekends will activate public holiday entitlements for those days under federal modern awards and state awards. The consultation process also indicated overwhelming support for the proposal to create extra public holidays whenever Christmas Day, Boxing Day or New Year's Day fall on a weekend. About 91 per cent of 22,600 responses supported the creation of additional public holidays in these circumstances.

In 2010 the government amended the act to allow for two additional days for Christmas Day 2010 and New Year's Day 2011 because these days fell on a Saturday. This change was strongly supported by Queensland workers. The opposition also supported these amendments. At that time, I gave a commitment to review the act and make the necessary amendments to provide a permanent solution when these special days fell on a Saturday. The bill before the House honours the commitment I made in 2010 and responds to the public's overwhelming support for changes to the act to ensure that no Queensland worker is worse off when Christmas Day and New Year's Day fall on a Sunday.

This year, Christmas Day and New Year's Day in 2012 fall on a Sunday. Without an amendment to the act, both days would cease to be public holidays because substitute public holidays have been appointed in the following week. When a day is appointed as a public holiday, workers are entitled to be

absent from their employment on the day and still be paid their base rate of pay for their ordinary hours of work. Workers who agree to an employer's reasonable request to work on a public holiday must be paid any penalty rates prescribed in the relevant award or agreement.

The current act does not permit the appointment of additional public holidays. An amendment to the act is required to permit the appointment of additional public holidays when Christmas Day, Boxing Day and New Year's Day fall on a weekend.

With these amendments, Queenslanders will observe a public holiday on Christmas Day, Sunday, 25 December 2011, and an additional public holiday on Tuesday, 27 December 2011 as well as a public holiday on New Year's Day, Sunday, 1 January 2012 and an additional public holiday on Monday, 2 January 2012. To enable these changes to take effect this year, it is essential for the bill to be passed in the next sittings.

There are a number of private sector industries operating seven days a week where workers will potentially work on Sunday, 25 December or Sunday, 1 January. These industries include hospitality, accommodation, tourism, heavy industries such as mining and the retail industry. In the public sector, many health workers, police, fire fighters and ambulance officers will also work on these days. It is only fair and appropriate that these workers be compensated for being away from their families and friends, particularly on Christmas Day, one of the most special family occasions of the year.

The bill before the parliament may result in increased costs to employers, including the government, through the payment of public holiday penalty rates on 25 and 27 December and on 1 and 2 January. However, it is the government's view that this cost will be more than offset by the benefit to hardworking employees who would otherwise receive no benefit for working on Christmas Day or New Year's Day.

The concept of observing additional public holidays when a public holiday falls on a weekend, especially for Christmas Day, Boxing Day or New Year's Day, is not a new idea and already is a feature of public holiday legislation in several of the other states and territories. New South Wales has introduced provisions which commence from 31 December 2011 to provide for additional public holidays when Christmas Day, Boxing Day or New Year's Day fall on a Saturday or Sunday. Victorian legislation provides for additional public holidays when Boxing Day or New Year's Day fall on a Saturday or Sunday. South Australian legislation provides for additional public holidays when Christmas Day, 26 December or New Year's Day fall on a Sunday. Western Australian legislation provides for additional public holidays when Christmas Day, Boxing Day or New Year's Day fall on a Saturday or Sunday. Tasmanian legislation provides for an additional public holiday when Christmas Day falls on a Saturday or Sunday. For Christmas Day 2011 and New Year's Day 2012, New South Wales, the Australian Capital Territory and Western Australia will observe additional public holidays for each day while Victoria will observe an additional public holiday for New Year's Day and Tasmania will observe an additional public holiday for Christmas Day.

The Queensland government gave serious consideration to the most appropriate public holiday to move to the second half of the year. The Queen's birthday was chosen as the holiday to be moved to the second half of the year because the shift would not affect the way the occasion was celebrated. Occasions observed on public holidays are of significant cultural importance and it is obvious that many could not be moved without impacting on the way the day is celebrated. Some respondents in the consultation process suggested moving Labour Day instead of the Queen's Birthday. It was decided, given Labour Day was first celebrated in May in Queensland back in 1891 and the importance of this day, which continues to be celebrated throughout Queensland to this day, that it was not appropriate to move it.

These amendments give all employees the enjoyment of a break from work at a special time of the year, or an entitlement to penalty rates on each of the prescribed public holidays if they choose or are required to work on those days, as well as ensure hardworking Queenslanders get a well-deserved break later in the year. This bill will ensure Queensland has modern and effective holiday laws which meet the needs of Queensland workers, employers and the community.

The bill also includes a minor and straightforward amendment to the Land Sales Act 1984 that will recognise: development permits issued by the Urban Land Development Authority involving land in urban development areas declared under the Urban Land Development Authority Act 2007; and the Urban Land Development Authority as a 'planning authority' similar to local governments under the Sustainable Planning Act 2009. Amendments to the act are required so that UDA development approvals are treated in the same manner as approvals issued under the Sustainable Planning Act. The amendments are technical and clarify the policy intent of the act.

The bill also amends the Liquor Act 1992 to reduce the regulatory burden on clubs. Currently, under the Liquor Act 1992, the club secretary is required to keep on the club premises a register of the name of each member of a reciprocal club visiting the premises and the name of the reciprocal club, if the club has a community club licence, community other licence or a restricted club licence. Generally, to comply with this legislative requirement, clubs request visitors, including members of reciprocal clubs, to sign in upon entry.

Recently, the RSL (Queensland Branch) has requested that members of the organisation be able to enter an RSL or services club without signing in, provided they are a member of the RSL and at least one RSL club or services club. In recognition of the service RSL members have done for this country, the bill bestows honorary membership on RSL members who are also members of an RSL or services club and removes the requirement for an RSL or services club to keep a register of RSL honorary members visiting the club. The bill also removes the requirement for RSL or services clubs to keep a register of Australian Defence Force visitors who produce a current service identity card. This means that when an RSL honorary member or an Australian Defence Force member goes to an RSL or services club for a drink or a meal they will not have to sign in.

In addition, the bill also reduces the regulatory burden on clubs generally by removing the legislative requirement for clubs to maintain a register for visitors from reciprocal clubs if they provide evidence they are a member of a reciprocal club on entry. The bill does not force clubs to remove their registration requirements for visitors who are members of reciprocal clubs. It will be up to the individual club to decide whether or not they would like to put this practice in place. If the club decides to keep the requirement for visiting members of reciprocal clubs to be placed on their register—via signing in or an alternative form such as a swipe card—this must be stated in the club's rules.

The bill also clarifies the term 'register,' clearly outlining that a register can be in a hard copy or electronic form. Electronic registers are the way of the future, allowing clubs to easily identify their members and members of a reciprocal club, as well as evaluate point-of-sale purchases and attendance at the club. It also allows members to use their card to receive player loyalty points and discounts on purchases at the club.

These amendments in the bill are a small but important step in reducing the regulatory burden on community clubs and club members more broadly, and will allow clubs to focus more on providing services to our local communities rather than complying with legislation. I commend the bill to the House.

### First Reading



**Hon. CR DICK** (Greenslopes—ALP) (Minister for Education and Industrial Relations) (7.53 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 Wendt): In accordance with standing order 131, the bill is now referred to the Legal Affairs, Police, Corrective Services and Emergency Services Committee.

## POLICE POWERS AND RESPONSIBILITIES (MOTOR VEHICLE IMPOUNDMENT) AMENDMENT BILL

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



**Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (7.53 pm): I present a bill for an act to amend the Police Powers and Responsibilities Act 2000 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs, Police, Corrective Services and Emergency Services Committee to consider the bill.

*Tabled paper:* Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill [\[5873\]](#).

*Tabled paper:* Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill, explanatory notes [\[5874\]](#).

The type 1 vehicle impoundment scheme was introduced by the Labor government in November 2002 to target hoon drivers. The vehicle impoundment scheme was enhanced by Labor in July 2007 through the introduction of the type 2 vehicle impoundment scheme, which targets recidivist offenders who commit offences that present a further danger to themselves or other members of the community.

The Queensland Police Service conducted an evaluation of the type 2 vehicle impoundment scheme for the period between 1 July 2007 and 30 June 2009. As a result of the evaluation, a number of recommendations were developed and designed to improve the type 2 vehicle impoundment scheme. Where appropriate, the Bligh government has incorporated these recommendations into the bill. Further improvements to the vehicle impoundment scheme generally were also identified. These improvements include amending analogous provisions of the type 1 vehicle impoundment scheme to ensure the type 1

and 2 vehicle impoundment schemes are consistent. These changes to the vehicle impoundment schemes will make it more practical to operational police officers while addressing multiple high-risk driving behaviours.

Enhancing community safety in Queensland is one of the Bligh government's top priorities. This government will continue to implement and improve strategies which contribute to safer communities. Impounding the motor vehicles of hoons and those who repeatedly engage in offences that create a danger for themselves or other road users is one of those important strategies.

Additionally, the changes to the vehicle impoundment schemes outlined in this bill will achieve significant savings in police and court time and send a strong message of deterrence to those drivers who would contemplate committing a vehicle impoundment offence. The explanatory notes provide the necessary detail of the purpose of each proposed amendment. Some of the more significant amendments are as follows.

The bill increases the period of impoundment for the first type 1 vehicle related offence and the second type 2 vehicle related offence from 48 hours to seven days. This increase in the initial impoundment period signifies the Bligh government's commitment to eliminate this irresponsible and inappropriate driving on Queensland roads. However, if a driver continues to commit offences, this bill allows police to automatically impound a motor vehicle for 28 days for the second and later offences for the type 1 vehicle impoundment scheme and the third and later offences for the type 2 vehicle impoundment scheme. This amendment will create considerable savings for police through eliminating the paperwork required of police officers to complete court applications for an impounding order. Further savings will be achieved by police and courts through no longer requiring the courts to conduct a hearing of an application for an impounding order.

The introduction of the automatic impoundment period is balanced through the provision of a safeguard that allows for the return of a motor vehicle where the impoundment would cause severe financial or physical hardship to an owner or usual driver or the owner had no knowledge of, and did not consent to, the driving that caused the impoundment.

The bill gives police officers the flexibility to appropriately deal with hooning behaviour. For the first repeat offence and subsequent offences of a type 1 vehicle related offence, a police officer who believes it appropriate may make an application to a court for an impounding order for up to three months if the police officer does not consider the automatic impoundment period sufficiently deals with the offending behaviour. Similarly, for the second repeat offence and subsequent offences of a type 2 vehicle related offence, a police officer may make a court application for an impounding order for up to three months. In both instances, a court can properly determine if the seriousness of the matter warrants the subject vehicle being impounded for longer than the automatic impoundment period.


This government's commitment to road safety is reinforced through the introduction of high-end speeding as an additional type 2 vehicle related offence. High-end speeding occurs when a person drives more than 40 kilometres per hour above the speed limit. Speeding has been identified as a leading factor in road crashes both internationally and in Australia, despite current speed management strategies. This bill will incapacitate or deter these drivers from recommitting this type of offence through the loss of their vehicle for a period of time as well as the costs associated with the impoundment process.

Currently, a vehicle may only be impounded or forfeited under the type 2 impoundment scheme if the offender repeatedly commits a type 2 vehicle related offence of the 'same kind'. This bill removes this limitation so that an offender who repeatedly commits any of the offences within the suite of type 2 vehicle related offences may have their vehicle impounded. This amendment will have little effect on the majority of offenders who do not continue to commit offences but will significantly empower the impoundment regime for those offenders who persistently commit type 2 vehicle related offences.

The bill streamlines and further improves the vehicle impoundment scheme by allowing proceedings to commence by a ticket for the first type 2 vehicle related offence rather than by way of notice to appear or arrest; removing the requirement to notify registered security interest holders of the impoundment of a motor vehicle for the initial impoundment period; increasing the time for making an application to the court for a further sanction from 48 hours to seven days; and allowing enforcement action to be taken against repeat type 2 offenders who are non-owner-drivers where the owner may have a defence under section 107 of the Police Powers and Responsibilities Act.

The proposed amendments in this bill ensure that our laws remain modern and responsive. The Bligh government is serious about sending a strong message to hoons that their dangerous and antisocial behaviour on our roads is unacceptable.

### First Reading


 **Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (8.00 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 Wendt): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs, Police, Corrective Services and Emergency Services Committee.


### WEAPONS AMENDMENT BILL

Resumed from p. 3616.

#### Consideration in Detail

Clauses 1 to 4, as read, agreed to.

Clause 5—

 **Mr LANGBROEK** (8.01 pm): This clause refers to the meaning of public monuments. I see that the explanatory notes mention that there was a gap in the previous act that meant that these public monuments had to be registered and that under this bill these deactivated war related weapons or imitations of weapons that were on public display will not have to be licensed and registered. My question is whether the minister can provide detail about how many public monuments there are or whether there are any public monuments around the state that will not be covered by this provision.

I also point out that earlier this year we had a scrutiny of legislation committee conference. I remember at that conference the honourable member for Murrumba took part in a debate about whether the explanatory notes should triumph the legislation—should be considered instead of the legislation because of their definition. It is interesting to note that the minister was taking me to task before about some question that I had not asked the minister for education. I think I had asked about knives in schools, yet I had not pursued the relevant details with the other agencies. It is interesting to see at page 4 of the explanatory notes that we have a reference to clause 6 of the bill. It states—

Clause 6 of the Bill creates a provision applicable to permanently inoperable artillery items that are publicly displayed.

Unfortunately, when I turn to the bill itself, I see that clause 6 is headed 'Amendment of s 10A (Adequate knowledge of weapon)' and that clause 5 is the section of the bill that applies to the permanently inoperable artillery items. Thankfully, I think the honourable member for Murrumba was part of the winning side that decided that the legislation as written should always predominate over the explanatory notes. Is that correct, honourable member for Murrumba? I think it is. Thankfully, that will be the case, otherwise the explanatory notes from our pedantic minister would clearly not have been correct.

I come back to my question, which is about public monuments. Obviously, we have had this ruling that up until now public monuments have to be registered. Under this legislation, they are not going to have to be registered. But I seek some clarification from the minister as to whether there will be any public monuments not captured by this proposed change and what happens to those that fall outside the proposed change and, obviously, the licences that they have to seek.

**Mr ROBERTS:** My apologies, I missed the last comments that the member made. In answer to the issue about how many, I do not know how many precisely there would be in the community, but I think it would be fair to say that there would be hundreds, if not many hundreds. In every community you go to there is a display or a monument where some of these pieces are displayed. I can give an indication of the range of items that would be included in public monuments. They include machine guns or submachine guns that are fully automatic and activated by energy developed when fired, or machine guns or submachine guns with multiple revolving barrels; a replica of these items that is not a toy is also included; firearms capable of firing a 50-calibre BMG cartridge ammunition; rocket-launchers; recoilless rifles; antitank rifles; bazookas or rocket-propelled grenade launchers; mortars; artillery and so on. So it is quite an extensive list but I think, hopefully, particularly members of the RSL and those community members who help maintain their local monuments will be very appreciative of this move.

**Mr LANGBROEK:** Again, I seek a clarification and that is that, as a rule of thumb, any public monument—because these are the sorts of issues about which I know many members have had email traffic—as defined in the explanatory notes and in the bill itself will not have to be registered and, therefore, their licensing regulations are not going to be as onerous as they were. As I understand it, they had to be licensed because of the gap that was in the previous act. That is now going to be removed. As a rule, at page 14 of the explanatory notes where it talks about clarifying the 'parameters of a public monument', those public monuments will not have to be covered anymore?

**Mr ROBERTS:** Yes. The intent is very clear. A public monument—and I have outlined numerous examples of what they are—will not be required to be registered or licensed in the same manner as other firearms or weapons under the legislation. So this was the clear intent to ensure that those items do not have to be registered or licensed.

Clause 5, as read, agreed to.

Clauses 6 to 23, as read, agreed to.

Clause 24—

**Mr LANGBROEK** (8.06 pm): This clause deals with one of those elements that the minister has referred to—the 22 sections that are to do with penalties for people who are using firearms inappropriately. There are a number of mentions made throughout the bill, as there were throughout the minister's second reading speech and through his contributions here today, that it is important to send a message—and I am going to quote again from the explanatory notes—

The increase in penalties for these offences is designed to express greater condemnation of offences involving weapons and send a strong message of deterrence to the community.

Clause 24 relates to the responsibilities of people attending an approved shooting range. This clause is going to double the penalties for this particular offence. I am interested to get some clarification from the minister, because at the same page of the explanatory notes—page 12—it states—

While statistics obtained by the QPS indicate that between 2004-05 and 2009-10 minor decreases have occurred in the rate of offending involving weapons, they do not show that the current penalty regime has made any significant difference to the rate of offending where knives or firearms are used.

The minister has said that the LNP is taking an irresponsible attitude towards this opposing of penalties, but when we look at this clause, which is to do with people attending an approved shooting range, I think it is pretty clear that it is a large jump. My question to the minister is: how many offences have been committed? The minister has already expressed, and it is expressed elsewhere in the explanatory notes, that there were proposed increases to penalties for behavioural offences associated with the misuse of weapons and that the existing penalty range has not had the required deterrent effect. So I seek some information from the minister about doubling the penalties. It seems to us on this side that it is just a case of increasing them because this is a government that needs revenue and that it does not spend that revenue appropriately—and we have heard already the details of the weapons licensing system and the computer failings that are there. I would be interested in hearing—and I know the people of Queensland would be—about the number of people who have offended under this particular provision and why we, therefore, see a justification in the increase in penalties. Let us see the numbers so that we can make a judgement.

**Mr ROBERTS:** The comments that the member made about revenue raising clearly demonstrate that he is not interested in having a genuine debate about the provisions before him. Let us go to this particular clause. It does double the penalties associated with a person's conduct at an approved range. When I introduced this bill it was made clear that for these behaviour type offences, which they are in the main, as the member pointed out quite rightly from the explanatory notes, there has been only a minimal decline in the range of these offences. That is part of the reason the government is determined to double these penalties, in addition to the fact that we gave a public commitment some time ago to actually do this. This has been part of an extensive process that has been underway for some time with this bill.

The maximum penalty is associated with a person who attends a firearm range and possesses or uses a weapon that the person, including a minor, is not licensed to use, or who, if the person is unlicensed, has not complied with section 53 by producing photographic identification. That is quite a significant offence, in my view. I do not know what the member is arguing here. Possessing or using a weapon that the person, including a minor, is not licensed to use on a range is one of the offences that will be caught by this particular penalty increase. Similarly, the maximum penalty under subsection (2) will increase from 20 to 40 units where a person uses a weapon on a range in a way that is likely to cause death or injury to a person or unlawful destruction of or damage to property. These are significant and serious offences. They are the type that I referred to earlier which, in our view, require a significant increase in penalty.

The member pointed out that there has been only a minimal decline in a whole range of these offences. That is unacceptable to this government. We think a stronger deterrent needs to be put out in the public arena and that is why these penalties are being increased.


**Mr LANGBROEK:** I am interested as to whether the minister can provide us with any statistical details, any particular empirical evidence, that can tell us about the number of people who have been committing offences under this particular clause. We can then hopefully see some sort of major decrease in these numbers over subsequent years. If we are going to have an increase of penalty units being the arbiter of whether people will cease and desist from these sorts of behaviours, I would have thought the minister would be able to give us some information about how many people have been charged under this section over the last number of years—maybe the last three years, if possible.



**Mr ROBERTS:** I do not have precise figures on the number of people charged but, as I have indicated, the government has made it clear that we do not believe there has been a sufficient reduction in the number of these offences and that is why these penalties are being doubled.

Clause 24, as read, agreed to.

Clause 25—

 **Mr LANGBROEK** (8.12 pm): This clause deals with the amendment of section 115, 'Theatrical ordnance suppliers to be licensed'. It has received a bit of media coverage. I notice the penalty units are doubled from 60 to 120. Last year in the draft weapons bill the proposed maximum penalty was 100 penalty units or two years imprisonment, yet now the government wants to pump this up to 120 penalty units. My question is: why the extra 20 units of penalty? There has been no explanation as to why this is occurring. This became the subject of some media speculation and interest in the *Courier-Mail* in relation to a pretty well publicised Opera Queensland production. Amongst all the other states, it is only Queensland that has to have a licensed theatrical ordnance supplier. I ask for some clarification from the minister about that. There is the detail of the penalties going from 100 penalty units to 120. It was mooted last year that it should be 100 penalty units. The minister has elected to make it 120. I also ask for some clarification about the other states, because it has been the subject of some debate on this particular bill that we are doing a lot of this because of Australian police ministers council directives and COAG agreements.

**Mr ROBERTS:** I understand there are differing arrangements between the states. Queensland has taken the view that we do need to provide regulation of these particular items. The reason it went from 100 to 120 is that two times 60 equals 120. We made a commitment that we were going to double the penalties, and that is why that change has occurred.

**Mr LANGBROEK:** It does seem that last year's consultation draft had a penalty of 100 units and, once again, it does appear to us that it is an arbitrary number that the government has come up with, that suddenly everything is going to be doubled. I do not think the people of Queensland necessarily should be happy with a situation where there is an arbitrary increasing of these penalties. We will be opposing this particular clause.

Division: Question put—That clause 25 stand part of the bill.

**AYES, 45**—Attwood, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Fraser, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Keech, Lawlor, Male, Miller, Moorhead, Mulherin, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Kiernan, Grace


**NOES, 36**—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, McArdle, McLindon, Menkens, Messenger, Powell, Pratt, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Rickuss, Sorensen

Resolved in the affirmative.

Clause 25, as read, agreed to.

Clauses 26 to 38, as read, agreed to.

Clause 39—

 **Mr JOHNSON** (8.22 pm): I ask the minister for a point of clarification. Clause 39 amends the firearms licence by removing the reference to 'a course in firearms safety'. The clause states, 'A firearms licence (instructor) authorises the licensee to possess and use any weapon ...'


One of the biggest problems we have in rural and regional areas of Queensland is the difficulty in accessing firearms licence instructors. I know in the west of the state people want to get concealable firearms licences, but they face great difficulty in finding instructors in remote areas. As a matter of urgency, can the minister address this issue with the licensing people so that we can provide licences and make approved training courses more readily available to those areas, because it is of major concern. This is an area that the minister might like to elaborate on.

**Mr ROBERTS:** I can only give a general response. This training is provided by registered training organisations. Obviously, people who live in remote areas would have difficulty in accessing that, whether or not this provision is passed. I understand that that is an issue. However, I am advised that the amendment has no effect on those training providers who are currently approved by the commissioner to provide specific safety training courses. Effectively, the amendment itself is a technical one. Whatever difficulties exist now for people accessing training will still exist under this provision. Certainly I acknowledge that in some remote areas registered training organisations are not going to be as readily available as in more populated areas. Ultimately, that is something that the industry itself will be seeking to address over time.

Clause 39, as read, agreed to.

Clauses 40 to 46, as read, agreed to.

Clause 47—

 **Mr LANGBROEK** (8.25 pm): Clause 47 amends section 73, modifying a firearm to make it permanently inoperable, which is section 7 of the act, to recognise the introduction of the deactivation standards as endorsed by the Australian Police Ministerial Council in November 2006. I thank the minister for tabling those details this morning, which contain a copy of the resolutions. I know that today



in this place he has referred to the fact that at a recent ministerial council in Auckland it was agreed that he could present those details to the House. I think that is very good. Previously I have spoken in the House about ministers going elsewhere and coming back with regulation that is then foisted on the people of Queensland.

I note that at the APMC 51st meeting in November 2006, there is reference to the agreement of the APMC, at section C, that all jurisdictions adopt as a minimum the AFDP activation standard for deactivating firearms. That brings me to my question. I know a lot of members have received emails and had concerns raised that, with the increase in the number of people collecting firearms, it will have an impact on licensed collectors of historically significant firearms used in previous wars such as the Great War. I am seeking some clarification for the sake of the many people around Queensland who will be reading *Hansard* to learn about the potential consequences.

I note that at page 25 the explanatory notes state—

Clause 47 does not affect an authorised officer's power to approve another method of permanently deactivating the firearm under subsections (2) and (3).

Can the minister clarify the point that it will not render collecting firearms worthless? Many people are concerned about this. They have written to me outlining their fears that it will be worthless collecting the firearms, because of their understanding of the deactivation standards. Can the minister clarify that, as long as it is under a couple of different levels, if it is inspected and found to be inoperable the inspector can make that decision? I think it was the member for Toowoomba South who said it is not as if the gun has to be completely welded and made useless. Some other members have suggested that you may have a gun that still looks like a gun—that is, it has been deactivated but you cannot tell—and then it could easily be used in an offence. No-one on this side of the House would support that.

**Mr ROBERTS:** I thank the member for the question. As I indicated, for some time there has been a concern about the ability under the previous arrangements for some weapons to be reactivated because the deactivation process was not sufficient to render them permanently inoperable. As the honourable member pointed out, there is a provision where a licensee or an applicant can go to the Weapons Licensing Branch with a particular type of weapon and request an alternative means of achieving the same end. That has been put in there to address, I assume, the types of issues that the member has raised. While the desire is to have a uniform standard so there is as much certainty as possible about rendering weapons inoperable in a permanent sense, where there is a good case to do so the police Weapons Licensing Branch will consider that and will have the ability to approve an alternative method that achieves the same outcome.

**Mrs CUNNINGHAM:** Some concerns have been expressed to me about this clause, which gives a list of operations that can be done, such as fusion welding, with the various types of weapons. It states that 'the requirement is that they do all of the following', and then there is a list of eight or nine processes that have to be gone through.

The concern expressed to me is that if those types of weapons were rendered inoperable then some collectors items would cease to be collectors items. That is, their value as collectors items would be compromised. Has the minister given any thought to the implications of rendering a weapon inoperable—and I am not advocating that people who are collectors should be able to use the weapons; I do not think that is their intent, either. They have said that the process required in this bill would render the weapon valueless as a collectors piece. I have been told that people were able to get around the process to render a weapon inoperable under the 1996 legislation, the 1997 changes were very effective and the changes in this bill are taking it a step too far and would result in the weapon having absolutely no value. I wonder if the minister has a comment.

**Mr ROBERTS:** It is essentially the same issue that was raised by the member for Surfers Paradise. This Australian Federal Police standard is to be applied. However, if in the case of a collector the same outcome of permanent inoperability of a weapon can be achieved by some other means, then the licensing authority has the power to grant that as well. That should hopefully address the issue that the member has raised.

Clause 47, as read, agreed to.

Clauses 48 to 53, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading



**Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (8.31 pm): I thank the opposition for the bipartisan support that has been provided for this bill. I move—


That the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

### Long Title

 **Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (8.31 pm): I move—

That the long title of the bill be agreed to.

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


Motion agreed to.

## ADJOURNMENT

 **Hon. NS ROBERTS** (Nudgee—ALP) (Acting Leader of the House) (8.32 pm): I move—

That the House do now adjourn.

### Gold Coast Commonwealth Games

 **Mr STEVENS** (Mermaid Beach—LNP) (8.32 pm): I rise to congratulate the Gold Coast Commonwealth Games bid team on the fantastic result achieved on the weekend which will see the best ever Commonwealth Games held on the fabulous Gold Coast in 2018.

**Mr Dick:** Did you support it?

**Mr STEVENS:** I did support it. This is the first milestone set in concrete, in the golden sands of Australia's No. 1 tourist destination, that recognises that we on the Gold Coast live in a serious world city. In fact, Australia's sixth largest city is still growing on the back of magnificent geography, perfect climate and a can-do attitude to entrepreneurial ingenuity that has seen Australia's most liveable city prosper and grow for the last six decades.


The Commonwealth Games of 2018 will be a golden opportunity for state, federal and local government to showcase the Gold Coast city as a world leader in liveability. The catchcry of 'go for gold on the Goldie' should apply to lifestyle, workplace and sustainability as well as to the gold medal for first place at the end of competition. From our world recognised golden beaches to our World Heritage listed national parks, the Gold Coast offers a raw product that should only ever be embellished by successive levels of government.

This golden opportunity to address transport, traffic and infrastructure deficiencies created by past unmitigated growth must not be missed. If we are selling Queensland to the Commonwealth world, the Gold Coast must be centre stage as Queensland's finest example of what is good about Queensland. Jealousies, political point scoring and penny-pinching second-best solutions must not be part of the equation that will deliver Queensland the ultimate result in a successful Commonwealth Games. We need all parties—businesses and Queensland communities—to support and embrace the 2018 coming-of-age Gold Coast Commonwealth Games. Selling it should be easy with our international reputation as one of the most attractive, enjoyable and exhilarating destinations with the most beautiful beaches in the world, a magical hinterland for great ecotourism activities and cultural tourism events that are world-class and for which people travel around the globe to be a part of.

The Gold Coast Commonwealth Games in 2018 will be an exciting event that will cement the Gold Coast's reputation internationally as one of the preferred tourism destinations in the world. Let the Commonwealth Games of 2018 on the Gold Coast begin now. I congratulate the forefathers of the famous Albert shire who purchased the land at Carrara for the express purpose of national sporting interests and made the use of this land serve as a timely warning to future governments about the most appropriate long-term use for sporting venues such as parklands.

*(Time expired)*

### Anti-Discrimination Commission

 **Hon. DM WELLS** (Murrumba—ALP) (8.35 pm): This year is the 20th anniversary of the passage of the Anti-Discrimination Act and the establishment of the Anti-Discrimination Commission. The commission is celebrating this milestone in its own exuberant way with a rolling series of seminars. I attended one of these seminars this morning and presented the congratulations of the Attorney-General and other honourable members.

This milestone for the Anti-Discrimination Commission is also a milestone for our society. Twenty years ago we redefined ourselves as a people who would not put up with discrimination on the basis of religion, race, gender, political belief, gender preference or age. The law has more functions than merely setting out a list of proscribed behaviours and rounding up the wrongdoers who transgress the rules. It is the majesty of the law that it also expresses our aspirations about the kind of people we want to be. Two decades ago, when introducing the legislation, I said—

The Government does not believe that the ... legislation will by itself create a society in which human rights are universally respected. Discrimination is far too deeply entrenched.


I went on to say—

It is a signal which establishes a new, normative standard of civilised behaviour in this State. That, as much as the specific rights established under the Bill, is the purpose of this legislation.

The participants in today's seminar were informed of a number of landmark decisions—cases in which the antidiscrimination tribunal upheld those then new rights and asserted the new normative standard. There was Skellern's case in 1996 in which a woman who was sacked for being pregnant had her case upheld. There was the case of *D v G&O Pty Ltd* in which a woman arranged to meet an estate agent at a rental accommodation for which she was applying. When the estate agent arrived and saw that she was Aboriginal, he told her untruthfully that the flat had already been let. In Skinner's case in 2001 two men in their late fifties were dismissed from their jobs as storemen and replaced by two much younger men. There was no suggestion or evidence that the older men could not do the job. In all these cases, the complainants were vindicated and compensated.

One other case is worth mentioning. In *Cocks v the state of Queensland*, Mr Cocks, who was wheelchair bound due to a sporting accident, objected to the fact that the Brisbane Convention and Exhibition Centre was being built without wheelchair access to the main entrance. The tribunal, in a judgement by Her Honour Judge Atkinson, then president of the tribunal, ordered that the entrance be reconstructed with wheelchair access. Mr Cocks is now the Anti-Discrimination Commissioner in Queensland. I say happy 20th anniversary to the commission and to Queensland.

### Foy, Mr M

 **Mr RICKUSS** (Lockyer—LNP) (8.38 pm): I rise to make some comments about Mark Anthony Foy. The corrective services minister should hang his head in shame. Mark Anthony Foy, a 50-year-old paedophile, sex offender, cretin, public nuisance, the *Courier-Mail's* No. 1 paedophile and rock spider, is on a supervision order until 2015. Released from jail in 2005 and returned in 2007, Foy not only has violated children but also has been involved in the drug trade and it appears that he has been involved with other rock spider paedophiles. The court system seems to be rather lenient on these criminals—or is the problem this tired, lazy government and its poorly drafted legislation?

The Labor government must start to look at the proper management of paedophiles that does not include endangering the community. Foy has had form for half of his life and 70 per cent of his adult life. What are the chances of Foy reoffending? Extremely high. Why are they extremely high? Because the data proves it. His history proves it. The court system proves it. The judges agree that the chance of Foy reoffending is extremely high.

In 2001 Foy underwent a sex offenders program. What did the program coordinator think about Foy upon completion of the program? The coordinator deemed that there was still a high risk of Foy reoffending. So the experts say that this cretin is almost certain to reoffend. He is a rock spider and he appears to want to remain a rock spider—the lowest form of life.

So, after getting this expert information, what does Corrective Services do with Mr Foy? It imposes him on one of the smallest communities in South-East Queensland—the small community of Harrisville at the southern end of the Lockyer electorate. A more inappropriate, stupid decision could not have been made by the minister.


Mr Foy stood out like the proverbial country outhouse. The community could not help but notice him. He was also up to his old tricks, being half smart around younger people in town. Did the minister put in place guidelines that ensured the safety of the community? Has the minister put in place guidelines to ensure the safety of the community? Surely part of the guidelines would be that rock spiders like Mark Anthony Foy should be placed in facilities and areas where they can be monitored properly. Surely part of the criteria the minister should have in place is that schools and other areas where children frequent are not accessible to cretins such as Foy.

I congratulate the *Courier-Mail* on its efforts to make sure that paedophiles are being tracked. I am advised through unofficial sources that Foy was being tracked, but what good was this to the Harrisville community when no-one in the village realised that danger was in their midst? Even the residents whose house Foy was living in and the people he was doing casual work for did not know what a creep Foy was. This is not close supervision; this is placing a paedophile where you hope you get away with it and without giving any responsible assistance to the community.

Again I ask the minister: have you got a total disregard for the safety of the community? What have you put in place to supervise people who are a continual danger to the community? Have you got the appropriate guidelines in place that should be followed and are they being followed? How could you place someone like Foy in a small community like Harrisville, where you walk down the main street and the school is right there?

(Time expired)

## The Gap, Storms

 **Ms JONES** (Ashgrove—ALP) (8.41 pm): Tomorrow marks three years since a terrifying force of nature cut a swathe right through The Gap suburb—houses lost their roofs; trees snapped, crushing homes; fallen powerlines and poles blackened our streets; and destroyed communication towers isolated us from our family and friends. On Sunday, 16 November 2008, thousands of homes were damaged along with our schools and churches. While there were many tales of near-misses as trees fell onto the roofs of bedrooms and cars and families huddled in downstairs laundries and bathrooms as the storm hit, we were extremely blessed that no lives were lost in The Gap.

We felt that keenly in the hours and days that followed as we began the enormous task of cleaning up. But this year as we watched thousands of our fellow Queenslanders experience Mother Nature's fury during the summer of disasters, we had an even greater appreciation of just how close we came and how fortunate we were. In fact, during January I spoke to many Gap residents who were feeling a sense of guilt because of how close we had come but somehow escaped the tragic loss of life. Just as we saw in the aftermath of this year's disasters, the generosity and kindness of neighbours and strangers got us through the difficult hours that followed.


Tomorrow morning the Premier and I will be hosting a community breakfast to mark three years since The Gap storms. We will be joined by many leaders of my local community such as school principals and staff who played a critical role in getting all of our schools back up and running as quickly as possible and church leaders who provided much needed pastoral care, including Pastor Kevin Bird of the Ashgrove Baptist Church whose congregation kindly converted their church into a recovery centre where thousands of people came to seek assistance and financial support.

It is also an opportunity not only for the Premier and me but for the whole Gap community to reconnect with some of the wonderful officers from the emergency services, the police, the SES volunteers and the BCC who helped us during those tough times. We will also have representatives there from the Enoggera Army barracks in recognition of the hundreds of officers who came to the streets so quickly to help clean up our local community. We will also have representatives there from some of the great support agencies in Queensland who have been working overtime to support communities in need this year just like they did for us in The Gap three years ago, such as the Red Cross, St Vincent de Paul and St John Ambulance.

What we know is that Queenslanders are tough, and when we face tough times we stick together. We have seen that acutely this year with the tragedy that many Queenslanders have experienced, and this is exactly what we saw three years ago at The Gap. I encourage all Gap residents to come along and celebrate this significant milestone in our recovery.

*(Time expired)*

## National Diabetes Day

 **Mr McARDLE** (Caloundra—LNP) (8.44 pm): Yesterday was National Diabetes Day. This morning I joined with the Minister for Health and members from this House at a breakfast held by Diabetes Queensland. I congratulate Diabetes Queensland for bringing to the attention of members of the House the plight suffered by many young children who suffer from diabetes. I also congratulate Diabetes Queensland for releasing recently the diabetes epidemic maps across the state, highlighting the increase of diabetes in just about every corner of Queensland.

In particular, I want to highlight the story of a young man I met today by the name of Lachlan, who came with his mother. Lachlan is 17 years of age, attends a high school here in Brisbane and wants to be a marine biologist. He advised me that the fact that he has diabetes may prevent him from being a marine biologist because there are some concerns about his ability to scuba dive. He also plays sport actively. He said that towards the end of last year he had taken the step of not following his diabetes education regime and suffered what he called a seizure as a consequence thereof. Lachlan realised at that point in time, at 17 years of age, that his life depended upon insulin, diet, exercise and routine. He was inspirational to the people who attended the breakfast this morning. I congratulate him and all involved with that breakfast.


There were also three other young people there this morning all under the age of 17 years. The amazing thing about these young people is that they are all diabetes type 1 sufferers—that is diabetes that is not preventable—and for the rest of their lives they will be insulin dependent. They all provided initiative, incentive and also an understanding for me—and I am certain for members who were there this morning—of what it means to be a diabetic, particularly a diabetic type 1, and that for the rest of their lives they will have to have a strict routine of what they eat and their exercise.

There are 62 Queenslanders who are diagnosed each day in this state with diabetes—60 type 2 diabetes sufferers and two type 1 diabetes sufferers. At this point in time there are 300,000 people in Queensland who suffer from diabetes, and that figure will climb to 700,000 by 2031. Diabetes, if left unmanaged, can reduce the life span of a sufferer by some 15 years. That suffering is experienced not just by the individual themselves but by their family members and their extended loved ones as well.

Each member of this House has received a breakdown from Diabetes Queensland as to what the rate of diabetes is in their electorate and also what the increase has been in the past three or four years. Diabetes is a killer. Diabetes is a chronic disease that we need to deal with because it has an impact not just upon Queenslanders and their families but also upon the capacity of hospitals to deal with the needs of sufferers. There are thousands of days spent—

*(Time expired)*

### Cupcakes for a Cure

 **Ms GRACE** (Brisbane Central—ALP) (8.47 pm): If members of the House love cupcakes, then all would have loved the Cupcakes for a Cure and book launch event held on Saturday, 29 October outside Coles New Farm at the Merthyr Village. Junior MasterChef winner and finalist twins Isabella and Sofia Bliss were present at this event to judge the cupcake competition, which raised funds for the children's oncology unit and to launch their first cookbook *A Little Bit of This, A Little Bit of That*—and a percentage of the proceeds from sales was also donated to the cause.

There were over 50 cupcake entries, which all looked fantastic. It was a wonderful effort by the local New Farm community in supporting this event to raise money for charity. Isabella, Sofia and their mother, Sylvana, tasted each and every cupcake during judging which they said was not easy, particularly in reaching their final decision regarding the winners. Congratulations to little kids category winners Daniela Sorbello, aged 4, and her sister Milana, aged 2; kids winner Lachlan Goodman, aged 11; adult winner Carol Taylor; and business winner Bonjour Patisserie. The overall winner was Vue Cafe, and I say congratulations to Dan and Matt.


There is no doubt that the twins are great cooks, but what is not widely known is that they come from a pedigree of good cooks in the family. Their great-grandmother Jean Bliss was a cook at a large stately home off Moray Street, New Farm, and then became head cook at Parliament House—this Parliament House—leading a team including her sister Betty Power. Their great-aunt Margaret Bliss also worked in the service side of the parliament restaurants, while at the same time their grandmother Rosa Spina of New Farm was part of the cleaning staff, getting to know many members and becoming close friends with the late Bob Scott and his wife, Jenny. Their great-grandmother Jean Bliss was originally in the old Parliament House kitchens, and in her second phase at Parliament House she was head cook in the new Annexe building until her retirement in the mid-1980s.

Rosa Spina is also an excellent Italian cook, and she has shared many recipes with the twins. Isabella and Sofia Bliss's cookbook *A Little Bit of This, A Little Bit of That* is part of their family's story—their mother Sylvana's family story—the story of New Farm Italians and the story of the New Farm community. Also some of old Parliament House's history is captured in the cookbook as the recipes of their great-grandmother Jean Bliss, head cook of the kitchens of this fine state Parliament House, have been captured and shared for all to enjoy.

However, it is the volunteers who make this event happen. So special thanks go to Santina Musumeci; emcee Symone Wilson; Christine Purdy and her team at the Mary Ryan book store; Suzanne Klich, who sorted the many cupcakes; and Alma Mujic, who stole the show with her incredible homemade purple and silver cupcake costume.

The Spina and Bliss families were out in force, but the stars were Isabella and Sofia Bliss, who signed cookbooks and worked tirelessly to ensure a great day was had by all. This was a fantastic event. Congratulations go to the twins and their family. Their father, their mother, their grandmother and all present know what great cooks these two young girls are. They made their family proud and they made the New Farm community proud as well. Well done!

### Maryborough, Clean Up the CBD Day

 **Mr FOLEY** (Maryborough—Ind) (8.50 pm): I certainly hope the member for Brisbane Central will bring me some of those cupcakes to try out. In the spirit of bipartisanship, I will eat her cupcakes!

People in Maryborough are intensely proud of their city. Anyone who knows me knows that I do not particularly relish getting out of bed very early on a Sunday morning, but last Sunday morning we had Clean Up the CBD day and it was absolutely fantastic.

**Mr Shine** interjected.

**Mr FOLEY:** I was out there. I had a gerni that would just about knock a wall down. My job Sunday morning was cleaning pigeon poo off the footpath under the trees, so it was a very salubrious and significantly entertaining morning.

It was a great day with Councillor Gerard O'Connell, my local government colleague, and a young man called Daniel Sanderson, who is really fired up about making our city, which has many times won the beautiful cities awards, a lovely place. As with anything, over a period of time cobwebs appear and everything needs a really good clean-up.


A team of volunteers met at 7.30 am for an 8 am kick-off. It was fantastic. The event was heavily supported by Bunnings and other businesses in town. It was run in conjunction with the launch of a Maryborough Cityheart campaign. To do that, there was a Facebook competition. If people became a friend of Maryborough Cityheart on Facebook, they were in the running to win a \$500 shopping voucher.

When you have a city-wide working bee, it is interesting to see the diversity of people who come out and bring their families. Last year there were about 80 volunteers. There were not quite as many this time, but we worked tirelessly scrubbing graffiti off walls, getting rid of cobwebs and cleaning things up, and it looked absolutely spectacular when it was finished. Most people know that Maryborough is a city that is as neat as a pin. It is a beautiful place with very historic buildings and a beautiful river that runs right through the centre of Maryborough, the Mary River.

**Ms Grace:** It is beautiful.

**Mr FOLEY:** I take that interjection. It is an absolutely beautiful place. The city heart has had a significant amount of work done to it in recent years, with treescaping and so forth. Wherever you have trees you have birds, and then you end up with a messy footpath. We had a fantastic time cleaning the place up. I think everyone went home even more proud of their city and very satisfied with a good morning's work.

### QGC, Momentum Recognition Dinner

 **Mr SHINE** (Toowoomba North—ALP) (8.53 pm): Recently I had the pleasure of being the guest at a dinner sponsored by QGC, being the momentum recognition dinner. This was a very special event held in Toowoomba to celebrate the successful completion of a pilot program financed by QGC and run by QMI Solutions to recognise the efforts of the participating businesses and highlight the benefits of what, in my view, is an important initiative.

The idea behind the scheme is for QMI Solutions to mentor a number of businesses, and in the pilot scheme this related to six businesses in southern Queensland who were represented at the dinner. I applaud QMI Solutions and the federal government's Enterprise Connect division as well as DEEDI for what they are achieving and plan to achieve into the future, bearing in mind that this pilot scheme was successful.


They do conduct a whole-of-business review by expert consultants. They look at everything concerning that business, they benchmark it with similar businesses elsewhere in the world and they categorise or rate it on a scale ranging from incompetent to world-class. Then they conduct a thorough two-day strategic planning exercise with each business followed by a five-day guided implementation.

As I understand it, the association between the business and QMI Solutions can be ongoing at the election of the business. The whole idea of this program was to encourage the involvement of local businesses in the coal seam gas industry in the Surat Basin and southern Queensland. I am very pleased that QGC sponsored this pilot program to the tune of \$230,000. It was announced on the night by Mr Ian Perks, the vice-president of QGC commercial, that because of the success of the pilot program QGC was advancing a further sum of \$1 million to ensure this program continued.

The participants in the program were Bruhl Roadworks, Mike Jones Earthmoving, Wild Desert Drilling, CRC Electrical, Mandandanji Ltd and Gladstone Festivals and Events. They came from all parts of South-West Queensland such as Tara, Wandoan, Roma, Condamine and Gladstone. I commend this work done by QMI Solutions and financed by QGC. It is important that as many businesses as possible share in the benefits of the coal seam gas industry.

*(Time expired)*

### Gaven Electorate, Crime; Nerang PCYC

 **Dr DOUGLAS** (Gaven—LNP) (8.57 pm): I would like to raise the serious issues of cunning and clever thieves who are masquerading as council staff to gain knowledge of potential target victims. Nerang Neighbourhood Watch coordinators are reporting that thieves are purchasing council safety vests to pose as council staff undertaking maintenance works so that they can flag potential items of worth and then plot a plan to return a few days later and steal those items. There is a spate of robberies targeting the tools particularly of the Vietnam Veterans Federation building that is being built at Nerang.

The Vietnam vets have put many hours of voluntary work into a new support centre in Nerang. It is a men's shed. However, progress has been halted by thefts and senseless wilful damage on at least four occasions since July. In one instance, \$12,000 worth of trades tools were stolen from the site. In August, \$5,500 worth of 106 timber sleepers were stolen. On two other occasions of wilful damage, thieves caused \$3,000 worth of damage to electrical wiring and in another instance copper cables were destroyed when cut. Such is the problem that the federation is now applying for a Gambling Community Benefit Fund grant for security equipment including lighting, closed-circuit cameras and an internal sensor system to deter would-be offenders. This is despite having cyclone steel fences and massive locks on containers where all these items are locked up.


In desperate times it appears professional thieves target low-security sites that are not yet completed. With unemployment and underemployment at record highs in our electorate particularly, building material theft is attractive to professional thieves because the tools of trade are easily disposed of. I have asked the police minister to provide an update with the number and dates of incidents relating to break and enter and theft of building equipment at commercial properties broken down by each electorate on the Gold Coast. If we see a disparity in an electorate such as Gaven, with the major building and trade district of Nerang, we can start to track a pattern of behaviour and look towards preventing further such crime.

Graffiti persists as a major annoyance and eyesore to residents in my electorate of Gaven. The LNP and I have a strong stance on crime, particularly this type of crime, and believe that graffiti offenders should be responsible for cleaning up their own mess. In addition to negative reinforcement, we must also create more open-space art walls so that these elaborate displays of art can be showcased, with emphasis on positive incentive for positive behaviour. Communities in my electorate have zero tolerance for graffiti, and I congratulate Ian McLean in particular on his efforts.

On a positive policing note, I recently attended the Nerang PCYC annual golf fundraiser day. I was in the winning four. I thank Scott Muldoon, who is the director of the Nerang PCYC, for putting me in the group and for organising an event for over 160 people which is their major fundraising event for the year. Operating for 29 years, the Nerang PCYC opened debt-free in 1982 with funds raised by both Arthur Earle and the local community. By 2008 the club's membership soared to 3,400 members, with a monthly attendance rate of 8,000. Congratulations to them.

*(Time expired)*

### Hayes, Father Michael

 **Mr HOOLIHAN** (Keppel—ALP) (9.00 pm): On 25 November 2011 there was a sad occurrence in Rockhampton when Father Michael Hayes OAM died after a long service to the church and his community. Father Mick, as he was well known, was born in Tenterfield on 25 September 1926. He was ordained as a priest on 25 July 1950 at St Joseph's Cathedral in Rockhampton. Father Mick had a great love of his community and served in Bundaberg, South Mackay, North Rockhampton, Rockhampton, Neerkol and Theodore at the Sacred Heart church. In 1978 he took over the Aboriginal Apostolate. Although he retired in 1988, he continued to assist the Aboriginal Indigenous and Islander population in Rockhampton. He also had a great love of multicultural affairs and was very active supporting the Filipino community.

Father Mick had a good word for everybody. On 31 October a requiem mass was held in Rockhampton at St Joseph's Cathedral and close to 1,200 people attended to pay their respects to a man who was well loved. He was very outgoing. One of the people who had a very entertaining tale at his requiem mass was the current Anglican Bishop of Rockhampton, Reverend Godfrey Fryer. He was the Anglican priest in Theodore, and just before he was to be married Father Mick decided that he better have a bucks party so he invited half the town to the bucks party for the Anglican priest.

Father Mick served in a lot of rural communities and was well loved, but Father Mick's greatest attribute was his humanity. In 1991 he received the medal of the Order of Australia for his services to his church and to his community, particularly the Aboriginal and Torres Strait Islander community. Although he had lived a long life, he will be sadly missed in our community. As I said, he continued to minister to those people whom he loved and supported all of his life. Rest in peace, Father Michael Hayes.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.03 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, Hincliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, 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