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WEDNESDAY, 6 JUNE 2012

The Legislative Assembly met at 2.00 pm.
Madam Speaker (Hon. Fiona Simpson, Maroochydore) read prayers and took the chair.

PETITIONS

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

Motorcycles, Licensing

Hon. McArdle, from 1,331 petitioners, requesting the House to overhaul current motorbike licensing laws and implement tougher regulations to obtain a motorbike licence through QRIDE [237].

Justice Act, Victims of Crime

Hon. Seeney, from 193 petitioners, requesting the House to conduct a major overhaul of the ineffective Youth Justice Act 1992 with particular reference to the enforcement of restitution and compensation to victims of juvenile crime and for community policing to focus on juvenile crime prevention strategies [238].

Petitions received.

TABLED PAPERS

EXEMPT STATUTORY INSTRUMENTS

The following exempt statutory instruments were tabled by the Clerk—

Information Privacy Act 2009—

239 Waiver of privacy principle obligations in the public interest No. 3 (2012)

240 Waiver of privacy principle obligations in the public interest No. 3 (2012), Explanatory Notes

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241 Waiver of privacy principle obligations in the public interest No. 4 (2012)

242 Waiver of privacy principle obligations in the public interest No. 4 (2012), Explanatory Notes

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243 Waiver of privacy principle obligations in the public interest No. 5 (2012)

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MINISTERIAL STATEMENTS

Queensland Week

Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (2.02 pm): Each year the Queensland government hosts Queensland Week. This celebratory week marks Queensland's official separation from the state of New South Wales on 6 June 1859, when we became a separate crown colony with our own direct line to London—and how we must all feel at the moment that that perhaps could be the case on certain days. This year Queensland Week, which celebrates that anniversary, started on 2 June and will run until 11 June. This is my first Queensland Week as Premier, and I acknowledge that this is a special time for us to celebrate what is great about this state. We held a citizenship ceremony last Saturday and welcomed over 500 new Australians to our country and, more closely, our state. The Queensland Week program also includes the Queensland Greats announcement, which annually sees the acknowledgement of worthy Queenslanders and organisations that are doing great things to better our state.

Queensland is such a diverse place, and we recognise that each community likes to celebrate in their own way. Organisations were therefore invited to apply for sponsorships to host events during Queensland Week this year. A total of $100,000 funded 16 very worthy events across the state. This year's celebration also coincides with a very special milestone for our monarch, the Queen's diamond jubilee. We have made this the focus of Queensland Week this year. To mark this occasion, Queenslanders will be given a one-off public holiday on Monday, 11 June to celebrate, plus we are hosting a very special initiative called the Big Jubilee Party. We are encouraging people to get together with their family and friends and host their own events on this day in honour of the Queen. By taking part, event organisers go into the draw to win a royal trip for four to London all thanks to our sponsor Qantas. I thought the Attorney-General would be excited about that one! A number of events across the state have already been registered.

Our primary school students are getting in on the act, too, by designing a menu fit for a Queen, and there has already been a great uptake by primary schools across the state. There is something on offer for everyone this Queensland Week, so I encourage people to get out there and engage with the celebrations.

Townsville, Community Cabinet

Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (2.04 pm): I am pleased to inform the House that my government will be visiting Townsville on Sunday, 1 July and Monday, 2 July for our first community cabinet meeting. As it is the second capital of Queensland, it is fitting that Townsville hosts the first LNP government community cabinet. Townsville plays an important role in our state's economy. It is home to many key Queensland industries including agriculture, tourism and mining. The cabinet's visit to the region coincides with the Townsville Show, and my ministers and I are looking forward to meeting with those people who live in Townsville as well as those who travel in to Townsville for the show.

I am wholeheartedly committed to ensuring that all Queenslanders are given the opportunity to participate in the state's future direction and growth. There is a lot of work to do to get Queensland back on track, but we cannot do it alone. That is why it is so important to listen to people from all over the state. By doing this, we are ensuring that Queenslanders once again will power this state—not politics, as we had with the Australian Labor Party.

Visiting rural and regional areas in Queensland with a cabinet will form a vital part of our plan to revitalise the regions and grow strong and sustainable communities. I encourage individuals and organisations to request a meeting with any of the ministers so that we can better understand their thoughts and needs. Information and meeting request forms will shortly be available on my website at www.thepremier.qld.gov.au.

Major Projects, Environmental Protection

Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (2.06 pm): This government believes that we can have superior environmental protection and projects that deliver economic benefits for Queensland. We have been given a huge mandate to deliver on these projects, but we have made it very, very clear—and I said this in a speech I gave to the Queensland Resources Council last year when I handed down our resources and energy policy—that we will be expecting world's best practice environmental outcomes. Since we have become the government we have demonstrated our commitment. Let us have a look at some of the things we have already done.

Firstly, we made the hard decision on Abbot Point, to scale back the environmentally irresponsible approach that we saw from the previous government. Remember, Anna Bligh talked about 400 million tonnes of coal going out through that port each year. It is no wonder Greenpeace and co. have been running around playing merry hell with the poor old federal minister for the environment and worrying UNESCO about shipping through the Great Barrier Reef. No wonder people are worried. Currently, only about 180 million tonnes of coal is exported from Queensland, and Anna Bligh and Labor were saying that 400 million tonnes were going out. The Deputy Premier has scaled that back so that we have an environmentally and commercially appropriate and responsible proposal. Today honourable members will hear from the Deputy Premier about his sensible, pragmatic and, most importantly, environmentally responsible response to how we will get coal from the Galilee Basin to the coast without a plethora of railway lines crisscrossing beautiful farmland between the Galilee Basin and those port facilities. I look forward to hearing from the Deputy Premier.

Opposition members interjected.

Mr NEWMAN: I highlighted yesterday that we will see better management of the Gladstone port to deal with the environmental issues that the people opposite me interjecting right now could never deal with because they took their hands off the steering wheel. We are delivering better outcomes for turtles and dugongs and also dealing with those animal cruelty issues, and of course we are committed to statutory regional plans to protect that vital cropping land. What I am saying is that this government believes in the development of Queensland, but we will do it in an environmentally responsible manner. Under the bilateral agreement that Queensland holds with the federal government, we have followed the correct steps. After four years of detailed assessment and environmental studies we simply want to get the project going, and that is what Queensland wants. That is the can-do way. It is about jobs for Queenslanders and the opportunity for struggling small business owners who rely on Queensland having an economy that goes forward. We want the project to go ahead—and we want it to happen quickly—but we have demonstrated that this will not happen at the expense of strong environmental conditions.

That is why tomorrow the Deputy Premier and the Minister for Environment will go to Sydney to meet with federal environment minister, Tony Burke, with the Coordinator-General and with officials to get this project going, to find out what Minister Burke wants—to sit down in a spirit of cooperation,

establish what the issues of concern are for the minister and to find a way forward. At the end of the day, we simply want to see it happen and we know that many of the minister's federal colleagues have said that they want to see it happen as well. The government is quite within its rights to insist that the federal government listen to what we have to say. We were elected recently with a very strong mandate to get this state going and we are not going to waste time playing silly political games with the federal government. Queensland needs a fair go, the project needs a fair go and hardworking men and women in Queensland need the opportunity for jobs that this project offers.

Galilee Basin, Rail Transport

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.11 pm): The incredible mismanagement of the development of the Galilee Basin will long be remembered as part of the terrible legacy of the failed Labor government. It is a mismanagement that our government is determined to correct because we understand the economic benefits that the development of this great natural resource will bring to generations of Queenslanders. Today I want to address the issue of rail transport for the Galilee Basin. The previous government had allowed work to progress on six different railway proposals with no coordination at all from the government. The result has been a twisted mess of lines on a map, a lot of money wasted and no real progress towards an acceptable outcome for the proponents, for the local communities, for landholders or for the environment. Well before the election we made it very clear that if we were elected we would take action to resolve this absurdity, and we have since focused on the task of achieving a coordinated approach to Galilee Basin rail infrastructure.

Today I will be writing to all companies with interests in the Galilee Basin outlining our government's intentions to use our powers under the state development act to ensure a sensible outcome to this issue. After exhaustive negotiations with all of the proponents, we believe that the responsible development of the Galilee Basin can best be achieved by defining an east-west railway corridor as an extension of the existing QRN network and a north-south railway corridor to facilitate the construction of new standard gauge lines. Our government will support the declaration of state development areas, or SDAs, to define these two preferred corridors within which the government's powers of compulsory land acquisition will be exercised to bring about our clearly stated policy outcomes of a coordinated approach to railway development for the Galilee Basin.

Everyone should clearly understand that our government will be very unlikely to exercise our powers of compulsory land acquisition to establish railways outside these defined corridors. We would be very unlikely to compulsorily acquire land in a way that would bring about an outcome in contravention of our policy position. So our government will support the construction of an east-west railway line in a defined corridor connecting the central Galilee Basin to the existing QRN network near Moranbah. This will allow significant tonnages of Galilee Basin coal to be transported on the existing QRN coal line networks to ports at Abbot Point, Dalrymple Bay and Dudgeon Point. This proposal is currently being developed by both QRN and Adani and provides the best option for a staged, sensible, coordinated development of mine, rail and port capacity for Galilee Basin coal in the short term.

The construction of this east-west line will result in a significant extension to the existing QRN network west from Moranbah and a major increase in the tonnages carried on that existing QRN network. We will be negotiating with QRN and any other parties to the construction of the line to ensure that the new railway line operates under similar operating conditions and third-party access regimes as the existing QRN network. The required expansion of capacity on the existing QRN railway from Moranbah north to Abbot Point will also be supported by the government to ensure it can transport the extra volumes of Galilee Basin coal. It will be the preferred transport corridor for proposed developments and expansions in the northern Bowen Basin and the long-awaited deviation around Collinsville will be a priority in the capacity expansions that will be necessary.

Mrs Menkens: Hear, hear!

Mr SEENEY: The member for Burdekin will be pleased about that. The government will also support an investigation into the upgrading of the existing QR line from Emerald to Alpha. This line can potentially be upgraded to provide access to the existing coal network and the port of Gladstone for the southern Galilee Basin proponents so that mines in that area can develop in stages and tonnages build up over time.

There are, however, some very large tonnages envisaged by the large vertically integrated mine proposals in the longer term from the Galilee Basin. To facilitate these large tonnages, the government will define a north-south corridor that straddles the alignment of the railway proposed by GVK-Hancock coal for the new 500-kilometre standard gauge line from its proposed Alpha coalmine north to Abbot Point. We will continue to work closely with GVK-Hancock and other mine proponents to ensure third-party access to this new line and negotiate with other proponents to ensure that they are not left disadvantaged by our essential moves to rectify the former government's failure to properly plan this key

economic infrastructure for Queensland's future. We will ensure third-party access options to the new railway built in this preferred corridor as well as the option for other large mining proposals to co-locate their own new railway in that corridor if it proves to be more commercially viable for them to do so.

This is a sensible solution that is long overdue. It will achieve maximum transport efficiency with the minimum impact on local communities, landholders and the environment. I want to thank all of the Galilee Basin proponents for the full and frank discussions that we have had over the last two months that have allowed the negotiation of this outcome and I look forward to working with them to see the tremendous opportunity finally realised for the benefit of all Queenslanders.

Global Economy

Hon. TJ NICHOLLS (Clayfield—LNP) (Treasurer and Minister for Trade) (2.17 pm): Global financial market conditions have deteriorated recently, as European sovereign debt concerns have flared again and global economic momentum is showing signs of faltering. In Europe the possibility that Greece will leave the European Economic and Monetary Union—once considered far fetched—is now closer to becoming a reality than ever before. The exact impact of Greece's exit is uncertain, but the precedent it would set and the possibility that the market would extrapolate such a course of action to other fiscally troubled countries in Europe, including other larger and more systemically important countries such as Italy and Spain, is what is causing such anxiety in money markets at the moment.

Concerns around the fiscal position of Spain have also increased. During May Spanish sovereign credit default swaps and the 10-year bonds spread to the German bund reached record highs. There have also been substantial falls in yields on safe haven bonds, including those issued by US and German governments. Earlier this week the yields on those bonds were at record lows of 1.45 per cent and 1.17 per cent. In some instances, on German bonds negative yields were reached. Investors were actually paying the German government for their bonds.

In Queensland we are not immune to these concerning events. The flight to cash and gold is enormous. It is at times like these that risk is paramount in investors' minds. It is at times like these that a AAA credit rating would be most beneficial to Queensland. It is at times like these that we would be doing the best we could be doing if Labor had not lost the AAA credit rating, but Labor lost the AAA credit rating. It lost the AAA credit rating and it went bust in the boom before the GFC.

Therefore, members may not be surprised to learn that the spread on QTC bonds—our bonds, the bonds that the Queensland Treasury Corporation has to issue in order to fund the debt that Labor incurred—and the spread on Australian government bonds widened to a record high of 166 basis points. We are paying 166 basis points more for our money than the Australian government, which has a AAA credit rating. The spread could move even wider should an unfavourable scenario with respect to Europe or global growth unfold over the next couple of months.

According to the QTC, the loss of the state's AAA credit rating has cost the state of Queensland an extra $700 million. That is $700 million that we do not have to spend on our doctors, on our nurses, on our police officers and on our teachers. When we lost the AAA credit rating in 2009, debt was at $44 billion, projected debt continued to increase and there was no plan to repay that debt. The simple fact is that Tasmania can borrow funds on the global market cheaper than Queensland can. That is the legacy of Labor's mismanagement of Queensland's state finances. That is the legacy of Labor's drunken splurge and binge on debt.

Poor economic data suggests that, despite the extraordinary amount of monetary and fiscal stimulus provided to date, the global economy is struggling to build momentum on a sustained basis. China and India continue to show signs of slowing, albeit mostly as a function of earlier policy tightening, particularly in China. The US is starting to look a little weaker as the positive impact of the previous mild weather is unwound in the data. Meanwhile, Europe may yet join the UK in recession. Now is the time for conservative economic management, prudent expenditure of taxpayers' funds and returning the budget to surplus as soon as possible. The only way to get Queensland's finances back on track is through making the tough decisions now and charting a path back to the AAA credit rating. Only the Newman LNP government has a plan for Queensland's future to restore our fiscal fortunes.

SPEAKER'S STATEMENT

Photographs in Chamber

Madam SPEAKER: Before I call the Minister for Health, I advise the House that I have given approval for a stills photographer to take photographs in the chamber today.

MINISTERIAL STATEMENTS

Queensland Health, Payroll System

Hon. LJ SPRINGBORG (Southern Downs—LNP) (Minister for Health) (2.21 pm): At last we approach the bottom of the murky pool. I table the report from KPMG into Labor's reckless mismanagement of the Health payroll.

Tabled paper: KPMG report, dated 31 May 2012, titled 'Queensland Health—Review of the Queensland Health Payroll System' [245].

This was a rogue contractual arrangement, untended by Labor, that engulfed the valued workforce of Queensland Health. Queenslanders are angry. As a parliamentarian I am angry at the consequences visited on Health employees and the taxpayers of Queensland. Even today, 27 months after the Labor payroll went live, unavoidable costs continue to escalate.

KPMG says that the cost of the Health payroll system will hit $1.253 billion. That is a bare-bones price. It does not include even one cent as a contingency provision, and that could increase allocations necessary for coming repair projects by 30 per cent or more. Nor does it include all the money already spent. There is the as-yet unknown cost of fringe benefits tax and there is no provision for a necessary upgrade or re-implementation of the system before licence support ends in 2014-15.

An enclosed time line reveals the government's panicked response. There was an ants' nest of activity, not just in Health but also in other departments. I have checked with Queensland Health, and some of those reports were not included in the quoted price of $1.253 billion. Some were documents likely to have been considered by cabinet. Of the total, $836.9 million remains to be spent by 2017. The peak in outlays of $230.2 million in a single year is still to come next year, and at this point there is no alternative.

These hundreds of millions of dollars should be available today to help sick Queenslanders. Instead, they are dollars wasted by the former government and marked for consumption by a sick payroll system. This payroll is on life support. More than 1,000 payroll workers struggle to keep it afloat and so a huge sum—$664.3 million—must be set aside just to operate the system for five more years. Labor knew this, but an incredible 56 per cent of the basic payroll operating costs were unfunded in its last budget. That is a cost of $374.8 million hidden by Labor. On top of this, we must now find $147.6 million for unfunded repair projects or suffer additional costs of $207.7 million.

KPMG links this abomination to Labor's centralised control and its lack of due diligence. This is the system Labor commissioned, without so much as a business case, to pay every public servant in every department in Health in the state. It fell at the first hurdle and the implications continue to emerge. Even today this fragile system cannot calculate the basic leave entitlements of the workers it was installed to serve.

This report urges the government to make a targeted approach to the external market and adopt comprehensive procedures for due diligence and decision making. It cites the extraordinary complexity of industrial awards in Queensland Health and shows how Labor's centralised structure made the resulting problem worse. Today, there are 130 manual work-arounds, 570 issues require investigation and few release windows are available to correct them. Every fortnight, about 200,000 manual transactions are required to file about 92,000 forms. This is a damning report. It is a shocking citation of failure and bad faith by the former government.

I remind members that the opposition leader was at the cabinet table in the midst of this chaos. Today I thank KPMG, but so much more remains hidden. I challenge the opposition leader to help find the answers. What possessed Labor to follow such a path? What reasons were cited? What relationships lay behind them? What else is locked away in secret Labor cabinet papers? Taxpayers and Health workers deserve answers. The opposition leader must help get those answers.

Mine Safety

Hon. AP CRIPPS (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (2.27 pm): Sadly, I must report to the House that there was a fatality at a quarry in Central Queensland overnight. A full Queensland Mines Inspectorate investigation into the nature and causes of the incident has begun this morning. While the Queensland Police Service was in control of the scene last night, a mines inspector did attend the site following the incident. I would like to extend to the employee's family and friends our heartfelt sympathies during this very difficult time. I am sure that I speak for all members in this House in that regard.

This very sad news once again highlights the hazards inherent in the day-to-day activity undertaken by workers in the resources sector and the critical need to maintain the highest of mine safety standards in Queensland. The Newman LNP government is absolutely committed to ensuring that all mining activities are conducted as safely as possible to ensure that the 57,000 Queenslanders who work in the industry return home safely to their families at the end of each shift. Queensland is

currently participating in discussions with other states and the Commonwealth about the prospects of developing nationally consistent mine safety laws. However, it must be said upfront that I am not convinced that the proposed national framework is in the interests of Queensland's 57,000 employees in the mining and resources sector. The Mines Inspectorate is working through the COAG national mine safety framework to ensure that any new model laws introduced are at least as effective as Queensland's current mine safety and health laws.

Today I am releasing for industry consultation a discussion paper on options for new mine safety legislation in Queensland. I table the discussion paper for the information of the House.

Tabled paper: Department of Natural Resources and Mines discussion paper, dated 2012, titled 'Nationally consistent mine safety legislation—Queensland's proposal for a nationally consistent legislative framework' [246].

Industry stakeholders have until 23 July 2012 to provide the Queensland government with their views on these important issues. In a nutshell, the Queensland government does see the merit in greater consistency across jurisdictions. However, as the responsible minister, I will not allow Queensland to be disadvantaged by adopting model national legislation that dilutes Queensland's already admirable mine safety standards. Nor will I allow Queensland to be disadvantaged by national model legislation that diminishes the quality of mine safety training or causes additional ongoing costs for Queensland in the regulation of mine safety.

Although the shadow of the tragic death of an employee last night in Central Queensland is a sad reminder of the need for continual improvement, the reality is that Queensland has one of the best mine safety records in the world and demanding state based mine safety laws. These laws have been developed in partnership with industry and the unions and they are internationally recognised. The improvement in the safety performance of Queensland mines as a result of this framework is without equal. The Newman LNP government sees no justification for Queensland to change for the sake of administrative harmonisation with the national model legislation as Queensland is leading the way on mine safety.

COMMITTEE OF THE LEGISLATIVE ASSEMBLY

Portfolio Committees, Referral of Report

Mr STEVENS (Mermaid Beach—LNP) (Manager of Government Business) (2.30 pm): I advise that the Committee of the Legislative Assembly has resolved, pursuant to standing order 194B, that the Auditor-General report titled *Results of audits: Education sector financial statements for 2011*, tabled on 5 June 2012, be referred to the Education and Innovation Committee for consideration.

AGRICULTURE, RESOURCES AND ENVIRONMENT COMMITTEE

Report

Mr RICKUSS (Lockyer—LNP) (2.31 pm): I rise to table a report from the Agriculture, Resources and Environment Committee, *Report No. 2 on subordinate legislation* SL 217, 218, 220, 221, 224 and 225 which were tabled on 15 November 2011.

Tabled paper: Agriculture, Resources and Environment Committee Report No. 2: Report on Subordinate Legislation SL 217, 218, 220, 221, 224 & 225 tabled 15 November 2011 [247].

SPEAKER'S STATEMENT

School Group Tours

Madam SPEAKER: I acknowledge the schools that will be visiting today: St Lawrence's College represented by the member for South Brisbane; Park Ridge State School represented by the member for Logan; and Noosa Christian College represented by the member for Gympie.

QUESTIONS WITHOUT NOTICE

Alpha Coal Project

Ms PALASZCZUK (2.31 pm): My question is to the Deputy Premier. I refer to statements made last night by the Premier on *ABC*'s *7.30* program and repeated on radio this morning that the federal government had not provided the list of its environmental concerns about the state government's approval process for the Alpha mine, and I ask: will the Deputy Premier confirm that the Coordinator-General received that list last Friday?

Mr SEENEY: I thank the Leader of the Opposition for the question because it gives me an opportunity to address an issue that has been much misrepresented by her colleagues in Canberra. As members in this House would remember, our Coordinator-General approved the Alpha coalmine project last Tuesday. I reported to the House the great economic benefits that that project would bring to the people of Queensland. It was somewhat surprising to all of us that the next morning the federal minister was in the media expressing his anger about the project being approved. Given that he had had very little time to consider the Coordinator-General's report, you could hardly be blamed for assuming that he was expressing a preconceived opinion in the anger that he was expressing. We spent considerable time over the next three days trying to establish from the federal minister just what his problem was.

Ms Palaszczuk interjected.

Mr SEENEY: What was it that made the federal minister angry? What was it that he believed was inadequate about the Coordinator-General's report which, I might remind honourable members, had taken four years to bring to completion?

Ms Palaszczuk interjected.

Mr SEENEY: For four years the environmental impact statement had been going on under the jurisdiction of the previous government, because obviously we have not been here for four years.

Ms Palaszczuk interjected.

Mr SEENEY: Under the jurisdiction of the previous government this environmental impact study had been going on. After four years, as the process requires, our Coordinator-General made an assessment of that environmental impact study and sent his report to his federal counterpart—

Ms Palaszczuk interjected.

Madam SPEAKER: I warn members on my left.

Mr SEENEY:—expecting that the federal minister would consider that report under the terms of the EPBC Act within the 30-day period. But, of course, we saw the federal minister in the paper the next morning expressing his anger and fuming, supposedly, according to the reports, about the approval. For three days we tried to find out the reason. Finally, on Friday afternoon, after about two different time frames, two different deadlines had come and gone, we got 17 pages of rehash of issues from the federal minister. What we still do not have is what the federal minister needs to approve the project. What we still do not have is what conditions he requires. What we still do not have is an indication from the federal minister of what he wants to approve this badly needed project.

Alpha Coal Project

Ms PALASZCZUK: My question is to the Premier. I refer to the Alpha Coal Project. Rather than waiting until tomorrow to meet with the federal minister, will the Premier put Queensland jobs first and sort this out today?

Mr NEWMAN: I thank the Leader of the Opposition for the question, I really do. Here is what we have done in only a few short weeks: we have sorted out the bucket of custard that was the Abbot Point Coal Terminal, an environmentally irresponsible and economically and financially non-feasible project. We have sorted that out. Today we heard how the Deputy Premier—and I reckon he is going to be a great Minister for State Development—with his cut-through approach sorted out the mess that those opposite had created. The Leader of the Opposition was the transport minister, or the lack of planning for transport minister, with six railway lines crisscrossing beautiful farmland, beautiful pastoral country and flood plains. This Deputy Premier has today shown the way forward. Maybe later on he will show us his plan which takes six railway lines to two railway lines. I know the member for Gregory will be happy. Perhaps even the member for Dalrymple will be happy. The member for Burdekin will be happy about those changes.

The other thing we have done is to actually commit to a strategic assessment process for the Great Barrier Reef and the Queensland coast to protect the environment. Had those opposite done anything? No, they had not. Tomorrow we will have the Deputy Premier going down to Sydney with the environment minister to sort it out. Gee whiz, the Leader of the Opposition must have been crushed earlier on during my ministerial statement.

Mr Nicholls: She didn't change the question.

Mr NEWMAN: She did not change the question. 'What is the Premier going to do?', thinks the Leader of the Opposition. 'What is the Premier going to do?' Gee whiz, those opposite must have been upset when I said that the Deputy Premier is heading to Sydney. Because we are can-do, because we want to make it happen, because we believe in economic growth, we believe in development. Before I conclude, I have here the process that is used to approve one of these major projects. For the benefit of members, I will table it.

Tabled paper: Document titled 'SDPWO Act 1971 significant project environmental impact statement process undertaken under the bilateral agreement between Queensland and the Commonwealth' [248].

It has been a four-year process. There are three separate occasions where the federal minister's department has had input into the terms of reference, the draft terms of reference to the EIS and the supplementary report of the EIS. It has been going on for years. What did Anna Bligh say? On 23 February 2010 she said—

If all goes well and all approvals are received in a timely fashion coal production will commence late 2013.

Well, here we are in June 2012 and we have made an approval and under Anna Bligh's own timetable in 18 months magically it is all meant to be happening, let alone building the mine and the railway line. One can clearly see that Labor had blown the project time frame. There are other quotes. Through you, Madam Speaker, ask me more questions and I will give you more in due course.

Federal Government

Mr MANDER: My question without notice is to the Premier. Can the Premier outline how the federal government has been conducting business with Queensland since the election of the LNP government?

Mr NEWMAN: I thank the honourable member for the question. The little tale that I will tell now is quite constructive, because it shows that, unfortunately, in some quarters federal Labor is about politics and not outcomes. That is hardly a surprise, because it is what we saw from state Labor. We have seen an interesting pattern develop. The Prime Minister wrote a letter to me, which I received at about eight o'clock last night. This morning when I woke up, lo and behold! It is in the newspapers.

Government members interjected.

Mr NEWMAN: Who knows. Surely the Prime Minister of the Commonwealth of Australia, this great nation, did not write a letter, send it to the newspaper and then send it to the Premier? Surely the Prime Minister, who misled us on the carbon tax, would not do anything like that? Alan Jones may say that she would do something like that, but I would not.

Honourable members interjected.

Madam SPEAKER: Premier, I will just wait for order in the House. I warn members on my left and on my right.

Mr NEWMAN: Thank you for your protection, Madam Speaker. Last weekend on *Meet the Press* again Minister Burke said that he had written a letter to me about flying foxes. He did not write to me; he wrote to Minister Powell on 16 May, which was three days after it had been leaked to the media. It was responded to on 29 May. What about the NDIS? We attend a COAG meeting with the Prime Minister behind closed doors. We have an intimate dinner with the PM at which she tells the state premiers, 'We are going to work through this with you. We are going to sort it out and have a proper plan to protect people with disabilities, and then when it is all worked out we will make the announcements together.' However, almost days later, the Prime Minister is attending rallies, building up expectations, playing a cynical political game with the most vulnerable in our community and breaking her solemn pledge to all the premiers, not just me.

Ms Palaszczuk: Whose playing politics now?

Mr NEWMAN: This afternoon, Labor Party members are interjecting. They do not like to hear the truth, but this is the truth.

Mr Pucci: They can't handle the truth.

Mr NEWMAN: They can't handle the truth; thank you, Marine! Minister Macklin had a phone hookup with our disabilities minister that lasted 4½ minutes. That was a 4½ minute teleconference to sort out vital issues. This week the same federal minister, Minister Macklin, was up to the same tricks in relation to the funding of seawalls in the Torres Strait. The member for Cook will be interested to hear that. On Monday I received a vague letter making demands of our government; at the same time, the minister was making comments in the media. That is how they conduct business. They actually do it through the media. That is not the way to run government in this nation. That is not the way to have a productive relationship with a government in Queensland that has a clear mandate to build a four-pillar economy and a clear mandate to create jobs for Queenslanders. The Prime Minister and the federal Labor government should start to do the right thing. They should conduct themselves with dignity. They should conduct themselves properly. Then we can have a productive relationship and take Queensland forward.

(Time expired)

Federal Government, Bilateral Agreement

Mr MULHERIN: My question is to the Premier. Will the Premier explain when the bilateral agreement with the federal government on environmental assessment started and outline the state's obligation under this agreement?

Mr NEWMAN: I am delighted to talk about the bilateral agreement and I am happy to tell members what has been said about the bilateral agreement in the past. I think it is quite pertinent, because only a few months ago all sorts of lovely things were said by the Labor Party. They said that this was going to be a ground-breaking sort of arrangement that allowed things to be streamlined, but clearly it only works when there is a Labor government in Queensland. On 18 February 2012, what did Tony Burke and Vicky Darling say about the benefits of a bilateral assessment process? Tony Burke said, 'Rather than always dealing with one application at a time this allows an assessment of the region as a whole.' He also said, '... it is a better way to protect one of the world's greatest treasures, and I'm glad its started.'

Ms Palaszczuk: When did he say it?

Mr NEWMAN: I just said that it was on 18 February 2012. Members opposite should listen. I will say a few things about the bilateral agreement.

Opposition members interjected.

Madam SPEAKER: There are too many interjections from my left. I have already warned members on my left. I will start warning them under the standing orders.

Mr NEWMAN: Listen to them go on about form rather than substance! I have looked at the bilateral agreement and the various clauses that, supposedly, Queensland has breached. Frankly, for the benefit of the Leader of the Opposition and opposition members, I am sorry to say that the minister is making it up just as they come in here and make it up every single day that parliament sits.

The Queensland government has done the right thing. If members want a demonstration of how the federal Labor government has done the wrong thing, they should go to the dispute resolution section of the bilateral agreement, which sets out how to handle a dispute. I had a good look at it to check it again. It does not say, 'Write a letter to the Premier of the state, then give it to the *Courier-Mail* and the *Australian,* and then do a series of press conferences, having a go at your partner in good environmental governance.' Unfortunately for the Labor Party, it does not say that. It states that there is meant to be a formal notice and the parties sit down and negotiate around a table, like grownups, unlike the Labor Party who fight and claw and scratch each other's eyes out in their backroom internecine quarrels. I know the member for South Brisbane could tell us a tale or two about the goings-on in the Labor Party, but time will not permit me to go further on that today. That is what they are used to. They like to fight, they like to do each other over in backroom deals and they like to use the media, but they are not into good government. If they were into good government we would not have a $2.8 billion deficit, an $85 billion debt and the disastrous payroll system that we heard about from the Minister for Health.

Galilee Basin, Rail Transport

Mr JOHNSON: My question is directed to the honourable Deputy Premier and Minister for State Development, Infrastructure and Planning. I ask: will today's announcement regarding rail corridors in the Galilee Basin bring about a different result to what was being planned by the former Labor government?

Mr SEENEY: I thank the member for Gregory for the question. Of course, as the member for Gregory knows, the answer is most definitely yes. It will bring about a different result for the people he represents and the people the member for Burdekin represents, because it will mean that there will not be a series of rail lines running through the landholdings of their constituents. It will mean that there is sensible planning. It is worth looking at what the previous government planned. This map illustrates that better than I could. This is what the previous government planned for the Galilee Basin. It is a series of railway lines that look like a leftover plate of spaghetti without the tomato sauce. That was their idea of planning, and I table that map for the benefit of the House.

Tabled paper: Maps, dated 6 June 2012, titled 'Galilee Basin Preferred Common Rail Corridors' and 'Galilee and Bowen Basins Current and Proposed Rail Projects' [249].

That is the sort of planning that the previous government entered into. It had no idea how to bring about any sort of a coordinated approach. In contrast, this is the outcome of the negotiations that we have been involved in over the past two months: a definition of two railway corridors that will bring about an efficient rail transport system, one to the north and one to the east, to connect with the existing QRN network. It will mean that the proponents in the Galilee Basin, both the large scale proponents and the small miners, will have the maximum number of options to transport coal to market. It will mean that the existing QRN network will be used to its maximum capacity. Not only that, it will have the potential to expand significantly. We have planned for a significant expansion of the QRN network rather than duplicating that network with a series of intertwisted rail lines through greenfield sites that interfere with people's properties.

This is the sort of planning that responsible governments should undertake. This is about achieving an outcome. It is about making sure that the proposals that are put forward are doable. What we have done with the rail transport options is what we have done with the port options at Abbot Point.

We took away the nonsense that the previous government had put forward. In the case of the port, we took away six coal terminals, 400 million tonnes of capacity and millions of cubic metres of dredging to build the multicargo facility. We took them off the table so that we could start to plan some doable and reasonable infrastructure.

Similarly, with the rail corridors, there were originally six different proposals on the table—six different rail lines. We have defined two corridors—one running north and one running east—to give the maximum number of opportunities to Galilee Basin proponents to do what we want them to do: mine the coal that Queenslanders own and earn the money for generations of Queenslanders to come.

(Time expired)

Gladstone Ports Corporation

Mr PITT: My question is to the Minister for Transport and Main Roads. Yesterday the Premier said—

I do not have confidence in the current management of the Gladstone Ports Corporation and there will be changes.

As one of the shareholding ministers, will the Minister for Transport today confirm to the House that Gladstone Ports Corporation CEO Leo Zussino will not be receiving a phone call from the Under Treasurer asking him to urgently resign with no explanation, as I understand has been the case at other entities such as North Queensland Bulk Ports and Ports North in Cairns?

Government members interjected.

Madam SPEAKER: Order! I warn members on my right. I call the minister.

Mr EMERSON: I thank the honourable member for his question. I completely support the comments that the Premier made yesterday. The management of Gladstone Ports Corporation will be reviewed. Why is it going to be reviewed? Because we want the best results for Queensland. That is what we want. We want to see the best financial results and we want the best environmental results for Queensland. All GOCs are being reviewed. Why? Because they need to do the best they can for Queensland.

What Labor always wants is to do the same things that Labor has done in the past. If we kept doing what Labor has done in the past what result would we get? We would get $85 billion worth of debt; we would get a $100-million-a-week interest bill on that debt; we would get a $2.8 billion deficit; and—what have we heard today from the health minister?—a $1 billion debt debacle related to the Health payroll. What have we heard from the Treasurer? We have heard that Labor's loss of our AAA credit rating has cost us $700 million. What Labor wants—what Labor always wants—is to do the same as they did. We have a mandate to do things differently, to clean up the mess that Labor left us.

Let me repeat that, because clearly Labor is not hearing what I am saying. I support what the Premier said. It is completely appropriate that we review our GOCs. We want the best results for Queensland, the best financial results from our GOCs and the best environmental results for Gladstone ports. I back his decision on that. We want that to occur. Labor should expect that to occur. However, what we have seen from Labor over and over again is that they do not want the best things for Queensland. What they always want to do is back their Labor mates in Canberra. That is all they want to do. We are here to get the best results for Queensland.

Honourable members interjected.

Madam SPEAKER: I will wait for order. I call the minister.

Mr EMERSON: As I said yesterday, the truth hurts. They are always ready to back their mates in Canberra ahead of Queensland. We are not going to do that. We are working for Queensland, not ourselves. That is what we saw for 14 years from Labor: they constantly back their mates and do not put Queensland first.

Water Infrastructure, Tugun Desalination Plant

Mr CAVALLUCCI: My question without notice is to the Minister for Energy and Water Supply. My question is regarding the expensive and rarely used water infrastructure built by the Beattie and Bligh Labor governments in South-East Queensland. Will the minister please advise what steps he is taking to ensure Queensland taxpayers get value for money from the Tugun desalination plant?

Mr McARDLE: I thank the member for Brisbane Central for the question and acknowledge his concern with regard to a very important piece of infrastructure. I also say thank you to the member for Currumbin for the great work she did when we were in opposition, highlighting what had taken place at the Tugun desalination plant and alerting both this House and the state to the incredible cost that had been borne.

In 2004 the then Gold Coast City Council started a 50-megalitre desalination plant at Tugun at a cost of around $260 million. We can all recall that as the drought tightened around this state the Beattie government went into panic mode. The Beattie government went on a spending spree, throwing away

billions of dollars in acquiring and building pipelines and infrastructure that should have been built years before. The Gold Coast City Council had the desalination plant taken away from it and the project then grew into a 125-megalitre desalination plant at a cost of $1.2 billion. That is a debt that is still borne by the taxpayers of this state—part of the $7.5 billion infrastructure debt that we have inherited because the Beattie-Bligh government could not get its act together.

The sad thing about the desalination plant is that it does not operate anywhere near capacity—or even, as I understand, 10 per cent of capacity—yet it costs this state roughly $14.2 million a year to operate. So we have a massive debt, we have an asset that is running at minimal capacity and we are paying $14.2 billion. This government, the Newman government, will not tolerate that. I have requested and demanded a report into exactly what we can do to make the desalination plant more effective and more efficient and to provide to the people of this great state a dollar return for every dollar that was spent on it, and that is our commitment.

The shameful thing about the Beattie-Bligh government is that it was almost payment by invoice. Every time a builder stuck out their hand, money was thrust into it in whatever amount they wanted and whenever they wanted. $7.5 billion later, we are paying for it every single day in increased water charges. Every single day of the year we are paying for it, together with the $1.5 billion bulk water charge that we are paying on a daily basis. The Beattie-Bligh government sank this state; the Newman government will save it. It is as simple as that.

Alpha Coal Project

Ms TRAD: My question is to the Minister for Environment and Heritage Protection. I refer to the Premier's response to the federal minister's comments about the Alpha mines railway line, in particular the Premier's statement that 'unless whales have been sighted 300 or 400 kilometres inland on the Belyando River, I don't think that's a legitimate issue for the minister to raise'. I ask the minister: will he outline the downstream impacts—

Honourable members interjected.

Madam SPEAKER: I wish to hear the member's question.

Ms TRAD: Will the minister outline the downstream impacts of inland run-off from the project on catchments draining into the Great Barrier Reef Marine Park and the flow-on effects on species such as dugongs, whales, turtles and dolphins, as requested in the federal minister's response to the Coordinator-General? I table the document.

Tabled paper: Schedule containing reviewer comments on assessment process [250].

Mr POWELL: I thank the member for her thesis and for this opportunity to address that thesis in this chamber this afternoon. I do take the previous interjection from the Deputy Premier and would like to correct the member. The correct pronunciation is 'Balyando'. If the member got out of Brisbane occasionally and visited regional parts of Queensland she may appreciate some of the nuances of pronunciation in other regions.

Mr Newman interjected.

Mr POWELL: I take that interjection from the Premier. I am very happy to answer the member's question because, in the Coordinator-General's evaluation report, the kinds of issues that the member raises have been addressed. What is more, this government has given commitments to continue the highest level of protection for the Great Barrier Reef. Statements made in this chamber just yesterday confirm that, but perhaps the member was not listening. Perhaps I had better reiterate some of those things.

Mr McArdle: Take it slowly.

Mr POWELL: Take it slowly. This government committed to a strategic environmental assessment in conjunction with the Commonwealth government on the Great Barrier Reef. We have committed to the strategic environmental assessment.

Honourable members interjected.

Madam SPEAKER: There are too many interjections across the chamber. I wish to hear the minister's answer. I have warned members on my left and my right. I call the minister.

Mr POWELL: Thank you, Madam Speaker. This government has also committed to the water quality targets that have been set for 2013, and we will work with relevant stakeholders in setting future targets and we will achieve those. We will achieve those in consultation with industry, in consultation with farmers, in consultation with the Great Barrier Reef Marine Park Authority.

What else has this government committed to? As was announced by the Premier yesterday morning—and, again, perhaps the member was not listening at that moment—the Deputy Premier, the Minister for Natural Resources and Mines, the Minister for Transport and Main Roads, and I will

undertake a ports strategy and report back to cabinet in October. What will be included in that ports strategy? Not only will we look at existing ports; we will look at the coastal plan, we will look at statutory regional planning and we will look at any other facet that needs to be considered including environmental offsets.

We are very proud of our record on this side of the chamber when it comes to protecting the Great Barrier Reef. We will continue to stand by our commitments. We will continue to deliver for this state because we know how important the Great Barrier Reef is and we can—despite what is being said and certainly in contrast to what the previous government did—balance out economic development with high environmental standards. I, too, take this opportunity to applaud the fantastic work of the Deputy Premier in making the announcement that he has made this morning on rail corridors to the coast.

Queensland Health, Payroll System

Mr BENNETT: My question without notice is to the Minister for Health. I refer to the KPMG report, its recommendations for improvements to the Health payroll system and the decisions by the minister to help correct the payroll problems. Can the minister please advise whether KPMG endorses initiatives such as lifting the Labor moratorium and ending the ancient pay claims?

Mr SPRINGBORG: I thank the honourable member for his question. The honourable member, like other members in this place, would be very interested in this whole web of intrigue and mismanagement surrounding the Labor Party's payroll debacle for Queensland Health workers. Indeed, I know the honourable member would be asking himself how many additional health workers could be employed in the electorate of Burnett. He would be asking himself how many operations in addition could be undertaken in his electorate, not only in his electorate but also all around Queensland. Indeed, that would be a very realistic and ideal question to ask, because we do know that the cost of the continuing overpayments each fortnight equates to 600 additional nurses in Queensland. That is not including the $91 million which has been overpaid and has not been recovered as a consequence of Labor's moratorium in Queensland.

KPMG has laid down a very, very clear path for us to follow. Indeed, this should not be alien to anyone in this place because many of these suggestions had been made to the previous Labor government as a way of addressing these issues in the past. Of course that includes issues such as allowing Queensland Health staff to put in leave claims, overpayment claims and entitlement claims six years after they had actually worked. Where else does that happen in the private sector or, indeed, across government? I have already announced that as of 30 September this year that will cease and Queensland Health workers will have three months in which to lodge those particular claims. This will free up the system and allow us to stabilise it even more.

With regard to the issue of overpayments, we have a very, very strong obligation in Queensland, as has been pointed out by the Auditor-General, to get back some of the $91 million in overpayments because they are accruing fringe benefits tax if we do not do it. We have an obligation to do that and we will be doing that. We will be doing that in a very cooperative way. We will be doing it in a compassionate and empathetic way with Queensland Health workers. It was not their fault that this particular disaster was beset upon them.

Mr Johnson: It was their fault over there.

Mr SPRINGBORG: It was the Labor government's fault; it was not the fault of Queensland Health workers. But there are many other issues that we need to address. One of them includes shifting the dates between the close of rosters and when we actually pay people.

My challenge today to the Leader of the Opposition is to release details of information that she has, because the fake Tahitian prince has been more cooperative with Queensland authorities than the Leader of the Opposition has and she should start cooperating today.

(Time expired)

UNESCO Report

Mrs CUNNINGHAM: My question without notice is to the Premier. The UNESCO report expressed concern in relation to a lack of appropriate offsets being created in recognition of industrial development on Curtis Island as well as elevated turbidity levels as a result of dredging activities. While I acknowledge the committee the Premier has established, can the Premier outline the government's more immediate response to these concerns?

Mr NEWMAN: I thank the member for her question. I am happy to talk about Gladstone insofar as I can this afternoon. I cannot get down to too much detail because I think that it would perhaps be unfair on a few individuals. Maybe the opposition should have asked me the question earlier on about

Gladstone. I can assure all members that the Under Treasurer or the Treasurer will not be ringing the CEO of the Gladstone Ports Corporation and doing what those opposite were trying to suggest would be going on in such a crude and gauche fashion earlier on. What I will say is the chairman—

Mr Pitt interjected.

Madam SPEAKER: I warn the member on my left and ask him to cease interjecting. I call the Premier.

Mr NEWMAN: Madam Speaker, I used to watch the proceedings. I used to hear them moralise on about the standards and about the opposition carrying on. It is so shameful for someone who was once in the ministry to behave in the way that he does in this place. But I digress.

The point is that we will replace the chairman of the Gladstone Ports Corporation because I do not have confidence in the corporation. I will also then be working with the new chairman, who will be announced shortly, and the Treasurer and the Minister for Transport and Main Roads, to appoint new board members. Then we will ask the new board to look at the concerns that we have in terms of both the environmental issues and the financial management issues of the management of the Port of Gladstone.

Particularly I pledge today to the honourable member that the environmental issues will be taken very, very seriously and the concerns of the fishing industry people—not that there are really any left there, sadly—will be taken on board by the new board. What we will be doing is creating a healthy waterways partnership for the Gladstone Harbour and the surrounding catchments. It will be modelled on what one of my predecessors at Brisbane City Hall, Jim Soorley, set up. The former Beattie government and the Goss government would never do this. But Jim Soorley was a champion for cleaning up the Brisbane River, and we all know that is the case. He was a strong advocate and he set up—finally with the reluctant support of the Labor government—a waterways partnership that saw universities and local government and those reluctant state agencies and all sorts of stakeholders undertake ongoing water quality modelling and then work to improve water quality outcomes. That is what we will do.

I assure the member for Gladstone that this change I have mooted this afternoon is about protecting the environment and it is about running the Gladstone port properly. These are things that Labor members opposite would never do. Particularly it is something that the now Leader of the Opposition never had the intestinal fortitude to do. I have to sadly remark that all of those things that went on in the harbour were when the current Leader of the Opposition was a shareholding minister and there was no action—no action on these issues. There was no action to clean up Gladstone, the harbour or its ports corporation.

Ms PALASZCZUK: Madam Speaker, I rise to a point of order. The Premier said that I was a shareholding minister for the Gladstone port. That is simply untrue and I ask him to withdraw.

Madam SPEAKER: That is not a point of order.

Ms PALASZCZUK: I was not a shareholding minister.

Madam SPEAKER: Leader of the Opposition, take your seat. There are appropriate procedures to take in regard to your complaint and one is not the point of order that you raised.

Major Projects

Mr MOLHOEK: My question without notice is to the Treasurer. Can the Treasurer please inform the House of the costs and risks of delays to major projects, and is he aware of any alternative policies?

Madam SPEAKER: Order! I call the Deputy Premier. I apologise, I call the Treasurer.

Mr NICHOLLS: A little bit of revenge there, Madam Deputy—Madam Speaker. I thank the member for Southport for his question. We have been discussing major projects in Queensland today, particularly the projects in the Galilee Basin. We know that major investment projects deliver many benefits to Queensland and to Queenslanders. They provide investment for goods and services that the state provides. They provide jobs, they provide an economic future, they provide hope for people and, handled correctly, they also lead to growth for us as a government in terms of delivering our four per cent over six years unemployment target and many of the other targets that we have set and that we have committed to the people of Queensland we will deliver as part of our can-do philosophy of getting on with the job. So major projects have to go ahead in this state.

There are, unfortunately, risks. There are risks to those projects going ahead and, unfortunately, those risks now emanate from Canberra. They emanate from the Labor Party and its desperate bid to win green votes in Sydney and Melbourne. They emanate from the office of the federal environment minister, Mr Tony Burke. What is the cost of Mr Burke's dithering and what is the cost of Mr Burke's playing politics? The cost is this—for every year that a project like the Alpha project is delayed, the cost to the state of Queensland is $300 million. That is the loss to Queensland in the first year alone of the operation of the Galilee mine that has been approved. In the following year the loss is $700 million.

That sort of delay costs Queensland, and it costs us nearly $25 million in lost royalties. That is $25 million that we do not get to deliver the services that we need to deliver in the regions, to rebuild the roads that the Leader of the Opposition so shamelessly failed to deal with when she was in government, to put money into the schools in rural areas, to deal with areas of need such as areas in the member for Gregory's and the member for Burdekin's seats. There is a very real cost to the games that Mr Burke is playing.

If we do not get on and do those jobs, we will not see the growth that we need to see. Today's growth figures are also instructive, because, although Australia-wide growth went up, if you look at the figures you will see where it has gone up. Business investment rose 6.4 per cent in the March quarter. This growth largely reflected a further surge in resources driven engineering construction, predominantly in Western Australia. When I look at Queensland for the March quarter—and remember Labor was in power for that quarter—seasonally adjusted state final demand contracted 0.8 per cent. If we do not get these projects up and running, Queenslanders will pay the price.

(Time expired)

Urban Land Development Authority

Mr KNUTH: My question is to the Premier. Given that the Premier has been a strong critic of the Urban Land Development Authority, why did this government allow the ULDA to approve Queensland's largest new 3,258 mineworker camp on prime residential land in Moranbah just before the Premier announced planning powers were going back to the council? Will the Premier now support the request from the Isaac Regional Council and Moranbah community—

Madam SPEAKER: Order! Member for Dalrymple, that is a two-part question.

Mr KNUTH:—to call in this development?

Madam SPEAKER: Order! I remind the member for Dalrymple that that is a two-part question. I call the Premier to answer it as he sees fit.

Mr NEWMAN: I thank the member for Dalrymple for his question. The government has a very clear position that local government are the right people to be making such decisions. Indeed, I am very sympathetic to what her worship the mayor of Isaac council has been saying. Unfortunately, the previous council had shillyshallied around and had not created a town plan for Moranbah that allowed for orderly, sensible development of housing for families and single people that was affordable. Had they done that, I do not think the former Labor government would have gone in and imposed the Urban Land Development Authority on that community. It should never have happened, but I think the former council does have to take some responsibility for that. If it had done its job and allowed development to proceed, then the former Labor government would not have come in in the way that it did. I talked to former minister Paul Lucas about these matters, and he had on many occasions reflected on his concerns up there, but that is as far as I will go today.

What I have said in the recent letter that I signed off to her worship was basically that the decision had to be made. That project, or that camp, has to occur because otherwise a major resource project will be held back because of the inaction of the previous council really, but it would be held back now if the ULDA did not approve it. I like to read people's letters properly and think about them. I like to put a few penned 'PSs' on the bottom, just as a personal touch. What I have written on the bottom to her worship was that I am delighted to remove the ULDA from their community of Moranbah. I am delighted to have them come out, but this is what has to happen: the mayor and her councillors need to develop a town plan working as quickly as possible with the Deputy Premier and his team to demonstrate how they will provide opportunities for new housing that is affordable for families and single people in Moranbah. The moment they do that and indicate a strong preparedness to approve sensible development in their community, the ULDA will be out of there as fast as you can say 'knife'.

That is a commitment I make to the local member this afternoon. It is a commitment I make to that community. That is the way we would like to see communities planned in Queensland—by the duly elected local government—but they have to get real about their responsibilities to allow for affordable housing across Queensland and in Moranbah.

Environmental Protection

Mr JUDGE: My question without notice is to the Minister for Environment and Heritage Protection. Can the minister outline any positive environmental initiatives commenced over the last 10½ weeks by this can-do government?

Mr POWELL: I thank the member for Yeerongpilly. I certainly can. Today I am proud as this state's Minister for Environment and Heritage Protection to be able to put on the record the positive, forward-thinking agenda of this can-do government when it comes to protecting Queensland's environment including its flora and fauna. Yes, these practical and positive outcomes have been

achieved in as little as 10½ weeks. Yesterday Minister Burke and the Commonwealth government continued a relentless and misguided campaign. In contrast, this government outlined its strategic vision for protecting Queensland's Great Barrier Reef to ensure it is the best managed marine protected area in the world.

This government's plan to protect the Great Barrier Reef has already been lauded far and wide. As an example of this support, I would like to table in the House the media release from the World Wildlife Fund on the LNP's vision for the Great Barrier Reef. For the benefit of those opposite, in particular, who must surely be somewhat embarrassed by the antics of their federal colleagues, I would like to quote from the WWF media release—

WWF applauds the Queensland government's public commitment today to the long-term future of the Great Barrier Reef.

Applauds, not denigrates. But wait, there is more from the WWF on our vision—

All Queenslanders want to see the Great Barrier Reef protected, and the Premier's commitment to the strategic environmental assessment process is a heartening demonstration of just how seriously the government has taken the draft recommendations from UNESCO.

Tabled paper: Comments by World Wildlife Fund Australia spokesperson Nick Heath [251].

Heartening, not shambolic. I call on Minister Burke to stop the politics, stop the games and start being positive when it comes to the environment. I echo the words of the Premier earlier: I look forward to meeting with the federal minister tomorrow morning along with the Deputy Premier.

There are a number of other positive environmental initiatives I would like to outline for the member's benefit—again, in 10½ weeks. I remind the House of the recent decision by the Australian government to list the koala under its legislation as vulnerable. This will only result in additional red tape, whereas we are getting on with delivering our election commitment—an election commitment that will see $26½ million invested over the next four years to protect koala habitat, bolster research into koala mortality and support the work of koala carers.

But it does not stop there. Other sensible and practical initiatives include this can-do government's recognition of the importance of Indigenous participation in the management of their country. Again I mentioned that yesterday. Finally, it was a pleasure to be with the Premier yesterday as we announced Everyone's Environment grants. I encourage all community groups to consider making an application from 1 July this year.

Alpha Coal Project

Mrs MILLER: My question is to the Minister for Environment and Heritage Protection. I refer to the proposed environmental conditions on the Alpha Coal Project. Will the minister explain the role of his department in the Queensland government's environmental assessment of the Alpha Coal Project, particularly in relation to threatened species such as humpback whales, dugongs, green turtles, red goshawks and northern quolls?

Mr POWELL: I thank the member for the question. I am intrigued because it sounds awfully familiar, given that the member for South Brisbane asked a very similar question not that long ago. As the member would know from her own time in government, my department plays an intrinsic role in providing advice to the Coordinator-General in his evaluation of the environmental impact study and providing that advice to the Commonwealth government. My department has been involved in that. My department has been involved in setting the environmental conditions and the conditions of operation that have been forwarded to the Commonwealth government for Minister Burke's consideration. I look forward to having discussions with the minister tomorrow morning about where he may have problems with those conditions and hopefully resolving that for the benefit of this state. As the Premier said and as the Treasurer has just reiterated—

Mr Nicholls: There'll be one endangered species down in Sydney, and it will be the federal environment minister, I would have thought.

Mr POWELL: I take that interjection from the Treasurer. As the Premier and Treasurer have said, every day that we delay in negotiating an outcome that sees the Alpha Coal Project proceeding is costing this government, this state and the people of Queensland. I am very confident that my department has played its part in ensuring this project has been assessed against the highest possible environmental standards. That is, after all, the mandate that has been given to me by the Premier. My role is to protect the environment, including its flora and its fauna and including all of the species that the member just mentioned. My department will be assessing each of those and providing advice to the Coordinator-General; it has assessed those and it has provided that advice. As I said, I look forward to sitting down with the federal minister tomorrow and resolving any concerns he may have.

Let us go back to some of the fauna that the member mentioned, and I again refer to the answer that I provided to the member for South Brisbane. We take very seriously the protection of threatened species in the Great Barrier Reef catchment, and that is why we have taken the steps we have taken. That is why cabinet had a discussion on Monday around this and why we reconfirmed our commitment to the strategic environmental assessment in partnership with the Commonwealth government. That is

why I and the Deputy Premier and my colleagues will be preparing for cabinet a port strategy that looks at the coastal plan, statutory regional planning and environmental offsets. That is why this government committed in the lead-up to the election to the water quality targets for the Great Barrier Reef. That is why we have committed to the ongoing funding of $35 million for the Great Barrier Reef. It is not something we take lightly. We have set extremely high environmental standards in this state and it is my job to ensure they are met.

Women

Miss BARTON: My question without notice is to the Premier. Could the Premier please update the House on the Newman government's program to support women in male dominated professions?

Mr NEWMAN: I thank the member for Broadwater. I am delighted to talk about the delivery of another part of our plan to get Queensland back on track. Honourable members would know our list of policy commitments—the 100-day plan and the broader policy commitments—and what we on this side of the chamber do is simply go through and rule things off as we do them because we are can-do people. We actually do stuff, unlike the Labor Party who form committees, hold hands, drink chardonnay, sing *Kumbaya* and have group hugs—all those sorts of things. That is what they do.

Opposition members interjected.

Mr NEWMAN: They are getting upset; they are getting agitated. They get agitated when they know that somehow I have been peeping through the window and seeing them at work. But I digress.

I was delighted the other day to launch this great new initiative with Minister John-Paul Langbroek and Assistant Minister Saxon Rice. We have announced our $10 million scholarship program to support women in the building, construction and resource industries, and we are now getting on with that. It will provide 500 scholarships worth up to $20,000 over the next four years to encourage women to enter courses that are still dominated by males—areas like engineering, agricultural science, geology, architecture and building services. They are great areas—and we need more people like that, by the way, to go into politics at a state and federal level and then we would not have people like Minister Burke making strange calls on issues and focusing on politics rather than outcomes. But I digress again.

We have a selection committee—and I am very thankful that they have agreed to come on board—comprising: Skills Queensland CEO Rod Cramm as the chair; former Macarthur Coal CEO Nicole Hollows; Dr Beth Woods; the Queensland Chief Scientist, Dr Geoff Garrett; and the National Vice-President of the National Association of Women in Construction, Radmila Desic. They will now call for young women and older women to lodge applications for this program and they will undertake the assessment. We will see scholarships being awarded for people who are going into courses for the calendar year 2013.

This is all about addressing skills shortages in those four pillars—construction, mining, tourism and agriculture. It is, again, about a real commitment to advancing the cause of women in areas where they are underrepresented in the workforce. It is also about getting the state's unemployment rate down to four per cent and getting the state back on track—if only the federal government would approve major projects in Queensland.

(Time expired)

Alpha Coal Project

Mrs SCOTT: My question is to the Minister for Environment and Heritage Protection. Will the minister outline to the House the date that his department provided its input into the state government's environmental assessment of the Alpha Coal Project?

Mr POWELL: I thank the member for the question. I am very popular today, and I am enjoying the opportunity to explain the role of my department in protecting Queensland's environment. I guess the simple way for me to answer the member's question is for me to ask this question: which time would you like me to refer to over the last four years, with 3½ of those years being during your time in government? The member would be well aware that it is the responsibility of the Department of Environment and Heritage Protection to have ongoing conversations with the Coordinator-General.

Mr Newman: The member for Ashgrove!

Mr POWELL: I take that interjection from the Premier. The former member for Ashgrove would have been intrinsically involved in providing advice to the then Coordinator-General on this matter of state significance. To suggest that it was on one occasion only is farcical. This has been a four-year process—a lengthy process, a process that has led to 128 conditions on the project itself. That is because of the detailed studies that have been undertaken by the proponent and by the government in assessing it.

I refer back to the questions asked by the good member's colleagues in terms of whales, dolphins and dugongs. I think I have completely covered off on the issues related to whales, dolphins and dugongs as they pertain to the Great Barrier Reef, but I am interested in whether the members over there have any information on potential sightings of whales, dolphins and dugongs in the Belyando River because I would be very interested in hearing about it.

Mr Newman interjected.

Mr POWELL: It would certainly be a first. For starters, it would be interesting to see how they traversed some of the issues pertaining to the river and how they may have got that far upstream. I remind members opposite that if they have any sightings of whales, dolphins or dugongs in the Belyando River I am only a phone call away. I would be happy to take the call. That would be such a unique opportunity that I may even travel up there myself to ascertain whether there is any seriousness to the sightings.

Mr Cripps: About as rare as a Labor MP on the Belyando!

Mr POWELL: I take that interjection from the Minister for Natural Resources and Mines. Yes, I do believe that whales, dolphins and dugongs would be as rare as a Labor member on the Belyando River.

Mining Industry, Housing

Mr COSTIGAN: My question without notice is to the Minister for Housing and Public Works. I note the current imbalance between housing supply and demand in resource communities and the difficulties that this presents to local families. Can the minister advise the House what steps the government is taking to address this imbalance, which is forcing some families not involved in the mining sector to relocate out of the region?

Madam SPEAKER: Order! The time for questions has expired.

INDUSTRIAL RELATIONS (FAIR WORK ACT HARMONISATION) AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 17 May (see p. 93).

Second Reading

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (3.31 pm): I move—

That the bill be now read a second time.

Before debate on the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 commences, it is worthwhile to again explain what the Queensland government is delivering with this bill. I note that the Finance and Administration Committee of the parliament has held inquiries with respect to this bill. It produced a report and tabled that report in parliament. I now table a copy of the Queensland government response to report No. 14 relating to the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012.

Tabled paper: Finance and Administration Committee: Report No. 14—Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012, government response [252].

As outlined in my explanatory speech, there are six key objectives of the bill. Firstly, the act has been amended to require the Queensland Industrial Relations Commission to give consideration to the financial position of the state when making a binding arbitrary decision relating to public sector wages. Secondly, a new process has been introduced whereby the Queensland government can brief the Queensland Industrial Relations Commission on the state's financial position, fiscal strategy and related matters. Thirdly, the amendments improve the requirements for the taking of protected industrial action in connection with a proposed certified agreement. These new arrangements mirror the provisions of the Fair Work Act and harmonise the state system with the federal system in those respects. Fourthly, the changes introduce a process for employers to request employees to approve a proposed certified agreement by voting for it. Once again, these provisions reflect the current arrangements in the fair work federal legislation. Fifthly, these changes deliver further consistency with the federal legislation by introducing a power for the Attorney-General to make a declaration terminating industrial action if the action is threatening the safety and welfare of the community or is threatening to damage the Queensland economy. Finally, the changes allow members of the Queensland Industrial Relations Commission to be appointed to conduct appeals of certain decisions that affect Public Service employees.

The bill is important for the modernising of the Industrial Relations Act 1999. The bill harmonises with certain key aspects of the Commonwealth Fair Work Act. These amendments are also aimed at addressing the changing need of Queenslanders in light of both the referral of the private sector industrial relations to the Commonwealth and also the changing and prevailing economic circumstances as they affect the Public Service that remains subject to the IR Act. The bill reflects this government's desire to have a balanced and responsible approach to public sector wages.

Members of this House should be aware of my intention to move a number of amendments to the bill during the consideration in detail stage. Those amendments will strengthen the bill. The amendments that I will move have arisen in part as a result of the Queensland government's consideration of the submissions to the Finance and Administration Committee and other consultation. The bill has also been scrutinised by the committee and I note that 14 submissions on the bill were made by both unions and employer groups. A number of those stakeholders also appeared at the committee public hearing. I want to thank all those involved for their contributions and I want to thank the finance committee for its deliberations in that inquiry.

The Finance and Administration Committee has recommended that the bill be passed. I am pleased to say to the chairman and members of the Finance and Administration Committee that this Attorney-General certainly agrees with that recommendation and the government's intention is to have this bill passed. In addition, the committee has made three other recommendations on amendments to the bill. The first of the committee's recommendations on amending the bill is that it be amended to include transitional arrangements, ensuring that all processes which have already commenced be concluded under the previous arrangements. The bill proposes to insert several new transitional provisions into the IR Act. Proposed section 781 provides that the proposed amendments to section 149(5), which prescribes those new issues that are to be considered by the QIRC as part of the public interest in arbitrating the making of an agreement—for example, the state's financial position and fiscal strategy—apply only to arbitration of matters which start on or after the commencement of the section—that is, in this case, on the date the bill receives assent. This means that any arbitration already commenced will not be subject to these changes.

Proposed section 782 addresses the transitional arrangements in connection with the new protected action balloting regime. It ensures that where notice of industrial action has been given prior to the commencement of the bill the previous arrangements in the IR Act continue to apply. This means that such action will not need to comply with the new protected action balloting regime. Similarly, proposed section 783 provides that the Attorney-General's new declaration power to terminate industrial action under section 181B will not apply to protected industrial action if notice of the intended action was given prior to the commencement of the provision—that is, in this case, on the date the bill receives assent.

Finally, proposed section 784 provides for a transitional regulation power for a period of up to two years. This allows the Queensland government to make transitional provisions necessary to allow or to facilitate the transition of processes from the pre-amended act to the amended act. This will assist in ensuring that there are no unanticipated consequences with regard to the transition, including unintended application of the provisions retrospectively. The government considers that these transitional arrangements are sufficient enough to address the committee's concern to ensure that processes which have already commenced be concluded under the previous arrangements.

The second of the committee's recommendations on amending the bill is that it be amended to include provision omitting the requirement of a signed agreement in the event of an employer/employee agreement provided the employer can provide satisfactory evidence to the commission that a valid majority of relevant employees subject to the agreement approved the proposed agreement. The government agrees with the committee's recommendation that the bill be amended with respect to these agreements made directly between an employer and employees. I will be moving an amendment to the bill in the consideration in detail stage to make an additional amendment to provide that, should an employer make an agreement with employees under proposed section 147A of the IR Act for which a proper ballot is conducted, the majority of employees agree and sufficient evidence of agreement is provided to the QIRC, there is no requirement for a signatory on behalf of the employees to the agreement.

The last of the committee's recommendations on amending the bill is that it be amended to allow for additional ballot methods if the ECQ considers these other methods to be more appropriate. The Electoral Commission of Queensland, the ECQ, is considered the most appropriate body to conduct protected action ballots considering its longstanding expertise in the conduct of this type of proceeding. The requirement that voting on a protected action ballot be conducted by the ECQ and only by post will provide a consistent, fair and transparent approach to all protected action ballot proceedings. The government considers that the introduction of a variety of alternative approaches other than by post for the conduct of a protected action ballot—for example, giving the employee notice personally, email notifications with embedded electronic links to ballot notices, facsimile notifications or displaying in a

conspicuous location—notwithstanding that the decision on the mode would be made by the ECQ, does have the potential to confuse those participating in the process and may lead to challenges as to the veracity of the ballot outcome.

On this basis, the government will not adopt the recommendation of the committee. The government notes the committee's suggestion for the inclusion of electronic voting should the ECQ move in that direction in the future. This option will be examined should the ECQ establish an effective electronic system—a voting regime—at some time in the future. The other proposed amendments to the bill are changes to clarify and improve the operation of the bill arising from consultation with key stakeholders.

I will now outline the purpose of the amendments to the bill that I intend to move during consideration in detail. It will be recalled that the bill proposes amendments to the Public Service Act 2008. The bill provides for members of the Queensland Industrial Relations Commission—the QIRC—to be appointed as appeals officers dealing with the review of certain decisions that affect Public Service employees. The proposed amendments to the bill provide that the appointment of members of the QIRC as appeals officers are to be made by the Governor in Council so as to reflect the arrangements by which their original appointments as commissioners were made. The proposed amendments to the bill also clarify that the new section 214A of the Public Service Act 2008 does not apply to appeals officers and, therefore, the protection and immunities afforded to members of the QIRC under the Industrial Relations Act 1999 continue to apply to them as appeals officers.

In other proposed amendments to the bill relating to the Public Service Act 2008, reference to 'chief executive' in section 686(1)(a) of the Industrial Relations Act 1999 is removed and section 208 of the Public Service Act 2008 is further amended so an appeal decision is provided by the appeals officers directly to the parties to the appeal rather than by the Public Service Commissioner's chief executive as originally proposed.

Further proposed amendments to the bill relate to section 45 of the Public Service Act 2008, which prescribes membership of the Public Service Commission and consequential amendments flowing from that. Currently, the Public Service Act 2008 provides for the Public Service Commission to consist of a chairperson; the Public Service Commission chief executive; the chief executive responsible for the Industrial Relations Act 1999, the Parliament of Queensland Act 2001 and the Statutory Bodies Financial Arrangements Act 1982; and at least three other persons appointed by the Governor in Council as commissioners. The membership of the other persons appointed by the Governor in Council as Public Service commissioners expire on 30 June 2012. The chair of the commission has indicated that the membership of these other persons appointed as commissioners is no longer required to conduct the business of the commission. Appointment as a commissioner of the chief executive responsible for the Industrial Relations Act 1999 is no longer required as the effect of the machinery-of-government changes transferring the Public Sector Industrial Relations Employee Relations Unit to the Public Service Commission makes the commission chief executive the chief executive responsible for public sector industrial relations issues. As a result of the proposed amendment to the bill, the bill removes the references to the requirement for such persons to be members of the Public Service Commission.

I will also be moving some further proposed amendments to the bill relating to the Industrial Relations Act 1999. Included in the bill is a minor amendment to proposed section 147A arising out of consideration of the submissions made by the Local Government Association of Queensland to the parliamentary Finance and Administration Committee, which has subsequently also recommended that an amendment be made to the bill. Proposed section 147A provides that, where an employer and one or more unions are parties to a proposed agreement, an employer may directly ask employees to approve it. The proposed amendment has the effect of negating the need for such a certified agreement to be signed by all or for all the parties if the QIRC is satisfied a valid majority of the employees approved it. I again commend the bill to the House and the proposed amendments that I intend to move in consideration in detail.

Ms PALASZCZUK (Inala—ALP) (Leader of the Opposition) (3.43 pm): I want to make a few comments before I start the opposition's response to this bill. Firstly, I want to say to members of this House that the Premier went to the election talking about the cost of living. He said that the cost-of-living bill was one of the most important bills that needed to be debated in this House. What have we seen today? Late last night in this House the debate on the cost-of-living bill was started, but today we have gone straight from committee hearings in the morning, to question time, to debating this industrial relations bill.

The second point that I want to raise is that the usual process undertaken with the new committee system is that, essentially, the report from the committee, when tabled, would lie on the table for seven days. It is set out clearly in the standing orders. I draw members' attention to standing order 136 titled 'Portfolio committee reports', which states—

When a Government Bill has been set down on the notice paper pursuant to (4), at least seven days shall elapse until the commencement of the second reading debate, unless the Bill is declared urgent.

We know that yesterday this government declared this bill urgent. So it is saying to the people of Queensland that this bill before the House is more urgent than the cost-of-living bill. This is where I say to the government that it has its priorities wrong. It went to the election talking about the cost of living. We started debating the cost-of-living bill last night. But the second piece of legislation that we are debating in this House is an IR bill. The first one was about the committee system, which was essentially giving members more money.

The third point that I would like to make before going into the substantial parts of my speech relates to the committee. I thank all of the witnesses who appeared at the committee and the members of the committee. It was great to see people from outside coming in and participating in the hearing. I think that shows, in essence, that the committee system that we have set up here in the Queensland parliament is effective, is working well and that together we can bring about real changes. But the challenge for this Attorney-General in his capacity as the minister for industrial relations is whether he will accept all the recommendations tabled by this committee.

Mr Bleijie: I said no to some, so obviously no. Were you not listening? I said yes to some. I said no to some.

Mr DEPUTY SPEAKER (Dr Robinson): Order! The minister will cease interjecting.

Ms PALASZCZUK: Mr Deputy Speaker, thank you. I did not interrupt the minister when he was on his feet and I would expect that he would show me the same courtesy when I am delivering my speech. The question is: when the all-party committee is making recommendations, is the government of the day going to accept the recommendations? Yes, we have heard the minister for industrial relations say quite clearly in this House that he is not going to accept some of those recommendations. I say to the minister that the opposition will be moving an amendment that is aligned with one of these recommendations. The test will be whether the government members of the committee that made that recommendation will vote with the opposition. I expect that they will not.

The opposition will be opposing the bill. The LNP has wasted no time in returning to its favourite ideological pursuit of attacking the rights of workers. It has broken yet another election commitment and is attacking the powers of the independent umpire, the Queensland Industrial Relations Commission. We all know that when the conservatives want to attack the rights of working people, their first step is to weaken the independent umpire. The LNP has introduced this legislation with virtually no public input and very little public debate. Just two months after being elected the Newman government has stopped listening to Queenslanders and has trashed basic standards of accountability and scrutiny. Proper scrutiny and debate of these significant changes is even more crucial when we are dealing with changes that are at complete odds with the promise that the LNP made prior to the election.

Premier Newman has broken another election promise with his plans for interfering in the role of Queensland's industrial umpire. In November last year Mr Newman said—

The LNP has no plans to change the role of the Queensland Industrial Relations Commission.

Now we find that the government will interfere in the QIRC's roles and powers. In fact, we see that one of the very first bills introduced into the House contains the LNP proposal to undermine the independent umpire—and this is a worrying trend. The Premier and his ministers have already stopped listening to Queenslanders and seem to have an aversion to independent advice. Such significant changes to the fundamental elements of the Queensland industrial relations system would usually involve months of negotiation and discussions before a bill is even introduced.

Genuine consultation would have been the appropriate action if the government were serious about trying to improve the industrial relations arena. Instead we heard, during the short committee hearing, that the government did not consult union representatives about the proposed changes. We heard, in fact, that the government was more concerned about consulting the Chamber of Commerce and Industry Queensland, a group representing private sector employers, when this is a bill that affects the public workers under the Queensland legislation. The government tried to limit public input and scrutiny, giving just a few days for submissions to be made. Many submissions noted the obvious inadequacy of public consultations. They were invited to make submissions with a closing date nearly two days later. Despite that challenge, they have provided insightful responses that we thank them for.

It is telling to see the government's response to the reasoned, well-articulated concerns raised by the committee. Rather than consider the points raised and adapt the government's flawed legislation, the government is trying to bulldoze this legislation through without even the proper consideration of the committee report provided by their own MPs. I take the House to section 2.5 of the committee report, headed 'Committee Comments'. It states—

The committee wishes to express the view that, whilst it understands the governments reasons for the prompt passage of this legislation, it considers that realistic consultation times should be adhered to particularly when legislation affects numerous stakeholders.

The government will not even listen to the reasoned position of its own backbench committee members. When it comes to this bill, in the lead-up to the election the LNP hid its true intentions to undermine the independent umpire, try to sneak through this legislation without proper analysis and ensure there was a lack of consultation with inadequate time and attention provided to the bill. It also tried to override requirements for the committee report to lay on the table and instead tried to rush through this legislation. There is one overriding reason for the LNP's approach: it knows that the Queensland public does not support its approach to industrial relations. The government knows that the more people hear and see of these changes the more they will be concerned.

The bill is nothing short of an attack on the independence of the Queensland Industrial Relations Committee, an attack on the ability of workers to be represented by a union and an attack on the rights and conditions of working Queenslanders. When the conservatives want to attack the rights of working people they first take aim at the independent umpire, in this case the QIRC. The LNP is trying to undermine the commission, limiting its power to conciliate disputed matters and narrowing the issues it is allowed to consider. Under the LNP proposal, 'public interest' is redefined to be the fiscal policy of the government. It reduces the role of the independent umpire, it tries to deny workers the right to be represented in negotiations and it gives the minister the power to unilaterally end protected action.

Mr Elmes: Under what circumstances?

Ms PALASZCZUK: It is your bill. Have a look at it. We see a government determined to hurt workers in the public sector. The LNP is not satisfied with sacking workers; it now wants to take away the worker's ability to protest against it. Make no mistake: this is poor public policy and it is driven by ideological extremism. At the core of it, this is an attack on the wages and conditions of our teachers, nurses, firefighters, wardies, teacher aides, cleaners, council workers and ambos and their families. The government has in part tried to justify its extreme industrial relations agenda by describing it as harmonising with the federal Fair Work Act, but this legislation cherry-picks the parts of the Fair Work Act that strengthen the government's hand while leaving out the parts that will protect the interests of working people and their families. The Fair Work Act is designed to cover predominantly private sector agreements, while the QIRC deals with only public sector workers and local government. So we have the situation where the government is both the employer and the one setting its own rules in its favour.

The LNP is legislating to impose its extreme ideological position on the independent umpire. The government can send the Under Treasurer to the QIRC to present the fiscal strategy of the government.

Mr Elmes interjected.

Ms PALASZCZUK: That information is not allowed to be challenged or questioned by the parties to the dispute. Does the member think that is fair and reasonable? I do not think that would pass the fair-and-reasonable test.

Mr Elmes interjected.

Ms PALASZCZUK: The member can put his name on the speaking list. The commission can only consider that information and not the context of the specific matter before it. The government can refuse, delay or undermine negotiations and the minister can unilaterally intervene in protected action without the role of the independent umpire. These various elements of the bill are all aimed at weakening the position of workers and reducing the power of the QIRC to act as an independent umpire.

The proposed changes to the principal object of the act, section 3, are designed to restrict the ability of the QIRC to consider all relevant facts of the specific matter before it and the wide range of interests involved in delivering outcomes that promote economic growth and fairness. As was pointed out in written submissions to the Finance and Administration Committee, the existing legislation has ample room for the commission to consider the economic outlook and conditions when deliberating on a matter. The current act already provides the commission with the power to consider economic prosperity and social justice, ensuring economic advancement, providing for an effective and efficient economy, promoting the effective and efficient operation of enterprises and industries, and meeting the needs of emerging labour markets and work patterns.

This is by no means a restrictive or narrow approach. In fact, one of the strengths of the Queensland and Australian systems of industrial relations is the ability of the commission to fulfil its judicial responsibilities to consider a wide range of factors that impact on the livelihoods, conditions and prosperity of employees and employers. The committee was provided evidence that at commission hearings employers routinely raise issues of the prevailing economic conditions and the commission regularly gives those concerns due consideration. The proposed changes undermine the priority of the commission to consider a balanced approach, with the changes imposing a far greater weight to the policy strategy of the government of the day. Forcing the commission to consider the fiscal strategy of the government is something new entirely. It imposes upon the commission the political and ideological will of the government, effectively imposing the government's preferred wage situation.

Mr Elmes: That is not true.

Ms PALASZCZUK: The member for Noosa can get up and speak. He has every opportunity to stand in this House and give his views.

Mr Elmes: Straight after you.

Ms PALASZCZUK: Very good. Gary Bullock from United Voice, in a submission to the committee, said—

It is inconceivable in any other forum that one party's preferred outcome should be given special consideration.

This is quite simply the LNP government legislating for its own interests against the interests of Queensland's teachers, nurses, cleaners, firefighters and ambos. The LNP approach is even more concerning with the insertion of the requirement of the commission to consider not only the position of the state government but also the financial position of the public sector entity. It was confirmed by the department's submission to the committee hearing that this inserted clause deliberately requires the commission to consider not only the overall financial position of the government and the state economy but also the financial position of the specific public sector entity.

The cause of concern is that it is the government that determines the financial position of a specific public sector entity at any given time. For example, these changes would enable the government to unfairly and maliciously set its own rules for determining the outcome. Despite a government having healthy finances overall, it could direct funding away from a particular public entity and then go to the commission crying poor, insisting that the poor financial position of that particular entity demands poor outcomes for the wages and conditions of the employees. If this is not possible with these changes, the minister should confirm to the House: is it the intention of the changes to enable government decisions on funding of particular entities to undermine negotiations? If not, will the minister rule out relying on that clause in future commission hearings, and tell us what other purposes there are in specifically including that requirement in the legislative language?

The employer may ask employees to approve an agreement being negotiated with employee organisations. Proposed section 147A equates to the LNP government legislating to refuse to recognise union representatives. It is stunning that in 2012 we would have to stand in this place and debate the fundamental right of workers in Queensland to be represented by their union representatives in negotiations. The bill undermines these basic principles, where the requirements would otherwise apply. Employers already have the ability to instigate negotiations with employees. If they do, however, under section 144 the government is required to inform employees that they are entitled to be represented by their union and to provide the union reasonable opportunity to do so. Those basic principles are undermined by the LNP proposal.

As was pointed out by the insightful submission from the United Firefighters Union which stated that the LNP rationale 'misses the point; even where an agreement is between the employer and employees, the employees should still have the right to be represented by the employee organisation to which they belong.' In fact, the requirement to inform employees of their right to be represented by their union is expressly related to circumstances where an employer seeks to negotiate directly with employees, under section 144(2)(c) and section 144(2)(3).

The LNP proposal seeks to make it easier for governments to instigate negotiations directly with employees and removes the very protection that should apply to those circumstances to inform employees of their fundamental right to representation. This provision can also lead to the confusing situation where negotiations can be commenced between the employer and unions.

Union representatives would engage their membership, work through a log of claims and engage in negotiations with the government. If those negotiations bring up points of dispute, the government can refuse to bargain in good faith and, instead, undermine the negotiations by instigating a vote directly with employees. This poses a very real risk that, at best, workers will be confused as to which proposal they are voting for and, at worst, believe they are voting for their preferred agreement when, in fact, they are voting on the inferior proposal put forward by the employer.

Changes to insert provisions restricting protected action to when 'negotiations for the agreement have begun' severely favour the government. It effectively removes the need for the government to bargain in good faith. They can avoid and delay negotiations and employees would not be allowed to take protected action to bring the government to the table. Does it not say a lot about the level to which the government will stack the cards in its own favour. There is nothing more central to a fair and efficient industrial relations system than to have both parties sitting at the negotiating table, bargaining in good faith. However, rather than encouraging negotiation and bargaining, the LNP approach actually encourages the employer to avoid and disrupt negotiations.

To top it off, the government is proposing to give the minister the unilateral power to intervene in protected action. This is a huge conflict of interest as the minister is not an innocent third party, but a member of the government, the employer. The minister is given the power to unilaterally intervene without the need for approval from the QIRC. The LNP claims this power reflects provisions in the Fair Work Act, but those provisions have never been used federally, not even during the height of the Qantas dispute. They have not been tested and they impose great risks in the Queensland setting. The Fair

Work Act applies predominantly to private sector workers where government intervention is envisaged as a third party in a dispute between an employer and workers. Under the new Queensland laws, for workers in the public sector the minister will have the power to intervene in matters for which the government is the employer. Disturbingly, there are significant penalties associated with not complying with the directive of the minister. As was raised at the committee, that raises serious concerns about the separation of powers, as the direction does not come from a court or commission, but rather from a minister.

It is useful to consider how this will actually affect negotiations in the public sector. Queensland teachers are currently negotiating for their wages and conditions. I would hope that all in this House can agree that our teachers are hard-working men and women to whom we entrust our most precious resource. I would hope that all members agree that they provide essential, critical front-line services. What would this bill mean for them? The government could delay and undermine negotiations. The Queensland Teachers Union would be prohibited from taking protected action to bring the government to the negotiating table to bargain in good faith. Instead, the government can send the Under Treasurer down to the commission to provide information that is not allowed to be challenged. This untested information about the fiscal strategy of the government effectively sets the wage outcome of the matter in dispute.

If disputes occur, the government can undermine the right of workers to be represented by their union and instigate negotiations directly with employees, outside of their existing negotiations with the Queensland Teachers Union. The Queensland Teachers Union could seek to instigate protected action, as is their right. They would have to go through the onerous process of having a ballot of some 40,000 members who are spread right across this vast state. If the protected action does proceed, with the support of the QTU membership the minister can unilaterally intervene to stop the protected action. That is despite the legality and legitimacy of the protected action and the minister can intervene without requiring the approval of the commission. This is not a good outcome for decent working people and it is not a good outcome for the fair and decent society we should strive to be.

In conclusion, this bill is a serious breach of faith with the Queensland people. The government has no mandate to undermine core elements of the Queensland industrial relations system. It is a system that has served us well, one that has enabled and promoted the dual goals of economic growth and fairness. Like conservative governments before them, this government avoided the issue of industrial relations entirely during the election, except, of course, to rule out the very changes they are now proposing. Like conservative governments before them, the LNP could not resist the temptation of jumping on their favourite ideological hobbyhorse, industrial relations. Who would have thought that would have come about so quickly?

However, like previous LNP governments, they have over-reached. As we have argued in this house already, the LNP has confused a large majority with a monopoly on wisdom. Despite the LNP's efforts to rush through this legislation without more scrutiny and public debate, they cannot hide it forever. One day, perhaps years down the track, their decision, ideological attack and policy decisions will come back to haunt them.

If this government is so proud of its attack on the very fabric of Queensland's industrial relations system, it would welcome public debate. I actually think it would gain more credibility if it was honest about the intentions of this act. However, instead of being upfront about its policy direction, the LNP uses the veiled language of 'modernisation' and 'harmonisation'. The truth is that the LNP is introducing these changes to make it tougher for workers to negotiate and easier for the government to set its own terms and to impose obstacles for the independent umpire to play its role. For this reason, as I have outlined in my speech to the House, the Labor opposition stands by the workers of this state and opposes this bill.

Hon. GW ELMES (Noosa—LNP) (Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier) (4.08 pm): I say to my colleagues in the House this afternoon: and now for the real news. Unfortunately, I have only 10 minutes to go through the real news, but for the benefit of the Leader of the Opposition I will go through some of the aspects of the bill that she has raised. I will leave it to the members in the House this afternoon to decide whether or not they are fair.

I rise to speak in support of the bill introduced by my colleague the Hon. Jarrod Bleijie. The Industrial Relations Act 1999 is the primary Queensland legislation that regulates industrial relations in this state. The act covers about 245,000 workers who are employed in the state Public Service and local government, including the Brisbane City Council, and local government owned corporations. I note that, since it was introduced in 1999, this particular piece of legislation has been amended about 50 times. So this is a real moveable feast in terms of the way that it has been amended. If we look at when it was introduced and the number of times it has been amended we see that the first 50 times it was amended by the then Labor government.

This bill introduces amendments to provide for contemporary legislation, including key aspects of the Commonwealth government's Fair Work Act. Most members present, of course, would realise that that is Julia Gillard's baby. Harmonisation with aspects of this Commonwealth act is a positive step which I believe will be welcomed by employers, trade unions and employees who use our state industrial relations laws.

A contemporary aspect of this bill is that it requires the Queensland Industrial Relations Commission to consider—and this was the big point that the opposition leader was making—the state's financial position when called on to arbitrate wages and/or other employment. One would think that it is only reasonable that the commission, when making a determination, would consider these matters before it decides on wages and other employment conditions. In providing this, the bill does not compel the Industrial Relations Commission to apply the government's position on wages for public servants. It is simply required to consider these factors and address them in its findings. This is a very important decision and it re-affirms our commitment to maintaining an independent industrial umpire.

The bill also introduces a specific amendment to allow the government, through the Under Treasurer, to brief the Industrial Relations Commission on the state's financial position. It is very hard to imagine that anyone on the QIRC could not understand the state's financial position. Every day when we come into this parliament we hear more about it. The health minister today talked about $1.235 billion or something similar. As every day goes by, it gets worse and worse. So why shouldn't the QIRC have a very good understanding, through the brief by the Under Treasurer, of the state's financial position? This briefing, though, is for information purposes only. I am confident that this information will mean that the commission will be better informed about the circumstances and challenges, which currently mean the extreme difficulties that this state faces after two decades of Labor's financial vandalism.

Section 431 of the Commonwealth's Fair Work Act allows the federal minister to make a declaration terminating industrial action if the minister is satisfied that the action—just to make sure that everyone understands—is threatening the life, safety or welfare of the community or is causing significant damage to the economy or an important part of it. It is a fairly tight set of criteria that the minister will have to determine if ever that action is taken. Currently, the Queensland legislation does not contain such a provision and the proposed amendments include one modelled on—guess what? Section 431 of the Fair Work Act!

There has been some criticism of this amendment from the Queensland Council of Unions and its affiliates. In response to this criticism, it would be instructive to quote my colleague the Attorney-General in one of the wonderful speeches he made in the House on 17 May 2012. He stated—

> There may be times when our public services are so affected by industrial action that the public interest will be best protected by the Queensland government intervening to end the dispute. Having regard to the damaging effects protracted industrial action can have on Queensland businesses, workers and their families, as well as the risk it can pose to the safety and welfare of the community, the bill introduces a power for the Attorney-General to intervene and make a declaration requiring the industrial action to cease. Federal laws contain a similar provision, introduced under the previous federal legislative regime and preserved under the current regime and administration federally. The issue of uniformity with the federal jurisdiction aside, intervention by the Queensland government in industrial disputes will not be undertaken lightly and will only be utilised where there are strong public interest grounds warranting such action.

I think that quote was a very nice part of the speech from Mr Attorney-General. It is anticipated for the most part that the Industrial Relations Commission will be asked to exercise its powers, where appropriate, for the public interest to terminate industrial action and only where the commission fails to do so would a ministerial declaration be considered.

The Industrial Relations Act currently provides very little regulation for balloting employees about proposed industrial action. In contrast, the Fair Work Act sets out in some detail the process to be followed by parties who wish to take industrial action in support of their bargaining claims. In particular, the act requires that a ballot of employees should be conducted to determine whether there is genuine support for proposed industrial action. The bill proposes to adopt these federal arrangements. All we are doing is copying the Fair Work Act. This will ensure greater transparency and accountability before unions and employees are able to take protected industrial action.

The Leader of the Opposition made an issue about the 45,000 teachers in Queensland who are spread all over the countryside—it is a big state; I understand that. However, if 45,000 teachers wish to have a say as to whether or not they are going to take some industrial action, why should they not have a vote, rather than have a show of hands at Lang Park one afternoon?

The Industrial Relations Act will also be amended to indicate clearly that balloting should occur by post. This is to ensure that any ballot process is very fair. In addition, ballots are to be conducted by the Electoral Commission of Queensland. Surely, no-one will in any way suggest that they will not conduct the ballot fairly. The Electoral Commission will also meet the costs associated with the ballot.

A further amendment to the bill will allow an employer to put a bargaining offer directly to employees for their consideration. This provision will further harmonise our state IR legislation with federal law. There has been some criticism that this new provision will somehow reduce the ability of unions and employees to bargain over wages and employment conditions. The criticism is unfounded;

in fact, the reverse is true. The bill gives more power to our employees, enabling greater democracy within unions—a good thing in my opinion and something which is long overdue. The bill provides that an employer may make an offer directly to employees after there have been negotiations with relevant trade unions. It is also clear that the offer can only be made after the expiration of the obligatory peace period specified in the act. Furthermore, employees can only be asked to vote on an offer put to them by their employer. They are perfectly at liberty to reject that offer.

Changes are also proposed to the way in which the public sector appeals are heard. The Public Service Act 2008 provides that a Public Service employee may appeal to the Public Service Commission against certain decisions concerning their employment. As the Industrial Relations Act now applies only to the Public Service and local government, there is little merit in retaining two distinct bodies to deal with public sector employment disputes. For this reason, the bill contains provisions to allow members of the Queensland Industrial Relations Commission to hear public sector appeals. This change will allow the Public Service Commission to refocus away from a regulatory function agenda to one of public sector efficiency. These changes will result in a more efficient use of the resources of both the Queensland Industrial Relations Commission and the Public Service Commission.

Dr DOUGLAS (Gaven—LNP) (4.18 pm): This bill is an attempt to address some of the problems that have remained since the privately employed workers were referred to the Commonwealth IR Act by the Fair Work (Commonwealth Powers) and Other Provisions Bill 2009. As stated, only Queensland state public servants, local government and local government owned corporations—that is, all 245,000—are covered under the state IR system. The irony of the bill's passage and its message was that it was passed on Remembrance Day in 2009, when theoretically all would join together to reflect on what happens when people divide and do not embrace in harmony.

The QIRC has the power to determine IR entitlements through awards and certified agreements. The intention of the act is to require the QIRC to give consideration to the state's financial position and fiscal strategy, as has been pointed out by the two previous speakers. It will diminish the need for the Public Service Commission to participate in the resolution of public sector disputation. The challenge of the bill to the QIRC is to now function efficiently, as has been highlighted by the member for Noosa. I say this because the federal fair work bill has basically shown that the Federal Magistrates Court is paralysed. I said at the time of the original fair work bill in 2009—

> The defence of a minority group by unions in a federal jurisdiction and in a global world has no relevance where the cost of labour, by any definition, dictates where that labour will be supplied.

The Labor Fair Work Australia legislation has led to a situation where there is a near paralysis, as I say, in the Federal Magistrates Court. Strikes have occurred in record numbers and union delegates have even resorted to paralysing businesses by using a ridiculous federal Fair Work Australia position that allows for delegates to demand shutdowns in businesses that, whilst they may not have union members, could have union members by virtue of the business they conduct. That is well before one would consider a three-year time frame to establish whether a current federal MP is untruthful and deceitful.

In some respects it is probably just as well that the state public servants avoided the federal area altogether. What evidence is there for that, because federally Labor in government is now allowing at least one iron ore magnate the capacity to employ a significant part of their workforce on 427 visas—that is, 1,500 semi-skilled workers at Roy Hill.

I say to members: what Fair Work Australia federal legislation has not done is introduce harmony; nor has it improved the lot of workers. What it has done by paralysing businesses is force those businesses to employ more overseas staff. New South Wales has had 31,570 457 visa applications in the last 10 months; Victoria, two-thirds of that number; and Western Australia, half that number. I am not arguing whether it is good or bad, but fair work laws federally have put Australians out of work. The consequential outcomes of the very policy that Labor campaigned hardest to achieve and more vigorously sought to implement are exactly what its own union members now fight hardest to battle—that is, the greatest number of 427 visa applications for overseas semi-skilled workers to replace rank-and-file union members.

If the implementation of harmonisation policies within the state of Queensland leads to a situation which retains the capacity of the system to employ Queenslanders in their jobs and to defend that system against those policies that have destroyed the federal act, then we have succeeded to assist all Queensland public sector employees in doing so. Therefore, this justifies my original statement that unfortunately Queensland public sector employees did avoid federal captive legislation, and amazingly it is now an LNP government that will protect them.

I will go through some of the changes that will ensure that state public sector employees will avoid the disasters that affect the federal arena, while at the same time this fair work bill will work in harmony with the federal legislation. The first change is the termination of industrial action by the minister. This is part of the federal act but is very infrequently used because of the high thresholds. Qantas is the most

recent case federally in which it was used. Secondly, the bill introduces protected action ballots, where more than 50 per cent of votes in favour of industrial action are needed. Ballots by post are conducted by the QEC at the state's cost. Thirdly, the bill creates new offence provisions for the failure to comply with directions to ensure compliance. Fourthly, the bill critically reinforces the role of the QIRC in the appeals process in the review of decisions involving Queensland public sector employees.

Clearly this is very fair legislation. It could be argued that if all the problems of the federal Fair Work Act were addressed within the bill then it could be accused by the opposition of being draconian. The complement offered under this bill sensibly has been supported by the Public Sector Commission and by Premier and Cabinet. It seems like a reasonable start in an area where there has been great tragedy at the federal level, where ideologically driven legislation has crippled the economy, destroyed the jobs of everyday Australians, destroyed businesses and locked up courts—as I said in relation to the Federal Magistrates Court—and, yes, net overseas migration is surging whilst whole Australian communities languish.

In contrast, this bill should ensure that public sector workers get a real say in their futures. They will not needlessly be locked out of their jobs, the economy will not be threatened and there are significant checks and balances that ensure true harmony may occur—that is, the activation thresholds, which I highlighted earlier, are very high and the penalties are subject to judicial review. It is fair, it is sensible, and it will probably protect the public sector more than they will ever know.

Mr CRANDON (Coomera—LNP) (4.25 pm): I rise to contribute to the debate on the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. As committee chair, I will spend some time informing the House of the process the committee undertook in providing an opportunity to witnesses to properly inform the committee of their respective positions and views. I will leave it to others in this place to debate the various aspects of the bill.

Following referral of the bill, we acted quickly in calling for written submissions and used an extensive database in this action. The committee received a total of 14 submissions, and I refer members to appendix A of the committee's report, report No. 14. I will not go through them all, but some of those organisations who were able to provide submissions to the committee in just a few days included the Queensland Nurses Union, the United Firefighters Union of Australia, the Chamber of Commerce and Industry Queensland, Together, the Australian Manufacturing Workers Union, United Voice Queensland, the Australian Workers Union and others. There was quite a significant response in the time frame that was given. All of those submissions were then carefully considered by the committee.

Further, we called for witnesses to attend a public hearing on Wednesday, 30 May 2012. I refer members to appendix B of the report for a list of those who attended that public hearing. I will read from the list of attendees. Although it is not numbered, it would appear that in the order of 14 people attended the public hearing. Attendees included such people as Ms Thalia Edmonds, Industrial Advocate, Queensland Teachers Union; Mr John Oliver, State Secretary, United Firefighters Union of Australia; Mr Nick Behrens, General Manager, Advocacy, Chamber of Commerce and Industry Queensland; Mr Ron Monaghan, General Secretary, Queensland Council of Unions; and the list goes on. So once again there was a significant range of witnesses who attended the meeting that was called by the committee to take witness statements.

The committee also had officers of the department attend a public hearing on that same day. We had four members of the department attend: Dr Simon Blackwood, Deputy Director-General, Office of Fair and Safe Work Queensland, Department of Justice and Attorney-General; Mr Tony James, Executive Director, Private Sector Industrial Relations, Department of Justice and Attorney-General; Mr Michael Anderson, Manager, Industrial and Employee Relations, Public Service Commission; and Ms Candice Jacobs, Senior Policy Officer, Private Sector Industrial Relations, Department of Justice and Attorney-General.

The purpose of the departmental officers attending was for the committee to take the opportunity to, if you like, ask them questions that were raised not only during the written submission stage by various organisations. We timed the departmental briefing to occur after the public hearing to give us an opportunity to consider the witness statements from those who attended that public hearing and then ask the department questions to help us to fully understand the ramifications. That was a very important aspect of the whole process. The timing of that was very important and it certainly worked very well for the committee.

Appendix C outlines the witnesses at the public hearing, as I just read out. Having taken full account of all the written submissions and witness statements, the committee discussed and developed the report. This was done over the next few days in the full knowledge that Friday, 1 June was the deadline for the committee to table the report. I am happy to say that the deadline was met and we did manage to table the report. I will provide a little more information as to how that came about.

I make the following points regarding the process. I suppose to this end I am somewhat refuting some of the comments that have been made by the opposition in relation to the time frame. Opposition members as well as the Leader of the Opposition had unfettered access and unrestricted opportunity to ask questions of all witnesses in those two public hearings. I believe they availed themselves well of those opportunities. As the chair of the committee, I certainly worked hard to ensure that opposition members had more than adequate opportunity to ask whatever questions they wanted of all of the witnesses during the process, as was the case for the other members of the committee.

Throughout the process the committee resolved to put four recommendations as well as an overview of the issues raised by each of the submitters and witnesses into the report mentioned above. I note that the opposition members lodged a dissenting report which indicates that there was insufficient time to consider the legislation. I refute that assertion. Although the time frame was tight—there is no doubt it was tight—there was adequate time for witnesses to prepare full submissions, as is evidenced by the report and the number of submissions provided to the committee. There was certainly adequate time to pull their troops together to attend a public hearing and to provide us with a response to our questions, having absorbed what we had received from them in the written responses to our request.

So we have taken the responses that we called for from the various groups—unions and associations. We went through them with a fine tooth comb. We considered the contents of them. We asked various questions as a result of those submissions. We have sought clarification from the various witnesses that were in attendance. Following that we went back to the department at a further meeting and asked for further clarification and put other questions to the department to ensure that the committee had a full understanding of the position of all of those.

It is an industrial relations bill. Let us face it, it is going to be contentious. We are not going to have everyone coming along as happy as Larry with big smiles on their faces, shaking hands and saying, 'All of this looks hunky-dory, let's go forward together.' But the point is this: the opportunity was there. We took the opportunity to ask the tough questions. We gave opposition members, including the Leader of the Opposition, the unfettered opportunity to ask any questions. All of those questions were asked and taken into consideration in the development of our report.

As a result of developing that report, we then came to four recommendations, as I mentioned a moment ago. I thank the Attorney-General for taking the time to outline his response to those four recommendations. I note that he was overjoyed to accept the first recommendation—the first recommendation being that the bill be passed by the House. He seemed very happy with that recommendation. I believe he gave a full and honest response to recommendation 2, which states—

The committee recommends that the bill be amended to include transitional arrangements ensuring that all processes which have already commenced be concluded under the previous arrangements.

I believe that in citing various aspects of the act he has given a full response to the reasons why he has not accepted that recommendation. Recommendation 3, I am pleased to note, has been accepted by the Attorney-General. It will be included in the act in an amendment that will be put forward. In so doing, I think it really shows us that the committee system is an important part of the process that we go through as legislators in this state. The fourth recommendation states—

The committee recommends that the bill be amended to allow for additional ballot methods if the ECQ considers these other methods to be appropriate.

I take on board the Attorney-General's comments that he does not want to cause confusion in the marketplace under the current situation but that he will have another look at that particular aspect if an electronic voting system is developed by the ECQ at some time in the future.

It is pleasing to see that the opposition agrees that the committee system works. That was another comment by the opposition leader. I read into those comments that the opposition agrees that the committee system is a valuable tool for this parliament to scrutinise legislation with a view to improving its usability by the wider community. When this new committee system was introduced last year—I think it came into effect on 1 July—I was well and truly on board. There was bipartisan agreement right across the House at a time when Labor was in the majority, but we all agreed that this new committee system was essential to allow future parliaments to properly scrutinise legislation, to properly take the opportunity to put the legislation out to the marketplace, out to the people of Queensland for comment and to then bring it back so that adjustments and changes could be made in a timely fashion, as has been done.

In closing, I thank my parliamentary colleagues for their efforts in committee. I look forward to their contributions today in debating this bill. It is a great opportunity, with the in-depth understanding they now have of this particular bill, because they have been thrown in at the deep end to come to grips with it in no short order. I look forward to their insightful views on the bill.

Most importantly, I would like to thank the Finance and Administration Committee's secretariat, in particular—and I know she will be embarrassed—Deborah Jeffrey, the research director, for their hard work in pulling together this report. I know that some of my committee lay awake on Thursday night waiting with bated breath for the draft of the report to come through. I know because I was one of those

people and I received an email from Reg at about 2.15 in the morning saying, 'I agree with all of these recommendations.' So he was keen and I was certainly keen. I managed to read the draft report over the next four hours, having little naps in between. The point is that we managed to get it together and pull it together, and at nine o'clock on Friday morning we had a teleconference meeting where we agreed on all of the pages with some slight amendments for typographical errors and what have you, and the report was printed and presented to the parliament on Friday afternoon. I commend the bill to the House.

Mr GULLEY (Murrumba—LNP) (4.39 pm): I rise to support the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. I support the bill including the amendments. I have the privilege of being a member of the Finance and Administration Committee under the chairmanship of the member for Coomera, Michael Crandon, and I acknowledge his kind words from just a couple of minutes ago. I also acknowledge Curtis Pitt as deputy chair of that committee. I would like to take this opportunity to congratulate Michael and Curtis for their leadership of this newly formed committee and for the conduct of the review of legislation in this term. Like Michael, I wish to embarrass Deborah Jeffrey and mention her long hours and acknowledge the good work that she has done on this bill.

I welcome this bill to modernise the legislation. I welcome the bill to modernise the Industrial Relations Act. Importantly, I welcome the bill to allow the Campbell Newman government to revitalise our public sector and the relationship we have. At this point, I wish to thank the industrial bodies and the departmental representatives who attended the public hearing on 30 May 2012. Michael beat me to the punch line of mentioning those members. I recognise the comments made during that consultation by industrial representatives about the short period of consultation, but I do note and value the high quality of submissions that were presented at those public hearings. Predictably, many of those submissions claimed that the state's financial situation should not be considered in industrial relations agreements. I bring 20 years experience as both an employee and a manager of commercial and not-for-profit organisations. Unlike many in the opposition who have never filled out a BAS return, I have the real-life experience to recognise that terms and conditions of employment negotiations are intrinsically tied to the employer's capacity to pay.

We should not lose sight of this state's financial situation, with a $2.8 billion debt this year, $85 billion of peak debt and $600,000 in interest payments each and every hour. Only a sensible government considers a state's current and future financial forecasts. I believe that requiring the Queensland Industrial Relations Commission to consider the state's financial position when setting and determining public sector wages only improves and clarifies the basis from which the Queensland Industrial Relations Commission should set public sector wages.

I support the minister's right to intervene in industrial actions. My support is in recognition that there may be protracted and damaging actions where as a last resort—and that is all it is—a minister should have the legislative powers to reluctantly step in in order to protect the economy, society and wellbeing of employees.

I support the enhancement of the employee balloting process for taking protected industrial action. I welcome the involvement of the Electoral Commission of Queensland, an organisation that is well known for conducting ballot processes that are consistent, fair and transparent. I support the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012.

Mr MOLHOEK (Southport—LNP) (4.44 pm): I am pleased to speak in support of the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. We live in interesting times. Councils across Queensland are wrestling to deliver balanced budgets. Our government has had to put back the budget process so that we too can properly review the state of Queensland's finances. Families and businesses across Queensland are struggling to cope. In my own electorate of Southport many, many businesses have closed their doors, many are struggling to stay afloat and even as recently as last Christmas we saw what can only be described as untimely industrial action at the new university hospital site threatening the livelihood of many families and contractors.

A recent report by the Queensland Chamber of Commerce and Industry quoted one local businessman who had this to say—

In the past two months I have had a WorkCover audit and a payroll tax audit, now I am waiting for an ATO audit and fire safety equipment inspections. All these audits cost time and money and normally result in petty infringements or requirements for me to change something which I think is just to justify the auditors time.

The last thing that this business or any business in Queensland needs is the threat of unnecessary and untimely industrial action. The last thing we need for our local councils in already challenging times is for this government to take untimely and unnecessary industrial actions.

We are competing in a global marketplace. The old ways of doing things no longer work. We need industrial relations laws that allow us to compete in this new global market on an equal footing without instability, pricing and legislation or the threat of unnecessary industrial action hanging over our head. With a new carbon tax and the other great big taxes which have been implemented, we are creating an

environment where Australia is now seen by some in the international investment community as having too much sovereign risk. And is it any wonder? Simply riding on the back of carbon, mining and other great big taxes is not a way for Australia and Queensland to prosper now or into the future. It is making us uncompetitive and unattractive for investment.

The formalisation of the balloting process proposed in this legislation for taking industrial action is both valuable and in my view long overdue. I should stress that the new procedure in no way represents a change to the intent or underlying philosophy of the existing Industrial Relations Act. Rather, the process set out in the bill will provide both transparency and accountability which has up to now been lacking.

We all know how the unions like transparency. They demand transparency from the government and the corporations that employ their members, but sadly that same transparency does not seem to have been played out in the union movement on a daily basis of late. You only need to look at the HSU and the Craig Thomson affair to see just how transparent the union movement isn't. I would be very surprised if anyone in this chamber could find fault with the integrity of the Electoral Commission of Queensland. Placing the Electoral Commission of Queensland in charge of the balloting process will not only ensure that the ballot count is timely and accurate but also preserve the results as a matter of public record.

The bill will also ensure that industrial action is only ever taken with the informed support of the majority of the workers involved. We have to remember that it is not power alone that corrupts but fear—fear of losing that power. We have already seen how Labor fights when they are against the wall, when they are intimidated and on the run. Labor were afraid of losing the last election and we saw how far they stooped to retain power, but they lost the ultimate ballot. This bill will bring equality to the 245,000 public sector workers who at present do not have the same rights as their fellow workers in the private sector and federally.

This is why we must now harmonise our IR legislation so that no Queenslander will ever be intimidated or threatened again but be allowed to express themselves free from fear. As we know, in collective organisations some people are often treated like numbers and are restricted in their ability to have open debate over issues that are not supported by the power base. The Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 rectifies, to some degree, this problem. It allows every member of the collective organisation to have a voice, to voice their opinion, have it heard and recorded. It allows them to have that voice without having to be beholden to those who wield the power.

Anyone who has made a cursory study of Australian history will recognise how particular industrial disputes have shaped our society and economy. When future researchers come to tell the story of our time, this will help them understand the thoughts and intentions of workers at the grassroots level. The effectiveness of the new process proposed by this legislation has already been demonstrated in the federal system where it has been operating since 2009. This gives Queensland's employers and employee representatives an added advantage in that they will already be familiar with the process through their experiences in the federal system over the past 2½ years. Far from being a restriction on the right to take industrial action, Queensland's employees should recognise this as an important harmonisation with the federal system. Ultimately, the increased certainty, increased transparency and reduced confusion will serve to benefit everyone involved in the process of workplace bargaining.

We need to rebuild business confidence. We need economic and legislative frameworks that allow for the support of business growth, especially in industries that can create jobs now and into the future. We need to show the world that Queensland is open for business, that we are part of the global community and we are good for investment. We need to send a message to the world that they are welcome here and that they are valued, but most importantly our workers must know that we value and respect their opinion, their right to express themselves and their right to express themselves without fear of failure or intimidation. I commend the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 to the House.

Mr BYRNE (Rockhampton—ALP) (4.51 pm): I rise to speak on the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill. What a blatantly transparent bill this is, and describing it as fair work harmonisation is deliberately misleading. If anything, this bill is the LNP government's attempt to roll out its version of Work Choices. In essence, this bill seeks to undermine workers' collective bargaining and representation rights and move the industrial relations balance entirely in favour of the employer—in this case, the LNP government. This bill requires the Queensland Industrial Relations Commission to bend to the fiscal strategy of the LNP. Clearly this element corrupts the independence of the tribunal. Under the current act, the tribunal is required to balance the positions of all stakeholders to the matter before it. Part of that consideration has always been an objective analysis of the economic data, and this pointed directly to the capacity to pay. The discretion of the tribunal allowed for such considerations and this process led to more informed, balanced and independent determinations.

This bill seeks to destroy that balance because this LNP government cannot abide by any notion of consultation via collective representation. What makes this worse is the notion of government fiscal strategy and what that vaguely represents and that the material presented to the tribunal by the Under Treasurer cannot be challenged by any of the parties to the hearings. Why bother having these hearings if that is the case? This is simply outrageous! Ultimately, this element of the bill completely unbalances proceedings before the commission in favour of the government. This bill is also corrupted because it represents the employer setting the rules for itself. This LNP government is setting the rules in an entirely prejudicial fashion. This LNP government is legislating unfair advantage to itself. Public sector workers will not wear that and this LNP government will rapidly discover it. This will be even more strongly felt by public sector workers who trusted this LNP government when it was often stated that there was no intention to introduce any changes to the industrial relations space as part of the pre-election platform. Has the LNP not learned anything from the demise of the John Howard regime in exercising absolute power in an area of industrial relations? This LNP government thinks that it has at least two terms to destroy the industrial landscape in this great state. I encourage the LNP to keep rolling out this sort of legislation, because two terms will rapidly become a pipedream. So my advice is for it to bring it on and then sit back and wonder what happened.

Even the introduction of this bill as an urgent bill is nonsense. Has the LNP government bothered to fully and appropriately consult with the likes of teachers, fire and rescue professionals, ambos and nurses—those genuine, front-line, hardworking public sector employees out there busting their gut to deliver services to our communities? Of course there has been no meaningful consultation with those employees because this LNP government does not even understand the notion of good faith consultation. It only appreciates dictate and threat. John Howard learned the lesson that this LNP government is going to have to relearn: do not mislead working people, do not treat them as just another business cost driver, do not treat their representatives as the enemy, do not remove hard-fought conditions and entitlements in a brutal effort to drive productivity and, finally, do not treat them as fools. This bill represents all of that and more.

It is difficult to consider this bill as any more than an unsophisticated attempt to rig the game to the complete advantage of the LNP government. The bill provides a mechanism to completely exclude the notion of collective bargaining at the discretion of this LNP government. Guess what? Even non-union members will not appreciate that component. This bill is all about the government dictating terms and conditions to public sector workers. This LNP government probably thinks that it is a pretty smart way of doing it. Queenslanders are smarter than that and they will rapidly realise what this LNP government represents as far as they and their families are concerned.

This obtuse bill is about weakening the independent umpire, disenfranchising collective bargaining, bringing threat rather than respect into the industrial relations landscape and disrespecting police officers, firies, ambos, park rangers and tradies—all from portfolios I shadow. I have already had many people working in these front-line areas expressing their disgust with the LNP government's portrayal on this matter. John Howard's government was impaled on the spike of Work Choices. This LNP government's inability to resist similar ideological temptation represents an entree to a similar and inevitable conclusion. I, like all reasonable Queenslanders, oppose this bill absolutely.

Mr KAYE (Greenslopes—LNP) (4.57 pm): I rise today as a member of the Finance and Administration Committee to speak on the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. Firstly, I want to thank the committee chair and the other committee members for the great work that was done, as well as the research officers. As was noted in the incoming government brief from Treasury in March 2012, Queensland's fiscal position and outlook is unsustainable and restoration must be an urgent priority for this term of government. Think about that statement. The economic recklessness of the previous Labor administration has seen this state saddled with a debt of $62 billion this year, rising to $85 billion in 2014-15. The state's interest repayment is in the vicinity of $5 billion a year, and those opposite have decided to oppose this bill in spite of the fact that they signed away Queensland's private sector industrial powers to the Commonwealth in 2010!

This bill is designed to harmonise—hence the title—the Industrial Relations Act 1999 with Commonwealth legislation, legislation their comrades in Canberra enacted and Australians have been operating under since then. On 17 May 2012 when this bill was introduced by my colleague the honourable Attorney-General and Minister for Justice, it was part of our commitment to Queensland to get the state back on track.

It is simply ludicrous to have Commonwealth industrial relations laws governing most of the workers of the state but leaving out employees of the Queensland Public Service and local government—some 245,000 workers. The Industrial Relations Act 1999 will be modernised to bring it into line with key aspects of the Commonwealth regime.

The bill also asks the Queensland Industrial Relations Commission to give careful consideration to the prevailing economic conditions when determining wages and employment conditions. This does not seem unreasonable, does it? After all, many businesspeople, corporations, investors and mums and dads have to do this every day when balancing their budgets. Why should the QIRC not be subject to

the same criteria? As noted in the legislation the QIRC—the independent tribunal—will not be losing any of its jurisdiction and maintains the power to regulate entitlements and certified agreements. It is being given a directive to consider the parlous nature of the state's finances when negotiating entitlements and awards for public sector and local government workers.

As we know, between 2005 to 2011 general government expenses grew at almost double the rate of revenue. The Labor government, doing what it does best, was spending without restraint and was having to borrow money to pay our public servants. So teachers, nurses and even police officers, like I was, were all being paid with borrowed money.

Mr Cripps: You didn't forget police.

Mr KAYE: I did not forget. These are front-line services that are dependent on government borrowings. I do not think those opposite object so much to wage restraint being shown in public sector award negotiations; I think they object to the power that the minister would have to terminate strike action that is detrimental to the economy and/or harmful to society and public safety.

We all saw what happened with the Qantas dispute last year, when the Australian economy was so adversely affected by striking workers in a private company. As a direct result of that action, Qantas had to downgrade its profits some $450 million. Too bad for the investors, the travellers and the workers who have lost money, wasted time and now may face losing their jobs. Imagine if those people were the nurses in our public hospitals, the teachers in our schools, or the police charged with protecting our streets. That is not a pretty picture.

This power is already vested in the Fair Work Act at the federal level and now the power will be given to the minister to 'make a declaration terminating industrial action if the minister is satisfied that the action is threatening the safety and welfare of the community or is threatening to damage the economy'. That does not say that the industrial action is forbidden or that the minister can shut down anything as he sees fit. We will leave those types of actions to the federal Labor government, which shut down an entire industry on the back of a television report. Further, the explanatory notes to the legislation state—

> The amendments mirror provisions in the Federal *Fair Work Act 2009* ... where declarations are made subject to similar criteria by the Minister as the person responsible for the effective functioning of the legislation. Given that these provisions are already in place federally this amendment simply brings the legislation in line with federal provisions that apply to Queensland private sector employees thus achieving greater consistency across jurisdictions. It is expected that the Minister would exercise caution in employing this power and that such declarations would only be made in extreme cases where it was considered in the public benefit to take such action.

I ask members to note the words 'in extreme cases where it was considered in the public benefit'—not for the union's benefit, the benefit of those opposite or the minister's benefit but for the benefit of the wider public.

The purpose of this bill is to harmonise—and again, those opposite should note the title of the bill—state legislation with federal legislation. I refer again to the advice given to the Finance and Administration Committee by the department. The committee report states that the 'object of the bill is to provide a framework for industrial action that supports economic prosperity and social justice and a variety of measures have been included in order to facilitate this'. These instruments have been taken from the federal Fair Work Act 2009, under which the vast majority of workers in this state are covered.

I am intrigued as to why those opposite, who voted to assign workers' rights to the federal sphere on 1 January 2010, now object strenuously to the Newman government acting to bring the public sector into line with the private sector. Are workers' rights suddenly not now worth protecting in the private sector from the draconian and unfair Fair Work Act, which was enacted by their federal Labor brethren? I cannot be sure, as we have been told continually how wonderful this act has been. Why are they now objecting to elements of the act being integrated into the Public Service Act 2008? Those opposite have something against consistency, good-faith bargaining processes and giving our public sector employees certainty.

There are a number of other factors in this bill that are designed to help the QIRC in its determinations; namely, the addition of the process where the Treasury chief executive has the ability to brief the commission about the state's financial position, fiscal strategy and related matters. As the minister noted in his media statement on 17 May 2012—

> The QIRC will remain completely independent and have the freedom to make its own decisions, that hasn't changed.
>
> Under the new legislation, the QIRC will get the information it needs to make key decisions about financial sustainability and what represents value for the State's taxpayers.

We went to the last election on this platform: to get Queensland back on track by cutting waste, creating opportunity and providing open, honest and transparent government to the people of this state. By giving the QIRC the facts, it will be able to determine what is fair and consistent with both the state's ability to pay and what those workers in the public sector are entitled to.

Under this legislation, negotiations with public sector employees can be done in good faith and nobody is being cut out of the process. Employee organisations will still be able to represent their members but perhaps now will be able to do this in a constructive way rather than under the previous administration, where only the privileged few were let in on the true state of affairs. This is what being open and transparent is all about. It is not about sneaky backroom deals designed to look after union mates but about outcomes that benefit all concerned. The government values the excellent work that is performed by our Public Service, whether they are in front-line services or in various departments, but it also wants to see our economy start growing again. The two are not mutually exclusive.

By retaining two distinct bodies dealing with the same issues, we are essentially doubling up on bureaucratic process. The Newman government has promised to cut red tape for business, and by cutting red tape in our own government processes and refocusing the Public Service Commission away from dealing with workplace dispute appeals and other regulatory matters to an efficiency agenda we are clearly demonstrating this commitment. The dispute appeals process will continue but will rest with the QIRC.

I am sure that everyone in this place would be grateful to hear the price tag of this necessary harmonisation process. The grand total of this change is to be zero dollars. Yes, that is right: zero dollars. The explanatory notes say that the implementation of the amendments to the Public Service Act 2008, by not continuing with the other persons as appointed commissioners, will deliver savings in remuneration sitting fees to the government of $30,000 per additional commissioner. I realise that that may seem ridiculous to those in this chamber who are used to throwing money around recklessly, but, at the same time as making a profit, the Newman government will be able to give the QIRC and the public sector employees, their representatives and, most importantly, the people of Queensland the framework to negotiate in good faith for fair and equitable outcomes in relation to their wages and entitlements. I would also like to thank all of those who contributed to the public hearing and provided submissions. I commend this bill to the House.

Mr STEWART (Sunnybank—LNP) (5.07 pm): I rise today to voice my support for the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. As a committee member, I was in the unique position of being part of the first committee of the 54th Parliament to review a bill and ensure that fundamental legislative principles are upheld. I say to all new members that being a member of a committee provides a great opportunity to look into the nuts and bolts of a bill, ask any relevant questions and suggest changes that could be made.

At this stage I would like to thank the members for Coomera and Mulgrave for their leadership and assistance in guiding the committee members through this process and ensuring that the committee process remained an important part of the legislative process. As a committee we met in this very chamber with representatives from the Australian Manufacturing Workers Union, the Australian Workers Union, the Building Service Contractors Association of Australia, the Chamber of Commerce and Industry Queensland, the Electrical Trades Union of Employees, the Local Government Association of Queensland, the Queensland Council of Unions, the Queensland Independent Education Union of Employees, the Queensland Teachers Union, and the United Firefighters Union of Australia. We later met for a departmental briefing with the Department of Justice and Attorney-General and the Department of the Premier and Cabinet. I would like to thank them for their time and their submissions to our committee.

During the public hearing one of the main concerns that was raised was the issue of insufficient time to review the proposed bill. While some of the submissions were brief, they were able to provide statements and feedback to the committee and this feedback was useful and discussed by the committee before making its recommendations. Can I also say that more than enough opportunities were available for me and other members of the committee to ask any questions at the public hearing and the departmental briefing and also in our private meetings.

One of the other concerns that was raised was the termination of industrial action by the minister. I must also voice my support for this power as this power can only be used to reduce or remove threat, damage or danger. That sounds pretty fair to me. It sounds like we will be looking after all Queenslanders and ensuring that the state works for the people.

One of the other concerns was the state's ability to provide its financial position and fiscal strategy, including the financial position of the relevant public sector entity, when determining wage negotiations. One of the key reasons families in Sunnybank voted for me in the state seat of Sunnybank was that they simply wanted the state government to have better economic management. They wanted their state to be sustainable. They wanted the AAA credit rating restored. These things should be taken into account when looking at increasing costs in any business, and this should include the government. If we continue to fail to provide this information, the Queensland government would not be sustainable. That should be avoided at all costs.

One last concern that was raised was that if sufficient agreement was not able to be reached the Electoral Commission would facilitate the ballot. It was suggested that this would reduce the powers of employees. However, I would like to agree with the statement from the Attorney-General that this would ensure that the ballot process is consistent, fair and transparent and reflects the standards set by the federal Industrial Relations Commission. I am sure that we agree that the Electoral Commission is an independent and impartial body.

After we had sat through both the public hearing and the departmental briefing, the committee came up with four recommendations. Recommendation 1 was—

The committee recommends that the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 be passed.

Recommendation 2 was—

The committee recommends that the bill be amended to include transitional arrangements ensuring that all processes which have already commenced be concluded under the previous arrangements.

Recommendation 3 was—

The committee recommends that the bill be amended to include provision omitting the requirement of a signed agreement in the event of an employer/employee agreement provided the employer can provide satisfactory evidence to the commission that a valid majority of relevant employees subject to the agreement approved the proposed agreement.

And recommendation 4 was—

The committee recommends that the bill be amended to allow for additional ballot methods if the ECQ considers these other methods to be appropriate.

I would like to thank the Attorney-General for taking the committee's recommendations into account, agreeing to recommendations 1 and 3, reviewing recommendations 2 and 4 and providing reasons why they are not being brought in and changes made. I believe that this will benefit the state.

I strongly support this bill and would like to close with a statement from the Queensland Nurses Union—

We recognise that the proposed changes will bring the Queensland legislation into line with the federal counterpart, the Fair Work Act 2009, which aims to provide a balanced framework for cooperative and productive workplace relations that promotes national economic prosperity and social inclusion for all Australians.

I ask that those opposite support their federal Labor government and support this bill.

Mr DRISCOLL (Redcliffe—LNP) (5.14 pm): It is a pleasure to rise in the House to speak on this legislation, the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. The words of this title are very familiar. The opposition's attempts to rubbish the movement towards the amendments in this bill are ironic given that those words are the words that have been adopted by their federal Labor colleagues in the legislation that we are now in the position of harmonising with. Much of why this is being done here tonight is because when the opposition was in government it failed the harmonisation test. It failed to do the hard work that this committee and this government is now about to do. It failed because it does not genuinely understand how to make an industrial relations system non-combative and work.

In fact, we only need to look back to the dying days of the former government and the way it handled the Police Service negotiations. What a farce that was—leaving some of the hardest working public servants out on a limb for so long with regard to pay decisions. This is in contrast to the actions of the new Minister for Health, who sorted out in no time the reasonable claims of the Queensland nurses. In fact, we saw what the community in Redcliffe has said to me is a very welcome result—that is, that those nurses' pay issues were dealt with in a positive and timely fashion. Queenslanders want us to provide responsible certainty in delivering Queensland government services. They do not want to hear from their local police, nurses or teachers fears about whether they will get paid on time, get the increase they believe they deserve or come up to par with their colleagues in another state.

The opposition seek to muddy the water in terms of this legislation, reverting to the old chants of the Labour Day marches, street marches and protests. This is not some sort of extremist piece of legislation heaving off to the right. This is harmonisation with the federal Labor legislation. It will make sure that workers in the public sector in Queensland are not going to find it more difficult and that we in government are not going to find it more difficult to provide the harmonisation that the former government failed to deliver.

What the former Labor government flicked away, though, as we will all recall, is any sort of control or any sort of protection for private sector employees in this state. This is something I have a bit of knowledge of. Many on our side were employers. We actually had to sit down with staff and come to agreements and help work through situations. We were not going out marching in the streets, chanting with megaphones and rallying. It was about getting results. Those small businesses that have to go and get those results might have five staff. If one of those staff were to walk out the back door because of a dispute they would lose 20 per cent of their workforce. That philosophy of getting to the bottom of things, making the system work and coming to a workable outcome for both sides is what this government is about. We are taking that private sector experience of negotiation, putting in systems, checks and

balances that we know has worked and are bringing it to this place. I am thrilled to see a piece of legislation like this. It is one of the first acts of this government to ensure that we give Queenslanders what they have demanded: the predictability and the certainty of the provision of essential services by state government employees.

It is interesting to look at when they were in government and what they were quite clearly prepared to flick away to their Labor mates in Canberra—that is, the private sector employees—and what they were left with. They held on to the public sector employees, because their union boss mates told them to. They did not want to lose that control and that stranglehold, because their union boss mates, the same people who are opposed to the fair and transparent ballots that will be conducted by the Queensland Electoral Commission if so required—and that probably goes a long way to understanding why this sort of harmonisation did not occur—did not want to be brought to account. We all know that they are the people who were really pulling the strings and sending out the ministers and the Premier to do their bidding. The union bosses were really calling the shots in the backroom, faceless deals.

I think there was some reference made to the number of returning ALP members and the two new ALP members who slipped through. It is very important to remember that the former Labor government failed in its duty to the people of Queensland, and that is why only five members were returned and only two new members slipped in. Of course, we all know that they were not really prepared to run under the Labor banner. We saw anything but Labor promoted in the election campaign. I suppose that would have been to the real detriment of the promotion of the Labor union bosses who, in fact, held back any attempt to introduce any sort of harmonisation through the term of the previous government.

Keeping the unions honest is a big ask, but through this legislation we will keep them honest. Once and for all, we will give real power, real voice and real spirit to the good, average, everyday union members, the workers and the people who deserve a voice. They do not deserve to be bullied by the big union boss heavies in town, in Peel Street or wherever else they might be. This is all about giving a voice to the real people. If they want to put up a ballot that will be independently controlled by the Queensland Electoral Commission, everyone in this place knows that it will be run in a transparent manner. Even seven Labor members got through that process, so quite clearly it is prepared to take the will of the people in every area, even the electorates of the 'magnificent seven' as they now call themselves.

Our legislation will ensure that the blunt instrument that is being used by the union backroom heavies will be well and truly put away. I think that is a great thing for the employees of the Queensland government. They will breathe a sigh of relief—particularly the union members—to know that they will not have Bill breathing down the backs of their necks and saying, 'You'll vote this way,' 'We'll speak on your behalf and we'll not even ask you,' or, 'Put your hand up or else we'll meet you in the middle of the harbour.' There will be no more of that. This will ensure honesty and transparency so that the workers of Queensland and the Public Service are looked after rightfully, as this government has pledged to do.

There has been a lot of bleating from the 'magnificent seven' on the far left about the powers of the Attorney-General to break strikes putting Queensland into jeopardy. It is very interesting that the legacy of the former Labor government, in all its glory—it was a disaster—is now worried about protecting their union mates. Still they are working against this government and working against the interests of the people of Queensland, because now they want to prevent the first legal officer in the land, on behalf of the state of Queensland, from protecting the state. It is not in their DNA and it is not in how they think. They do not put first Queensland and they do not put first Queenslanders. Sure as anything, they do not put first the workers of the unions that they claim to represent. They want to protect the union heavies, whom we never see—

Ms Trad interjected.

Mr DRISCOLL: The member for South Brisbane knows them on a first-name basis. She has worked for them and with them, which is why she is here. She has done the hard yards with the heavies and this is her reward. However, hers is not a safe seat anymore. It has been brought down to a wafer-thin margin, like the rest of them. As someone who has been an employer and has worked in the industrial relations system, certainly I commend this bill to the House.

Mr MULHERIN (Mackay—ALP) (Deputy Leader of the Opposition) (5.24 pm): At the outset, I advise that my contribution to this debate will concentrate on aspects of the bill that sideline the independent umpire, the QIRC, or seek to fetter its discretion or interfere with its authority. I endorse other aspects of the bill raised by previous opposition speakers, but I will be concentrating my comments in the manner I have outlined. The lack of public consultation cannot pass without comment. The policy behind a bill that changes the industrial relations landscape of the state so dramatically should have been put to voters in the election for their consideration and not sneaked in on the first real sitting day of the 54th Parliament.

To refer to 'fair work harmonisation' in the title of the bill is misleading and duplicitous, and it does nothing to engender confidence in the government. The statement in the explanatory notes that so many provisions mirror the Fair Work Act is untrue. What should have appeared in the explanatory notes in relation to most of the provisions is that they mirror the Fair Work Act except in a very important particular. In fact, the provisions of the Fair Work Act have been combed through and those that may appear to favour the employer over employees have been tweaked to ensure they favour the employer even more.

I now turn to some of the specific provisions of the bill. Clause 4 of the bill purports to amend the principal objects of the act by inserting an additional clause to provide that—

When wages and employment conditions are determined by arbitration, the following are taken into account—

(i) for a matter involving the public sector—the financial position of the State and the relevant public sector entity, and the State's fiscal strategy ...

It could hardly be argued that the Queensland Industrial Relations Commission does not already have to take the financial position of the state and the relevant public sector entity into account in arbitration. There are already numerous provisions in section 3, under the heading 'Principal object of this act', that require it to do so. For example, section 3 states—

The principal object of this Act is to provide a framework for industrial relations that supports economic prosperity and social justice by—

(a) providing for rights and responsibilities that ensure economic advancement and social justice for all employees and employers; and

(b) providing for an effective and efficient economy, with strong economic growth, high employment, employment security, improved living standards, low inflation and national and international competitiveness;

...

(f) promoting the effective and efficient operation of enterprises and industries; and

...

(k) meeting the needs of emerging labour markets and work patterns; and

(l) promoting and facilitating jobs growth, skills acquisition and vocational training through apprenticeships, traineeships and labour market programs ...

Section 149 (5) states—

(5) In considering the matters at issue, the commission must consider at least the following—

...

(b) the likely effects of the commission's proposed determination, and any matters agreed before arbitration, on employees and employers who will be bound by the proposed determination;

(c) the public interest, and to that end the commission must consider—

(i) the objects of this Act; and

(ii) the likely effects of the commission's determination on the community, economy, industry generally and on the particular enterprise or industry concerned ...

The fiscal strategy is another thing altogether. In the Queensland Industrial Relations Commission, the employer is the government. To be required to take into account the government's fiscal strategy will give one party to a dispute an unfair advantage over the other, in this case the employer over the employees.

The current objectives of the act require the commission to balance the interests of economic prosperity and social justice. This proposed amendment distorts this balance. To require the independent umpire, the QIRC—a quasi judicial body—to basically implement government policy is a breach of the doctrine of separation of powers, something which has not been very slow to raise its ugly spectre in homage to the Premier's hero, Joh Bjelke-Petersen, in the earliest days of this government. Closely connected with this amendment is the proposed new section 339AA, which allows the Treasury chief executive to provide a brief on the state's financial position, fiscal strategy and other matters to the QIRC. The first concern is that this briefing is in private. There need not be any dispute in place and, even if this is in contemplation of a dispute, the other parties to the dispute cannot be present to challenge the information or even cross-examine the official. Such a provision is unnecessary, breaches the rules of natural justice and gives one party an unfair advantage over the other. Again, the QIRC is required to take this information into account. The QIRC already has ample capacity to inform itself of any matter relevant to its deliberations. It is not even bound strictly by the rules of evidence and it will be forced to take into account information that has not had the benefit of its accuracy or authenticity being tested.

Clause 12 of the bill, which inserts new division 6A relating to a termination of a protected industrial action by a minister, is also of grave concern. Proposed new section 181B allows a minister to make a written declaration terminating a protected industrial action. Again, this can be done without

reference to the QIRC and the minister is not required to give reasons for making the declaration. The explanatory notes say that it is envisaged that the power would only ever be used in relation to industrial disputes in essential services where there is a real threat to public safety and welfare or to the economy. Then why not say so in the legislation? I cannot envisage a protected industrial action that does not harm part of the economy. The tories opposite are attacking the whole concept of protected industrial action in the guise of protecting essential circumstances. If protecting essential services is the real intent behind this provision, why do they not limit the powers of the minister to essential services?

The explanatory notes says that this provision mirrors the Fair Work Act. There are two things to point out in this respect. The first is that, even though there is a similar provision in the Fair Work Act, it has never been used—not even in the Qantas dispute. It seems strange that, when only limited provisions from the Fair Work Act are being included, the government chooses to implement one that has not been used, tried or tested. The second point is that, while there is a slim chance that the federal minister might represent the government who is the employer in a dispute under the act, this is only in relation to about 160,000 workers in the private sector in Australia out of nearly 10 million workers. In Queensland, however, there are 300,000 workers covered by the state industrial relations system. That is 240,000 public servants and the balance are local government employees who come within the purview of the local government minister. So the minister represents the employer in relation to all employees. That is not quite mirroring the Fair Work Act in a practical way.

Again, this part of the bill interferes with the power of the independent umpire, the QIRC. Not only does the minister have power to override decisions of the QIRC in relation to negotiations, but the bill also prevents the commission from making an order that is inconsistent with the direction driven by the minister. Again, this is in breach of the doctrine of separation of powers. I have a feeling I will be using that phrase quite a lot during this term in parliament.

Because of the special nature of the relationship between the state minister and the employees, the QIRC is the appropriate body to be able to suspend or terminate lawful industrial action. This proposal has the potential for political interference in the process, or the perception of political interference, which would undermine the confidence in the industrial process in Queensland. Decisions made by the QIRC will be based on evidence and the rules of natural justice being observed.

The commission also has to give detailed reasons for any decision it makes, unlike decisions made by the minister, who has very little to prevent him from making them on a purely political basis and does not have to provide the reasons. At the very least, the minister should be required to set out findings on material questions of fact and to outline the evidence of other materials on which those findings were made, which is what is now required of the QIRC when making any determination.

Another provision in this bill that attempts to sideline the independent umpire is the amendment to section 144(2)(c) and (3) of the act contained in clause 6 of the bill, which applies when the new section 147A applies. This is contained in clause 7. This part of the bill allows an employer to directly ask employees to approve an agreement by bypassing the employees' organisation. This has the effect of ensuring that the matter does not go to the commission if the ballot is successful. When they do this, subsections 144(2)(c) and (3) will not apply. These provisions require an employer to inform employees they have a right to be represented by a relevant employee organisation and, if they ask to be so represented, to require the employer to give the organisation a reasonable opportunity to represent the employee before an agreement is made. These requirements in the act are merely evidence of good faith negotiation.

There are also requirements contained in the Fair Work Act. So if these provisions attempt to mirror the Fair Work Act, they do so except in a very important particular. Section 146 of the act requires parties to negotiate in good faith. The fact that an action authorised under this new provision would be a breach of section 146 by its very nature is evidenced by the fact that this section contains subsection (9), which provides that such an action does not of itself constitute a failure to negotiate in good faith. Legislatively changing a bad faith action into one exercised in good faith! That does not affect the public's perception of the action, though; it just protects the employer in the commission.

The bill is an affront to the QIRC and to the established industrial landscape of this state. It sidelines the independent umpire, fails to observe the doctrine of separation of powers, provides legislatively for political interference by the minister and forces the commission to take into account information that has not been tested by parties to any dispute and does not even allow for such testing. This is nothing less than we would expect of this government. Giving parties three days to consider the proposed legislation before being required to respond to it in a committee hearing and rushing the amendments into the House without proper consultation is what we have come to expect. The most duplicitous act, however, is not telling the electorate of their intention before the election. You cannot convince me that this was not your intention all along. You cannot convince me that this is something that you have dreamt up between the election and now. This is something you had on your mind since you lost the election back in 1998.

We are opposing the bill. This will not come as a surprise, but my response to you is: shame! Shame on you for being so vindictive, mean spirited and spiteful in your actions. It is not enough that you are sacking—how many did I read in the *Courier-Mail*—40,000 public servants, but the ones left in employment will be beaten by the big stick of the Newman government anti-worker policy. I can see why Sir Joh Bjelke-Petersen is the Premier's hero.

Mr DEPUTY SPEAKER (Mr Ruthenberg): Order! Before I call the next member, I remind members to address their comments through me and to not use the word 'you'.

Dr DAVIS (Stafford—LNP) (5.39 pm): I rise in support of the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. This is good medicine for Queensland. It is strong medicine for a chronic and debilitating disease that is harming all Queenslanders—a disease brought to Queensland by none other than the Australian Labor Party; a disease that the people of Queensland know must be fixed and have asked the LNP to fix. The disease is chronic toxic debt. It is a disease that is sapping life from the Queensland economy, an economy that must now be fixed.

This morning I attended a business breakfast in my electorate and once again heard how really tough it is for business because the all-necessary confidence and investment is not there. It is simply not happening and, as the Treasurer pointed out earlier today, it is that consequence of debt that has caused such extraordinary problems in countries such as Greece. The notion that one simply must keep borrowing one's way out of debt is not a solution, not least because one sees the impact on one's credit rating and also completely unreasonably leaves the problem to the next generation of Queenslanders. As Einstein pointed out, we do not fix the problems using the same thinking that created them. We clearly do need a different industrial relations paradigm to address the issues.

A vital part of the solution is this legislation—legislation that requires parties to recognise that we have to live within our means and begin the process of repaying debt and regrowing Queensland. If not, debt grows like a cancer. Spain is another example where, tragically, the people who are paying the highest price for their inability to contain debt are the youngsters—youngsters who desperately need jobs at a time in their life when they need the skills and are best placed to develop them.

This responsible, balanced legislation before the House allows this government to maintain services and productivity as well as encourages essential investment in Queensland. We know well that one of the key issues in this global market when investors look to where they plan to make their investments is the stability of the government, the wisdom of the government and, very importantly, the industrial relations framework that makes it all possible. All things that maintain and grow the number of jobs in Queensland are therefore absolutely essential.

Tomorrow morning I have the honour of representing the Minister for Health at an opening at the convention centre of a major conference with international speakers looking at the relationship between jobs and health. As we know, jobs are essential for an enormous number of reasons including the dignity of having a job as well as the contribution to the economy but also, very importantly, the health of the entire community. This legislation is an important part of that as well as it will provide the incentive for employers to employ and allow efficiencies that reduce debt—money currently wasted on debt that the government can, once that matter is resolved, redirect to front-line services, which is another part of the commitment that we gave to the people of Queensland before the election.

This carefully considered legislation is in the long-term interests of all Queenslanders and the sooner we allow that message to get out there the better. As such, the Australian Labor Party should be queuing up to get behind it—to be part of the solution rather than part of the ongoing problem. What a wonderful way for the Australian Labor Party to say sorry for bringing toxic debt to Queensland—to support this legislation.

This legislation provides a responsible foundation for this responsible government to engage with responsible workers. As such, it will not only allow us to address the problems bequeathed by Labor but also allow us to negotiate sensibly with our workforce to get Queensland firmly and fairly back on track to being Australia's premier state. I congratulate all who have contributed to this legislation and am pleased to commend this bill and its amendments to the entire House.

Mr PITT (Mulgrave—ALP) (5.44 pm): I rise to contribute to the debate on the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill. As deputy chair of the Finance and Administration Committee, I thank the chair, the member for Coomera, and the other committee members—the member for Murrumba, the member for Greenslopes, the member for Stretton, the member for Hervey Bay, the member for Sunnybank and my colleague the member for Mackay—for their contributions and their application to the task of reviewing the legislation. I also join with my fellow committee members in congratulating Deb Jeffrey for the excellent work she did in bringing this report together in such a short time frame.

Beyond the fundamental differences between the LNP and Labor on this legislation, as indicated in the dissenting report, the committee has provided some valuable insights and worthwhile improvements to what is essentially flawed legislation. I will deal with those improvements later, and I thank the committee chair and the other members of the committee for their consideration of this bill. Firstly, I want to reinforce the Leader of the Opposition's comments about the necessity for this legislation or, rather, the absence of necessity for change.

In the last two months we have seen a range of broken promises from the LNP that have been raised by the opposition in this House. There has been a failure to implement a full freeze of car registration costs, misleading voters because they failed to highlight that the freeze does not include CTP. There has been a failure to provide the full value of electricity savings that were promised in the election. The public was told that it would save around $120 a year on power bills, but it has since been revealed that the tariff freeze does not extend to hot-water systems and pool pumps. There has also been the failure of the Premier to uphold the standards of ministerial accountability—so regularly trumpeted during the campaign—with the arts minister blaming a public servant for her own mistake.

However, of all the broken promises we have seen from the LNP government to date, the introduction of this bill represents the biggest one of them all. What is worse with the earlier examples I mentioned is that the government has failed to meet the intention or spirit of its contract with the community. In the case of this legislation, no such contract exists. During the campaign, the Premier and the LNP gave absolutely no hint that they intended to wind back workers' rights and the role of the independent Industrial Relations Commission. In fact, they even expressly denied that any such changes were being considered, even though it is exactly what happened in Victoria and New South Wales when conservative governments gained power in the past 18 months.

Here in Queensland the Premier flatly denied that the Industrial Relations Commission would be under any threat by a future LNP government. Yet here we are only two months into the Newman administration and workers' rights are being eroded. This is a betrayal of the highest order. I do not use the term lightly, but betrayal is the only way to describe what the LNP has done in introducing this bill. It has dressed this bill up as some benign amendment to Queensland's industrial relations laws to bring them into alignment with the federal Fair Work Act. But, as we heard at the public hearings for this bill, that is not quite true. The government has been very selective in choosing which elements of the Fair Work Act it has chosen to 'harmonise'.

In this bill, it has included parts that favour the employer while omitting some of the sections that favour employees. The member for Redcliffe talked earlier about how the health minister showed Labor how it should be done in terms of bringing agreements together. Obviously the hard work was done by Labor in this regard given that the agreement was done in such a short time frame. The QNU has also made a submission on this bill opposing it, so I do not think it is the biggest fan of this legislation.

As the Queensland government is both the legislator and the employer of most of the people affected by this bill, it is clear that the government is trying to shift the balance of power in its own favour over workers. There was no mention of this before the election, as the LNP went to some lengths to win the support of public servants. It seems that support is now being repaid by fewer rights and less likelihood of a fair and balanced outcome. Clearly, this constitutes a betrayal. Perhaps the bill should be called the 'Unfair Work Disharmonisation Bill'. Just like the cost-of-living bill, which failed to truly address the cost of living, this bill is not fair and does not truly harmonise with federal legislation.

Before going on to deal with specific elements of the bill, I want to spend some time discussing the consultation that took place—or, rather, failed to take place—in relation to this bill. Firstly, the government's failure to mention these changes during the campaign deserves condemnation. Clearly, these changes were on the mind of the LNP in the lead-up to the election. The Chamber of Commerce and Industry Queensland revealed at the public hearing that it had been in detailed discussions with the government before the election about changes to the industrial relations laws, particularly in relation to public servant wages. Yet, strangely, no mention of this was made to any representatives of Together, the union that represents the bulk of Queensland's public servants.

During the public hearing, I asked the United Firefighters Union State Secretary, John Oliver, if the Premier or his team consulted with the UFU prior to the election or informed them of any proposed changes to Queensland's industrial system. He responded by saying that he was 'completely taken by surprise' by this proposed legislation.

The LNP was obviously cooking this up but did not want to risk putting public servants and local government staff offside. So what did it do? It kept it hidden. It was trying to fool the estimated 300,000 workers who will be affected by this legislation. It is this dishonesty that is the most galling aspect of this bill.

To add insult to injury, the LNP then proceeded to allocate very short consultation time frames for what are very significant changes. Public submissions on the bill opened on Monday, 21 May and closed soon after, on Friday, 25 May. As many stakeholders pointed out at the hearing, this was not

sufficient time to fully analyse the impacts of the legislation and to consult with members. This was even recognised by the committee, which urged the government to adopt 'realistic' time frames for consultation, particularly when many stakeholders are involved.

I suspect the haste associated with this bill is primarily motivated by the government's determination to have the new framework in place before it has to finalise a new deal with Queensland teachers. Only last night the government gave teachers an inadequate wage offer, and the Premier wants the new laws in place so that they can be used to settle any dispute in the government's favour.

The Queensland Teachers Union made the point during the public hearings that its enterprise bargaining negotiations commenced with the government on 23 November 2011. However, more than two months passed after the state election before it received an offer from the government. Queensland's teachers are now less than four weeks away from the expiry of their agreement, and they will not only have to contend with a poor offer that is late in coming but also, more than likely, have to navigate their way through this new legislation. It is clear that the government wants these new powers in place so that they can be used against the teachers in case of industrial action. For a government that came to power with so much goodwill, the LNP seems intent on tossing that goodwill aside for its ideology.

As outlined by the Leader of the Opposition, Labor is opposing this bill. Unlike the Attorney-General, I was not 'overjoyed' to support the committee's first recommendation. But being a pragmatist I realise that this will pass on the numbers. Therefore, I strongly urge the government to implement the committee's three other recommendations. The second recommendation relates to wage negotiations that are already underway, such as the Queensland teachers I have already spoken about. The recommendation states—

> The committee recommends that the bill be amended to include transitional arrangements ensuring that all processes which have already commenced be concluded under the previous arrangements.

This seems to be a fair recommendation, based on common sense, and it was put forward by a bipartisan, all-party committee. It means that those workers who already have negotiations underway can finish their processes under the same rules that they started with. It means that the government should not be shifting the goal posts in the middle of the game. I urge the government to take a look at the title of the bill and be fair—fair to those workers who have already commenced negotiations with the government—and adopt this recommendation.

I note that the government has adopted the third recommendation of the committee, which was put forward based on some evidence by the LGAQ. This recommendation urges the government to amend the bill to omit the requirement of a signed agreement in the event of an employer-employee agreement, providing the employer can show the commission that a majority of employees have approved the proposed agreement.

The fourth and final recommendation of the committee relates to the balloting methods outlined in the government's bill. Proposed new section 176 sets out the requirements for industrial action by employees or an employee organisation. It insists that industrial action be authorised by a ballot. However, any reasonable person would immediately see that this requirement is completely impractical in Queensland. As the Queensland Teachers Union pointed out, conducting a ballot across its members is a logistical nightmare. Teachers are spread right across the length and breadth of this state—from Coolangatta to Thursday Island and out to Thargomindah and numerous small places in between. Conducting a ballot in the manner and time frames outlined in this bill is unreasonable.

The Queensland Council of Unions pointed out that this is one of those areas where there is no real harmonisation with the federal laws. The federal Fair Work Regulations allow other forms of ballots, such as by giving notices to employees personally, by emailing employees at their work email address, by providing a link to a website or by sending a fax. The Attorney-General should have realised that, in a state as decentralised as Queensland, with the variety of employees in the state and local government sectors, his narrow proposal just will not work. If the government is fair dinkum, it will follow the committee's advice and allow the ECQ to implement a variety of balloting methods under this legislation.

In summary, I will finish where I started. Of all the promises broken by the Newman government since it came to office, this is the most significant so far. In particular, the government's duplicity is staggering. The LNP went to the extent of initiating discussions with the Chamber of Commerce and Industry Queensland before the election about these changes but kept them secret from the public. On the one hand it was courting public servants with soothing statements and positive words—they were doing their best 'bureaucrat whisperer' impression—but behind the scenes it was plotting and scheming to erode workers' rights. Once the Premier and the Attorney-General realised they had such a massive majority in this House, they thought the time was right to strike.

Just like John Howard and his hated Work Choices legislation, the LNP in Queensland is using its bloated majority to attack workers' rights. So I caution the Premier and the Attorney-General: there was a massive backlash against the Howard government because of Work Choices, so do not be surprised if there is a similar backlash against this legislation. This bill represents a massive attempt to deceive the Queensland public, and I suspect the LNP will regret the day it decided to embark on this journey.

Mr HART (Burleigh—LNP) (5.54 pm): I rise today to support the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. The bill seeks to amend the Industrial Relations Act 1999 to clarify and improve its operation. It is important to recognise that from January 2010 Queensland referred its private sector industrial relations power to the Commonwealth, leaving Queensland's Industrial Relations Commission with jurisdiction over 245,000 workers' awards and certified agreements, mostly in the state public sector, local government and local government owned corporations.

There are a couple of items about this bill that I would like to highlight. Wage setting for public sector employees who fall into the jurisdiction of the IR Act has a very direct effect on the state's fiscal strategy and potentially on public sector employment generally. The proposed amendments will ensure that such decisions are made with this in mind and are responsive to the prevailing and changing economic conditions in Queensland.

As I said earlier, prior to 1 January 2010 the IR Act was the primary legislation regulating the industrial relations system in Queensland. At that date, Queensland referred its private sector industrial relations power to the Commonwealth so that the state's industrial relations jurisdiction through the IR Act is now concentrated on the public sector, including government employees at the state and local level who are funded from public revenue.

The Queensland Industrial Relations Commission, QIRC, is the independent tribunal that conciliates and arbitrates industrial matters including agreements, wage rates and wage increases of public sector employees in the state of Queensland. When negotiations are at an impasse and reconciliation by the QIRC has not been successful, the QIRC has the power to determine the matter by binding arbitration. When making an arbitrated decision, the QIRC is broadly required to take into account the public interest and likely effects of the determination on the community, the economy, industry generally and the enterprise or industry concerned. The QIRC may only consider the state's financial position broadly as part of the effect on the economy. There is not a clear process for taking into account the state's financial position and that of the relevant employer entity and the fiscal strategy of the state government, nor how such matters were weighted against other factors in the decision process.

It is important that the IR Act be amended to ensure that, on these occasions when wages are determined for the public sector by binding arbitration, the flow-on effects on the state and on the state's fiscal strategy are taken into account. The proposed amendments will require the QIRC to demonstrate when making a decision that consideration has been given to the prevailing economic conditions and in particular to Queensland's budgetary position and the effect any decision may have on public sector employment generally. The amendments include a process for the Queensland government to keep the QIRC informed of the financial position of the state and the government's fiscal strategy to support the QIRC's decision making.

Further, the amended legislation defines a clear process for employees voting in determining a ballot when industrial action is proposed to be called. This is to be termed a protected action ballot and is conducted by the ECQ. Importantly, schedule 4, section 20 provides that employees may only vote in a ballot if their name is on the roll of voters for the ballot, and section 21 provides that a regulation may provide for the qualifications, appointment, powers and duties of scrutineers for a protected action ballot. These are very sensible amendments, if I may say so.

The Leader of the Opposition and the Manager of Opposition Business, the member for Mulgrave, whom we have just heard from, suggested that if the Teachers Union wanted to take protected action they would be obliged to hold a vote of over 40,000 members, with the ECQ carrying out that vote, and that that might be an onerous task. I would point out to the Leader of the Opposition and the member for Mulgrave that on 24 March this year the ECQ conducted a ballot of over four million voters, and that worked out okay! I do not think it was overly onerous and I am very happy with the result.

A government member interjected.

Mr HART: I take that interjection. However, I can accept that the Leader of the Opposition might well think that that vote was onerous. I would point out that by passing these amendments there will be no additional cost to the unions concerned, as section 24 provides that the cost of the protected action ballots conducted by the ECQ are payable by the state. As voting will be conducted by the Queensland Electoral Commission, the process will be a fair process, clearly defined and above all transparent. It is a great shame that powers over state sector industrial relations were referred to the Commonwealth in

2010, giving control to a Commonwealth government presently controlled by the Greens and the Independents with the assistance of the unions—more specifically, the loopy left of the New South Wales Labor Party! Private sector industrial relations would have been far better off left to this new government in Queensland—a can-do government.

On that note I might move into the savings contained in the bill, and I commend the Attorney for these savings. Specifically, I note that section 45 of the Public Service Act 2008 establishes the membership of the Public Service Commission. The Public Service Act 2008 currently provides for the commission to consist of the following persons: the chairperson; commission chief executives who are responsible for the Industrial Relations Act 1999, the Parliament of Queensland Act 2001 and the Statutory Bodies Financial Arrangements Act 1982; and at least three other persons appointed by the Governor in Council as commissioners. Surprisingly—or maybe not—under the former Labor government the commission previously had up to five other persons holding appointments at the same time. What is the cost of these other persons? It is $30,000 per other person in what is termed 'remuneration setting fees'. The appointment of these other persons by the Governor in Council as commissioners expires on 30 June 2012, and thank goodness for that! Not surprisingly, under these new rules these other persons are no longer required to conduct the business of the commission. This advice comes from the chair of the Public Service Commission. That is the part of this bill I really like—that is, $30,000 per person in sitting fees times five equals $150,000 in savings, if my maths is correct. Another four decisions like this and we will pay for one hour's interest on the colossal debt that was left behind by the previous incompetent Labor government! The parliamentary Finance and Administration Committee has reviewed this legislation and it heard from a number of interested parties, unions and chambers of commerce. The committee has tabled report No. 14 in the House with a number of suggested amendments, and the Attorney has already indicated that he will move further amendments during the consideration in detail stage incorporating some of those suggestions.

In closing, I want to reinforce the comments made by the member for Redcliffe about this government's handling of wage negotiations with Public Service workers in the last 11 weeks since the election. As he pointed out, the Minister for Health moved very quickly to solve the issues put forward by the Nurses Union in order to get its enterprise bargaining agreement moving forward. Contrast that to the comments by the member for Rockhampton last night when he commented on the Newman government's plans to increase the payroll tax threshold from $1 million to $1.1 million and then up to $1.16 million over the following five years. What did he say? He said that it was a 'less than earth-shattering rollout schedule'. He went on to say that it is hardly likely to have a dramatic impact on lives. What the member for Rockhampton failed to recognise is that a payroll increase of $100,000 would allow an enterprise with, say, 20 people working for it—and that would put them under the $1 million cap—to increase its workforce by a further two people per year. That would be an increase of 10 per cent or more in the first year and another 50 per cent over the following five years. That is growing a business by 50 per cent to 60 per cent and I think that that will have a fair effect on a business. This shows that those opposite just do not get it. They do not understand basic economics, and the fast approaching $85 billion in debt is proof of that. In contrast, the Newman government is already getting the runs on the board, already reinforcing—

(Time expired)

Mrs SCOTT (Woodridge—ALP) (6.04 pm): I rise to speak against the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. At the outset I want to express our disappointment and disgust at the unreasonably short time frame for consultation on this matter. This lack of time for interested parties to make submissions, together with the fact that the proposed changes were not foreshadowed prior to the election in the LNP's 100-day plan, makes a mockery of the Premier's commitment to treat the parliament with respect. On closer inspection, the legislation proposed today is unashamedly designed to take away the rights of workers in the pursuit of matters before the commission, particularly with respect to the negotiation of enterprise bargaining agreements. This disempowerment of workers is done in a number of ways.

Firstly, a new object proposed in the bill will require that the commission place greater emphasis on the economic capacity of the employer to pay. The object also proposes adding in a new element which requires the commission to have regard for the fiscal strategies put in place by the employer to address financial issues. At the moment the fiscal strategy of this government is to reduce spending—some would say in a razor-gang-like fashion. This change to require the financial position of the government or the employer to be considered is to walk away from more than 100 years of principle that wages should be determined by what is required for a decent standard of living for workers rather than the capacity to pay by the employers. This concept to pay in a government environment is a difficult one in that the employer is in charge of fiscal policy and can determine their own capacity to pay. I have seen a copy of the special broadcast from the director-general of the Department of Education, Training and Employment sent on Monday, 28 May to all employees which calls on schools and other education facilities to ban colour photocopying such as the school newsletter, use black and white copies back to back only and remove all plants from Education premises.

Secondly, the proposed changes also give power to the state government to intervene in matters before the commission which provide the employer with an unfair advantage over employees. Let us not forget that the state government is Queensland's largest employer, with 245,000 state government employees in the state system. In addition, there are approximately 40,000 local government employees and a few thousand others, mostly employed by P&C associations and the like. This equates to a total of approximately 300,000 workers who will be affected by the changes proposed here today.

The government proposes a very one-sided model that the Treasury chief executive can brief the commission at any time on the government's financial position with the intent that the commission will take this into consideration when arbitrating pay increases. Such a briefing is not deemed as evidence and therefore would not be subject to challenge or cross-examination by the other parties involved in the matter. Thirdly, the Attorney-General and Minister for Justice can terminate the action where employees are engaging in protected industrial action. Currently, the act allows employees to take protected industrial action in pursuing better EB outcomes to counterbalance the superior bargaining position of the employer.

The power for a minister to unilaterally end industrial action is contained in the Fair Work Act. However, the difference here is that in almost all cases the minister who issues the direction that industrial action cease is also the employer. In the federal jurisdiction public sector workers are a small part of the workforce covered by their legislation. Invoking this power will have a negative impact on employees and, therefore, must be used with restraint and only in exceptional and extreme circumstances. To ensure that it is not used overzealously, the matter that has led to the employees taking the industrial action should be brought before the commission prior to any declaration being made.

The Queensland Industrial Relations Commission has a demonstrated record of serving the interests of both employers and employees. This proposed amendment seeks to take the matter out of the hands of the commission and deny the parties the opportunity to receive the respected assistance of the commission. If you were cynical, you might suspect that this legislation is the precursor to move unionised workforces in government owned corporations, particularly Energex, Ergon, other power companies and Queensland Rail, to within the state jurisdiction.

The opposition calls on the government to remove the new requirement for the commission to take into consideration the fiscal strategy of the state government, which could be construed as an intimidatory and excessive political intrusion. The proposal to amend the act to allow employers to directly ballot employees in the circumstances where negotiations have stalled denies the parties the opportunity to access the assistance of the commission to resolve the matter. The opposition does not support this amendment and calls on the government to remove this amendment from the changes. The employer should be required to pursue outstanding matters in the QIRC prior to directly balloting employees.

Prior to his election, the Premier highlighted his respect for the QIRC, stating in a letter to the QCU, the union's peak body, dated 9 March—

The LNP values the QIRC having a role in effective dispute resolution. While a Can Do LNP Government will collectively bargain with unions, there will remain a role for the QIRC as an independent umpire for those occasions where agreement cannot be reached.

Clearly, this is a commitment that has not been fulfilled. The proposed changes to section 144 also deny employees the right to be represented by their employee organisation or union in the circumstance where the employer directly ballots employees on an enterprise agreement. The government proposes to introduce only postal ballots and not provide the option of utilising other more practical and less expensive forms of ballots, for example, email, workplace ballots et cetera.

In conclusion, the combined effect of these proposals gives the employer, who in most cases will be the state government, greater influence and control over the only means by which workers can achieve pay increases. These pay increases are much needed to ensure that wage rates as a minimum match cost-of-living increases. Not only will the changes negatively impact on employees; the changes limit the ability of the commission to assist the parties to the extent that it has in the past, either through conciliation and/or arbitration. The current powers of the commission have proven to be effective in resolving and concluding enterprise bargaining disputes. The opposition strongly opposes the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 and urges other MPs in the House to vote against it.

Mr BERRY (Ipswich—LNP) (6.14 pm): I rise to speak to the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 and I commend it to the House. My reasons are based on a common-sense approach. The bill instils into Queensland industrial law legislation a balance between the protection of Queenslanders and the preservation of the rights of workers. History records that the Fair Work Act subsumed Queensland's industrial law on 1 January 2010 so that the majority of Queenslanders in employment are now covered by the Fair Work Act and its principles. So how is it not fair to have the principles that cover the majority of Queenslanders—in fact, for that matter the majority of Australians—now include public servants and local government employees and entities in Queensland?

The merit of the Fair Work Act is still open to debate, and that is without mentioning the economic criteria as to whether our employment is able to be more flexible as required by other Western countries. It seems to me only proper that, if workers in Australia are covered by the Fair Work Act, those 245,000 Queenslanders who are involved in the Public Service are also included. Their right to have industrial action is unaffected. In fact, this bill gives to those employees empowerment probably more so than they have before for the reason that they now have the voting system independently controlled by the Electoral Commission of Queensland. It seems that to legislate for industrial action to be decided by at least 50 per cent of the members and for there to be a majority is democratic. Even if I were a teacher living at Cunnamulla, do I need any more empowerment to attend Lang Park and vote among others? I think not. The reality of life is that we are dealing with Queenslanders who are well educated, informed and who now live and work in the 21st century.

To consider the provision for the Queensland Industrial Relations Commission to consider economic data and the fiscal strategy of the government as being repugnant, I would respectfully suggest is a complete error for the reason that the majority of Queenslanders—in fact, the majority of Australians—are subject to those factors. How long ago was it that we as Queenslanders—and Australians, and for that matter, part of the Western world—were subject to oil crises, where the price of oil increased the price of petrol, increased our cost of living and we were held to ransom for it. They are factors that clearly governments are affected by as well as the private sector. Similarly, the global financial crisis is a factor that can influence any employer, including the Queensland government. Our economic present and future is, through globalisation, subject to many factors and I have only just named a few. That is without taking into account the fluctuation of the dollar and other factors. It is reasonable to ask the Queensland people—including small business operators, contractors and contract workers and the Queenslanders about whom we speak today—to be subject to the same criteria.

The bill does provide for financial data, including the fiscal strategy, to be put before the Queensland Industrial Relations Commission. However, the bill does not regulate how that is to be put before the commission; it simply says that it can consider it. The commission is made up of consistent members who are informed and it has open and public forums. The briefings of which the bill speaks state that the data and fiscal strategy are to be either in an open hearing or, if it is data, made public. In other words, besides having the empowerment of the worker there is a transparency greater than ever before. The commission receives information which, as I have said, it gives weight to as it considers appropriate. The bill effectively deals with those matters that mirror the principles of the Fair Work Act. In summary, they are an equitable means for members. There is no provision that disempowers any Queensland workers.

In terms of the other major element of the bill—allowing the minister to make a written declaration terminating industrial action—that is not improper. Many speakers before me, from both sides of the House, have considered the merits and demerits. It is in the Fair Work Act. As I remember the defence of the Leader of the Opposition, it was opposed on the basis that it could be used, but it has not been used on the Australian level. With respect, that makes no difference to it being incorporated into this bill. The bill is well balanced as it brings a unifying principle to all Queenslanders. It empowers the workers by the standards of voting by which we all live. As I have said, the bill is transparent in providing fiscal strategy in an open and fair way. I commend the bill to the House.

Mr DEPUTY SPEAKER (Mr Ruthenberg): Order! Before I call the next speaker, I remind the House that Madam Speaker tabled in this House at the start of this week a precis that identified courtesies that should be shown to the chair, and I would remind members to extend those courtesies by not walking between the member speaking and the chair.

Mr SORENSEN (Hervey Bay—LNP) (6.22 pm): I rise to speak in support of the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 introduced by the Attorney-General. This bill will amend the Industrial Relations Act 1999, the Industrial Relations Regulation 2011 and the Public Service Act 2008 for particular purposes. It was referred to the Finance and Administration Committee. I am very proud to be a member of that committee. On 17 May 2012 we commenced consideration of that bill. I find it a bit rough that the opposition say here tonight that we did not consult with anybody. There were 121 pieces of outgoing correspondence to many different organisations throughout Queensland. It is quite interesting to see who received this correspondence. One is addressed to Ms Palaszczuk MP, Leader of the Opposition. We consulted with almost everybody. To say that we did not consult with anybody is ridiculous.

The bill modernises the Industrial Relations Act and reflects certain key aspects of the Commonwealth Fair Work Act. I find it very interesting that certain members of the ALP in this House are criticising the Commonwealth Fair Work Act. There must be something wrong with the Commonwealth Fair Work Act. The Queensland government will have the right to intervene when the public interest is best protected by its doing so, such as when a long Public Service industrial action can do damage to the safety and welfare of Queenslanders and the community. I understand the federal legislation has similar provisions. The Attorney-General will only use these provisions where it is in the state's best interests.

The Chamber of Commerce and Industry Queensland is concerned that in recent years wages in the public sector have outstripped those in the private sector. It is interesting to see that the chamber of commerce is worried about that issue. When one looks at Queensland's debt of $85 billion, how can we afford wage increases that leave the private sector behind? Who is going to pay the wages if our private businesses go broke? In my area, many small businesses are closing down. At the end of the day, where will the government get the tax revenue to pay the Public Service? We really have to harmonise the Public Service with the private sector.

In addition, the bill requires that the Queensland Industrial Relations Commission give consideration to current economic conditions when determining wages and other conditions of employment. Local government have welcomed this bill. They have made several submissions over recent years supporting harmonisation with the federal system. They have been left out in the cold. They state that they welcome the objectives requiring the QIRC to give greater consideration to the state's financial position as that extends to local government. They also state that since about 2008, since amalgamation, the debt levels of local governments have risen from around $2 billion to $8 billion. Local government is getting into trouble as well. When the Labor government amalgamated local governments it did not keep up with the 40 per cent grants, especially on water and sewerage. That was dumped back onto councils. Some of the grants that were supposed to come through never came. The amalgamation of those councils and the marrying of the different sections, such as the town-planning sections, cost a lot of money. It has put a huge burden on councils and ratepayers. We cannot keep going the way we have been. The situation in Queensland is that the public sector is outstripping the private sector in some wage claims.

The Finance and Administration Committee was pleased with the research and the outcomes we gathered in a timely manner. Special thanks goes to Deborah Jeffrey, the research director, and her team. She did a fantastic job. She stayed up late a few nights to prepare everything for us. On Thursday, 17 May 2012 the bill was referred to the committee for inquiry and report. The closing date for written submissions was 25 May 2012. Public hearings were held and briefings about the bill were provided by departmental officers and were convened in the Parliamentary Annexe on 30 May 2012. The anticipated report date was 1 June 2012. We worked very quickly on this bill. I commend committee members on the wonderful job they did in getting the report before the House so quickly. This government has to do things quickly because we have promised Queenslanders that we will get Queensland back on track. The sooner we get Queensland back on track, the better off we will be.

Sitting suspended from 6.30 pm to 7.30 pm.

Debate, on motion of Mr Emerson, adjourned.

MINISTERIAL STATEMENT

Error in Answer to Question; UNESCO Report

Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (7.31 pm), by leave: I refer to my answer to a question without notice earlier today from the member for Gladstone, in which I indicated in my response that the Leader of the Opposition had been a shareholding minister in the Port of Gladstone Corporation. I acknowledge that that was incorrect. I was in error and I withdraw those comments unequivocally and unreservedly.

INDUSTRIAL RELATIONS (FAIR WORK ACT HARMONISATION) AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed on motion of Mr Bleijie—

That the bill be now read a second time.

Mrs OSTAPOVITCH (Stretton—LNP) (7.32 pm): I rise to speak in support of the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. I have had the good fortune to be a member of the Finance and Administration Committee to which this bill was referred and, therefore, was able to gain a great deal of insight into the bill by listening and reading the broad range of views from public submissions and hearings. As this chamber has heard from the Attorney-General and others, the object of the bill is to deliver on the commitments that the government made to the people of Queensland. The Newman government is determined to ensure that our state has a Public Service that it can afford and one that delivers for Queenslanders. One of the ways we

intend to achieve this is by requiring the Queensland Industrial Relations Commission to consider the state's financial position and fiscal strategy when it determines public sector wages. The bill also creates a new process whereby the Queensland government can brief the Queensland Industrial Relations Commission on the state's financial position, fiscal strategy and related matters.

In addition, the bill contains amendments to harmonise the state system with the federal system and the Fair Work Act. Those include the requirements relating to the taking of protected industrial action in connection with a proposed certified agreement and the changes to introduce a process for employers to request employees to approve a proposed certified agreement by voting for it. Those amendments also deliver further consistency with the federal laws by introducing a power for the Attorney-General to make a declaration terminating industrial action if the action is threatening the safety and welfare of the community or is threatening to damage the Queensland economy. Finally, the changes allow members of the Queensland Industrial Relations Commission to be appointed to conduct appeals of certain decisions that affect Public Service employees.

I would like to broaden the conversation in relation to Public Service employees and put into context some of the arguments put forward by the opposition. First, the Newman government is committed to providing a Public Service that operates efficiently and meets the needs of Queenslanders right across the state. That needs to be done within the tight financial constraints inherited from the previous government. Under the former government the state's finances were in such a precarious state that it was borrowing to pay Public Service wages. That is an outrage that can no longer be tolerated. Businesses in the corporate world would be berated for that kind of behaviour.

Under the former Beattie and Bligh governments, the Public Service grew to such an unmanageable and unsustainable extent that, at stages, there may have been more bureaucrats than doctors and nurses in Queensland Health and more paper pushers than teachers in Education Queensland. We are not, as the Labor Party may suggest, sacking people, but where non-essential vacant positions are identified then temporary contracts for those positions will not be renewed. That takes me to the second point, which was fundamental to my election. It is the harsh and sometimes unfair situation that is created by temporary contracts in place of full-time employment. This point has been a complaint of mine for years.

The previous government took the policy option to trend away from full-time employment and implement temporary contracts to give them flexibility and lower wage costs. Because of my voluntary work I know that those in social services have had to go from contract to contract, some of which are as short as three months. Members may ask how many people are affected by this trend. Figures show that Queensland Health has 14,850 workers employed on temporary contracts, Education Queensland has 13,774 temporary workers, there are 1,908 within the Department of Communities and 972 people within the Department of Transport and Main Roads. Those temporary contracts greatly impact employment security and stability. Allowing contracts to slowly replace full-time work was a betrayal by the unions of their members and a condemnation of the Labor government, whose members are the very ones who have the gall to sit there and continually interject about protecting employees.

Labor has abused what may have at one time been a reasonable term of employment. I think it has been used to avoid the reforms needed, so that bad employees could be dismissed without being subject to unfair dismissal. One of the areas where I have heard of the anguish firsthand is in the ranks of public school teachers. Public school teachers are at the heart and soul of the education system, which needs to prosper for our society to continue to grow. They serve our community by educating and preparing the next generation of leaders and workers, yet a number of our teachers fight consistently for job security. Public school teachers can spend up to three years living from contract to contract, with no security.

It is near impossible for people to get a loan for a house or settle within a community if they have no idea whether their contract will be renewed. It makes people live in great uncertainty. I cannot imagine a worse scenario for employment that the Labor government started. However, these are front-line core staff that we require in order to keep our education system alive. I have also been told that employees on contracts spend the last month of their time completing reports in order to apply for a new contract. I ask: who can live like that, never having any job security? That is Labor's legacy. Shame on them!

Lastly, I would like to refer to what the member for Mackay said last night. He appeared to mislead the House with Labor's scare tactics and lies. He said—

> We have seen the axing of up to 40,000 public sector jobs across Queensland ...

Forty thousand? There are not even 40,000 contracts. How do we get from eight non renewables of contract in Toowoomba to 40,000?

Mrs Miller: Do you know how many public servants there are in Queensland?

Mrs OSTAPOVITCH: Yes. With that, I ask the House to support this bill.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Berry): Order! Members will cease interjecting.

Ms TRAD (South Brisbane—ALP) (7.41 pm): I rise to speak against the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill. It is all now apparent; it is all now revealed. In New South Wales the tories make the state Industrial Relations Commission powerless, but here in Queensland the tories plan to make it political, a mere extension of the government. This disgraceful raft of amendments just adds insult to injury. First, this shambolic and ideological LNP government sacks 41,000 public sector workers and then those who are left are unable to fairly seek wage justice from the QIRC. What a surprise!

It is revealing that the Newman government has chosen this bill as one of the first pieces of legislation that is debated in this 54th Parliament, prioritising it above the cost-of-living bill. Conservative governments just cannot help themselves. They will jump at the first opportunity to sack workers, silence their industrial representatives, stifle debate and give employers unharnessed powers. Like everything else that this government has put up to date, the title of this bill is completely misleading. This bill should be renamed the 'Industrial Relations (QIRC Politicisation) and Other Legislation Amendment Bill 2012' because this bill completely trashes the role and the independence of the Queensland Industrial Relations Commission. This bill seeks to destroy collective bargaining, sidelining unions and trampling on industrial action in the process.

This bill is yet another example of Premier Newman's intolerance of accountability. Like a bad allergy, he avoids scrutiny at any cost. The Premier knows that this bill would not have survived the scrutiny of Queensland voters, which is why this plan was only revealed after 24 March. In fact, the Premier went to the election stating, 'The LNP has no plans to change the role of the Queensland Industrial Relations Commission.' I repeat: 'the LNP has no plans to change the role of the Queensland Industrial Relations Commission'. Shock, horror! That was a broken promise from Mr Newman. The first bill we debate completely changes the role of the Queensland Industrial Relations Commission, and how long did stakeholders have to consider the legislation—these significant changes to the industrial relations system in Queensland? Only 14 working days! In their rush to prove how 'can do' they are, this government makes it clear what they can't do: they can't talk to workers; they can't talk to stakeholders; they can't cop scrutiny; and they certainly can't be accountable.

Let me focus on the four sections of the bill. They are the apparent harmonisation with the Fair Work Act, the power of ministers to terminate industrial action, the requirement that the commission consider the government's fiscal strategy and the requirement for a secret ballot. In relation to the harmonisation, the minister has claimed that this bill's main aim is to bring Queensland's industrial relations laws into line with the Commonwealth's Fair Work Act. That is the claim, but what is the truth? In reality, what the Attorney-General has actually done is pluck out clauses from the Fair Work Act which give more power to employers and deliberately ignore clauses that support the rights of workers. What a hatchet job! It must have been so tough to harmonise those clauses he agreed with while conveniently ignoring those he disagreed with. This is not harmonisation; it is giving the minister and the government as the employer disproportionate power in the determination of wages and conditions. Pure and simple, it is loading the dice in favour of the government in all industrial matters affecting public sector workers.

This bill particularly targets hardworking public servants who have already borne the greatest burden under the Newman government. We are seeing departments torn apart without consultation and funding of services cut without discussion. This bill is truly focused on pre-empting the inevitable fight-back from fed-up public servants. Premier Newman knows that the day will come when public servants will take more, and this bill ensures that they will have less power to take action.

The bill gives the minister for industrial relations the power to unilaterally end any industrial agreement. The amendment specifically refers to action that is threatened, impending or probable and that would threaten to cause damage to the economy or would threaten to endanger safety. As a member of the executive, the minister is the ultimate employer of public servants in Queensland. Effectively, this means that the bill gives the employer, the minister, the power to terminate industrial action against his own government. This is a massive expansion of ministerial power and it is unwarranted. Let us be clear: the last time a minister had this level of power over industrial disputes was in the mid-1980s when the last tory government in Queensland sacked SEQEB workers. There is no modernisation happening here, contrary to those claims opposite. It is all regressive; it is all retrospective; it is all retrograde. The current IR act has successfully encouraged parties to involve the commission if negotiations break down. Alternatively, if the commission becomes aware of industrial action taking place, it has the power to step in.

In relation to the bill requiring the QIRC to consider the fiscal strategy of the state, the new section 149 is the most offensive and the most repugnant amendment in this bill. This section gives the Treasury chief executive the right to brief the commission on the state's financial position, fiscal strategy and related matters. Translated, this means that the QIRC must take into account the LNP government's

political strategy—its re-election strategy—when considering wage claims from public servants. It is unclear what the government's fiscal strategy might comprise. In any case the fiscal plan can only be a political plan. If it was more than a political plan, then the government would just state the economic or other objectives and make it one of the matters that the commission had to consider. Indeed, the amendment risks requiring the commission simply to take into account the government's political priorities. Thus, for example, a fiscal plan could include plans for wage expenditure. However, even if it did not, one would think that it would be remiss of a government in battle with a union over pay increases not to have made sure that its fiscal strategy supported it.

The harsh truth of this bill is that it inserts the 'bootstraps' argument into the act. It allows the government to pull itself up by its own bootstraps by writing its fiscal plan to support its bargaining objectives and then require the commission to take it into account. The current IR legislation already adequately protects the state's economy, allowing the commission when making a determination to consider the public economic interest, including the decision's impact on the community, economy and industry generally. Thus, the Newman government is deliberately putting the commission in a compromising position. Whether the commission supports the government's fiscal plan or decides contrary to government submissions, the commission's role has become politicised.

In relation to secret ballots, the bill proposes secret ballots where at least 50 per cent of employees on the roll must vote and at least 50 per cent of those must approve the industrial action before the industrial action can commence. Currently, a union is unable to notify an employer of industrial action and then take industrial action. The effect of a secret ballot is to place more hurdles in the way of employees taking industrial action. What a surprise! This is again all about silencing workers—silencing teachers, silencing nurses and silencing teacher aides. It is all about silencing public sector workers.

This bill represents everything this LNP government is about. It is unfair. It centralises control and power in the executive, as former LNP member Gary Hardgrave commented just recently and got sacked from the LNP for saying. It breaches specific commitments given to the electorate by the Premier. It is abhorrent, and we on this side of the House will not be supporting it.

Mr RUTHENBERG (Kallangur—LNP) (7.50 pm): I rise to speak in support of the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill. I note that this bill is necessary to bring the IR Act 1999 more in line with community expectations of getting Queensland back on track and directs the Queensland Industrial Relations Commission to give consideration to then prevailing economic conditions when determining wages and other conditions of employment—something that is very reasonable and fair. Now more than ever, this provision is an important inclusion. The world is still suffering from the consequences of the GFC. Parts of the EU in particular are still well in the grip of financial uncertainty, with Greece in a chaotic state financially and a basket case economically. Spain is suffering around 20-plus per cent unemployment, a result of very poor policy development and execution.

Governments all over the world spent the future income of their children for the short-term benefits of the now generation. We see citizens in countries like the UK, France and Italy suffering right now because of poor consideration of then current economic considerations. These countries were living beyond their means and are now suffering for their government's poor judgement. Indeed, we here in Queensland face our own economic struggles, with the former state Labor government not only leaving us in the position of having to pay off the largest debt ever seen by a state government in Australia but also leaving us with a budget position that grows that debt.

Just today the Treasurer reported to the House that the former government's flippant regard for the AAA credit rating costs Queenslanders approximately $700 million a year. Holy smokes! I sure could use some of that in my electorate right now in building transport infrastructure, like rebuilding the Dakabin train station that was neglected by Labor for over 20 years, or building a bridge over Youngs Crossing, or putting in a sound barrier on the Bruce Highway, or building a resource centre for the disabled, or providing youth and family services. The former Labor government seemingly had no regard for the effort needed to pay off the $85 billion debt or the consequential impact of its decision on business, which, I might add, is where wealth is generated and governments get their funds from. Labor will be judged by history very harshly for its poor judgement and ad hoc decision making.

This bill will help Queenslanders to better consider decisions being made in this area of legislation. This bill serves to enable considerable balance and fair decisions. This is what Queenslanders voted for on 24 March—a government that will make considered, balanced and fair decisions. It is only because of our Federation in Australia and the oversight common fiscal controls that the federal government can exercise that we see good fundamentals in our economy. Might I add that it was 10 years of work by the Howard-Costello team that positioned Australia so well to face the last five years or so. I salute their efforts and am so thankful that Mr Costello is now leading the review of Queensland's finances. This is money well spent, in my estimation, and will result in a well-considered solution for Queenslanders—one tempered with practical experience, not just theory, spin and plans developed on the back of napkins in airport lounges.

Unfortunately, the current federal Labor government is very much in the mould of the last Queensland Labor government and is being reckless with public funds to the point that the citizens of this great country cannot wait to kick them out. Their insistence on introducing the carbon tax and royalty rent tax at all costs will ruin our country's fundamental economic base. This is the very reason Queenslanders must protect themselves from reckless federal government decisions and, as a community, we must make for ourselves decisions that affect us. This bill contributes to this and helps us to get Queenslanders back on track.

I rise today to support this bill. In particular, I lend my support to the legislative amendments that introduce a process for an employer to directly request employees to approve a proposed certified agreement by voting for it. Surely this is a measure the Labor Party would support here in Queensland. This gives workers a say and is clearly part of a very Aussie trait of getting a fair go. Under the new arrangements, which replicate the provisions found in the federal Fair Work Act 2009, an employer may directly ask employees to approve an arrangement by voting for it. In the event the arrangement is approved by the employees, there is no need to conduct a further ballot prior to certification. If a valid majority approves the making of the agreement, it may be submitted to the Queensland Industrial Relations Commission for certification and the agreement is taken to be an agreement made between the employer and employees. How much more democratic can we get than that? The provision includes various protections to ensure the employees' rights are safeguarded during this time. For instance, the employer cannot make this type of request until after the peace obligation period for the making of the agreement has ended.

In addition to ensuring greater consistency with the federal jurisdiction, the employer initiated ballot provision is designed for the mutual benefit of the employer and its employees in that both parties stand to gain from the agreement being introduced more promptly, as this should result in greater certainty which should lead to a more harmonious workplace relationship and ultimately increased economic productivity.

On 24 March Queenslanders spoke. 'Get Queensland back on track' was their cry. They gave Labor a clear message and it ended with, 'Don't let the door hit you on the way out.' They have had enough of mistruths, spin, deceit and ever-growing debt that drove their increasing taxes. The government is keeping its commitment to Queenslanders, and Queenslanders are responding to this new government. This bill is sensible and reasonable and facilitates good order. The people and businesses I represent in Kallangur support good government and support responsible actions, and they trust us in this place to enact bills that support this premise. This bill accomplishes this and passes the reasonableness test. I ask the Labor Party to support this bill. After all, the changes in this bill simply mirror what the federal government put in place.

Mrs MILLER (Bundamba—ALP) (7.57 pm): The LNP government has again proven that it is driven by ideology—an ideology that does not just tip but bowls over the rights of workers in favour of the employer. It takes us back to the 1800s and to the reason unions and the Labor Party were formed—to protect working people and their families against these terrible, despicable acts on ordinary working people. By attacking the powers of the independent umpire, the Queensland Industrial Relations Commission, these conservatives are following John Howard with Work Choices, breaking their vows to the electorate and taking things too far. But they cannot help themselves. They are tripping over themselves to look after their political masters in the top end of town whilst dismissing the rights of workers, many of whom now see that they have mistakenly put their trust in the lot of you.

Those opposite were remarkably quiet on industrial relations before the election, and now we know why. In following other conservative election campaigns, they leave the mean and the tricky stuff off the policy agenda. They hid what they were going to do: undertake such drastic changes to undercut the independent umpire and place more power, unbalanced power, into the hands of the employer—yes, yourselves, the LNP government.

I am proud to say that the Labor Party in this House will oppose this blatant and disgraceful attack on the rights of ordinary working Queenslanders. Labor will stand by the workers of Queensland and their representative bodies—the trade unions of this state. We will not sit idly by and watch the LNP tear apart years and years of industrial harmony and cooperation in pursuit of pure ideologically driven attacks on our balanced system of industrial relations. We do not want to see the return to disharmony in workplaces, where workers are not involved and a part of their workplaces and decisions.

Driven by their ideological hatred of the collective action of workers to ensure a fair day's pay for a fair day's work, the government have set aside what was their urgent legislation—the cost-of-living legislation—to ram this through. The two-bob tories—all of you over there—are not interested in improving the system under which we operate. They want to change it to how the Chamber of Commerce and Industry wants it to operate, despite being public sector employees rather than private sector employees. This of course could be paving the way for future things to come. If the tories over there—that is each and every one of them—were interested in true consultation—

Government members interjected.

Mrs MILLER: Yes, and all of those oncers will be gone next time. They should enjoy their time on the leather in here because there will not be many of them left by the time we have finished with them. If the tories were interested in true consultation on this legislation, they would have been concerned about issues raised in the committee, even though they rushed the process, despite promises to the contrary. They would have heard and acted on issues raised such as the inclusion of economic forecasts, despite the act already including provisions for 'capacity to pay', as a worrying development. Without the ability to examine the forecasts, the future wage justice of workers can be decided under these proposals by what could be false or overly pessimistic forecasts. We can see what that is like with Joe Hockey and Tony Abbott flying in the face of economic reason and figures in downtalking the Australian economy.

They would have shown caution and concern over the proposal to allow the potential of destroying industrial harmony in the workplace by allowing the employer to circumnavigate the employees' participation in the bargaining process. They would have been concerned that provisions allow the minister to intervene before the matter had been put before the independent umpire. Shamefully, they brush off these issues because it suits their ideology. This is in pursuit of the Howard style attacks on democratic organisations of the trade union movement to represent the interests of their members.

It is completely unreasonable that the minister, as part of the government and therefore the employer, is able to stop workers being represented in their issues by their nominated representatives. It is like putting the drunk in charge of the whiskey cabinet. The ideologues on the opposite side of this House simply could not help themselves. They could not help themselves when the opportunity came to do the bidding of their billionaire mates. It is what their true bosses want—not the good, hardworking people of Queensland but their political masters, pulling the strings as usual. They wish to change the relationship between the government and its workforce to attack workers and importantly attack the unions that represent them.

This is a thinly veiled attempt to attack unions and, by doing so, the working people of Queensland. We now see what their rotten agenda really is. This is purely and simply an ideological attack. Who will be the cannon fodder for this tory government? Yes, the hardworking, front-line workers of this state. It will be those workers who work hard each day for all Queenslanders despite what party they support and whether they are union members or not—the paramedics, the nurses, the teachers, the coppers, the firefighters. Some of them risk their own lives to help their fellow Queenslanders in need. They are dedicated, brave men and women of Queensland. How dare these remarkable men and women be left without representation because you two-bob tories want to play politics with their livelihoods and those of their families.

Instead of supporting these workers, instead of making it better for these people who do so much for all of us, the LNP are putting in place mechanisms to stop any improvements—to stop improvements to their working conditions, to stop them trying to improve their wages for their families. They want to be the judge and jury whilst also being the prosecution, for heaven's sake. They want to be the chef and the judge, like on *Master Chef*. Well, Minister, you are not in Matt Preston's league, let me tell you.

They want to cut out the independent umpire which ensures the great front-line workers of the state have a chance to stand up for themselves and their families to get a fair day's pay for a fair day's work. They are as transparent as a bucket of mud, and that is basically what they are offering Queensland workers. They are going to scrape mud all over the workers' faces, all over their bodies and all over their families. I could describe the mud in another word but I am too polite.

Currently, teachers across Queensland are entering into negotiations about their employment future with EQ. What this LNP government is trying to do is undermine their rights—their right to be represented by their union, the great Queensland Teachers Union; their right to have their union instigate negotiations directly with their employer; and their right to instigate protected action. Their union would be hamstrung by lengthy ballots right across the state involving over 40,000 employees. Their right to take action could be stopped by an ideologically driven minister, our Kmart minister, using spurious political and fiscal reasons, despite the validity of their claim. Their rights would be taken away by an ideologically driven government which is more interested in fighting old class wars—yes, the toffee noses there—than dealing with the modern industrial landscape of an independent umpire to adjudicate a negotiated outcome taking into account the interests of all parties. We would have bosses making decisions for bosses. God help us. This is a shameful and despicable act against the best interests of workers and the best interests of this state.

I congratulate the union movement for making a great submission in limited time on behalf of the workers of Queensland who are affected by this proposal. They were only given three days to respond and they have been sold a pup by this government. This government is working towards its own agenda and not in the interests of the workers because the LNP has shown themselves to be mean and tricky.

The unions professionally acquitted themselves and put their submissions together in a short period of time. Why? Because the LNP hates workers. They hate ordinary people. The members over there conned the people into voting for the LNP, but never, ever, ever again. Workers need to work together in strength and in numbers to protect their job security for their families, and they need to look after each other—the workers on the hospital beds, the workers helping mop the floors, the workers helping arrest criminals. I am proud to be a member of the trade union and a supporter of this union movement. Let me encourage all people to join a union because it is our only hope against the LNP.

(Time expired)

Mr KRAUSE (Beaudesert—LNP) (8.07 pm): It is always refreshing to listen to the member for Bundamba because it indicates to me that we will be in government for a very long time with people like her on the opposition front bench—well, on the opposition bench. While there is a front bench and a back bench, we cannot tell the difference because there are only seven of them. If opposition members want to call us tories and talk about not consulting with people, perhaps we should talk about the asset sales. Did they consult with the Queensland public and QR National about asset sales? No. Who did not consult with the Queensland public about removing the fuel subsidy? Was it the tories or was it Labor?

Mr Dowling: Labor.

Mr KRAUSE: It was Labor. Who did not consult with the Queensland public about cutting the stamp duty concession? Was is it the tories or was it Labor?

Government members: Labor.

Mr KRAUSE: And who did not consult with the Queensland public about stuffing up the payroll system for Queensland Health? Was it Labor or was it the tories? It was Labor. So the member for Bundamba cannot talk about not consulting. I have never heard 10 minutes of such rubbish.

I speak today in order to support the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. At the outset I commend the Attorney-General—the Kmart Attorney-General as he was called by the member for Bundamba in what I believe was unparliamentary language, but we will leave that for another day—on his earlier second-reading speech to this House and more generally on the gusto with which he conducts himself in the House.

It is rare to find such enthusiasm for Her Majesty the Queen in people of my generation—perhaps even any generation—but long may she reign over us. On this day—Queensland Day—we should all recall the fact that our great state is named after one of our present sovereign's ancestors, Queen Victoria. In those days it is likely that the monarch retained the discretion not to assent to colonial acts, so we should be grateful every day, and especially on Queensland Day, that Queen Victoria did and created a separate colony of Queensland in 1859.

I am particularly interested in this area of legislation and have held a keen academic interest in it since my days at university, when I undertook as an elective a course known as labour law. It was not about the Labor Party; it was about industrial relations law. Incidentally, I achieved quite a good result for that course. However, my interest extends beyond academia and into the effects that such laws have on the day-to-day lives of everyday Queenslanders and everyday Australians, and that is something which members opposite do not spend a lot of time focusing on these days. Of course, in those days at university we had a far better piece of federal legislation to study than we have now. We had the Workplace Relations Act 1996. They were the days of low rates of industrial action and increasing productivity. They were the days when Australia's economy was under the stewardship of John Howard and Peter Costello and before the time that Peter Beattie and Anna Bligh managed to wreak havoc on Queensland's finances. But I digress.

I speak in support of this bill because it brings Queensland's public sector into line with the Commonwealth and recognises that the public sector does not exist separate from the Queensland economy. It is part and parcel of the Queensland economy, and this legislation ensures that in any arbitration the condition of the Queensland economy is a factor to be considered.

The objectives of the bill are well set out in the explanatory notes. First and foremost, the bill requires the Queensland Industrial Relations Commission to give consideration to the state's financial condition and strategy and the financial position and strategy of the relevant entity when determining wage negotiations. I may be new to this place, but I do come here with some experience working in the real world, in a real job in the private sector. I have worked in the private sector, I have worked in small business and I grew up in a small primary production business. My electorate comprises many small businesses which no doubt apply certain tests to any spending decision they make.

When those small businesses weigh up whether or not they will offer pay rises to their employees, firstly they ask themselves if they can afford it. If a business cannot afford pay rises, they should not be required to give them. There are no jobs in bankrupt businesses. The Treasury has confirmed that Queensland's fiscal position is so dire that it must be put right. Queensland under the Labor Party was headed for bankruptcy.

A government member: Unsustainable.

Mr KRAUSE: It was unsustainable and headed for bankruptcy, and I for one do not want to see in Queensland or in Australia the type of social unrest which is now being seen in places like Greece, where decades of public sector waste, inefficiency and luxurious working conditions for state employees have literally sent Greece to the brink, economically and socially. I do not want to see that here, but that is where we were heading under the Labor Party.

Secondly, a prudent small business would ask: does productivity justify investment in new equipment or plant or higher salaries? We should ask that in this situation, too. The Queensland government—the Queensland people—are the employers of Queensland public sector employees. As a representative of the Queensland people, I would be failing in my task, as the members opposite are failing in their task, if I did not ask questions about whether investments in employees by way of increased wages were going to lead to increased productivity, thus reflecting a sound investment of taxpayer funds.

But there is one other thing that I consider it appropriate for a fiscally responsible government to ensure is considered by the QIRC when the public sector in this state makes up a high proportion of the economy's employees, and that is the effect pay rises might have on underlying inflation. Inflation is the enemy of the working people and the enemy of the Australian economy. We have seen it before where wage rises simply bear no resemblance to what is occurring in the economy—and it is always Labor governments that bring us this—which leads to a wage-price spiral, whereby spiralling wages lead to spiralling prices and spiralling inflation. All Queenslanders lose in that scenario and we as prudent economic managers must ensure that this does not occur, so I commend this objective.

The second objective is related to the first, and that is to allow the financial position of the employer where the employer is a local government or local government corporation or a P&C association to be considered. Again, this might seem eminently sensible. If a local government body is on the brink of bankruptcy or insolvency and as a result of pay rises it will be pushed over the edge, then it is only logical that they should not be required to give pay rises to their employees.

This bill is really about keeping the cost of living low for Queenslanders. Today in this place we heard the Leader of the Opposition complain that we are not debating the cost-of-living bill. Wage rises have to be paid for somehow, and how do councils pay for their bills? How do they raise the money to pay for wage rises? They put up their rates. So every pay rise which places yet another burden on local government will, one way or the other, mean ratepayers pay higher rates. Do the Leader of the Opposition and members opposite support higher rates for ratepayers? Is this new Labor Party policy? We know that they do not like local governments much because they destroyed them during the last parliament, but do they want to continue doing so? These two objectives are sensible and prudent measures of a government which has a mandate to get Queensland's finances back on track.

There is just one other objective I want to address tonight before I commend the bill to the House, and that is objective 4. This allows the minister to make a declaration terminating industrial action if the minister is satisfied that the action is threatening the safety and welfare of the community or the economy. This mirrors a law in the federal workplace legislation. If this is so objectionable, why is the opposition not lobbying the federal government to remove this power? The answer is that the opposition knows that this power is and always will be exercised with due diligence and caution. We on our side generally support the right of employees to exercise their right to union representation and even to withdraw their labour. However, as a government responsible to the people we cannot permit employees of the Queensland government—the Queensland people—to take industrial action which endangers our economy.

While talking about damage to the economy, it is arguable that the failure of the federal minister to intervene in the Qantas industrial action last year showed the hopelessness of the Labor government in Canberra. It was damaging the Australian economy and yet it failed to stand up to the unions. Labor is utterly and completely beholden to the unions, even when they hold Qantas on the ground and the country to ransom. That dispute ended only when Qantas took industrial action of its own, but we in this place and the Queensland people cannot do that. They cannot take industrial action against Queensland public sector employees. We must not be held to ransom by industrial action in cases where it threatens our welfare or our economy.

We must remember the context—a $4 billion deficit, a $60 billion debt and the Labor government borrowing from overseas just to pay the wages. The state has been run into the ground by Labor. It is our job to get it back on track, and we will work with the public sector to get it back on track. This bill brings the public sector into a collaborative process of getting the Queensland economy back on track. It will be part of the negotiations where the economy is considered in its wage claims. This is as it should be, and I commend the bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (8.17 pm): I rise to speak to the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. As I have listened to this debate I have become more and more concerned by what has been raised by both sides. I am happy to admit that I am not across the implications of all of this legislation. I do not know how it is going to play out in real life, and I am concerned that the application of it in real life could hurt a lot of hardworking people. In

particular, this bill focuses on the public sector. It is self-evident by the numbers that the legislation will pass, but it must be remembered that those people who will be directly affected by this in great measure have been at the mercy of the Labor government for the last 18 years. In particular I refer to the health sector, which has had a diabolical experience over the last 12 to 18 months. It does not need to see legislation passed that potentially could further disadvantage it. I say that because many government members have talked about the fact that the debt has to be reined in, that we have to bring the budget back into the black, that we have to be fiscally responsible.

I do not argue with any of those statements—I do not argue with any of them—but the Public Service cannot be asked to bear the brunt of that responsibility. That is the way this bill is being debated. I have listened to almost all of the speakers. The speakers on the government side have talked about fiscal responsibility and reining in debt. This bill targets the Public Service. Do we have extra public servants? Absolutely. Have we had the Public Service padded by political appointments? Absolutely. But in saying that, there are thousands of hardworking public servants on reasonably low wages who will struggle if they are further disadvantaged.

The minister in his introductory speech said—

> In order to ensure responsible financial management and return the state's budget to surplus, the Queensland government believes that it is... in the interests of all Queenslanders that the Queensland Industrial Relations Commission is required to consider the state's financial position and fiscal strategy when determining wage outcomes for the Public Service.

If the QIRC has not been doing that as part of its usual process for determining wage increases, it needs the sack now. I believe it has done that. There have been members who have talked about the fact that part of the process of the QIRC in determining wage fixing is to take into account the ability of the employer to pay. In this instance overwhelmingly the employer is the government and the ability to pay lies at the foot of the people of Queensland.

I note in the committee's report, where it refers to the principal objective, that a number of unions are cited. The report states—

> The AWU was also of the view that the proposed amendment is unnecessary, by reason of the fact that existing provisions contained within the IR Act already sufficiently contemplate such matters and give the QIRC latitude to take account of such considerations.

As outlined in the report most of the unions have repeated that statement—that the QIRC already has to have regard to that matter. We talk about balancing wages and the ability of the employer to pay. It is a fundamental in fiscal responsibility. There is no point the ALP members standing up and talking about consultation. They have blown themselves out of the water in the past two years in relation to an appalling lack of consultation. Members here cited the sale of QR and the forced council amalgamations and other instances where there has been no consultation. That in no way, though, absolves the new government from consulting and being fair. Injustices and wrong actions of the past do not give licence to wrong actions now and in the future.

Clause 7 allows for the employer to ask employees to approve a proposed agreement being negotiated with an employee organisation. The committee's report states——

> Any such requests may not be made until after a peace obligation period for the making of the agreement has ended. A peace obligation period means the period of 21 days after the giving of written notice of the proposer's intention to begin negotiations for the agreement, ending no earlier than 7 days after the nominal expiry date of any existing certified agreement.

Without clarification from the Labor members, I would seek confirmation from the minister in that it appears to me to be a reasonable process that, if the negotiations with the union become intractable but the offer by the employer is reasonable, the employees be allowed to make a comment. I know that union membership has dropped markedly in my electorate as well as everywhere else. So a lot of employees either do not want to be or are not represented by unions. I am interested in the minister's response in terms of the fairness of that situation of that balloting.

One of the responsibilities of the former Scrutiny of Legislation Committee was to examine in detail the fundamental legislative principles—the rights and liberties of the people who will be affected by legislation and whether there was any diminution in those rights. Clause 6 of the bill allows the minister to make a written declaration terminating industrial action if satisfied that it is threatening or would threaten to damage the economy, the community or part of the economy or is threatening and would threaten the safety and welfare of the community or part of it.

I am an older person—I am not an old person; I am an older person. My dad worked for the electricity company here in Brisbane when there was a protracted strike for eight weeks. Over those eight weeks he did not get a pay. He was not a highly paid person. Mum did not work. She was a woman of her generation. As a family, it hurt us not to have a wage for eight weeks. We certainly did not have a huge amount of savings. I was in my teens and mum and dad did not discuss it in front of us, but that is a long time not to have a wage. There are very extreme circumstances where intervention is required, but they are rare. It has been expressed by the committee that no guidance is given under the

provisions to indicate what criteria or matters other than the minister's own discretion are to be considered by the minister when determining if he or she is satisfied that there is an actual or potential threat to the economy, the community, or part thereof. The test is subjective. There is nothing wrapped in this legislation to give a definitive process prior to the minister's intervention, and it is significant intervention.

Finally, in the time that is left to me I want to put on the record what is contained in this report, and it is concerning. I refer to the FLP issues for consideration. The committee report states that clause 6 may operate to remove the rights of employees to be represented by their unions. The report states further—

Provisions included under clause 6 may significantly disadvantage employees from non-English speaking backgrounds in their ability to fully comprehend the implications of what they have been asked to vote for.

The report states further—

Provisions included under clause 6 increase the risk that employees may vote to accept a workplace or wage agreement under the misapprehension that the terms of the agreement as presented to them for the vote has been negotiated.

In relation to clause 12, the report states—

... clause 12 may operate to erode an employee's right to take industrial action.

The report states further that clause 12 gives no guidance to indicate the guidelines or the criteria that the minister will use to exercise that power. The report states further—

Provisions included under clauses 4 and 12 have potential to pre-empt the outcome of QIRC's deliberations.

Four other FLP issues were identified. I am going to run out of time to refer to them. These are significant matters. These are important matters. We have to bring the state back to financial soundness, but we do not do that by sacrificing people who have worked tirelessly for our community. Get rid of the fat. I do not have any problem with that. Get rid of those who have been political appointees, but do not disadvantage the teachers, the nurses, the firefighters—all of those emergency service workers who work for a pittance in some instances—at the altar of a political agenda if, indeed, that is what this bill is. Be fair, be transparent and be just, because the people who work for us deserve nothing less.

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (8.28 pm), in reply: Can I start by thanking all the members of the House who have contributed to the debate on the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012. After listening to the few hours of debate that we have had, I pondered where to start and what contributions to address. I thought, 'What better place to start than the contributions of the members seven opposite.' So in turn I will spend a little time addressing some of the issues that were raised by the members of the opposition.

I will start, of course, with the contribution of the Leader of the Opposition, who started her contribution by talking about the urgency of the bill and why we were debating this bill as the first bill for 2012. It is not. It is the second bill. We passed a bill in the last sitting. I will ask those honourable members who were in this place in 2009, after the Labor Party won the state election, to recall the first bill that was we debated against the backdrop of the global financial crisis and families across Queensland struggling. We debated a vegetation management bill. It was in relation to the regrowth, if I recall. Despite all the election commitments, all the promises, the first bill we debated in 2009 in the former government's reign was, of course, vegetation management.

Mr Rickuss: It was for the Greens.

Mr BLEIJIE: It was. It was a deal with the Greens. It was payback, in fact. The deal was done. Queenslanders were out of the loop in that deal. The deal was done with the Greens and straight away the Labor Party came in here and rammed that piece of legislation through. If I recall, it was declared urgent and I think they guillotined it as well. We are one up on those opposite there. We have not guillotined the debate. I thought I ought to start that way because the opposition was asking why it was one of the first bills debated. I ask her to go back—not that long in time—and see what they were debating in 2009.

The Leader of the Opposition also talked about ideological extremism. This is not some ideology that we are debating here. The fact is that a new government has many enterprise bargaining negotiations to undertake so we are debating it now in the midst of them. It is the proper course for a government. If I take the view of the Leader of the Opposition that this is some ideological fantasy that we are debating and this is why we are rushing it through then I ask—

Ms Palaszczuk: You are saying it, not me.

Mr BLEIJIE: No, well, you said it first—I ask has the Leader of the Opposition written to Julia Gillard and told her to delete the same provision in the Fair Work Act? Has the Leader of the Opposition written to her Labor counterpart and asked for that terrible clause in the Fair Work Act, that potentially could have been used for the Qantas dispute, to be deleted? I think not. I encourage her to correct me if I am wrong. Take a point of order, correct me if I am wrong, but I do not think I am. The Leader of the

Opposition will come in here, attack the government for all she is worth but then does not have the courage of her convictions to, in fact, pen that letter to her best friend in Canberra and get her to delete those provisions from the Fair Work Act.

The member for Rockhampton made an interesting contribution; that is as much as I will say on that. The member for Mackay was talking about not telling the electorate about this big conspiracy and that when we are elected, now that we have 78 members, we are ramming this through because of this mandate. We are doing this because the Labor Party left Queensland with so much waste and inefficiency and Queenslanders voted for change. Queenslanders did not accept the fact that the government kept pouring millions and millions of dollars—we thought it was millions and millions, we learnt today it was $1.253 billion—to fix the health payroll bungle. The Deputy Leader of the Opposition has the hide to talk about not telling people things before an election. I have heard a few members here tonight talk about asset sells. I have heard members talk about fuel tax and fuel subsidies and getting rid of that. I have heard other members talk about increasing car registrations. None of that was told to the people by the Labor Party in 2009. I hope when we sat on that side we were not like that. I assume we were not, but if we were maybe that is just what oppositions do.

The member for Mulgrave used the word 'betrayal'. I think he was the first to mention the dreaded Work Choices. This is a scare campaign tactic from the Labor Party. If this scare tactic had worked the room would have been full tonight of unions or they would have been protesting out the front. I cannot see behind me in the gallery, but I anticipate we do not have protesters out the front. It has not been the issue that the Labor Party has made it out to be.

The member for Woodridge spoke about savings. I think, if I recall, she said that it was ludicrous that governments would be wanting savings, that savings is a bad word. Tell that to the average Queenslander in the honourable member for Woodridge's electorate. I would hazard a guess that the constituents in her electorate do not know the word savings because they do not have any money at the end of the day for savings because their costs of living have gone up periodically because of the Labor government. It does not just apply to the constituents of the member for Woodridge, it applies to the constituents of Kawana and those constituents right across Queensland who cannot afford to save any more because of the incompetence and financial irresponsibility of the Labor Party for the last 14 years.

The constituents in the electorate of the member for Bundamba spoke loud and clear on 24 March. I wish they had spoken just a little louder, but they did not. That is fine. But they spoke loud. I can remember conversations in this place with the member for Bundamba where she would say, 'My margin is way up there. I am the solid grassroots Labor Party. The unions are backing me.' What is your margin now?

Mrs Miller: They did!

Mr BLEIJIE: Oh, they did.

Mr DEPUTY SPEAKER (Dr Robinson): The minister will address his comments through the chair.

Mr BLEIJIE: Absolutely. Thank you for that advice. The contribution from the member for South Brisbane was another interesting but expected contribution. I have said in this place, and I will say it again, I am getting increasingly worried about the member for South Brisbane. She is so far left of Karl Marx that she would do a full circumference and hit him on his right-hand side. The member for South Brisbane brought up the Joh days. A lot of Queenslanders would not even know those days. The only people who have not got out of those days are the seven opposite. I think Queenslanders were trying to send a message on 24 March that Queensland has moved on from that time. Obviously the seven members have not. In particular the member for South Brisbane has not moved on. Then out of the mouth of the member for South Brisbane we heard Work Choices—not unexpected, highly likely.

Rounding off the opposition contribution tonight was the member for Bundamba herself. I think it was the member for Condamine who made an interjection during the debate that she used to be such a nice person in the 53rd Parliament. I would not dispute that, but I do think that the attitude of the member for Bundamba in this parliament is actually quite embarrassing. She followed through with the rhetoric of the Deputy Leader of the Opposition with respect to we left it off the agenda at the election. What we had on the agenda at the election was cost of living and growing a four-pillar economy in Queensland. To start paying down this over $2 billion deficit, plus this $85 billion debt, we needed to get those issues happening and get business in Queensland moving. It was not left off the agenda. Queenslanders knew that they were electing a government that wanted more in the pockets of the taxpayer and less in government expenditure and expenses.

I will put it this way—as simplistic as I can for the seven opposite and I do hope they understand—if Queenslanders see a government being irresponsible with their hard-earned taxes then they have no faith in that government; they have no faith that they will one day have lower taxes, lower car registrations. We gave them that faith on 24 March, we gave them that hope and they have placed their faith in us.

The member for Bundamba made probably the most interesting statement that I heard in this whole debate. It was that Labor stands by the unions. Where was the member for Bundamba during the asset sales? The member for Bundamba voted for the asset sales. The member for Bundamba cuddles up to the unions and says, 'I'm here for you, buddy. I'm here for you,' but she came into this place and voted against the very people she swears to protect and to be friends with. I give her credit for acknowledging the fact that it was a bad mistake. I wish the member for Bundamba had been a little more vocal at the time, but we know what happens: they get caught up in the party machine.

Mr Hopper: She has made more speeches in the last two sittings than she has in the last 10 years.

Mr BLEIJIE: I take the interjection from the member for Condamine: the member for Bundamba has made more speeches in the last two sittings than she has in her whole time in this place.

Mrs Miller: You can't count, member for Condamine.

Honourable members interjected.

Mr DEPUTY SPEAKER (Dr Robinson): Order! There is too much noise in the House and there are too many interjections. Member for Bundamba, there are too many interjections in the House. If we bring it down to a reasonable volume, that would help the House.

Mr BLEIJIE: We heard that interesting contribution from the member for Bundamba.

Mr Nicholls interjected.

Mr BLEIJIE: I take the interjection from the honourable the Treasurer, who has entered the House in a timely fashion.

Mr PITT: I rise to a point of order. If the Treasurer wishes to interject, I suggest he moves back to his correct seat.

Mr DEPUTY SPEAKER: Order! I would remind the Treasurer that if he does want to interject, his seat would be the place to do that from.

Mr BLEIJIE: That was my fault because I took the interjection. I did not let the honourable the Treasurer move to his seat. My apologies, Mr Deputy Speaker. We on this side of the House understand the fundamentals of financial responsibility and accountability. That was the promise that we made to the people of Queensland.

I turn to the bill before the House, having dealt with all those important matters. As I have already told the House and as has been clear from the supportive speeches of the government members, the general objective of the bill is to modernise the Industrial Relations Act 1999 and harmonise its provisions with the Commonwealth Fair Work Act with regard to certain key enterprise bargaining procedures. Since the referral of Queensland's private sector industrial relations jurisdiction to the Commonwealth from 1 January 2010, the Industrial Relations Act 1999 is almost exclusively focused on public sector industrial relations issues. Consequently, the amendments contained in the bill are especially relevant, given the government's commitment to ensuring that our state has a Public Service that it can afford and that delivers for Queenslanders. In this regard, the bill also proposes amendments to the Public Service Act 2008 in relation to a streamlined membership of the Public Service Commission and by providing for members of the Queensland Industrial Relations Commission to use their specialised dispute resolution skills as appeals officers dealing with the review of certain decisions that affect Public Service employees.

It is proposed that the bill, as introduced into the House on 17 May, will be modified by amendments to be moved in the consideration in detail stage. The majority of those proposed amendments to the bill relate to minor matters in the Public Service Act 2008 but are nevertheless considered necessary to clarify and improve the operation of the bill and the act that it purports to amend. I would like to reiterate the specific objectives of the bill and comment on matters raised in the debate about those objectives, particularly considering members of the opposition still do not understand many of its provisions.

I note that in the last sentence of her contribution the Leader of the Opposition indicated that they will not be supporting the bill, which disappoints me immensely. However, I been have handed a bunch of amendments. In fact, I think the opposition is moving more amendments than the government or than the committee recommended. They are moving some 23 amendments. On the one hand, using the words of the member for South Brisbane, this is the most vile piece of legislation since Work Choices. I think she said something similar to that.

Ms TRAD: I rise to a point of order. I did not say that. He is misrepresenting what I said. I ask for it be withdrawn.

Mr DEPUTY SPEAKER: Does the member find the comments offensive?

Ms TRAD: I find the comments offensive and ask that they be withdrawn.

Mr DEPUTY SPEAKER: The member has found the comments offensive and has asked for them to be withdrawn.

Mr BLEIJIE: I withdraw.

Mr Nicholls: So she didn't find the bill offensive?

Mr BLEIJIE: I am getting to that. I never cast aspersions about where members are—I know the rules with respect to that—however, when I did respond to the contribution of the member for South Brisbane she was not in the House, so I am happy to do it again.

An honourable member interjected.

Mr BLEIJIE: Thank you, I accept the invitation. For the benefit of the member for South Brisbane I repeat what I said to the Leader of the Opposition, which was: 'Have you recently written to Julia Gillard and asked for the same provisions to be taken out of the Fair Work Act?'

Mr Nicholls: Silence.

An honourable member: It is question time.

Mr BLEIJIE: Yes, occasionally we do this.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! There are too many interjections from those on my left and right. The minister has the call.

Ms Trad interjected.

Mr DEPUTY SPEAKER: The member for South Brisbane will cease interjecting.

Ms Trad interjected.

Mr Johnson: Chuck her out, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! I call the minister.

Mr BLEIJIE: Member for Gregory, we do not want the member for South Brisbane to be kicked out. I enjoy having her in the House. I was about to educate the member for South Brisbane on two things. First, she kept referring to the 'industrial relations minister'. I am not the minister for industrial relations; I am the Attorney-General. The bill is specific in relation to the Attorney-General. We did have an industrial relations minister in the old Labor days, but we have moved on somewhat since then. Secondly, I did ask a question. I offered an invitation to the member to explain to the House whether she had written to the Prime Minister, her federal Labor friend, and spoken about what she called—and I am paraphrasing—a vile or an abominable piece of legislation. I asked whether the member for South Brisbane had written to Julia Gillard asking for the same provisions to be taken out of the Fair Work Act. I suspect not.

The member for South Brisbane is the assistant secretary of the Labor Party. Earlier today I was trawling the website of the Labor Party, the website of the member for South Brisbane and her Facebook and Twitter accounts. On the Labor Party website, the member for South Brisbane is noted as assistant state secretary. Under the heading 'Policy' there is a big policy document. I would assume that the federal Labor Party's policy somehow correlates to the Queensland Labor Party's policy, particularly as it relates to the assistant state secretary. I say to honourable members, I look forward to those seven members opposite writing to Julia Gillard tomorrow, saying, 'This terrible Attorney-General and this terrible Queensland government have a clause in this bill that gives the minister this power and we suggest that the Labor Party take it off their policy platform federally.' I suspect they will not. In fact, I say to the member for South Brisbane that, if she wants us to help, we can draft the letter and send it. All it requires is a signature. If I can save her the time—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! There are too many interjections from those on my left and on my right.

Mrs Miller: Why don't you just table it?

Mr DEPUTY SPEAKER: Order! The member for Bundamba!

Mr BLEIJIE: I am not going to table the speech because I have not got to any of it yet. This is an important piece of legislation for Queensland. It is important that we get this legislation through as soon as we can for these enterprise bargaining negotiations that will be happening. It is in the public interest that we do so.

As I have said before, the power for the Attorney-General to issue a directive to stop protected action is not going to be used lightly. That provision, as I have indicated, is contained in the Fair Work Act—the federal legislation. I suspect that any government would use caution when using that provision. I just say to honourable members that there is a long process that we must go through before we actually reach that stage. In Queensland, even under the current IR act, there is a process of bargaining, a process of offer, a period of notification and then a period in which the employees have time to accept or reject the offer. All that has to happen. Then, if they still cannot agree, they have a dispute and it goes to arbitration. This is not a case of me waking up one morning and all of a sudden there are strikes across Queensland and me ordering people back to work. There is a process—a legislative process—that takes place. The new process—the balloting process—is a more rigorous process and it is a fairer process. How could one argue against the independent electoral watchdog of Queensland, the ECQ, having involvement in the operation of the balloting process? I think it is fair. If employers reach a stage of negotiation and find they are just not getting any further, I think it is fair that the employee has the right to decide on their pay and conditions. What on earth could be wrong with an employee having a vote?

Mr Ruthenberg: Because it does not help the Labor Party!

Mr BLEIJIE: Exactly! What problem could anyone have with the ECQ sending out a ballot to employees and having the employees cast a vote? If there is something wrong with that—and obviously there is—

Opposition members interjected.

Mr DEPUTY SPEAKER: Those on my left will cease interjecting. The minister has the call.

Mr BLEIJIE: It is a far fairer process. As I said, the committee recommended certain things. One was with respect to the ECQ and its voting methods. I think the best way—not to confuse the matter—is to have a postal vote. The ECQ has conducted postal votes on numerous occasions. I think the honourable member for Burleigh made a good point. One member of the opposition was asking how the ECQ could handle a postal vote of 45,000 employees? As the honourable member for Burleigh indicated, the Electoral Commission has just conducted an election of over four million Queenslanders. So I think it is somewhat capable of having 45,000 ballots sent out by Australia Post.

Mr Nicholls: How many postal votes did they do during the election?

Mr BLEIJIE: Exactly! I take the interjection of the Treasurer. In fact, they probably handled more postal votes for the state election than they will for these ballots. I think that process is fair.

With respect to the government having a say to the QIRC, there is nothing mandating what the QIRC should do. All we are simply saying is that the state—the employer—will give a brief to the QIRC, an indication of where we are financially. That is not unreasonable. I will tell honourable members what would be unreasonable: if we went the New South Wales way, which is a mandated provision for the commission to take that into consideration. We have not done that in Queensland. We have not gone that far. The Treasurer was not here at the time, but I can tell him that members opposite were making all sorts of accusations of the Under Treasurer waltzing down to the QIRC and—

Mr Nicholls: Attacking the independent Treasury officers again!

Mr BLEIJIE: Yes, they were attacking the independent Treasury officers. I quite like the Under Treasurer. I like the Treasurer as well. This is for Kawana, you see. Write the cheques! I am comfortable that the independent Treasury officers of Queensland are able to put a coherent case to the QIRC about this state's financial position and its fiscal position—as they should—and the employer ought to have the ability to do that. Of course, this money does not fall out of the sky; it comes from the Queensland taxpayer. I think Queenslanders would be of the view that their money should be spent wisely and appropriately. I think the Under Treasurer will be able to provide that advice to the QIRC. As I again indicate, this is in no way demanding that the QIRC mandate to take that into consideration. It is simply there as information. We would like to think they would take it into consideration in terms of the state's ability to pay the wages. In their negotiations going forward, new governments should have the ability to structure that in a way that is financially responsible.

I thank all honourable members on this side of the House for supporting this bill. I thank particularly the new members of the House. This may have been the first bill that they have debated. I think their contribution has been great and well researched. They talked about matters of interest to their electorates and how this impacts on the state's finances. I again thank all honourable members for that. Again, I thank the opposition for their contributions, however poor they were. I still thank them.

In conclusion, the provision that allows the Attorney-General the power to order people back to work and the punishments available for that will be used lightly and reverently. It will not be an abuse of process. I simply say to those members opposite that the reason the word 'harmonisation' is in the title of the bill is because the provisions with respect to that particularly and the balloting processes are a harmonisation of federal Labor law. I am not one to ordinarily stand in this place and support federal Labor law. However, if the Labor Party saw fit to retain those provisions then one would think that the Queensland Labor Party could see fit to at least support these. I do offer the Labor Party in the next 40 seconds the opportunity to come with us on this journey and support this bill. I call on the opposition to support this bill. If it does not support this bill tonight it is effectively voting against its Labor Prime Minister. It is voting against its federal Labor Prime Minister whose policy is in stark contradiction to the opposition's position. On the one hand we have state Labor advocating for something and on the other hand we have the federal Labor Party advocating for something else. I simply say: let the circus get their act together and support this bill.

(Time expired)

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

AYES, 76—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Rickuss, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Smith

NOES, 10—Byrne, Cunningham, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

Resolved in the affirmative.

Bill read a second time.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4—

Ms PALASZCZUK (9.08 pm): I move the following amendment—

1 Clause 4 (Amendment of s 3 (Principal object of this Act))

Page 8, line 21, ', and the State's fiscal strategy'—

omit.

Essentially this is in reference to omitting the clause 'and the state's fiscal strategy'. The reference to the fiscal strategy of the state will create an imbalance between the interest of employers and employees. In the Queensland Industrial Relations Commission, the employer is always a state or local government entity. To require the QIRC to have regard to the government or employer's fiscal strategy does not allow the interests of the employees to have the same importance. The act already provides for a broad range of financial indicators to be taken into account in economic prosperity as well as social justice for the employees. The economic prosperity is objectively able to be ascertained and evidence can be adduced by both parties as to what this entails. The government's fiscal strategy is purely subjective.

Mr BLEIJIE: The government will not be supporting the opposition's amendment. In order for the Queensland Industrial Relations Commission to get a full picture, it needs the fiscal strategy of the government. Once it has that fiscal strategy from the government, it is not compelled to use it but it will look at it in determining the arbitration and the decision that it makes.

Mr DEPUTY SPEAKER (Dr Robinson): Order! Before we go any further tonight, for the understanding of the House, we have a lot of amendments and detail to get through. It will certainly help the House for there to be order and for interjections to be appropriate and interruptions kept to a minimum. There will not be a lot of tolerance for interjections and interruptions that are out of place.

Division: Question put—That the Leader of the Opposition's amendment be agreed to.

AYES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

NOES, 77—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Rickuss, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Sorensen

Resolved in the negative.

Non-government amendment (Ms Palaszczuk) negatived.

Clause 4, as read, agreed to.

Clause 5, as read, agreed to.

Clause 6—

Ms PALASZCZUK (9.18 pm): The opposition will be voting against this clause.

Mr Bleijie: Are you moving an amendment?

Ms PALASZCZUK: No, I am not moving an amendment. I will be voting against this clause. We want it omitted so we are voting against it. We believe that where an employer directly ballots employees they are not required to advise the employees that they can be represented by a union.

Division: Question put—That clause 6, as read, stand part of the bill.

AYES, 74—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Menkens, Sorensen

NOES, 11—Byrne, Cunningham, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

Resolved in the affirmative.

Clause 6, as read, agreed to.

Mr DEPUTY SPEAKER (Dr Robinson): Order! Honourable members, before we proceed, there is likely to be a series of divisions in the consideration in detail stage of this bill. With the leave of the House, I propose to order that all future division bells in consideration in detail be of one minute's duration. Is leave granted?

Leave granted.

Clause 7—

Ms PALASZCZUK (9.26 pm): I move the following amendments—

3 Clause 7 (Insertion of new s 147A)

Page 9, after line 25—

insert—

'(c) the employer has asked the commission under section 148 to help the parties make a certified agreement but the parties are unable to negotiate the agreement.'.

4 Clause 7 (Insertion of new s 147A)

Page 10, line 4, '144(2)(a) and (b)'—

omit, insert—

'144(2)'.

These amendments relate to the situation where an employer directly ballots employees. My amendments seek to only allow this to take place where the QIRC has first been given the opportunity to assist the parties to reach agreement. The QIRC has extensive experience in conciliation and arbitration and would in many cases assist the parties to reach an agreement. This is legislating bad faith negotiating practices. In fact, subsection (9) of this amendment says that an employer acting under this section does not of itself constitute a failure to negotiate in good faith. If it were not bad faith, these amendments would not be necessary.

Mr BLEIJIE: The government will be opposing amendments Nos 3 and 4 circulated in the name of the opposition leader. With regard to amendment No. 3, my view is that section 148 is still available to the parties if they cannot reach an agreement in any event. With respect to amendment No. 4, the argument is that the unions are already involved in the process from the outset. Nothing would change in that regard, so we will be opposing these amendments.

Division: Question put—That the Leader of the Opposition's amendments be agreed to.

AYES, 11—Byrne, Cunningham, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

NOES, 68—Barton, Bates, Bennett, Berry, Bleijie, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Walker, Watts, Woodforth, Young. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendments (Ms Palaszczuk) negatived.

Mr BLEIJIE (9.36 pm): I move the following amendment—

1 Clause 7 (Insertion of new s 147A)

Page 10, after line 29—

insert—

' '(6A) If the commission is satisfied a valid majority of the employees approved the agreement, section 156(1)(c) does not apply to the extent it requires the commission to be satisfied the agreement is signed by or for all the parties.'.

I table the explanatory notes to my amendment.

Tabled paper: Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill, explanatory notes to Attorney-General's amendments [253].

This amendment relates to the insertion of a new section 147A. It is currently unclear as to whether an employer of its own volition can ballot its employees to approve a certified agreement where bargaining with unions has stalled or failed under the Industrial Relations Act.

In contrast, the Fair Work Act expressly gives employers the ability to request employees to approve a proposed enterprise agreement. This provision is therefore modelled on the Fair Work Act. A further justification for the amendment is that it is in line with the ability of unions to conduct a ballot to approve a certified agreement. It is a minor amendment to that new section.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8—

Ms PALASZCZUK (9.38 pm): I move the following amendment—

5 Clause 8 (Amendment of s 149 (Arbitration if conciliation unsuccessful))

Page 11, lines 17 and 18, 'and fiscal strategy,'—

omit.

This amendment seeks to amend section 149(5)(c)(ii) of the act, which relates to the powers of the commission when conciliation is unsuccessful. This amendment then brings into play the commission's arbitration power and requires the commission to take into the account the likely effects of the commission's determination on the community, economy, industry generally and on the particular enterprise or industry concerned. It is an important section, because it allows the commission to consider whether the parties have acted in good faith, which could be relevant if the earlier amendment had not legislated for bad faith negotiations.

The amendment seeks to include the state's fiscal strategy. This amendment seeks to remove that requirement for the reasons I have outlined in relation to clause 4.

Mr BLEIJIE: The government will be opposing the amendment moved by the opposition leader.

Division: Question put—That the Leader of the Opposition's amendment be agreed to.

AYES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

NOES, 76—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Sorensen

Resolved in the negative.

Non-government amendment (Ms Palaszczuk) negatived.

Clause 8, as read, agreed to.

Clauses 9 to 11, as read, agreed to.

Clause 12—

Ms PALASZCZUK (9.45 pm): I move the following amendments—

6 Clause 12 (Insertion of new ch 6, div 6A)

Page 17, after line 27—

insert—

'(aa) must include a statement of the Minister's reasons for deciding to make the declaration and, for each matter of which the Minister is satisfied under subsection (1)(a) and (b)—

(i) set out the Minister's findings on material questions of fact; and

(ii) refer to the evidence or other material on which those findings were based; and'.

7 Clause 12 (Insertion of new ch 6, div 6A)

Page 18, lines 27 to 29—

omit.

This is essentially the insertion of a new chapter 6, that there must be included a statement of the minister's reasons for deciding to make the declaration. I do not believe that this is a proper exercise of the minister's power for two reasons. The first is that even though there is a similar provision in the Fair Work Act it has never been used. In the debate earlier this afternoon we mentioned the Qantas dispute. It seems very strange that when only limited provisions from the Fair Work Act are being included the government chooses to implement one that has not been used, tried or tested.

The second point is that, while there is a slim chance that the federal minister might represent the government who is an employer in a dispute under the act, this is only in relation to about 160,000 workers in the private sector in Australia. In Queensland, however, there are 300,000 workers covered by the state industrial relations system. There are about 240,000 public servants and the balance are local government employees who come under the Minister for Local Government. The minister represents the employer in relation to all employees.

In relation to amendment No. 6, when the QIRC acts to terminate industrial action it must give reasons for its decision and it must outline the evidence in relation to each decision. This amendment seeks to place the same obligation on the minister if he or she terminates the industrial action.

Mr BLEIJIE: The government will be opposing the amendment put forward by the Leader of the Opposition for reasons outlined in my contribution to the second reading debate. I made the point that it is, in fact, the Attorney-General in the act. We did not want to confuse matters by using the word 'minister' because we have the Minister Assisting the Premier, my honourable colleague Glen Elmes, who is responsible for the Public Service administration part of the legislation, but the power rests with me as Attorney-General.

I have heard the Premier ask on many occasions: 'How do you spell the word "hypocrisy"?' How do you spell it? A-L-P. We have here the leader of the Labor Party in Queensland saying that this provision is terrible and that it is not legitimate because it has never been used before. That is the biggest furphy I have ever heard. Governments should not legislate because we may not use the provisions. Because we may not have used them in the past, let us not put them in at all! Those opposite are not only financially irresponsible but also totally—

Mr Newman: Illogical!

Mr BLEIJIE: Totally illogical—I take the interjection. Provisions are put into legislation to use when needed. The Leader of the Opposition cannot use the Qantas dispute as an example. She cannot say it is not a legitimate clause because it was not used in the Qantas dispute. If the Qantas dispute had continued for a few more days, I suggest it probably would have been used. This provision in relation to the Attorney-General having the power to stop the action is in relation to if the welfare or the safety of the community of Queensland is at stake or the economy is at stake.

The opposition may ask for particular examples of when it is going to be used. We cannot give those examples. It would be on a case-by-case basis. If there were an issue that was impacting on the state then the government and I would take the action necessary. We are not going to do it lightly, though.

I totally reject the assumption that it is not a legitimate clause because it has never been tested before or it has not been used by the federal government. I again put the offer to the opposition leader, the member for South Brisbane and the other members of the opposition: tonight after this bill passes, write to your federal Labor colleagues and ask them to delete the provision out of the Fair Work Act. The federal Labor minister has the same ability. The Leader of the Opposition is saying that it is not legitimate because it has not been used, but is that rationale to be used with the federal minister because he did not use it for the Qantas dispute? It does not work.

Clearly, we are not going to support the amendment moved by the opposition leader. She does not move the amendment in a spirit of cooperation because if she did she would have been out there complaining about the federal Labor legislation. Those opposite always want to revert back to the eighties and the good old days. Have they got over the fact that the coalition is not in federal government anymore? It is actually federal Labor law. In fact, after Work Choices was gone the Labor Party kept and amended the Fair Work Act.

A government member interjected.

Mr BLEIJIE: I reservedly take the interjection. I am not ordinarily one to stand in this place and support Labor legislation, and I am not going to be drawn into it tonight. I cannot bring myself to do it, but what I can bring myself to do is spell out the hypocrisy of the other side in using this as an example of a bad clause in the legislation. I invite those opposite to pick up a pen and paper tomorrow and write to federal Labor leader Julia Gillard and say, 'We have this terrible provision in Queensland; you have it federally and we think you should delete it as well.' They should ask them to move an amendment to their legislation.

Ms Trad interjected.

Mr DEPUTY SPEAKER: Order! Member for South Brisbane, if you wish to interject please take your seat.

Mr BLEIJIE: Again I say that tomorrow members opposite should get out a pen and paper and write to Julia Gillard. I note that the Deputy Premier is heading south tomorrow. Perhaps he could take the letter to Tony Burke to give to Julia Gillard.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! There are too many interjections. Order, those on my left! The minister has the call.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. I am rounding up. Perhaps they could write the letter tonight and send it to Julia Gillard. As the honourable Premier says, we will probably read about it in the *Courier-Mail* because before the Prime Minister receives it the *Courier-Mail* or some other media source would receive it. What we see from the Labor Party is total hypocrisy. If they are going to be serious about this matter and have a serious debate in the House about the Attorney-General's power to stop industrial action in Queensland, they should write to their federal Labor Party colleagues and get them to do the same.

Mrs CUNNINGHAM: On my reading of the amendment of clause 12, it inserts an additional requirement where such significant action is taken—that is, that the minister intervenes and terminates industrial action—that the minister must include a statement of reasons, set out the minister's findings and refer the evidence of the material on which the decision was based. Then it goes back to the bill and talks about how it must be published in the *Gazette* and that it takes effect on the day it is made. I think it is eminently appropriate that, when it is such serious intervention on the part of government, the minister give reasons for that termination of industrial action.

Division: Question put—That the Leader of the Opposition's amendments be agreed to.

AYES, 11—Byrne, Cunningham, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

NOES, 74—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Menkens, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Smith, Sorensen

Resolved in the negative.

Non-government amendments (Ms Palaszczuk) negatived.

Clause 12, as read, agreed to.

Clause 13—

Ms PALASZCZUK (9.59 pm): The opposition will be opposing this clause. Essentially, the opposition does not support the government's attempt to impose unreasonable penalty provisions on public sector workers where the minister unilaterally has the power to intervene in a dispute. This clause raises serious issues whereby civil penalties can be imposed due to the decisions of a politician, not a court nor a commission.

Mr BLEIJIE: The government supports the clause. The penalty provisions are consistent with the Fair Work Act. The Labor Party's Fair Work Act has consistency with those provisions. We will support the clause.

Division: Question put—That clause 13, as read, stand part of the bill.

AYES, 76—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Smith

NOES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

Resolved in the affirmative.

Clause 13, as read, agreed to.

Interruption.

PRIVILEGE

Error in Division

Mr PITT (Mulgrave—ALP) (10.08 pm): I rise on a matter of privilege suddenly arising. I would like to point out to the chair that during the division on clause 7, which was on amendments Nos 3 and 4 circulated in the name of the Leader of the Opposition, I understand that the records of the teller for that division reflect that the Deputy Premier was in the House when, in fact, he was outside of the House. I ask that that record be corrected.

Mr DEPUTY SPEAKER (Dr Robinson): Order! We have the tally sheets that are signed by the whips. Under standing order 269, could you put that in writing to the Speaker as soon as possible?

Mr PITT: I am very happy to do so.

INDUSTRIAL RELATIONS (FAIR WORK ACT HARMONISATION) AND OTHER LEGISLATION AMENDMENT BILL

Consideration in Detail

Resumed.

Clause 14—

Ms PALASZCZUK (10.09 pm): Once again the opposition will be voting against this clause for similar reasons to the clause we just debated in this chamber. We seek to correct the inappropriate penalty provisions that create serious concerns whereby civil penalties are imposed due to the decision of a politician.

Mr BLEIJIE: The government will happily support this government's clause in the bill.

Division: Question put—That clause 14, as read, stand part of the bill.

AYES, 76—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Smith

NOES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

Resolved in the affirmative.

Clause 14, as read, agreed to.

Clauses 15 to 17, as read, agreed to.

Clause 18—

Ms PALASZCZUK (10.14 pm): I move the following amendment—

10 Clause 18 (Insertion of new ch 8, pt 7)

Page 23, lines 10 to 16—

omit, insert—

'(1) This section applies if—

(a) the commission is determining a matter by arbitration under section 149; and

(b) the matter involves a public sector entity within the meaning of that section.

'(2) For the arbitration of the matter, the treasury chief executive may give the commission a briefing about the State's financial position, and related matters.

'(2A) Information given to the commission during the briefing may be admitted into evidence and, subject to complying with natural justice, may be considered by the commission in making its determination.'.

Our amendment is very simple. For the benefit of the House, the amendment means that when the Under Treasurer presents the state's financial position to the commission the Under Treasurer is able to be questioned. I think this is only fair and reasonable, and I think it is an amendment that the minister should accept because it allows the commission to ask questions of and be able to cross-examine the Under Treasurer about the advice that is being given.

Mr BLEIJIE: The government will be opposing the amendment moved by the opposition. The only thing I have certainty about tonight is that the opposition has moved three times more amendments than it has members of this parliament. The briefing in relation to this clause is for information purposes and is not linked—listen carefully—to the proceedings before the commission. So we will be opposing the amendment moved by the opposition leader.

Division: Question put—That the Leader of the Opposition's amendment be agreed to.

AYES, 11—Byrne, Cunningham, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

NOES, 74—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendment (Ms Palaszczuk) negatived.

Clause 18, as read, agreed to.

Clause 19, as read, agreed to.

Clause 20—

Ms PALASZCZUK (10.20 pm): I move the following amendments—

11 Clause 20 (Insertion of new ch 20, pt 13)

Page 26, lines 11 and 12—

omit.

12 Clause 20 (Insertion of new ch 20, pt 13)

Page 26, lines 13 to 26 and page 27, lines 1 to 8—

omit, insert—

'781 Continued application of ch 6 as in force before commencement

'(1) Chapter 6, as it was in force immediately before the commencement, continues to apply in relation to a proposed agreement if advice of the proposer's intention to begin negotiations for the agreement was given under section 143(2) before the commencement.

'(2) In this section—

proposer see section 143(1).'.

These amendments are essentially picking up a recommendation from the committee. This is where we are going to test the government's belief in the committee system and how the committee system works. Recommendations come back into the House from the committee. Recommendation No. 2 was very clear. There were many members of the government who were on the Finance and Administration Committee who supported recommendation No. 2. What did recommendation No. 2 say? Let me read it out for the benefit of members in this House. It states—

The committee recommends that the bill be amended to include transitional arrangements ensuring that all processes which have already commenced be concluded under the previous arrangements.

This is very clear. This is about whether the committee system of the House is going to work effectively and whether members of this House now tonight will accept recommendation No. 2 and therefore accept the amendment that I have moved in my name. It is very clear; it is very straightforward. This is a test. This is a test for the members who served on the committee, who voted for and endorsed the report that was then tabled in this House. I have now moved an amendment supporting what the committee wanted. There is no clearer choice here. The minister has not given clear explanations as to why he wants to vote against this.

We know for a fact that teachers are at the moment in the process of their enterprise bargaining negotiations. We know that for a fact. We value the work that teachers do right across our state. All this is attempting to do is change the law which would disadvantage the enterprise bargaining negotiation framework for teachers and the Queensland Teachers Union. I urge members to vote for the amendment.

Mr BLEIJIE: Let me make it abundantly clear for the opposition leader: the government does not support her amendment. Let me make it clear also that I have made three speeches on this bill all addressing transitional provisions. There are detailed transitional provisions contained in the bill. Not only have I made three speeches on it—two of them today—I have also put in a government response to the committee report. So that is four opportunities the opposition leader had to either listen to me speak or read the government's response to the report. If the opposition leader cannot work it out from that, if it is not clear enough, then that is nothing to do with me. That is her own ability to understand what we have said and what is actually in the bill. The bill contains lengthy transitional provisions and it cannot be any clearer than that.

Mrs CUNNINGHAM: Mr Deputy Speaker, I seek a clarification from the minister. I have not read his reply to the committee. The Leader of the Opposition specifically discussed the QTU negotiations and on that basis I will refer to that as well. The bill appears to say that, if the matter has commenced arbitration prior to the commencement of this legislation, the conditions that applied at the time the arbitration commenced would apply. Does that mean that the conditions under which the QTU negotiations are occurring are under the current situation or under the situation covered by this bill?

Mr BLEIJIE: The teachers agreement expires on 30 June 2012. The government has made an offer to settle that. I just say to the unions and the employees that everyone can enter these negotiations in good faith and if there is a resolution to the negotiations then there will be no need for arbitration; there will be no need for any transitional provisions. If everyone enters the negotiations in good faith and reaches a resolution on the enterprise bargaining agreement, then the transitional provisions are not applicable. So with regard to the Queensland Teachers Union at the moment, as I said the government has already made an offer to settle and upon that negotiation being successful—and I hope all parties will in good faith negotiate that settlement—then the transitional provisions will not be applicable.

Division: Question put—That the Leader of the Opposition's amendments be agreed to.

AYES, 11—Byrne, Cunningham, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

NOES, 74—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendments (Ms Palaszczuk) negatived.

Clause 20, as read, agreed to.

Clause 21—

Ms PALASZCZUK (10.30 pm): I move the following amendments—

13 Clause 21 (Insertion of new sch 4)

Page 28, lines 18 and 19, 'if negotiations for the agreement have begun'—

omit.

14 Clause 21 (Insertion of new sch 4)

Page 31, line 12—

omit.

15 Clause 21 (Insertion of new sch 4)

Page 31, after line 12—

insert—

'(1A) The commission is not prevented from making a protected action ballot order only because the employer has not agreed to negotiate for the proposed agreement.'.

16 Clause 21 (Insertion of new sch 4)

Page 31, after line 18—

insert—

'(ca) the voting method to be used for the ballot;'.

17 Clause 21 (Insertion of new sch 4)

Page 32, line 19, after 'prepare for'—

insert—

', or conduct,'.

18 Clause 21 (Insertion of new sch 4)

Page 32, lines 20 to 22—

omit.

19 Clause 21 (Insertion of new sch 4)

Page 34, lines 10 and 11—

omit.

Essentially, amendments Nos 13 and 14 relate to what I was previously stating to the House about adopting the recommendations of the committee, particularly recommendation No. 2. They are consistent with the opposition's position that those employees and employer organisations that have already entered negotiations with the government under the existing rule should continue to have their claims progressed through the existing arrangements. This is just simply common sense.

Amendment No. 15 allows the Industrial Relations Commission to make an order according to the government's amendment, even if the employer is refusing to negotiate. Our amendment is designed to ensure that the employer cannot simply refuse to negotiate to avoid its obligations. This is consistent with our position that the government's bill tips the scales too far in favour of the employer, and this helps provide some balance.

Amendment No. 16 inserts a new subsection around the voting method to be used for the ballot. This amendment is also related to the recommendation of the portfolio committee, which supported views raised at the public hearing that other methods of balloting should be allowed apart from postal ballots. Given the diverse range of workforces covered by this legislation and the decentralisation of Queensland, it makes sense to allow various methods of balloting. These amendments have the bipartisan support of the portfolio committee and should be supported by the government.

Amendment No. 17 allows unions to enter a workplace in order to conduct ballots other than by postal ballot. Amendment No. 18 seeks to omit reference to penalty provisions which are dealt with and are consistent with other amendments. Finally, amendment No. 19 omits the new requirement imposed by the government which essentially is that postal voting is the only method allowed to be used. The opposition has previously said that it supports the portfolio committee's recommendation that other methods of balloting should be allowed. For the benefit of the House, during the committee hearing this was covered extensively and it was the view of the people appearing before the committee that they wanted other options.

Mr BLEIJIE: With regard to amendments Nos 13 and 14, it has never been the case that an employer is forced to bargain under any circumstances. Postal balloting, as I said in the three speeches and in the response, is fair and is transparent. The opposition used the example of 45,000 ballots. My God! How is the ECQ going to handle 45,000 postal ballots? It can and it will. If the opposition wants fulsome responses, it only has to look at the explanatory notes, the three speeches, the amendments we will move later and the speeches that have been made in the parliament for the last five to six hours of the day. That said, the government will not be supporting any of the amendments moved by the opposition leader.

Division: Question put—That the Leader of the Opposition's amendments be agreed to.

AYES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

NOES, 76—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendments (Ms Palaszczuk) negatived.

Clause 21, as read, agreed to.

Clauses 22 and 23, as read, agreed to.

Clause 24—

Ms PALASZCZUK (10.39 pm): I move the following amendments—

20 Clause 24 (Insertion of new ss 10A—10H)

Page 40, line 8—

omit, insert—

'(b) each location, if any, at which the ballot will be conducted;'.

21 Clause 24 (Insertion of new ss 10A—10H)

Page 42, line 13, 'The'—

omit, insert—

'If the protected action ballot is conducted by postal voting, the'.

22 Clause 24 (Insertion of new ss 10A—10H)

Page 43, line 6, after 'who is to be balloted'—

insert—

'by postal voting'.

23 Clause 24 (Insertion of new ss 10A—10H)

Page 43, after line 26—

insert—

'(5) Subsection (6) applies if—

(a) an employee is to be balloted other than by postal voting; and

(b) the employee satisfies the ECQ that, before depositing the ballot paper in the ballot box, the employee accidentally spoilt the paper.

'(6) The ECQ must—

(a) give the employee a replacement ballot paper; and

(b) mark 'spoilt' on the spoilt ballot paper and initial the marking; and

(c) keep the spoilt ballot paper.'.

Essentially, these amendments relate to allowing other methods of voting, consistent with our previous amendments.

Mr BLEIJIE: Yes, the amendments are consistent with the previous amendments because the opposition mucked them up. In fact, the amendments it just moved were broken into two sections—one of which was dealing with the JJ Richards clause of the IR law and this part now deals with postal votes. So we have covered I think three times now amendments dealing with postal vote applications in Queensland. So I say to the opposition leader again now, for the fifth time today: postal vote applications will be run by the ECQ. The ECQ will be able to handle approximately 45,000 votes. That was questioned during the debate by the opposition and it was answered by the member for Burleigh. There is a standing order for repetition, member for Burleigh, and I am going to be accused of contravening it. However, I have to because I am answering the question. The member for Burleigh raised a good point about the ECQ having to deal with postal vote applications right across the state at the last election. In fact, the ECQ dealt with over four million votes. So I hazard a guess that the ECQ would be able to handle postal vote applications. It is a fair process. The ECQ—and the local government minister can correct me if I am wrong—in regional and rural Queensland does conduct full postal vote applications.

So I have said it. I have said it five times to the opposition leader. If they had moved these amendments correctly, they would have dealt with these altogether, including the last two amendments. But they have mixed up a few amendments. But that is okay. We do not mind being here all night debating this. I simply say again, for fear of being accused of being repetitive, that the government will not be supporting the amendments moved by the opposition leader for the same reasons that we gave before, because here we are dealing with exactly the same issues that the opposition leader and I have both dealt with for the past two hours.

Division: Question put—That the Leader of the Opposition's amendments be agreed to.

AYES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

NOES, 76—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendments (Ms Palaszczuk) negatived.

Clause 24, as read, agreed to.

Clauses 25 and 26, as read, agreed to.

Insertion of new clause—

Mr BLEIJIE (10.46 pm): I move the following amendment—

2 After clause 26

Page 47, after line 4—

insert—

'26A Amendment of s 45 (Commissioners)

'(1) Section 45(b), first dot point—

omit.

'(2) Section 45(d)—

omit.'.

Amendment agreed to.

Clauses 27 to 58 and schedule—

Mr BLEIJIE (10.46 pm): I seek leave of the House to move all of my remaining amendments en bloc.

Leave granted.

Mr BLEIJIE: I move the following amendments—

3 Clause 31 (Replacement of s 88A (Appeals officer))

Page 48, line 5, 'commission chief executive'—

omit, insert—

'Governor in Council'.

4 Clause 47 (Amendment of s 208 (Decision on appeal))

Page 53, lines 15 to 21—

omit, insert—

' '(4) As soon as possible after a decision on an appeal is available, the appeals officer who made the decision must give a copy of it to—

(a) the parties to the appeal; and

(b) the commission chief executive.'.'.

5 After clause 51

Page 54, after line 15—

insert—

'51A Amendment of s 214A (Protection of appeals officials from liability)

'(1) Section 214A—

insert—

' '(2A) This section does not apply to an appeals officer.

Note—

For the protection of an appeals officer from liability, see section 88A(6)(b).'.

'(2) Section 214A(2A) and (3)—

renumber as section 214A(3) and (4).'.

6 Clause 58 (Act amended)

Page 58, lines 20 and 21—

omit, insert—

'58 Acts amended

'The schedule amends the Acts it mentions.'.

7 Schedule (Minor and consequential amendments)

Page 59, after line 3—

insert—

'Industrial Relations Act 1999

'1 Section 686(1)(a), 'to the chief executive of the Public Service Commission,'—

omit.'.

8 Schedule (Minor and consequential amendments)

Page 59, after line 4—

insert—

'1A Chapter 3, part 4, division 1, subdivision 2, heading—

omit, insert—

'Subdivision 2 Chairperson'.

'1B Section 64(1), 'an appointed commissioner'—

omit, insert—

'a person as the chairperson of the commission'.

'1C Sections 65(1)(a) and 67(1), 'an appointed commissioner'—

omit, insert—

'the chairperson'.

'1D Section 65(1)(b), 'commissioner's'—

omit, insert—

'chairperson's'.

'1E Section 65(2) and (3), 'commissioner'—

omit, insert—

'chairperson'.

'1F Section 66, 'An appointed commissioner'—

omit, insert—

'The chairperson'.

'1G Section 68—

omit.

'1H Sections 70(2), 71 and 75(a), '4 commissioners'—

omit, insert—

'2 commissioners'.

'1I Section 73(2) and (3)—

omit, insert—

'(2) If the chairperson is absent from a commission meeting, the commissioner chosen by the commissioners present is to preside.'.'.

9 Schedule (Minor and consequential amendments)

Page 60, after line 15—

insert—

'4 Schedule 4, definition *appointed commissioner*—

omit.'.

Amendments agreed to.

Clauses 27 to 58 and schedule, as amended, agreed to.

Third Reading

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (10.48 pm): I move—

That the bill, as amended, be now read a third time.

Division: Question put—That the bill, as amended, be now read a third time.

AYES, 76—Barton, Bates, Bennett, Berry, Bleijie, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Ruthenberg, Seeney, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Smith

NOES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

Resolved in the affirmative.

Bill read a third time.

Long Title

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (10.52 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

ADJOURNMENT

Mr STEVENS (Mermaid Beach—LNP) (Manager of Government Business) (10.52 pm): I move—

That the House do now adjourn.

Reef and Rainforest Research Centre

Mr PITT (Mulgrave—ALP) (10.52 pm): Cairns based not-for-profit organisation the Reef and Rainforest Research Centre has taken the initiative in partnering with Papua New Guinea's treaty village association to deliver a multimillion dollar proposal called the socioeconomic and development project for the PNG traditional inhabitants of the treaty villages. The proposed program is designed to increase environmental, economic and social sustainability of the coastal communities of the South Fly District, addressing such issues as health, quarantine, customs, biosecurity, food security, human and resource security and border protection.

This initiative by the RRRC has been a collaboration forged with various groups both here in Queensland, in particular the Torres Strait, and in the Western Province of PNG. I have received briefs and have worked with the RRRC for many months, talking to anyone who would listen, and have seen the continual development of this proposal, which will address a number of these challenges through the provision of community-level training to PNG nationals of practical techniques to deliver turtle, dugong and fisheries sustainability, coastal surveillance and monitoring, and conservation and protection activities for their community and the surrounding management areas.

Australia has an important role to play in the development of PNG. For too long state and federal governments on both sides have played politics at the expense of our northern neighbours. By looking after the health, development and welfare of the peoples of the treaty villages, we support the health and biosecurity services of the Torres Strait and mainland Australia. There has been a long history of friendship between Australia and PNG, and this kind of project reinforces that commitment.

This proposal should not be misunderstood. It is not about aid; it is about building capacity in the true sense of the word, providing training as well as real work opportunities. This project gives them the skills and a say over their future. It is important to note that I support this proposal not only because it benefits PNG residents but also because it will benefit businesses in the Cairns region as well as in the Torres Strait. This project has the potential to bring much needed work to Australian companies and to the tropical north including: boatbuilding, with up to 20 vessels being built; providing 25 trainer and mentor jobs for the ranger training program in Cairns and the Torres Strait; utilising tropical expertise skills out of Cairns for marine, wetland and rainforest protected area management; remote area energy supplied, solar and micro hydro, from Cairns companies; construction jobs in the provision of high security for remote areas; and ranger equipment being sourced from Cairns suppliers.

I congratulate Sheriden Morris and her team at RRRC and members of the treaty village association for pressing ahead with the proposal. This is despite neither the state government nor the federal government committing funding. I do, however, wish to acknowledge the Cairns regional director, Anne Clark, from State Development, Infrastructure and Planning for her hard work and collaboration. The RRRC is a great example of tropical expertise prowess, and this model has the potential to be rolled out in other developing Pacific nations, showing yet again the extraordinary potential of Far North Queensland as a centre of tropical expertise. This proposal is a win for the Cairns economy and a win for the Torres Strait, and I urge both the Queensland and Australian governments to come to the table and support and partner this great initiative. We need it to work for the sake of our region.

Interruption.

PRIVILEGE

Error in Division

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (10.56 pm): I rise on a matter of privilege suddenly arising. I have just become aware that the Manager of Opposition Business made some comment regarding my absence from a division earlier in the night. I inform the House that I was absent from a division. I never claimed that I was in the House. I am unsure of the matter of privilege the Manager of Opposition Business was referring to, but I never made any claim that I was in the House.

Madam SPEAKER: I will confer with the whips and the clerks at the table, and we will come back tomorrow after a check of the tally.

ADJOURNMENT

Resumed.

Bulimba Electorate, Education Week

Mr DILLAWAY (Bulimba—LNP) (10.57 pm): I rise in the House tonight to share my experiences across the fine electorate of Bulimba during Education Week 2012. We are very fortunate in Bulimba to have so many wonderful public and private educational institutions. On the Tuesday, I had the pleasure to be the principal for a day at Seven Hills State School, shadowing Principal Michelle Morrissey. I was impressed with the day's activities that were prepared for me, which ensured I got a full understanding of the challenges and opportunities that one of Bulimba's growing schools is facing now and into the future.

My many activities included addressing their weekly parade conducted by the very confident and capable school captains, Luke and Bree. I also wish to congratulate all the students who received their achievement awards and the acknowledgment given to them for their sporting efforts. I then undertook a comprehensive tour of the school that led me to deliver a lesson about volcanos to the grade 3/4 class with Ms Susan McKinnon. She did, however, remain very close by to ensure that I did not teach the wrong thing. During the first break I was invited to listen in on the school's Chicken Club, followed by morning tea with the school leadership team in the library. I was grateful for the sustenance because following morning tea I undertook a Q&A session with the year 6/7s, who are presently studying parliament. The questions were well thought out and delivered. I thoroughly enjoyed the opportunity to interact with young minds.

As my day at the school was drawing to a close, I welcomed the chance to meet with both Principal Morrissey and Acting Deputy Principal Mr Tony Grant to further discuss the school's issues and needs into the future, issues which I will gladly take up with the minister. My final act was to read to the children of Prep Rainbow *My Grandpa's Shoes* with Ms Valerie Rogers. It reminded me how enjoyable it is to read to the little ones, and when I got home that night I took the opportunity to read to my three children.

I returned to Seven Hills State School again on the Thursday to attend the Gateway Learning Community's under-8s day, which has been held for the last several years at Seven Hills because of its surrounds. This is a joint event held between schools including Seven Hills, Bulimba and Murarrie state schools and Balmoral State High School. Every second year Norman Park State School joins in as well. This year an additional group of under-8s children joined in on the festivities including face painting, crab racing and cheerleading demonstrations. They were from the newly opened Seven Hills C&K. I am sure that they thoroughly enjoyed the activities that were spread right across the school grounds. I congratulate the organisers for this fantastic event and I am sure the children, like me, are already counting down the number of sleeps until next year's event.

On the Friday I had the great pleasure to visit Principal Tina Gruss at Murarrie State School to announce that her school was one of the first to receive the benefit of our prep teacher aide funding increases for 2013. I then joined Ms Gruss and Ms Bridget McClure in the multi-age prep, grade 1 and grade 2 classroom. To say that they were excited at this announcement was an understatement. They were ecstatic. On Sunday I attended the Cannon Hill Anglican College's Wetlands Festival. What a fabulous event. It was a fitting way to finish off Education Week in Bulimba.

Helensvale State School, Prep Play Area

Mr CRANDON (Coomera—LNP) (11.00 pm): It seems like tonight is the night to be talking about the schools in our electorates. What a wonderful subject for us to be talking about this late at night. Tonight I have the opportunity to talk about Helensvale State School, which is a very large school. Currently it has almost 1,100 students and it has the capacity to take 1,400 students. Of that, there are about 170 prep students. Because of the inclement weather earlier this year, the prep students' play areas were washed away. All the soft material underneath the play areas was taken out by the heavy storms and so on. Essentially, it was uneconomical to restore those play areas to their former glory.

As a result of that, I became aware of the matter. We visited the school and looked at the situation. We have made some moves on some of the play areas, but we became aware that there was nowhere near enough play equipment for the number of prep and grade 1 students. We made some further inquiries and discovered that the reason was the Building the Education Revolution building had to go in a particular spot and all of the play equipment was moved. However, the play equipment was so old that it did not meet current Australian standards and they could not re-use it. The school has a beautiful new building, which is absolutely wonderful, but they lost all of that play equipment.

The school was proactive. They put together some quotes and got a few things happening. I had a quiet word to the education minister about the fact that this was really replacement and restoration of play equipment. Of course, all members would know that prep students learn through a play based curriculum. That is very difficult if you do not have any play equipment for them to learn on. Therefore, a good argument was put forward.

I can tell members that earlier this week I received a telephone call from the principal of Helensvale State School to advise me that the director-general's office had contacted her just a couple of hours before to advise her that the funds to fully replace all of the equipment, totalling in excess of $90,000, have now been deposited into their account over two transactions in order to fully restore that play equipment. That play equipment will be installed over the next two to three months. We look forward to the day we will launch the new equipment with the children. It is a win for the kids of Helensvale.

Yeppen Lagoon Crossing and Roundabout Upgrade

Mr BYRNE (Rockhampton—ALP) (11.03 pm): Last Friday I had the great pleasure of attending a sod-turning ceremony for the Yeppen Lagoon crossing and roundabout upgrade, south of Rockhampton. That project has been perhaps six to seven years in the planning. As a fellow bureaucrat I remember speaking to Main Roads planners many years ago. It has been a long identified priority for investment. I had the pleasure of attending the ceremony with the federal member for Capricornia, Kirsten Livermore, who has been a great friend of mine from the days before she entered politics. As a young solicitor, she worked for a community legal aid group of which I was on the board.

The project has been estimated to be worth about $85 million. Three-quarters of that money is federal funding. It is a great credit to the department of main roads which was the planning enterprise, the previous state government which assisted with the funding and, of course, the federal Labor government which has put up the majority of the money.

The scope of the project will allow people living to the south of Rockhampton and those transiting into Rockhampton from the south to enter the city in a much more efficient and convenient fashion. It should be pointed out that the vast majority of people who will benefit from that are constituents of the federal seat of Flynn, which is held by the Liberal National Party. However, the project will certainly alleviate the morning transition problems associated with peak-hour traffic in the south of Rockhampton. For that reason alone, the people of Rockhampton and Gracemere will be greatly advantaged by it.

The next phase of the project should be a four-lane development from the Yeppen roundabout to the town of Gracemere, which crosses over federal electorate boundaries but is certainly a matter that should be in the realm of the state government. Traffic flows today certainly indicate that the rate of effort on those roads justifies four lanes and there have been some serious accidents and fatalities in recent years, all substantiating the need for further consideration being given to the extension of the highway. I appeal to the state government to consider looking at safety provisions for the road between the roundabout and the town of Gracemere by investing in a four-lane development.

Hard Yakka

Mrs MADDERN (Maryborough—LNP) (11.06 pm): I refer to an editorial of 4 June 2012 in the *Fraser Coast Chronicle* entitled, 'Young people no longer fear the law'. I wish to highlight the good work that is being carried out by Mr Bob Davis in a military style youth training program called Hard Yakka, which has been developed to teach those in trouble both life and employment skills. The participants are taught those skills through a 28-day camp that includes some military training, outdoor experiential adventure based challenges, community awareness and workplace skills. Once the training has been completed, there is follow-up and support, including family support, to ensure graduates of the course get the most benefit from their training.

The program is carried out at Susan River Homestead on the Maryborough to Hervey Bay road in my electorate. I have been privileged to inspect the location and to see the camp style facilities and the outdoor adventure based training equipment and to listen to the enthusiasm and commitment of Mr Davis, who has been involved in team development and leadership programs and behaviour management programs for over 23 years. This experience has been incorporated into his Hard Yakka program.

At the time of my visit, I was able to meet two mums who were desperate to have their troubled sons go through the program. Despite their best efforts, sadly those parents had failed to help their sons and they very much wanted their sons to be part of one of Mr Davis's programs. There are two problems that Mr Davis is currently encountering with the program. The first relates to the cost of about $6,000 per participant for a 28-day camp which, unfortunately, these parents cannot afford. While this may seem expensive, the cost to the state of those people regularly going through the court system is likely to be significantly more. The second issue relates to the need to have some kind of enforcement to make the participants stay for the whole course and not have some of them bail out halfway through because it is a bit tough.

This program would be ideally suited to the Youth Boot Camp Diversion Program as announced by the LNP before the election. The program is documented, has a proven track record and could immediately take participants as directed by the courts and if supported by government funding. Maybe then there would be no more need for such editorials as printed on 4 June.

Redlands Electorate, Festivals

Mr DOWLING (Redlands—LNP) (11.08 pm): Tonight I rise to congratulate a number of organisations for festivals and activities held in my electorate in recent times. I begin by congratulating the community of Faith Lutheran College in my community, which hosts an annual event—

Honourable members interjected.

Mr DOWLING: It is a fine school; I take all interjections. The school hosts an event called FunFest. It is attended widely by many in my community. It commences in the morning with a draw of artwork where they determine which student gets to start the fireworks at the end of the day. It is a terrific event. I attended the festival with Andrew Laming MP, the member for Bowman, and also our newly elected mayor and divisional councillor, Councillor Williams, as Mayor of Redland City Council, and Lance Hewlett, councillor for division 4. I also recognise the principal of Faith Lutheran, Anthony Mueller, and his P&FA team, which is headed up by President Geoff Fowler, and includes Catherine Williams and Kerrie Muir. Many other teachers and friends of that community put together a fantastic event.

I would also like to recognise the work of the Redlands branch of the Queensland Cancer Council. They hosted the Biggest Morning Tea. I am pleased to report that my friend and colleague the member for Cleveland, Mark Robinson, was also in attendance at the function, which was held at The Courthouse Restaurant at Cleveland. One of the key announcements was a wash-up to the Relay for Life, an event that has been hosted in the Redlands now for 10 years. I am pleased to report that over those 10 years they have raised over $1 million through their fundraising activities. I say congratulations to everyone involved in that. The Relay for Life is supported by Rotary Club, Lions, scouts and all the schools in my community. I remember doing quite a number of laps last year with students from Carmel College, Faith and John Paul College. Although that last school I mentioned is not in my electorate, I was glad to see them down in paradise for an evening of fundraising and fun. Also, many sporting clubs were involved in the activity.

I would like to forewarn a diary date for members interested in coming down to Coochiemudlo Island. In July we host an event called Flinders Day. It is a market day and a history lesson. The island historical society re-enacts the landing of Matthew Flinders all those many years ago on the eastern side of Coochiemudlo Island. It is held on the weekend on or about 20 July. I would like to recognise the progress association, the historic society, the market day, the rec club and all of the island groups that come together on that occasion.

One final event that really does deserve recognition is the tug of war between Lamb Island and Macleay Island. They have a giant rope between the two islands and we literally try to bring them together. If we can drag them together it will mean less investment in resources and infrastructure.

(Time expired)

Pesticide Ban

Mrs MENKENS (Burdekin—LNP) (11.11 pm): The Australian Pesticides and Veterinary Medicines Authority's ban of the pesticide dimethoate is having a severe effect on the Queensland tomato and small crops industry. Exporters are in a quandary as to what they should do following the suspension last October of dimethoate, which is a chemical used for domestic and export market access. It is a catch 22 situation, with growers who wish to export to countries like New Zealand now finding they are unable to meet standards as the chemical, which is now banned in Australia, is a requirement of entry into another country.

The Bowen and Gumlu Growers Association is leading the way in Australia in combating fruit fly and disease. Without the use of dimethoate a recent sample of 30,000 fruit was found to be completely compliant, and the association has been working proactively and funding their own research studies. Up to 400,000 10-kilogram cartons of Australian tomatoes have been exported each winter via the Rocklea Markets to New Zealand using a protocol that requires dimethoate as a post-harvest treatment to control fruit flies. The process of dimethoate application as a post-harvest treatment continues to be accepted by the APVMA for avocados, bananas and quite a few other fruits for sale within Australia but not tomatoes.

Exporters have carried out a number of residue studies and could satisfy New Zealand's maximum residue limits on tomatoes sprayed with dimethoate. They are able to demonstrate scientifically to the APVMA secure DAFF/AQIS accredited and audited export pathways that they will ensure the treated tomatoes will only be exported to New Zealand or will be destroyed and, accordingly, none would be available for domestic consumption.

While a minor-use permit application is currently before the APVMA for reconsideration, exporters are sitting waiting on a solution. This has taken far too much time, and time is money. In the Bowen district alone this will equate to a $6 million loss of export dollars this season, with previously New Zealand bound tomatoes and capsicums now destined to cause an oversupply on the domestic market. Growers cannot afford to be out of the New Zealand market because they stand to lose a longstanding market of over 25 years. If Australia does not fulfil the New Zealand market, the county will look elsewhere for its fruit.

This is an absolutely ludicrous impost put on Queensland growers and it makes no economic sense. Here we see the federal government again putting senseless obstructions in the way of decent, hardworking growers who are trying to make a living. Exporters feel extremely let down by the process, which has seen dimethoate banned in Australia while it is still an acceptable requirement for export of product into New Zealand. Furthermore, this ban took place without an acceptable or suitable replacement treatment in place to satisfy export biosecurity requirements.

Moranbah, Work Camps

Mr KNUTH (Dalrymple—KAP) (11.14 pm): This morning I questioned the Premier regarding his commitment to give local councils greater planning autonomy. I have asked the Premier to call in the ULDA approval of a 3,200-worker camp on prime residential land at Moranbah. The Moranbah community is surrounded by mining leases. Its residential expansion is limited and it is paramount that this land is used for family housing purposes. We have seen social disintegration occurring in Moranbah because of a large fly-in fly-out workforce and massive increases in single men's camps, which was even revealed on *Four Corners.* However, in his response, the Premier avoided the real issues.

In his reply, the Premier stated the obvious fact that mining communities need mining camps. He said that he wanted to make that very clear. Being the sitting member for the area surrounding Moranbah, I say that the debate is not about camps or whether they are needed in a mining region. This debate is about whether this development should proceed on one of the last remaining portions of prime residential land. The government must support the community's plea to use the land for family housing purposes.

Family housing development is the key to attracting and retaining more families in the mining communities. There are many other suitable places for a camp in the area. It is draconian to override local elected representatives and allow this development to go ahead when it could literally destroy the long-term viability and the social fabric of the community.

This development has been put in over the top of the local community all the way from Brisbane. The Premier has tried to blame the previous council, but I am glad to inform the Premier that there is a new council. They are pro mining, pro family housing development and pro raising their children in a family orientated community, and they want to get things moving quickly. The ULDA has discarded the community and local leaders with a 'George Street knows best' attitude. The developer, MAC Group, is owned by American oil industry giant Oil States International. It is not a local developer looking to work with residents and local council but a foreign owned, multinational company that does not give a damn about the social implications of a mining camp's location.

I ask the Premier: would he like to raise his family next to 3,200 mineworkers, a majority of whom are single men, given the associated social, psychological and health issues raised in the federal inquiry into fly-in fly-out operations? The Premier has the power to call in this development, bring the stakeholders together and find another camp site that does not use family residential land. This government may have been very critical of the ULDA in the past, but if the Premier does not call in this development he will own the legacy of the Brisbane-knows-best approach—the failed approach of the last government. If the Premier is going to keep his election commitment and be true to his word he must call in this development, consult with council and the community and allow this land to be used to attract and retain the families needed to keep our regions strong.

Mining Industry

Mrs FRANCE (Pumicestone—LNP) (11.17 pm): This week I had the privilege of being the principal for a day at Tullawong State High School in my electorate of Pumicestone. The principal, Mr Peter Hoehn, leads a team of dedicated teachers and staff who impressed me with their enthusiasm and willingness to go in to bat for their students. Tonight I would like to summarise some of the information I gave to the senior students regarding the skills shortage and employment opportunities in Queensland's mining industry.

Queensland's CSG and LNG industries have the potential to offer as many as 18,000 direct and indirect jobs over the next eight years. Queensland's gas project developments include exploration for coal seam gas in the Surat and Bowen basins, construction of a 450-kilometre gas transmission pipeline to Gladstone and the construction of LNG facilities in Gladstone. As the industry comes into a crucial time of growth and change, the resources industry is on the lookout for the next generation of engineers, scientists and people with trade and semitrade skills. Queensland is one of Australia's fastest growing states and it will require skilled workers for many years to come.

There are many ways to gain employment in the resources industry such as school based apprenticeships; apprenticeships, traineeships and cadetships; trainee positions with a group training organisation; pre-employment and prevocational training in a chosen trade; or tertiary studies. These

approaches provide an excellent opportunity to get hands-on experience to establish and advance a career in a broad and dynamic industry. My advice for school leavers is to approach group training organisations for an apprenticeship, approach any employer for work experience or an apprenticeship, enrol in a prevocational or pre-employment course at a trade training organisation or enrol in a bachelor's degree course at a university.

Energy Skills Queensland, ESQ, is the industry skills body promoting career pathways, jobs and workforce development for Queensland's energy and telecommunications industries. As of 1 June 2012, ESQ commenced an apprentice advisor to provide in-depth advice and referral for people wanting to get an apprenticeship in the energy sector. Anyone interested in utilising this service can contact them at their head office in Rocklea or by checking on line at www.careersinenergy.com.au or at www.careersingas.com.au.

Mining Education Australia is delivering world-class undergraduate education in mining engineering. This is a national education joint venture between Australia's four major mining education organisations which provide a great base for those interested in obtaining a degree relevant to the mining industry. The mining industry offers many employment opportunities to students and those already in the workforce and I can, from experience, say with confidence that working within the mining industry is a great career choice.

Lutheran Church of Australia, Queensland District

Mr RUTHENBERG (Kallangur—LNP) (11.20 pm): It is with great pleasure that I inform the House that the Lutheran Church of Australia, Queensland District, will meet this weekend at St Andrews Lutheran Church at Tallebudgera for its 45th annual convention. Members will be coming from all over Queensland to consider decisions related to the welfare and ministry of the church. The Lutheran Church of Queensland runs schools, aged-care services, community care services, op shops and many other community services like feeding and clothing the homeless and disadvantaged members of our community. There are over 100 Lutheran congregations across Queensland and, indeed, five practising Lutherans here in this House. The convention will meet under the theme 'To serve and not be served' and be encouraged to understand that this task in the world is to serve in the manner and spirit of Jesus Christ.

Reverend Noel Noack, the president of the district, will request from the convention support for new ministry initiatives among African refugees. Congregations in the Woodridge and Toowoomba areas are connecting with recent African refugee arrivals in Australia. They are being welcomed into the life of the congregations. Members have been providing a great deal of assistance to these refugees to assist them settling into this country, helping them to understand the customs and culture, and supporting them in learning English. Reverend Noel Noack will also encourage members with the news that, while in past years a decline in worshipping numbers has been a concern, this has now shown a slight turnaround and numbers are again in positive territory. This is good news but not good enough.

Just over 17,000 people in Queensland are members of the Lutheran Church of Australia, Queensland District, making it the second largest state population of Lutherans after South Australia. The main population of Lutherans is in South-East Queensland, Toowoomba, the Darling Downs and Burnett regions.

Reverend Noel Noack will also report on preparations for the celebration of 175 years of Lutheranism in Queensland in 2013. In 1838 the Zion's Hill mission community, supported and encouraged by Reverend JD Lange, were the first free settlers in Queensland. Early Lutheran congregations in Queensland, principally St Andrews in the Brisbane CBD and St John's Ipswich, were founded by Zion's Hill missionaries.

Reverend Noack will also share with members his recent visit on 20 May to Hope Vale in North Queensland when the community remembered the 75th anniversary of the forced evacuation of all mission folk—missionaries and Indigenous people—to Woorabinda in Central Queensland. Lutheran Education Queensland director, Mrs Sue Kloeden, will report the establishment of one new Lutheran school in Queensland in the previous 12 months—LORDS at Ormeau. The school started with 100 students. Lutheran Education Queensland, which has 27 schools with almost 18,000 students and 54 children's services, reported a growth rate of 3.11 per cent in the last year.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 11.23 pm.

ATTENDANCE

Barton, Bates, Bennett, Berry, Bleijie, Byrne, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C. Davis, T. Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Katter, Kaye, Kempton, King, Knuth, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Menkens, Millard, Miller, Minnikin, Molhoek, Mulherin, Newman, Nicholls, Ostapovitch, Palaszczuk, Pitt, Powell, Pucci, Rickuss, Rice, Robinson, Ruthenberg, Scott, Seeney, Shorten, Shuttleworth, Simpson, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trad, Trout, Walker, Watts, Wellington, Woodforth, Young