



RECORD OF PROCEEDINGS

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TUESDAY, 31 JULY 2012



The Legislative Assembly met at 9.30 am.

Madam Speaker (Hon. Fiona Simpson, Maroochydore) read prayers and took the chair.

For the sitting week, Madam Speaker acknowledged the traditional custodians of the land upon which this parliament is assembled.

ASSENT TO BILLS



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

The Honourable F. Simpson, MP
Speaker of the Legislative Assembly
Parliament House
George Street QLD 4000

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

Date of Assent: 19 July 2012

"A Bill for an Act to amend the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 for particular purposes"

"A Bill for an Act to amend the Corrective Services Act 2006 and the Penalties and Sentences Act 1992 for particular purposes"

"A Bill for an Act to amend the Electricity Act 1994 for particular purposes"

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

Yours sincerely

Governor

19 July 2012

Tabled paper: Letter, dated 19 July 2012, from Her Excellency the Governor to the Speaker advising of assent to bills [\[558\]](#).

REPORT

Information Commissioner



Madam SPEAKER: Honourable members, I have to report that I have received from the Information Commissioner report No. 2 of 2012-13 to the Queensland Legislative Assembly title *Camera surveillance and privacy: review of camera surveillance use by Queensland government agencies and compliance with the privacy principles in the Information Privacy Act 2009 (Qld)*. I table the report for the information of members.

Tabled paper: Office of the Information Commissioner: Report No. 2 of 2012-13 to the Queensland Legislative Assembly—Camera surveillance and privacy: Review of camera surveillance use by Queensland government agencies and compliance with the privacy principles in the Information Privacy Act 2009 (Qld) [\[559\]](#).

PRIVILEGE


Correction and Apology



Mr GRIMWADE (Morayfield—LNP) (9.33 am): I rise on a matter of privilege. I wish to advise the House that on 20 June I made a statement during debate on the Health and Hospitals Network and Other Legislation Amendment Bill 2012 that the government debt, as we have already heard, is \$100 billion. I have since clarified that the current debt is only \$65 billion, not \$100 billion, and that the \$100 billion debt is projected debt for 2018-19 as outlined in the Commission of Audit report. I correct the record in this regard and apologise to the House for any confusion my comments may have caused.


PRIVILEGE

Correction and Apology

 **Hon. JJ McVEIGH** (Toowoomba South—LNP) (Minister for Agriculture, Fisheries and Forestry) (9.33 am): I, too, rise on a matter of privilege. I similarly made a statement in this chamber on 19 June when I referred to the state debt being \$100 billion. I wish to correct the record. The \$100 billion figure is the projected debt for 2018-19 as outlined in the Commission of Audit report. The \$100 billion debt is the level of debt we would face if we failed to cut waste and mismanagement and restructure government services. I acknowledge that the debt left by the previous government was \$65 billion and I apologise to the House for any confusion my comments may have caused.

SPEAKER'S STATEMENT


Public Gallery, Access

 **Madam SPEAKER:** Honourable members, in Westminster parliaments admission to the public gallery has traditionally been viewed as a privilege extended by the House. The Queensland parliament has followed the Westminster presumption that persons visiting the House do so to listen to debates and that it should be considered a discourtesy to the House for persons in the public gallery not to give their full attention to the proceedings. Accordingly, gallery visitors have been traditionally required to be silent and to refrain from attempting to address the House, interjecting, applauding, conversing, reading, eating and so on. These requirements are clearly set out in the signage detailing the conditions of entry to the public gallery. Despite these clear conditions of entry, over the years certain individuals or groups have in recent times sought to disrupt proceedings. It is always a delicate balance to strike between, on the one hand, maintaining the privilege for the vast majority of bona fide members of the public who wish to attend and observe democracy in action and, on the other hand, protecting the House from those few individuals or groups who might seek to disrupt its proceedings.

However, in light of recent events and the fact that parliament's proceedings are now broadcast live over the internet, I have today signed a directive to all authorised officers under section 50 of the Parliamentary Service Act 1988. This direction signals my intention to exercise my discretion to refuse access to the public gallery of the Legislative Assembly to all persons other than those accompanied by parliamentary security pass holders in circumstances when authorised officers are in possession of credible intelligence that protest activity is intended or occurring in or immediately outside the parliamentary precinct and/or that certain individuals or groups are intending to disrupt the proceedings of the Assembly.

PRIVILEGE

Speaker's Ruling, Alleged Deliberate Misleading of the House by a Member; Alteration of Division List

 **Madam SPEAKER:** Honourable members, on the sitting day of 17 May 2012 at approximately 12.35 am, the Leader of the House rose on a point of order during the course of a division. The Leader of the House alleged that the Leader of the Opposition had during the call for the question voted 'aye' on the voices and yet on the division was voting with the noes. The Leader of the House pointed to standing order 107(3), which states—

A member having given voice with the 'Ayes' or 'Noes' shall not, on a division being taken, vote with the opposite side.

In response to a question by the Deputy Speaker as to what had occurred, the Leader of the Opposition stated—

My recollection is that I said 'divide'. That is my recollection of the time.

...

I am happy to defer to *Hansard* but my recollection is that I said 'divide'.

The Leader of the House then rose on a matter of privilege alleging that the Leader of the Opposition was deliberately misleading the House. This led to the Leader of the House writing to me the following day with a formal complaint of deliberately misleading the House. On the next sitting day, 29 May 2012, during personal explanations, the Leader of the Opposition rose and apologised for possibly misleading the House during the debate that took place in the chamber on 17 May 2012. The Leader of the Opposition stated that, if the House had been misled, it was done inadvertently and unintentionally. The Leader of the Opposition stated that since the last sitting she had had an opportunity to further review the *Record of Proceedings* and accepted that her statement about what she recollected saying should have also included that she said 'aye' in error before saying 'divide'. The Leader of the

Opposition emphasised that she had no intention of misleading the House and nor did she have any intention of changing her vote. What occurred was simply a human error, and for that she apologised to the House. After the Leader of the Opposition's personal explanation, the Leader of the House rose on a matter of privilege and pointed out that standing order 107 still required that the Leader of the Opposition's vote be recorded as an aye on the tellers list.

There are two issues here. The first is the original allegation that the Leader of the Opposition deliberately misled the House. I am satisfied that the Leader of the Opposition's personal explanation to the House on 29 May 2012 satisfactorily dealt with this allegation. The second issue goes to the tellers list for the vote on the division. On this point I must agree with the Leader of the House. Standing order 107(4) is very clear that—

... the Speaker, on being informed, shall order the tellers list to be corrected.

I so order that the list be corrected and that the *Record of Proceedings* also be corrected to show that the Leader of the Opposition voted 'aye' on the division recorded at page 152 of the *Record of Proceedings* on 17 May 2012. I table the correspondence relating to this matter.

Tabled paper: Correspondence relating to a matter of privilege raised by the Leader of the House on 18 May 2012 regarding a division on 18 May 2012 [560].


Mr Rickuss interjected.

Madam SPEAKER: Order! I warn the member for Lockyer under standing order 253A.

I note that in that correspondence the Leader of the Opposition refers to a matter earlier on the evening of 17 May involving the Deputy Premier. On a review of the matter referenced by the Leader of the Opposition, this cannot be discerned. I also note that no reference was made to this matter under standing order 107 at the time of the division. I will therefore take no further action in respect of that matter.

PRIVILEGE

Speaker's Rulings, Alleged Deliberate Misleading of the House by Ministers

 **Madam SPEAKER:** Honourable members, in recent weeks I have received a large number of complaints relating to allegations of various members deliberately misleading the House. I intend to deal with a number of those matters today individually, but before doing so wish to canvass the general principles. Standing order 269(4) states—

In considering whether the matter should be referred to the committee, the Speaker shall take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter. No matter should be referred to the ethics committee if the matter is technical or trivial and does not warrant the further attention of the House.

Standing order 266 states in part—

Examples of contempt

Without limiting the power of the House, it may treat as a contempt any of the following ...

(2) deliberately misleading the House or a committee (by way of submission, statement, evidence or petition).

It is well established that there are three elements to be established when it is alleged that a member has committed the contempt of deliberately misleading the House. First, the statement must, in fact, have been misleading; second, it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and, third, in making it, the member must have intended to mislead the House.

I will now turn to the individual complaints. On 8 June 2012, I received a complaint from the Leader of Opposition Business, Mr Curtis Pitt, about comments made by the Deputy Premier and Minister for State Development, Infrastructure and Planning concerning a statement the Deputy Premier made in response to a question without notice. The question related to the costs involved in the movement of his ministerial office to the Bernays Room. The Deputy Premier replied in part—

It cost nothing.

Immediately after question time the Deputy Premier made a ministerial statement and told the House that the move cost \$1,460 and tabled a document outlining the costs. The Leader of Opposition Business suggested that the initial answer, at odds with the ministerial statement, deliberately misled the House. I table the relevant correspondence regarding this matter.

Tabled paper: Correspondence relating to a matter of privilege raised by Mr Curtis Pitt MP on 29 May 2012 regarding statements made by the Deputy Premier and Minister for State Development, Infrastructure and Planning [561].

I conclude that the whole point of the Deputy Premier giving the ministerial statement after question time and tabling the document was to correct the record. It would be unusual to find a member, who is on their own motion correcting the record by providing further detailed information, in contempt of the original statement. I also perceive that the phrase 'it cost nothing' is akin to puffery—a term used in the past by the Ethics Committee.

It was unfortunate that the Deputy Premier did not make it clear in words that he was correcting the record. In this respect I refer to my ruling of 5 June 2012. However, the Deputy Premier's actions cannot be construed in any other way. I certainly conclude that I will not be referring the matter to the Ethics Committee.

On 11 June 2012, I received a complaint from the Leader of Opposition Business, Mr Curtis Pitt, about comments made by the Premier concerning a statement the Premier made in response to a question without notice. The Premier in the response stated—

We have repealed sustainability declarations.

The fact was that the measure to repeal sustainability declarations was in a bill then before the House, but still to be passed by the House. The Leader of Opposition Business also referred to the anticipatory nature of the Premier's statement. On 19 June the Premier corrected the record and apologised to the House. I table the relevant correspondence regarding this matter.

Tabled paper: Correspondence relating to a matter of privilege raised by Mr Curtis Pitt MP on 11 June 2012 regarding statements made by the Premier [562].

The statement by the Premier was clearly incorrect, but it was hardly an attempt to deliberately attempt to mislead the House and the Premier has corrected the record and apologised. I conclude that I will not be referring this matter to the Ethics Committee.

On 30 May 2012, I received a complaint from the member for Woodridge, Mrs Desley Scott, about statements made to the House by the Minister for Communities, Child Safety and Disability Services on 17 May 2012. The minister stated during question time—

In fact, it is quite amazing that the member opposite has forgotten that the former Labor government sacked 320 front-line police.

Tabled paper: Correspondence relating to a matter of privilege raised by Mrs Desley Scott MP on 30 May 2012 regarding statements made by the Minister for Communities, Child Safety and Disability Services [563].

Late that evening the minister corrected the record. The minister stated—

I also want to correct the record. During my response to the question I raised the issue of the former Labor government getting rid of 320 staff out of the police. In my response I was referring to police support staff and not police.

The member for Woodridge, Mrs Desley Scott, takes issue with the correction undertaken by the minister and alleges that the correction of the record was inadequate and itself misleading. I conclude that there is merit in the committee considering the matter in detail and I will be referring the matter to the Ethics Committee. In doing so, I emphasise that I have formed no view as to whether there has, in fact, been a breach of privilege but rather that there are sufficient issues in play to warrant the further attention of the House via the committee.

PETITIONS

The Clerk presented the following paper petition, lodged by the honourable member indicated—

Gracemere, Proposed Secondary School

Mr Byrne from 3,003 petitioners, requesting the House to establish a State secondary school in Gracemere [564].

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

Ipswich, Growth Strategy

Mrs Miller from 672 petitioners, requesting the House to reconsider the Government Growth Strategy for the eastern suburbs of Ipswich, particularly the provision of adequate health, hospital and medical services to meet current and future growth in the area [565].

Supervised Injecting Facilities

The former member for Waterford, from 255 petitioners, requesting the House to provide genuine harm reduction strategies by establishing medically-supervised injection facilities in Queensland [566].

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

Bundaberg, Air Services

1,614 petitioners, requesting the House to support the introduction of Jetstar and Virgin Blue air services to Bundaberg [567].

Petitions received.

TABLED PAPERS

PAPERS TABLED DURING THE RECESS

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

13 July 2012—

[540](#) Marine Incidents in Queensland 2011

[541](#) Response from the Minister for Housing and Public Works to an ePetition (1891-12) sponsored by Ms Trad, from 423 petitioners, requesting the House to urgently suspend all activity to construct a telecommunications tower at 228 Gladstone Road, Dutton Park until a full and proper consultation can take place with the local community and extensive reviews, particularly regarding health impacts, can be conducted by all levels of Government

[542](#) Copy of Gazette Notice from the Queensland Government Gazette, dated 29 June 2012, advising the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the Workers' Compensation and Rehabilitation Act 2003, has approved the payment of \$46,804,266 (GST inclusive) by WorkCover Queensland and \$5,814,358 (GST inclusive) by the Workers' Compensation Regulatory Authority in 2012-13 to the Department of Justice and Attorney-General for the prevention of injury to workers 16 July 2012

[543](#) Extract from the Queensland Government Gazette No. 55, dated 13 July 2012: Department of State Development, Infrastructure and Planning Notice—Statement giving reasons why the Governor in Council approved by Gazette Notice on 12 July 2012 the GLNG Infrastructure Facility as an infrastructure facility that is of significance under the State Development and Public Works Organisation Act 1971

17 July 2012—

[544](#) Partington Investigation Report: Fatal collision, 16 May 2011, North Coast Line, final report, rail safety investigation QT4014

18 July 2012—

[545](#) Response from the Deputy Premier and Minister for State Development, Infrastructure and Planning (Mr Seeney) to two paper petitions (1909-12 and 1912-12) presented by Mr Wellington, from 67 and 57 petitioners respectively, requesting the House to place a 12 month moratorium on coal seam gas projects while further scientific tests are carried out to ensure that the coal seam gas industry techniques pose no threat to prime agricultural land, drinking water and human health

[546](#) Parliamentary Crime and Misconduct Committee: Report No. 86—Three Yearly Review of the Crime and Misconduct Commission: Interim government response

19 July 2012—

[547](#) Overseas travel report—Report on an overseas visit by the Minister for Science, Information Technology, Innovation and the Arts (Ms Bates) to Boston, United States of America on 16 June 2012—Report to the Queensland parliament on overseas travel 16 June 2012 to 20 June 2012

20 July 2012—

[548](#) Response from the Minister for Transport and Main Roads (Mr Emerson) to a paper petition (1910-12) presented by Mr Costigan, from 4 petitioners, requesting the House to develop a safe harbour at the Volunteer Marine Rescue in Cannonvale and to improve the boat ramp conditions and amenities at the Port of Airlie and Shute Harbour

23 July 2012—

[549](#) Parliamentary Crime and Misconduct Committee: Report No. 87—A report on the Crime and Misconduct Commission's assessment of a public interest disclosure

[550](#) Legal Affairs and Community Safety Committee: Report No. 5—Penalties and Sentences and Other Legislation Amendment Bill 2012

[551](#) Legal Affairs and Community Safety Committee: Report No. 5—Penalties and Sentences and Other Legislation Amendment Bill 2012: Submissions received in relation to the inquiry

[552](#) Legal Affairs and Community Safety Committee: Report No. 5—Penalties and Sentences and Other Legislation Amendment Bill 2012: Letter from the Acting Director-General, Department of Justice and Attorney-General attaching a briefing note in relation to the inquiry

[553](#) Legal Affairs and Community Safety Committee: Report No. 5—Penalties and Sentences and Other Legislation Amendment Bill 2012: Letter from the Acting Director-General, Department of Justice and Attorney-General in relation to the inquiry

[554](#) Legal Affairs and Community Safety Committee: Report No. 5—Penalties and Sentences and Other Legislation Amendment Bill 2012: Letter from the Acting Director-General, Department of Justice and Attorney-General attaching the department's response to submissions in relation to the inquiry

25 July 2012—

[555](#) Annual Report to the Parliamentary Commissioner for the period 1 July 2011 to 30 June 2012—Compliance requirements under the Crime and Misconduct Act 2001 (CM Act) for assumed identities in relation to misconduct offences

30 July 2012—

[556](#) Letter, dated 4 July 2012, from the Chair of the Joint Standing Committee on Treaties to the Speaker, regarding a report tabled in the Commonwealth Parliament, Report 126: Treaty tabled on 21 November 2011

[557](#) Parliament of the Commonwealth of Australia—Joint Standing Committee on Treaties: Report 126: Treaties tabled on 21 November 2011

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Sustainable Planning Act 2009—

[568](#) Sustainable Planning Amendment Regulation (No. 4) 2012, No. 100

[569](#) Sustainable Planning Amendment Regulation (No. 4) 2012, No. 100, Explanatory Notes

Food Production (Safety) Act 2000—

[570](#) Food Production (Safety) Amendment Regulation (No. 1) 2012, No. 101

[571](#) Food Production (Safety) Amendment Regulation (No. 1) 2012, No. 101, Explanatory Notes

Appeal Costs Fund Act 1973, Associations Incorporation Act 1981, Births, Deaths and Marriages Registration Act 2003, Body Corporate and Community Management Act 1997, Building Units and Group Titles Act 1980, Casino Control Act 1982, Charitable and Non-Profit Gaming Act 1999, Collections Act 1966, Cooperatives Act 1997, Coroners Act 2003, Dispute Resolution Centres Act 1990, Electoral Act 1992, Electrical Safety Act 2002, Evidence Act 1977, Funeral Benefit Business Act 1982, Gaming Machine Act 1991, Interactive Gambling (Player Protection) Act 1998, Introduction Agents Act 2001, Jury Act 1995, Justices Act 1886, Justices of the Peace and Commissioners for Declarations Act 1991, Keno Act 1996, Land Court Act 2000, Land Sales Act 1984, Legal Profession Act 2007, Liquor Act 1992, Lotteries Act 1997, Partnership Act 1891, Personal Property Securities (Ancillary Provisions) Act 2010, Property Agents and Motor Dealers Act 2000, Property Law Act 1974, Queensland Civil and Administrative Tribunal Act 2009, Recording of Evidence Act 1962, Retail Shop Leases Act 1994, Right to Information Act 2009, Second-hand Dealers and Pawnbrokers Act 2003, Security Providers Act 1993, Supreme Court of Queensland Act 1991, Tourism Services Act 2003, Travel Agents Act 1988, Wagering Act 1998, Wine Industry Act 1994, Work Health and Safety Act 2011—

[572](#) Justice Legislation (Fees) Amendment Regulation (No. 1) 2012, No. 102

[573](#) Justice Legislation (Fees) Amendment Regulation (No. 1) 2012, No. 102, Explanatory Notes

Agricultural Chemicals and Distribution Control Act 1966, Animal Care and Protection Act 2001, Building Act 1975, Chemical Usage (Agricultural and Veterinary) Control Act 1988, Child Care Act 2002, Education (Queensland Studies Authority) Act 2002, Explosives Act 1999, Health Act 1937, Industrial Relations Act 1999, Plumbing and Drainage Act 2002, Queensland Building Services Authority Act 1991, Transport Operations (Road Use Management) Act 1995, Travel Agents Act 1988, Vocational Education, Training and Employment Act 2000, Workers' Compensation and Rehabilitation Act 2003—

[574](#) Vocational Education, Training and Employment and Other Legislation Amendment Regulation (No. 1) 2012, No. 103

[575](#) Vocational Education, Training and Employment and Other Legislation Amendment Regulation (No. 1) 2012, No. 103, Explanatory Notes

Industrial Relations Act 1999—

[576](#) Industrial Relations (Transitional) Regulation 2012, No. 104

[577](#) Industrial Relations (Transitional) Regulation 2012, No. 104, Explanatory Notes

Acquisition of Land Act 1967, Building Units and Group Titles Act 1980, Coal Mining Safety and Health Act 1999, Explosives Act 1999, Foreign Ownership of Land Register Act 1988, Fossicking Act 1994, Geothermal Energy Act 2010, Greenhouse Gas Storage Act 2009, Land Act 1994, Land Protection (Pest and Stock Route Management) Act 2002, Land Title Act 1994, Land Valuation Act 2010, Mineral Resources Act 1989, Mining and Quarrying Safety and Health Act 1999, Petroleum Act 1923, Petroleum and Gas (Production and Safety) Act 2004, Strategic Cropping Land Act 2011, Surveyors Act 2003, Valuers Registration Act 1992, Vegetation Management Act 1999, Water Act 2000—

[578](#) Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2012, No. 105

[579](#) Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2012, No. 105, Explanatory Notes

Exotic Diseases in Animals Act 1981—

[580](#) Exotic Diseases in Animals (Avian Paramyxovirus) Amendment Notice (No. 1) 2012, No. 106

[581](#) Exotic Diseases in Animals (Avian Paramyxovirus) Amendment Notice (No. 1) 2012, No. 106, Explanatory Notes

Commissions of Inquiry Act 1950—

[582](#) Commissions of Inquiry (Child Protection Inquiry-Evidence) Regulation 2012, No. 107

[583](#) Commissions of Inquiry (Child Protection Inquiry-Evidence) Regulation 2012, No. 107, Explanatory Notes

State Penalties Enforcement Act 1999—

[584](#) State Penalties Enforcement Amendment Regulation (No. 3) 2012, No. 108

[585](#) State Penalties Enforcement Amendment Regulation (No. 3) 2012, No. 108, Explanatory Notes

Proclamation commencing remaining provisions—

[586](#) Health and Hospitals Network and Other Legislation Amendment Act 2012, No. 109

[587](#) Health and Hospitals Network and Other Legislation Amendment Act 2012, No. 109, Explanatory Notes

Education and Care Services National Law (Queensland) Act 2011—

[588](#) Education and Care Services National Law (Queensland) Amendment Regulation (No. 1) 2012, No. 110

[589](#) Education and Care Services National Law (Queensland) Amendment Regulation (No. 1) 2012, No. 110, Explanatory Notes

Land Sales Act 1984—

[590](#) Land Sales Amendment Regulation (No. 2) 2012, No. 111

[591](#) Land Sales Amendment Regulation (No. 2) 2012, No. 111, Explanatory Notes

Building Act 1975—

[592](#) Building Amendment Regulation (No. 1) 2012, No. 112

[593](#) Building Amendment Regulation (No. 1) 2012, No. 112, Explanatory Notes

Nature Conservation Act 1992—

[594](#) Nature Conservation (Wildlife) Amendment Regulation (No. 1) 2012, No. 113

[595](#) Nature Conservation (Wildlife) Amendment Regulation (No. 1) 2012, No. 113, Explanatory Notes

Protection and Management Act 1995, Environmental Protection Act 1994, Queensland Heritage Act 1992, Waste Reduction and Recycling Act 2011, Wild Rivers Act 2005—

[596](#) Environment and Heritage Protection Legislation Amendment Regulation (No. 1) 2012, No. 114

[597](#) Environment and Heritage Protection Legislation Amendment Regulation (No. 1) 2012, No. 114, Explanatory Notes

Mineral Resources Act 1989—

[598](#) Mineral Resources Amendment Regulation (No. 2) 2012, No. 115

[599](#) Mineral Resources Amendment Regulation (No. 2) 2012, No. 115, Explanatory Notes

Forestry Act 1959, Marine Parks Act 2004, Nature Conservation Act 1992, Racing Act 2002, Recreation Areas Management Act 2006—

[600](#) National Parks, Recreation, Sport and Racing Legislation Amendment Regulation (No. 1) 2012, No. 116

[601](#) National Parks, Recreation, Sport and Racing Legislation Amendment Regulation (No. 1) 2012, No. 116, Explanatory Notes

MINISTERIAL STATEMENTS

Queensland Economy



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (9.47 am): Every Queensland family knows how hard it is to balance their household budget. They have to keep a close eye on what they spend, they have to pay all their bills—their loan payments, the accounts from the utility companies—and they have to make sure that they get a good price on everything they buy to make ends meet. They have to make sure that more money comes in than goes out. Otherwise—surprise, surprise—they will go broke. It is the same principle with government budgets. We have to make sure that the expenditure does not exceed income over the long term.

Under the previous Labor government, there was a complete failure in budget management. Under Labor, the state began living beyond its means, with expenses growth far outstripping revenue while debt soared to \$65 billion at the start of this financial year. In only 2009, what was the figure? Around \$44 billion. Since my government was elected on 24 March, we have been working hard to make savings, but Queensland still faces an operating budget deficit of over \$4 billion this financial year and, indeed, the fiscal deficit is even higher. I make the point that, if we were to raise taxes on Queensland families to plug this year's budget black hole—the one we have inherited from the Australian Labor Party—this is what it would mean in terms of extra tax: \$1,000 per man, woman and child. So those who say that we should just simply raise taxes, we should not make these savings, it is \$1,000 per—

An opposition member interjected.

Mr NEWMAN: I take that interjection. Yes, it was about \$600 or \$700 to plug last year's budget deficit. This year it is \$1,000. It is the budget deficit that they have provided as the, if you like, aircraft Queensland plunges down towards the ground in that power dive that we are trying to pull out of—\$1,000 extra tax to actually balance the books.

Opposition members interjected.

Mr NEWMAN: They can interject and carry on—and they are even laughing. I do not think it is funny. I do not think it is funny at all. Queenslanders do not think it is funny at all. Queenslanders are not amused any more by the Australian Labor Party. It is \$1,000. These people will say anything, they will do anything to cover up the fact that they put us in this position.

Opposition members interjected.

Mr NEWMAN: I hear other interjections which I might well deal with later on. The interjections were, 'Who was proposing a new tax last week?' I will deal with that one later on. I would be delighted to. But what did this poor and reckless financial management cost Queensland? It cost us the AAA credit rating. What does that mean? It means that our borrowing costs relative to other large Australian states are more expensive. In fact, the Commission of Audit says that it is \$100 million more expensive in 2012-13. That is the extra interest because we do not have a AAA credit rating. I am also informed that if one did a comparison with New South Wales it would be around \$200 million this year. What could you do with \$200 million? I can tell members now that you could go a long way to doing better in terms of funding support of people with disabilities in Queensland. That is what you could do with \$200 million this year.


Ms Palaszczuk interjected.

Mr NEWMAN: They interject and they hoot and toot, but the poor and reckless financial management that lost us the AAA credit rating is hurting Queenslanders in so many ways every day. This government is going to turn us around. This government is determined to fix the financial foundations of Queensland and to get the state back on track. We have a plan and we pledge to Queenslanders that we will sort it out. We are going to cut Labor's waste and we will lower the cost of living for Queensland families. We will manage the budget properly. We will deliver the front-line services that everybody in Queensland deserves.

While the state's finances are in bad shape there are indeed positive stories emerging in the broader Queensland economy. I note sadly though that the Labor opposition cannot distinguish between the state government's finances and the broader economy. We are very confident and optimistic about the future of the economy, particularly with the great things that we have already been doing as a government to get the economy back on track. We have made headway already in ensuring major resource projects can move forward quickly. More airline services are coming to this state via China Eastern Airlines and Scoot and Qantas is consolidating its heavy maintenance facilities in Queensland. Caltex, while downsizing in other states and shutting the Kurnell refinery, is going to stay and it is going to invest in Queensland. The latest Deloitte Access Economics business outlook report forecast 4.8 per cent growth in 2011-12 and the potential for Queensland to become the nation's fastest growing economy.

Queensland's economy has great potential and with a government sector that is reformed, efficient and provides cost-effective services and infrastructure and a determination to fix the financial problems we have inherited from the mob opposite, we will restore this state's future and get Queensland back on track.


Major Projects; Regional Planning

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (9.53 am): In four short months this government has worked hard and methodically to fix the foundations of our economy and lay the groundwork for future growth. Our government has moved quickly to restore the Coordinator-General's power and authority to properly coordinate and facilitate major projects. Within the next month—within a third of the year—the Coordinator-General will have made more formal major decisions, provided more approvals for major projects, than the previous Labor government did in an entire year. As of today, 43 key decisions have been made by the Coordinator-General, all aimed at getting the state back on track—projects like the Great Keppel Island Resort, a \$600 million proposal for one of the biggest tourist developments in Australia; approvals like the \$200 million Australia Pacific LNG Social Impact Management Plan, which will deliver social and community benefits for Gladstone, the Western Downs and Maranoa. They follow the \$6.4 billion Alpha Coal Project and \$1.5 billion extension to the South of Embley bauxite mine. They are just some of the decisions our government has overseen to set the state on a course to grow our economy, develop the four pillars of our economy and create jobs and greater wealth.

Critically important to the future is planning: setting firm foundations for those four pillars of mining, agriculture, tourism and construction about which we made commitments to the people of Queensland and about which we want the investment community to make decisions. We are moving quickly on this front too in order to repair the policy failures of our immediate predecessors. In the last week I have convened and chaired the first meetings of regional planning groups for the Darling Downs and Central Queensland as we promised the people we would do—firstly in Dalby and then in Emerald. We are planning next week to add a third region, that of Cape York, to be covered by a new statutory regional plan. These plans are about the future. They are about the state government getting our responsibilities right. They are about planning how the state government provides and delivers services and infrastructure to these diverse regions which contribute hugely to Queensland's economy. They will guide and prioritise infrastructure rollout, manage development and manage impacts on the environment. The plans will address the land use conflicts. They will identify, map and protect valuable agricultural land and they will define areas for resource development.

No doubt some of those outcomes will be contentious, but in the interests of the state and all Queenslanders we must plan properly to provide for ongoing economic growth. These plans will be developed in consultation and collaboration with local governments and with local communities generally. The regional planning committees bring together the leaders of local councils, local members of parliament, leaders of industry, business, community and economic development groups. They will provide an avenue for local people to have their say on how their communities move into the future and how we as a government should deliver the services for which we have responsibility. They will provide valuable input to my department as it prepares these important planning documents for the future of these regions. The statutory regional plans will be created as a partnership, reflecting the needs and aspirations of local people while allowing for economic growth of the state as a whole. They will be an important part of fixing the foundation of Queensland's future and getting Queensland back on track.

Overseas Trade Mission

 **Hon. TJ NICHOLLS** (Clayfield—LNP) (Treasurer and Minister for Trade) (9.57 am): I wish to report on the recent two-week trade mission that I undertook to China. Before I left Sunday fortnight ago I reported to the House on what the intention of our trade mission was. I pointed out that the purpose of the mission was to inform overseas investors of the agenda of the Newman government, of our plans to stabilise our budget, to stabilise the debt, to find savings, to regain our AAA credit and to tell our investors and those interested in investing in Queensland that Queensland had a strong, stable economy and was a good place to grow. I was going to point out how we were going to fix the failings of the former Labor government who recklessly lost the AAA credit rating and recklessly failed to provide for the future of this state in a sustainable way.

I have to say that the focus of the mission, which incorporated the Queensland Treasury roadshow, was a success. We spoke to major investors in Japan, China and the United States. All of them evinced an overwhelming interest in how we were going to fix Queensland's state finances. All of them understood that Queensland had lost its AAA credit rating under Labor. All of them understood that under Labor's plan there was no return to the AAA credit rating. All of them understood that you cannot continue to spend more than you earn. All of them wanted to know what our plans were to restore the state's finances and I explained those plans to them.

In that sense, we were able to reassure markets and the international investors upon whom we rely, who fund our projects, that under the new LNP government there was a clear path, there was a clear plan and we had a clear understanding of what it was we needed to achieve. On this trip I was accompanied by 44 delegates from Queensland companies who joined me in promoting the advantages of investing in Queensland under a Newman LNP government. I was also joined by the Hon. Jann Stuckey, the Minister for Tourism, who will be providing a separate report.


In each of the three countries visited investors and trading partners were interested to know what this government was doing to promote business activity and certainty by reducing red tape. In Tokyo I spoke at an energy forum attended by almost 130 people, including representatives from leading companies such as the ANZ Banking Group, Mitsubishi Corporation and JFE Steel Corporation. At that forum I was able to outline the Newman government's plans to grow the Queensland economy and make the state an easier place to invest by creating units like Infrastructure Queensland and Projects Queensland, in which there was a great deal of interest.

On the China leg on the tour, in Beijing I had the honour of officially opening Trade and Investment Queensland's newest office, which is our third office in mainland China and our fourth including Hong Kong. Key representatives from government and industry attended the official opening.

In the United States, in Houston I attended a function hosted by the Greater Houston Partnership. The event was attended by almost 130 representatives from major international companies, including ConocoPhillips, Bechtel and BG Group. I highlighted Queensland's best-practice capabilities in mining services and equipment, the positive outlook for growth in the resources sector and the way that we were getting on with the job of improving it. The government realises the importance of building on existing trade and investment opportunities to strengthen our economy and get our state back on track.

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Office of the Information Commissioner, Report


 **Mr HOPPER** (Condamine—LNP) (10.01 am): I lay upon the table report No. 1 of 2012-13 to the Legislative Assembly by the Office of the Information Commissioner titled *Compliance review: Department of Transport and Main Roads*. The report details the findings of a review by the Information Commissioner of the Department of Transport and Main Roads' delivery of right to information and information privacy. The report is not a report of the Legal Affairs and Community Safety Committee. However, under the Right to Information Act 2009, I am required to table the report on the commissioner's behalf.

Overall, the Office of the Information Commissioner found that the department's performance was strong and it demonstrated a clear commitment to openness and accountability. The report identifies areas of good practice and contains six recommendations to assist the department to improve compliance. I commend the report to the House.

Tabled paper: Office of the Information Commissioner: Report No. 1 of 2012-13 to the Queensland Legislative Assembly—Compliance review: Department of Transport and Main Roads: Review of the Department of Transport and Main Roads' compliance with the Right to Information Act 2009 (Qld) and the Information Privacy Act 2009 (Qld) [\[602\]](#).

NOTICE OF MOTION

National Disability Insurance Scheme


 **Ms PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (10.01 am): I give notice that I will move—

That this House:

- supports the implementation of the National Disability Insurance Scheme;
- acknowledges that the scheme will benefit Queenslanders with a disability as well as their families and carers by providing care and support over their lifetimes; and
- calls on Premier Newman to allocate funding to a trial of the NDIS in the state of Queensland.

QUESTIONS WITHOUT NOTICE

Portrait of Spain Exhibition

 **Ms PALASZCZUK** (10.01 am): My question is to the Premier. I refer to the current Portrait of Spain exhibition at the Queensland Art Gallery and I ask: will the Premier outline the expected economic benefits to Queensland of hosting this world-class exhibition?

Mr NEWMAN: I actually do not have the figure to hand, but the other day I was delighted to receive His Excellency the Spanish Ambassador. We had a very good conversation about the plan that we have to get this state back on track and the great range of programs, initiatives and future infrastructure initiatives that Spanish companies may like to invest in. I made the point that Queensland is open for business and that over the next few years we expect our economy to be progressing probably at greater than the Australian average. I talked about various ways that Spanish companies, many of which are at the sharp end of technological advancement, can get involved.

I was delighted to talk to the ambassador about how, when I was the Lord Mayor of Brisbane, we undertook an international market sounding to get companies involved in the Legacy Way tunnel project. It was a great delight that a Spanish company, Acciona, ended up getting the gig, along with an Italian company, Ghella, and a Brisbane bayside construction company, BMD Constructions, which is now a nationwide company. That was a very clear indication of the sorts of ways that we can work together. I think there are other opportunities as well, whether it be building the transmission grid in Queensland or, indeed, providing some of the telecommunication requirements that state and local governments have.

Another thing we remarked upon was the terrible state of the finances of the government. Obviously, the ambassador is keen to see Spanish companies getting opportunities elsewhere in the world, because times are fairly tough in Spain at the moment. The ambassador understands the difference between companies that do a great job and have a great offering and opportunities within the Australian economy as opposed to the state of the finances of a government, unlike Australian Labor Party members opposite who seem to have no clue on the matter. They seem to think that the government is the economy. The government is not the whole economy. It is only part of the economy. In fact, it is probably about one-sixth of the economy. The ambassador and I had a great discussion. We also discussed the exhibition. I hope that I can get along to it, but that is highly unlikely because I am very busy trying to repair this state and get it back on track.

Queensland Economy

Ms PALASZCZUK: My question is to the Premier. Will the Premier now provide a portrait of Queensland based on the QTC indicators used by the Treasurer on his overseas trip, including our above average employment growth, favourable tax levels and our favourable ratio of financial assets to liabilities?

Mr NEWMAN: I thank the Leader of the Opposition for the question. It is a predictable question. I am delighted to answer it. I will expand on the theme that I spoke about in my previous answer, that is, there is a difference between the economy of Queensland and its future versus the state of our state's finances. Rhetorically, do you want the good news or the bad news? Which one do members want to hear first? I will give the good news first.

The recent Deloitte's report forecast that we could see 4.8 per cent economic growth this financial year and, with the work that some of our ministers are currently doing, that is a very exciting prospect. Minister Cripps and other ministers are doing a whole lot to get mining and resource projects going and fast-tracked. I note the comments of the Deputy Premier about the great work of the Coordinator-General, Mr Barry Broe. If we look at the number of approvals, it stands in stark contrast to the do-nothing, can't-do approach of the previous Labor administration.

Tourism Minister Jann Stuckey has been doing great work to promote Queensland overseas. I commend the minister for her success in attracting new direct airline flights, particularly into Cairns. I know that has been welcomed by the local members and the community. In terms of agriculture, the minister, John McVeigh, is making strong progress to kick-start agriculture. The Deputy Premier, Jeff Seeney, and the Assistant Minister for Planning Reform, Ian Walker, are doing great things to rebuild confidence in the construction sector. I believe there is a bright future economically for Queensland.

I will now talk about the other side of the coin or the other part of the equation. If I talk about comparisons with Spain, should I say 'Ole!' or 'Si señor and senorita!?' I have a graph that I am happy to table. It is not my graph. It is from Moody's Investors Services. It may be a bit small for some members to see, but there are a number of lines on the graph. All these lines down here, which are close together, are the other Australian states. Their debt-to-revenue ratios are 80 per cent at worst and as low as 50 per cent in the case of South Australia. What is this line up here? It is the gold medal, Olympic winning performance for poor and reckless financial management from previous cabinet ministers who sit opposite. For Queensland right now it shows 140 per cent, heading ever upwards to 150 per cent, debt-to-revenue ratio.

These debt deniers, these deceivers of Queenslanders, these poor and reckless financial managers, need to take a lesson from the ratings agencies. This is why we are having difficulty funding better disability services in Queensland. This is why we must get this state's finances back on track.

Tabled paper: Table titled 'Debt Burden of all states/territories rises, Moody's Investors Service' [603].

Business Confidence

Mr CAVALLUCCI: My question without notice is to the Premier. Could the Premier please outline to the House how forward planning and responsible budgeting is boosting business confidence in Queensland?

Mr NEWMAN: What a wonderful symbiosis of questions this morning. They are just meshing together beautifully in terms of our theme as a government to get this state back on track and to restore the Queensland government's financial position. We are fixing the foundations: you cannot go and build a house or a building in a swamp or on rickety foundations. The hard decisions we are making right now are all about ensuring that we can prosper as a state going forward.

Members will be shocked to know that the fastest growing public sector expense in Queensland is what? The interest bill. Two things are driving higher interest payments. One is the loss of the AAA credit rating, which I talked about earlier, which is costing at least \$100 million a year in interest payments compared to other states. The other is the level of debt—\$44 billion in 2009, \$65 billion—

Opposition members interjected.

Mr NEWMAN: I hear some members opposite interjecting, as usual. They do not want to tell the truth. It is quite a pattern that we see from them. They are debt and deficit deniers—which is fairly deceitful, is it not?

Mr Seeney: Yes, very.

Mr NEWMAN: Yes. So sound financial management is a total requirement to build the bedrock for a better Queensland. We are focused on front-line services: doctors, nurses and teachers, and infrastructure like roads, railway lines, ports, schools and hospitals. That is what it is all about. But you only get that if you have done the hard yards. We are working to a plan. We are working to get the budget back in the black in 2014-15, and we believe that with the tough decisions we are making right now we will achieve that.

In terms of our economic potential, again I quote Deloitte's—and I am going to keep hammering this. The economy should do well this financial year. In 2011-12 we saw pretty good growth. We will probably see well over 4½ per cent this year and we will see 4.3 per cent to five per cent over the next five years. So, if we can get our finances under control, I am very confident that the state's economy will do well as well.

The trouble is that Labor left the cupboard bare, and it is up to us to rebuild our economic foundations. Earlier on I touched on the great work of some of the key economic portfolio ministers for tourism, agriculture, construction and resources which will help get the economy going and get those jobs that we have committed to.

We have released a six-month plan. Labor would not do this. These are real initiatives—things that have to be done over the next six months, by Christmas. We are happy to be measured on our progress to getting this state back on track.

Queensland Economy

Mr MULHERIN: Will the Premier outline to parliament how much of Queensland's economy is comprised of his four pillars—tourism, agriculture, resources and construction—and why is he eroding them through cuts to Tourism Queensland and the Department of Agriculture, Fisheries and Forestry?

Mr NEWMAN: There is a document that is publicly available which I refer the honourable member to that is from the Queensland Treasury Corporation—I do not know if you would call it a blue book, but it is available on the internet. It shows on this graph here the segments of the Queensland economy. If we have a look at the components there, construction makes up 10 per cent; natural resources, eight per cent; agriculture, three per cent at the moment.

Mr Mulherin: What's the total?

Mr NEWMAN: Interestingly, back in 2000-01, before people like the honourable member got involved in the agricultural sphere, it was actually higher at four per cent. Just to have a look at that again: agriculture was four per cent in 2000-01. It has achieved the dizzy heights of three per cent in 2010-11. So I am happy to talk about that until the cows come home. In relation to tourism, we intend—

Honourable members interjected.

Madam SPEAKER: Order! I warn members on my left and on my right. I call the Premier.

Mr NEWMAN: Madam Speaker, I am more than happy to answer questions, but do you know what? They never want to hear the answers because they do not like being told about their record. They sit there week after week and they are still denying their poor and reckless financial management. There are a number of cabinet members sitting over there—three of them are sitting there—who took this state into the ground, who actually destroyed tourism. There are thousands fewer people employed in tourism today—

Mrs Miller: Shame on you!

Government members interjected.

Madam SPEAKER: Order, members! There are interjections across the chamber from my left and from my right. I call the Premier.

Mr NEWMAN: I take the interjection. 'Shame on you,' they say. Tourism had thousands more young people employed 10 years ago. I do not have the figure today but if they want to put a question on notice we can tell them accurately how many fewer young people are employed in tourism today than before these reckless incompetents took the levers of Queensland. We used to have a proud tourism industry. We are going to build it right up.

In relation to supposed funding cuts, wait until the budget. Wait and see. We make no apologies though for asking organisations like TQ and EQ to find savings. But do you know what? If they find those savings—through cutting down on corporate travel, entertainment, consultancies and the like—we will be asking them to plough them back into promoting Queensland, to paying for direct flights to come here, to boost tourism, and that is what this exercise is all about. The trouble with Labor is that they will not work hard enough; we will. We have a plan to get this state back on track.

Connors River Dam

Mr MALONE: My question without notice is to the Deputy Premier. I refer to SunWater's announcement that they failed to get financial commitments from customers for the Connors River Dam, and I ask: what will the government be doing to investigate other water supply options for industry in the Central Queensland region to lay the foundations for future growth and to get this state back on track?

Mr SEENEY: I thank the member for Mirani for the question because it is a good question. It goes to the heart of planning for infrastructure that is so critically important to underwrite the state's economy. It goes to the heart of the failure of the previous government to do that in any meaningful way.

It is unfortunate that the Connors River Dam was unable to attract the financial backing that it required to continue. But members should understand that that task was made incredibly more difficult because of the complex structure that was imposed on that project by the previous government. Like so

many things they did, this project was doomed to fail from the start because of their inept and incompetent management. Because of the structures that they set up, it made it incredibly more difficult for SunWater, as the proponent, and for the range of industry participants to make a commitment to that project that would have seen it delivered.

We understand how critically important water supply is for the Central Queensland region, and we will be moving quickly to address the other alternatives that are available. There needs to be a complete revision of what the former government did with water supply, not just in Central Queensland but in a range of other places across Queensland.

I have over the last 10 years drawn to the attention of this House the complete lack of science and lack of rigour behind the former government's water resource planning processes in those Central Queensland catchments and the extent to which those water resource plans were politically based documents, politically motivated documents, without scientific backing—the water resource plans that set the allocations that are available from the existing infrastructure. Infrastructure like the Burdekin Falls Dam and the Fairbairn Dam at Emerald provide remarkable opportunities to provide water supply to further development throughout Central Queensland. But we need to look at the way that the allocations from those pieces of infrastructure were carried out under a government that did not understand and was politically motivated and ideologically driven rather than being based on any sort of scientific analysis.

We will also be looking for water supply opportunities further west on the Belyando, where offstream storages are available. The former government refused to allow proponents to look at that. That is certainly part of the water supply equation for Central Queensland which will ensure that industry there can continue to grow, can continue to contribute to the wealth of generations of Queenslanders, can be part of our effort of getting Queensland back on track, laying the foundations for growth in our economy. We will be moving this week to bring together a range of local members who know the area and the proponents, the people from SunWater, to ensure that we can move quickly to address yet another one of Labor's failures.

(Time expired)

State Finances

Mr PITT: My question without notice is to the Premier. I refer to the Queensland Treasury Corporation's blue book used by the Treasurer as his calling card on his recent overseas trip, and I ask: will the Premier advise whether the QTC's description of Queensland having 'strong and stable public finances' supports his claim that the state is bankrupt?

Mr NEWMAN: I thank the honourable member for his predictable question. I can go to any number of charts and graphs in the Queensland Treasury Corporation book to back up my comments last week which were that this was a wake-up call for Queenslanders that this state has the most diabolical financial situation for the public sector of any state in the Commonwealth of Australia.

Mr Pitt interjected.

Mr NEWMAN: Where would the honourable member who is now interjecting, not wanting to listen to the answer, like me to start? I have another version of the previous chart about debt-to-revenue ratio, and Queensland of course is winning the gold medal there. But we can go back to the blue book and look at a whole lot of things. We can go to page 58—

Madam SPEAKER: Order! Premier, are you tabling that document you are referring to?

Mr NEWMAN: I can table it if they want. It might help educate them.

Tabled paper: Table titled 'NFPS Debt to Total Revenue' [604].

They talk about the blue book. Well, here is another page of the blue book, page 58—the Australian fixed income market, the Australian dollar bond outstandings by various governments across the nation. I am sorry for the small chart but the orange line is the federal government's borrowing, so over \$200 billion in bonds. I might stop right there because we heard Wayne Swan from out of the undergrowth recently. Our federal Treasurer, who started with no debt, now has borrowings of over \$200 billion. What a record! They are all the same. 'Just spend more,' says Wayne Swan.

Mr Pitt interjected.

Mr NEWMAN: Madam Speaker, the honourable member asked the question but he keeps interjecting. He does not want to hear the answer.

Mr Nicholls: He doesn't like the answer.

Mr NEWMAN: He does not like the answer. The next bar is Queensland and, according to this chart, it shows bonds at issue being over \$70 billion. We then look to New South Wales, which is the next bar on the chart, and it is about \$45 billion, as I read it. Out of all the states we have the most borrowings outstanding. Doesn't that say it all? New South Wales and Victoria have bigger budgets than we do and yet we have lots more debt. New South Wales has \$45 billion worth of bonds outstanding. We are up around \$70 billion. Doesn't that say it all? When will they get it? When will they understand? More importantly, when will they tell the truth? When will they be off the whole mantra of debt, deficit and deceit? It is time to get Queensland back on track. That is what this government will do. We will continue to press the case that we have to make that these cuts, these savings, are vitally important to get the state back on track.

State Finances

Ms MILLARD: My question without notice is to the Treasurer. Can the Treasurer please update the House on the condition of the state's finances and the condition of the Queensland economy?

Mr NICHOLLS: I thank the honourable member for Sandgate for the question, because she realises what the Labor Party fails to realise, that is, there is a very clear difference between the Queensland economy and the state of Queensland's government finances. That is what the Premier, other members of this government and I are continuing to educate the opposition about. We welcome them coming into school every day here in this parliament so we can go through it again.

The outlook for growth in Queensland is indeed quite strong. It is made even stronger by the fact that it now has a government that is focused on growing the four pillars of the economy, that is focused on reducing red tape and, as we just heard from the Deputy Premier, that is focused on getting approvals through in an appropriate time frame whilst also ensuring that we protect the environment and deliver the outcomes that Queenslanders have come to expect.

We expect the Queensland economy to grow over the forward years and we expect it to grow more strongly under an LNP government. The Labor Party cannot take credit for the gas in the ground or the coal that is being mined or the private investment that is going into those factors, as they so shamelessly seek to do. Last week's *State of the states* report from Comsec also included positive figures for Queensland. It showed positive growth for Queensland on the back of continued investment in the resources industry and flood recovery works. It showed retail spending in the state up by 4.8 per cent after years of languishing because people did not have confidence in a Labor government that continued to increase the cost of living. They now have a government that is reducing the cost of living by reintroducing the principal place of residence concession, by freezing electricity prices and by freezing car registration. These are all positive figures that have come forward.

Queensland's economy continues to grow but Queensland's finances because of Labor's mismanagement are a continual source of work and effort by this government. That is why we are stabilising the debt. That is why we are making savings. That is what we will be delivering. But what do some people say about our proposals? What did the former education minister and former member for Greenslopes say in relation to this? Yesterday in the *Brisbane Times* he said—

I do think Labor fell into the error, or seriously miscalculated and under-estimated the desire for Queenslanders to hold onto the AAA credit rating ...

He went on to state—

And I think the concern Queenslanders had generally was about government debt and deficit.

From their own words they are condemned by one of their own—the man who wants to come back. He might challenge the member for South Brisbane, who will be challenging the member for Inala before too much longer. He knows what went wrong. Until they work it out, they never will.

(Time expired)

Family Support Program

Mrs SCOTT: My question without notice is to the Premier. Will the Premier advise the number of Queenslanders with a disability in their families who will be affected by the Newman government's decision to cut funding to the Family Support Program, which helps pay for things such as pharmaceuticals, incontinence aids and transport assistance?

Mr NEWMAN: Madam Speaker, I seek your guidance. I thought there was a motion before the House.

Ms Palaszczuk: This is about the Family Support Program.

Madam SPEAKER: Order! The motion before the House is to do with the National Disability Insurance Scheme.

Mr NEWMAN: In relation to the NDIS, I am happy this morning to talk a bit about that matter. I start by tabling the Queensland government's submission of May 2011 to the Productivity Commission.

Ms Palaszczuk: It is not about that.

Mr NEWMAN: They asked the question, Madam Speaker.

Madam SPEAKER: Order! Premier, if it is in regard to the National Disability Insurance Scheme, that is anticipating debate. The question was in regard to the Family Support Program.

Opposition members interjected.

Madam SPEAKER: Order! I warn members on my left. I call the Premier.

Mr NEWMAN: In relation to the Family Support Program, I remind members opposite that the decommissioning of the Family Support Program commenced guess when? July 2011.

Mr Nicholls: Who was in government then?

Mr NEWMAN: Say no more. I finish my answer by saying how do you spell hypocrisy—A-L-P.

Mrs Miller: That is disgraceful.

Madam SPEAKER: Order! I warn the member for Bundamba. We will have silence while I give the call to the member for Yeerongpilly.

Department of Transport and Main Roads

Mr JUDGE: My question without notice is to the Minister for Transport and Main Roads. Can the minister outline how forward planning and responsible budgeting is helping to fix the foundations of the state's finances and what this means for the Department of Transport and Main Roads?

Mr EMERSON: I thank the honourable member for his question. The Newman government is making the tough decisions now to tackle the cost-of-living pressures on Queensland families. In the Department of Transport and Main Roads and TransLink, that will mean a restructure to deliver more efficient infrastructure and more affordable services. It is under this new structure that the Newman government will deliver the major reforms in the transport industry, along with the cost-of-living savings required to get Queensland back on track.

All Queensland government passenger transport services will be integrated for the first time under the TransLink banner. No longer will there be two separate government agencies, as there was under Labor, doing the same task in different areas of the state. These were the types of additional costs which Labor was passing on to passengers in the form of five consecutive 15 per cent fare increases which resulted in the lowest public transport affordability ever. TransLink will no longer operate as a statutory authority confined to the state's south-east. It will become part of the department to oversee the qconnect bus network, Traveltrain services and school bus services, along with subsidised regional airline, coach and ferry services. The TransLink board will be removed and the department will remain in five divisions with the number of senior executives almost halved from 37 to 21.

When the Leader of the Opposition was transport minister, she handed out 818 voluntary redundancies valued at \$76 million and at the same time added 918 new positions. In order to clean up her mess, there will be targeted staff reductions in corporate, support and RoadTek roles within the department and TransLink of 18 per cent, or 1,970 full-time equivalents, saving \$287 million over the next four years. This includes a restructure of RoadTek, which is also underway, to provide more affordable transport projects by reducing the cost of delivering infrastructure back below the national average. This will mean a reduction of 600 full-time equivalent positions due to the work being tendered to the private industry in mature markets such as South-East Queensland.

These decisions are not easy but the alternative is the Labor way—a state plunging towards a projected \$100 billion debt and a state where cost-of-living items, such as fares and registration, continue to skyrocket. This structure will deliver improved outcomes for Queenslanders, whether you are a business tendering for work, whether you are travelling across the state or whether you are using any of the hundreds of services offered by the department.

Disability Services, Taxi Subsidy

Ms TRAD: My question without notice is to the Premier. Will the Premier explain how many Queenslanders with a disability will be affected by the Newman government's decision to axe the taxi subsidy?

Mr NEWMAN: I am surprised that the member for South Brisbane would ask the question, because we know the member for South Brisbane was active during the Australian Labor Party's recent political campaign and we have all acknowledged what sort of campaign that was. The reason I make that point is that there was an announcement about the new, I suppose, Labor scheme, as I understand it—perhaps I need to clarify which scheme we are talking about.

Ms Trad: It is the taxi subsidy scheme.

Ms Palaszczuk: It is the taxi subsidy scheme.

Mr NEWMAN: Well, there are two schemes. I hear their interjections. Because they have not clarified it properly, I will refer now to the scheme they announced during the election campaign to provide around \$6 or \$6.50 for taxidriviers who dealt with a person who had a wheelchair. I am really happy to answer this question, because it again allows me to expand on the scheme today for these economic financial wreckers on the other side of the chamber.

The Premier at the time made the announcement. When we were asked to comment at the time, we said that we would not do it. This was a Labor Party announcement. It was not an LNP announcement and it was rejected at the time. The reason it was rejected at the time is all about where the money was coming from. Apparently, we were going to get a great big windfall gain in terms of the GST. From memory, what actually happened was that we were going to receive \$400 million less from the GST. So, once again, we saw the former government spending money during an election campaign on the chance of a windfall gain which has turned into a significant loss to the state. There was no money coming, there was never any money there, and they spent it even though they did not have it.

We saw that other great announcement during the campaign from them, 'From mines to minds'—a totally mindless commitment which was spending money from royalties which we had not yet received on kids who had not been born. This is why Queensland is in the state that we are in. This is why we have great problems funding disability services. If we got our AAA credit rating back, we would be in a much better position to expand the funding support for people with disabilities. Indeed, what have I been saying over the past week? I have been saying exactly that. That is exactly what this government wants to do, but we must get our finances back on track.

Queensland Health, IBM Contract

Mr HATHAWAY: My question without notice is to the Minister for Health. I refer the minister to the motion passed by the House requesting that the Leader of the Opposition provide all legal advice and associated material including minutes from Labor's cabinet on the \$1.25 billion failed payroll contract? Will the minister advise if he is now in possession of these documents?

Opposition members interjected.

Ms Palaszczuk interjected.

Madam SPEAKER: Order! I warn the Leader of the Opposition and other members who were interjecting.

Mr SPRINGBORG: The taxpayers and the health workers of Queensland have been led on a very merry dance in recent weeks by the Leader of the Opposition. Indeed, I thank the honourable member for Townsville for his interest in this question because, as he will remember, when the parliament previously sat we passed a motion in this place that the Leader of the Opposition should make available to me all of this information so that the government could properly inform itself with regard to the prospects of any likely legal action that we might be able to take against the contractors or anyone else who had been involved in this very costly disaster, as the Treasurer had indicated. I need to remind honourable members that this was a \$6.1 million contract which turned into a \$1¼ billion debacle. It is the worst IT debacle for any government in Australia in our history.

The Leader of the Opposition continues to take us on a very, very merry dance. Firstly, the Leader of the Opposition said that all of this information was available to us. That is not true. When we raised it again, the Leader of the Opposition said that she had released that information. So then we engaged the Crown Solicitor to actually have a look at the information which had been taken to cabinet—the three pieces of legal advice, the accompanying Crown Solicitor's advice and also the advice that we actually had—and he clearly said to us that he was unable to advise us with regard to that advice which had been taken to CBRC. Following that, we now have a letter which the Leader of the Opposition wrote to me where she said that we can have access to all of the information but we cannot tell anyone about it—we can have a look but we cannot show anybody. So we have this bizarre, perverse Labor Party peepshow going on. This morning she said on ABC Radio to Steve Austin—

Honourable members interjected.

Madam SPEAKER: Order! There are too many interjections across the chamber from both sides.

Mr SPRINGBORG: The Leader of the Opposition said today that she cannot release that information due to some point of convention. This is what the secretary to the cabinet actually said to her chief of staff on 17 July this year—

As discussed, the standard form of words used when I release a copy of cabinet material following approval from the premier or Leader of the Opposition includes the following:

"these documents are released for the purposes stated in your letter and on that basis they must not be copied, released or disclosed to any other party.

...

In my view the Leader of the Opposition can vary any of these terms up to and including allowing public disclosure of documents if she wishes."

So I am calling on the Leader of the Opposition today to actually release that information, release that document. We need it to be able to take redress against someone for this bungled contract. What is the Leader of the Opposition hiding? What is she hiding? She should release that information—

(Time expired)

Instrumental Music Programs

Mrs CUNNINGHAM: My question without notice is to the Minister for Education. Instrumental music programs for rural and regional Queensland provide important opportunities for students. The Fanfare and MOST programs give students significant competition and training to improve and inspire them. Will the minister review the decision to scrap these programs on the basis of their broad educational benefits?

Mr LANGBROEK: I thank the honourable member for the question. We have had a lot of feedback about these particular issues. Fanfare was one. It really comes back to the questions that we have heard asked a number of times in this House this morning about forward planning and responsible budgeting. One of the things that we have committed to doing is fixing the foundations of the state's finances. I, along with other ministers who have been identified here today, have been going to the Cabinet Budget Review Committee to fix the economic and financial foundations of the state. In my portfolio, which is one that has expenditure of over \$8.7 billion in the 2011-12 year, we have to fix those economic and financial foundations so that we can then deliver on the educational, social and academic outcomes that we all want.

So we have said that the core business for my department is protecting teachers' jobs and that we are going to focus on literacy and numeracy. We are delivering on the promises we announced during the election campaign—providing more support for those social issues such as more chaplains and more prep teacher aides—and we are providing parents with choice by undertaking proper planning for schools and giving them more choices in the educational outcomes that we want to have. Unfortunately, there are things that are nice to have and there are things that we have to have. One of the programs and one of the tough things that we have had to do has been to make decisions about programs such as Fanfare. Of course, it is being held at the moment—today and over the next couple of days. It is supposed to be held again in two years time, but we have announced that, because of financial shortcomings, we will not be able to continue that program.

We are focusing on the core business. We are conducting a line-by-line analysis of our budgets and a bad headline or league table will not divert our commitment. What we are also saying is that we will not do what the previous government did when they had a bad headline, which was to then say, 'We will throw some money at the problem.' That has delivered more of the issues that we have had to face looking at our deficit. I have said that we want some innovative answers to things such as providing the financing for Fanfare. Unlike those opposite, who believe and had all their followers believing that the government would constantly provide, we are looking to partner with the private sector. That is exactly what I did last week when I went to The Gap State High School in the Premier's electorate with James Morrison, the world renowned musician. We are looking to have an innovative solution not just for Fanfare or MOST but also for other programs within my department. I look forward to advising the House of potential alternatives that will help us to provide programs like Fanfare. That will give us some innovation that we failed to see from those opposite.

State Finances

Mr PUCCI: My question without notice is to the Attorney-General and Minister for Justice. Can the minister outline how forward planning and responsible budgeting is helping to fix the foundations of the state's finances and what this means to the Attorney-General portfolio?

Mr BLEIJIE: I thank the member for Logan for the question. The constituents in the electorate of Logan understand the question. It is interesting to point out to members of the House that when the member was asking the question, the seven dwarfs opposite sat there confused by the question, not understanding it. When the member for Logan mentioned words like 'financial forward planning', there was confusion amongst the seven opposite. He also mentioned 'responsible budgeting'. Do the seven

opposite understand responsible budgeting? No, they were looking to the side for the overresourced opposition staff; they were waiting for a text to explain what 'responsible budgeting' is. Do they understand what 'fixing the foundations of the state's finances' means? It is more than two words so they would not understand it. They certainly would not understand the context in which the question was asked.

We have had to make tough decisions across all ministerial portfolios. My department has not been immune to that, but we are doing it because it is in the best interests of the state. It is in the best interests of Queenslanders to sort out the mess. During question time and the other ministerial statements earlier today I heard the shadow Treasurer of all people sitting there saying that the Premier should apologise for a start. I ask: apologise for what? Getting the finances back on track? If we had continued down the road of the Labor Party, if we had continued with the reckless spending, if we had continued with the waste and inefficiencies that they are all squawking about now, we would have been heading for an \$85 billion debt. That is what they want us to apologise for. No, we will not. We are here to get Queensland sorted. We have to get the finances sorted. If Queensland and Queenslanders are to have opportunities in the future, if we are to fix the foundations and the cornerstones of our economic pillars, then they have to be given opportunity. They cannot be given opportunity if the government is broke. We get our own finances in order in our family homes and budgets and we expect business to do the same. We want business to employ people, but how can we do that if we are not setting an example?

The Justice portfolio has a bright future. We have already announced an additional Supreme Court judge to help alleviate the backlog of court work. We are setting up boot camps to get young people back on track. We are re-adjusting the acting magistrates to give Queensland three permanent magistrates. There is a bright future for Queenslanders under an LNP government.

(Time expired)

QBuild, Jobs

Mr BYRNE: My question is to the Premier. Will the Premier detail how many people now employed by QBuild will be sacked as part of the LNP government's jobs purge and how many apprenticeships will be lost as a result?

Mr NEWMAN: Before I answer the actual question, I again need to expand on my theme today about what the government is trying to do. The government actually has a plan. I know the people opposite never had a plan and ran us into the ground financially and created the situation—

Opposition members interjected.

Madam SPEAKER: Order! I warn members on my left and I will start naming them under the standing orders. I call the Premier.

Mr NEWMAN: I instantly apologise. They did have a plan; it was called Q2. They stole it from New South Wales. They had that other guy who now works for the NBN. Did he not have something to do with that—the Kaiser? Was it that bloke? He brought the great blueprint from New South Wales, which is a financial train wreck as well.

As I have said before, we have a situation in which we have about 20,000 more public servants than the taxpayers of Queensland can afford. If opposition members come in here week after week and ask questions about job cuts in the public sector, they will get honest answers that we have more people than we can pay for. The sad fact is that these people are breadwinners. The people who hurt them—the Australian Labor Party—are people like the honourable members opposite who used to be in the cabinet who allowed this to happen, who allowed people to be employed when there was not the revenue base to sustain these jobs. We know that is the case. I cannot believe that anyone would be so reckless or cruel as to give people jobs that they could not afford. These jobs have been paid for by borrowing and it is just absolutely outrageous.

I say today that there will be job cuts in QBuild. I know that will hurt the former member for Rockhampton, who writes the questions. I know that will hurt him because QBuild, along with the rest of that department and a whole lot of other little things, was his pet plaything; it was untouchable. It did not matter if it was efficient or not; it was his plaything. As at 31 March, QBuild engaged 382 temporary and casual full-time equivalent employees, or FTEs. By the end of July 2012 it is expected that QBuild will reduce its temporary FTEs to 78. So there will be cuts there. I am sorry about that, but I say to any hardworking public servant who has lost their job: go and look up who was the local Labor member at the time and complain to them. They are still around; they are still in the community. Go and point the finger at them or, better still, write emails and letters to the Leader of the Opposition. She has 22 highly paid staff or thereabouts. I am sure they can take the time to reply to the letters.

Department of Natural Resources and Mines

Mr COSTIGAN: My question without notice is to the Minister for Natural Resources and Mines. Can the minister outline how forward planning and responsible budgeting are helping to fix the foundations of the state's finances and what this means for the Department of Natural Resources and Mines?

Mr CRIPPS: I thank the member for Whitsunday—a fellow North Queenslander and a most welcome addition to this House from the north—for his question. The reform process being undertaken by the Department of Natural Resources and Mines is part of the Newman government's efforts to return the state's finances to a sustainable level while ensuring government services are focused on delivering front-line services to Queensland. While the opposition criticises this government's efforts in this regard, I believe that many staff within my department can see the opportunities and the longer term benefits from this process and are working tirelessly to ensure critical programs and staff are identified and properly supported. The reforms we are undertaking are necessarily going to affect the scope of programs undertaken in the future and in some cases the staff numbers required. However, I am confident that we can deliver during this process a sharper and more focused department.

The Department of Natural Resources and Mines of the future will be a highly responsive and professional organisation that is dedicated to achieving outcomes for its customers rather than rigidly following process. The key tenets of this reform process will be to protect services delivered to the mining and agricultural sectors—two of the four pillars of the Queensland economy—and to unlock the value of our state's natural resources. This will be achieved by making changes to some programs and implementing new, lower cost ways of delivering services.

In relation to the management of natural resources, we will achieve much needed savings by reducing red tape and regulation and by encouraging self-assessment, rather than by maintaining rigid enforcement processes that were the hallmark of Labor's big stick approach. We will explore new ways of securing greater certainty for rural landholders by facilitating opportunities for people to move to higher forms of tenure, delivering strong land management outcomes and greater financial security to the agricultural sector.

For the resources sector, the department's role will be to support sustainable growth in the mining and gas sectors while protecting existing land use activities such as agriculture. Importantly, there will be no diminution of my department's critical role as the state-wide mine safety regulator to ensure the tens of thousands of resource sector workers are safe on the job.

In summary, the Department of Natural Resources and Mines is in the midst of a culture change that will deliver greater value for the industries and communities that it serves and for all of the taxpayers of Queensland.

Minister for Energy and Water Supply

Mrs MILLER: My question is directed to the Premier. I refer to contact between the member for Caloundra and James Ashby and the Premier's public statement that he has 'no concerns about it'. Given that the Premier has also said that he has not really talked to the member about it, has the member for Caloundra met the Premier's accepted standards of behaviour?

Mr NEWMAN: Gee whiz! I will repeat that I have every confidence in the minister. I do not believe that the minister has done anything wrong. If honourable members opposite think the minister has done something wrong, they should put up or shut up, as they say. That is what they should do. This is just more of the same from the Labor Party. At the last election we saw the dirtiest political campaign that the state has ever seen, that the nation has ever seen, and they continue.

Those opposite do not get it. They should get out of the sewer, out of the pig pen, out of the trough. That is what they need to do. They need to rise above it. They need some positive policies. They need to show Queenslanders that they have a plan. We have a plan to get Queensland back on track. We have a plan to restore the finances of the state. We are building the economy right now. But week after week, all we see is negativity from these people, who are deficit and debt deniers. They say they had nothing to do with the problems we are trying to fix. Instead they come in with these spurious things.

Mrs Miller: Answer the question.

Mr NEWMAN: I will answer it again for the member for Bundamba, who does not listen. The answer is that I have every confidence in the minister. If those opposite have something to the contrary they should put up or shut up. I say it again: put up or shut up. They should stop the sleaze and innuendo. If they have something, they should refer the minister to the CMC. Those opposite have not even written to me—not an email or a letter, to my knowledge. I have nothing from them. Where are these allegations? Last year they referred me how many times to the CMC? What did the CMC say, essentially? 'You are wasting our time.' Read between the lines, Madam Speaker. Those opposite are wasting the time of this parliament today.

I do not mind answering questions about the hard decisions we are making to get the state back on track. I do not mind answering hard questions on the NDIS. Clearly, those opposite are afraid of something. They wanted to shift debate on the NDIS to 5.30 today, when there is not as much media attention on the issue, because they did not want to hear the arguments in prime time this morning. They do not want the arguments on NDIS being had now. They did not want to ask me the hard questions about NDIS this morning because they know that this afternoon their bad track record on NDIS is going to be exposed and they will be crawling back into the sewer, from whence they came.

Department of Environment and Heritage Protection

Mr BENNETT: My question without notice is to the Minister for Environment and Heritage Protection. Can the minister outline how forward planning and responsible budgeting are helping to fix the foundations of the state's finances and what this means for the environment portfolio?

Madam SPEAKER: Order! Before I call the minister, there are too many audible conversations in the chamber. I ask for the minister to be heard in silence.

Mr POWELL: I thank the member for his question, as it does provide me an opportunity to highlight how we as a government are fixing the foundations of our economy to not only get the economy back on track but also better protect the environment for our children and our children's children into the future.

As the Premier and the Treasurer have already outlined this morning, the Commission of Audit has brought it home to all Queenslanders: for far too long the previous state government lived beyond its means. This government is therefore faced with tough decisions to get the state back on track, starting with the state's finances. That is why, from day one, in my portfolio we made the decision to close the Office of Climate Change and to close down those climate change programs. Before those opposite start barking about how unfair that might be, I add that that is actually a COAG agenda item. The federal Labor government has stipulated to state legislators that they are to cease complementarity around climate change. We have closed the Office of Climate Change. We are making the tough decisions.

Similarly, going into the election our government made a commitment to repeal the waste levy, to save businesses the expense of disposing of their waste. Instead, we will work with the industry around improving recycling and rubbish management in this state. Those decisions are tough, but the department will continue to be a strong and effective environmental regulator.

Making the tough decisions now means that we can commit \$35 million to protect one of our most treasured assets, the Great Barrier Reef. It means that we can work with canegrowers across the state to boost agricultural productivity whilst delivering better environmental outcomes. It means that we can employ Indigenous rangers to help us look after their unique country in the cape, in Western Queensland and across the state. It means that we can commit the necessary resources to slow the decline of our most loved creatures, including the koala here in South-East Queensland. It means that our front-line services can continue to regulate existing and emerging industries.

Where companies are doing the right thing my department will not be a road block to economic recovery and growth, but we need to allocate resources to ensure that growth happens in a measured way that is respectful of landowners and the environment. Getting our economy back on track allows us to invest in the \$12 million Everyone's Environment grant program. We need to fix the state's foundations now to ensure that the next generation of Queenslanders are given the opportunity to enjoy the spectacular natural environment we appreciate today.

M1, Transit Lanes

Mr KATTER: My question is to the Minister for Transport. Given that T2 transit lanes were established as a car-pooling incentive which failed dismally, will the minister now commit to abolishing the T2 lane on the M1 to save commuters valuable work travel time and agree that the best way to car pool is to catch a bus?

Mr EMERSON: I thank the honourable member for his question. I know that it is a little bit far from Mount Isa, but I do appreciate his interest. Clearly the LNP government is very committed to making both our roads and our public transport system more efficient, more effective and a better use of taxpayers' dollars.

Madam SPEAKER: Minister, I apologise. The time on the clock for the end of question time is 11.01, so you have until 11.01.

Mr EMERSON: Thank you, Madam Speaker. As I said, the Newman government is committed to ensure the most efficient delivery of roads and public transport. That is why we have made announcements regarding the reforms to RoadTek in the south-east corner to get the most efficient use of our taxpayers' dollars in terms of going out to the private sector, with RoadTek no longer tendering against the private sector in a mature market. In terms of public transport, we have made a number of

announcements in terms of our plan for free travel after nine journeys and halving Labor's planned increases in fares and also with regard to bus services to ensure that buses are going where the public wants them. In terms of the T2 lane referred to in the question from the honourable member, I am happy to review the T2 lanes on the highway because our aim is to get the best outcome for motorists. If it is the case that those T2 lanes are not doing the job they were intended to do, we cannot keep doing what Labor did, because we will not keep going with Labor's mistakes and flawed policies. We will always review to make sure that we are getting the best outcome for Queenslanders year in and year out rather than some sort of ideologically driven policy by Labor that is divorced from the reality for motorists and public transport users.

Madam SPEAKER: The time for question time has expired.


SPEAKER'S STATEMENT

School Group Tours

Madam SPEAKER: Before we commence matters of public interest, I wish to acknowledge schools visiting today—Nambour Christian College in the electorate of Nicklin and also Xavier Catholic College.

MATTERS OF PUBLIC INTEREST

Newman Government, Performance

 **Ms PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (11.02 am): Today we have had the 100th question to the government, and once again we have simply had no answers. What has been extraordinary from this question time—absolutely extraordinary—is the Premier's confirmation today that jobs will go from QBuild. We are hearing that up to 600 jobs from QBuild, including apprenticeships, will be slashed under this Newman government. However, the most extraordinary announcement today has come from the Minister for Transport and Main Roads. And what was that announcement? That some 1,970 jobs will be slashed from the Department of Transport and Main Roads and TransLink. Let me be very clear: 1,970 jobs going, going, gone!

The government has an obligation to be upfront and to tell the people of Queensland how many jobs are going from the Public Service. What did the Premier say before the election? The Premier said very clearly that the Public Service had nothing to fear. But I know that the Public Service has everything to fear. We know how upset the teachers are. The teachers will be here at Parliament House this afternoon. We know that there is fear and there is uncertainty in every one of the 200,000 government employees right across this state. How are they feeling? They have knots in their stomachs. They cannot sleep at night. I have heard reports of people crying on buses going to and from work—crying on buses because they do not know whether or not they will have a job to go to tomorrow. This fear of uncertainty—the climate that this government is creating—is simply not acceptable.

There is the possibility of 1,970 jobs going. Shame on this government! Shame for the cuts—the cuts to public transport, the cuts to the department, the cuts to RoadTek. We are hearing that approximately 600 jobs are going from RoadTek. How are these people going to meet their cost of living? How are they going to make their mortgage repayments? How are they going to send their children to school? How would you feel if this was happening to your friend or neighbour? How would you feel? This is not a compassionate government. This is not a government that cares about people. Let me make it very clear: Labor cares about people. We will always put people first. We have very clearly seen that this government does not care. It does not care about telling people from one day to the next if they will have a job, whether or not they are going to have a job.

The Premier's performance on various issues last week resulted in some commentators dubbing it the week from hell. But I disagree. I do not believe it was the week from hell, because this is just a normal week under this government—fear and uncertainty, people not knowing what is going to happen, and we know today that over 2,000 jobs are definitely going. We have also seen what has happened in the public housing sector. We know the fear and uncertainty out there generated by this government and the Minister for Housing and Public Works—the fear and uncertainty of people not knowing if they are going to have to pay increased rents or if they are going to have to move. We have also heard that if they do downsize from a three-bedroom house to a two-bedroom house or a one-bedroom house they will have to go on a new contract—a new contract for three years. This is the government not telling people what is happening.

I know that there are a lot of new backbenchers in this House, and people will be coming through your doors saying, 'What is going on? Why are these cuts happening?' We have seen cuts to the taxi subsidy scheme—the taxi subsidy scheme! This is about transporting people with a disability—gone, slashed! Unbelievable! Absolutely unbelievable! Between the last sitting of parliament and this sitting of

parliament we have seen the cutting of one of the most valuable projects in this state—Skilling Queenslanders for Work. That has actually been a very worthwhile project right across the state. I have personally met with the CEO of BoysTown, Mr John Perry, and I discussed this issue with him at length. He said that this means that 21 staff from BoysTown will lose their jobs. And what do these people do? They find other people jobs. In many of your electorates there are people who are children at risk, long-term unemployed and adults who come from disadvantaged backgrounds and low socioeconomic areas. These people live and work in your communities. What we are saying—

Mr Johnson: You should've thought of that before!

Ms PALASZCZUK: If the member wants to interject, he is allowed to do so from his seat but not from the back of the chamber.

Government members interjected.

Ms PALASZCZUK: No, I am just making the point that the—

Madam DEPUTY SPEAKER (Miss Barton): Order! If members wish to interject, they should do so from their seat.

Ms PALASZCZUK: I am merely pointing out the standing orders. The Skilling Queenslanders for Work initiative does valuable work—it looks for jobs for other people. This is one of the most important programs. In my electorate I know that BoysTown has assisted the RSPCA, helped do work on the new police academy and the Inala rugby club. It does this work right across Queensland. When I was in Townsville recently I met with Mayor Jenny Hill and she said that that now meant that she had to find an extra \$400,000 in her budget because it was having a direct impact on apprenticeships. What does this government have against apprenticeships? What does this government have against finding people from disadvantaged backgrounds a job for the future? What does this government have against security of a job, the dignity of a job? How can this government continually wake up in the morning and not tell people whether or not they will have a job the next day?

We have heard the Premier say, 'Wait until the budget,' but we know they have had these discussions at their CBRC meetings and their cabinet meetings. Do we hear anything coming out of those cabinet or CBRC meetings? No. We hear the sound of silence. I will tell the House that the uncertainty that people are facing at the moment is exactly what it is: uncertainty.

Mr Johnson: They want to hear the dribble falling out of you!

Ms PALASZCZUK: I ask the member to withdraw that comment.

Madam DEPUTY SPEAKER: Order! Would the member for Gregory please withdraw?

Mr JOHNSON: I withdraw and I apologise.

Madam DEPUTY SPEAKER: Thank you.

Ms PALASZCZUK: I thank the member for Gregory very much and I accept his apology. We have seen that this government does not care about the people who are the most vulnerable. Who am I talking about? People with a disability. I am not going to foreshadow the motion tonight, but the failure of this government to provide a trial site for the National Disability Insurance Scheme is a complete and utter disgrace. Every single one of the members opposite should hang their head in shame. People with a disability have been waiting for years. They are crushing their hopes.

Honourable members interjected.

Madam DEPUTY SPEAKER: Order! There is too much noise. I cannot hear the Leader of the Opposition. I would remind the opposition that notice of a motion has been given. I ask her to be wary in her comments.

Ms PALASZCZUK: Over the last couple of weeks our team has been out listening to Queenslanders. We have been listening as we have been travelling from Cairns to Bowen. Do members know what people are saying to me? I am happy to repeat it. When I was in Bowen people said, 'Before the election we saw the LNP members each and every day. They were here all the time. But since they've been in government, they don't care.' Those people have not seen them at all since the election.

We have also seen the slashing of the Family Support Program for people with a disability. People are coming up to me and they are coming into our electorate offices asking, 'What is this government doing? They are cutting things like medical equipment, incontinence aids and pharmaceuticals. How can they treat people with dignity and respect when they are taking away their funding?'

Ms Bates interjected.


Ms PALASZCZUK: This is the minister who is at home mid-morning and rings the police. I have not known a minister to be sitting at home in the morning. You should be in your office doing work. This government does not care about people. They do not care about people at all.

Madam DEPUTY SPEAKER: Order! I remind all members to direct their comments through the chair.

Honourable members interjected.

Madam DEPUTY SPEAKER: Order! It is not funny.

Coral Sea, Fishing Industry

 **Mr TROUT** (Barron River—LNP) (11.12 am): The closure of the Coral Sea will have a devastating effect on North Queensland's economy. Tourism and fishing, alongside agriculture, forms the basis of Far North Queensland's economy. Towns such as Cooktown, which rely heavily on the fishing industry, will be devastated economically. The negative media coverage surrounding this process has already had a devastating effect on the charter boat industry.

There is little, if any, scientific basis for the claims that the Coral Sea is suffering or that biodiversity is compromised. Five years ago the federal government paid out millions of dollars in restructure assistance, which many fishermen utilised to further expand their operations into the Coral Sea. As a result of the imminent closure of areas of the Coral Sea into which they were directed, the federal government is now offering \$100 million in assistance to those operators, in some instances to buy out their businesses. Ironically, the move to push those operators out from the marine park into the soon-to-be locked Coral Sea was based on the government's own research indicating sustainability in that region.

Captain Daniel McCarthy, a seasoned sports fishing and marlin boat skipper for over 20 years and president of the Cairns Professional Game Fishing Association, said recently that nothing that happens out in the Coral Sea legally is having any detrimental effect on the environment whatsoever. Captain McCarthy tells me that there are no foreign longliners and no superseiners. They were all banned from the Coral Sea after extensive lobbying by the Cairns charter industry. The industry has operated sustainably in the Coral Sea for 45 years and is widely known to demonstrate world-class best practice for tag and release of large game fish. An extensive tag-and-release research program has resulted in many other fisheries around the world following suit and changing practices from taking fish to tag and release. High yield is based on scientific research and, what is more, it is all self-funded by the industry and clients.

Quite apart from the obvious loss of livelihood to the \$60 million charter fishing industry and the resultant effect on price to the consumer in a market that has already been damaged by fuel price hikes and numerous other factors, there are any number of flow-on negative effects of this closure: the impact on boat building and maintenance and local sales of boat parts and fishing equipment; the loss of recreational fishing and tourism; and significant unemployment. Charter boats support game fishing, estuarine and coastal fishing, scuba diving and whale-watching activities and there is a diverse boat hire and service industry. These industries support others. One estimate of annual direct, indirect and capital expenditure on recreational fishing is \$1.8 billion. Using expenditure multiplier estimates, employment from national recreation fishing expenditure is conservatively estimated to be between 27,000 and 54,000 jobs nationally. The marine industry and communities in general in the area are still suffering from the effects of the devastating floods and Cyclone Yasi, with numerous marinas annihilated or extensively damaged along with marine businesses and marine infrastructure.


In 2009, the minister for environment, heritage and the arts wrote to the AMIF stating the following—

Any proposed measures for the permanent protection of the Coral Sea region, such as the establishment of one or more Commonwealth marine reserves, will be subject to stakeholder consultation.

It is a farce that those stakeholders were not the very Australians whose lives would be irretrievably damaged by the establishment of the Coral Sea reserves, but thousands of disassociated people around the world who were led to believe that the Coral Sea was on the verge of becoming an environmental black hole. Of greatest insult to those in the marine industry throughout Queensland is that PEW, a not-for-profit American organisation that is aligned with the Sunoco oil company, can exert so much influence on our government by using those international petitions to sway the opinion of our own marine environment. PEW has admitted that it pressured the Australian government to lock fishermen out of vast areas of the Coral Sea, but that it would not take the same action in American waters because of the negative impact it would have on the US economy and the livelihoods of the local fishermen there. It is interesting and ironic to note that the PEW foundation's original mission statement reflects on the 'evils of bureaucracy', the 'paralysing effects of government controls on the lives and activities of people', and the 'values of a free market'. I urge both sides of the parliament to halt this mania. We need to reverse this decision, otherwise North Queensland loses another industry that is crucial to its economic survival.

(Time expired)

Drug Courts

 **Dr DOUGLAS** (Gaven—LNP) (11.17 am): Honourable members, every day our local magistrates in courts at Beenleigh, Ipswich, Southport, Cairns and Townsville are administering a very progressive system of dealing with drug addicted people. It is the Drug Court and it is part of the armament in dealing with not just the consequence of illicit drug dealing and taking but also, at best, dealing with those prosecuted and how they might be prevented from joining the drug subculture. These magistrates courts deal specifically with the sentencing of people who are drug dependent or who are strongly suspected to be drug dependent and who can demonstrate that their offence was committed to support their illicit drug use. The Drug Court is obviously not for everyone, but for a small percentage, and it is more than a great start for those.

Moreover, the Drug Court is also a method of enforcing better behaviour and attempting to reduce recidivism. There is a remission in sentencing via avoiding a custodial sentence for doing so. This is a positive step forward for all. It demonstrates a positive reward system rather than a negative one. The statistics show that those offenders have significantly improved criminal justice outcomes compared to those who terminate the program or those who are otherwise imprisoned.

The Queensland Drug Court program commenced in 2000 as a pilot program which later extended to Cairns and Townsville. In 2010-11, 202 referrals to the Drug Court were made from which 149 IDROs—intensive drug rehabilitation orders—were made in the five Queensland magistrates courts. His Honour, Mr Brian Kilmartin, allowed the member for Coomera, Mr Michael Crandon, and me a privileged view of the elegance of the Drug Court system on the Gold Coast last week. The court involves a senior magistrate, the prosecutions officer, legal aid, a Corrective Services officer, a Family Services office representative, the clerk of the court, the offender and their support people. The offender is examined very closely by all parties, primarily the magistrate, and a resolution plan is determined for the future for the mutual benefit of all. The offender in our viewing was dealt with in a very detailed, careful manner. Their families were taken into consideration and involved. There was free and open discussion in a very meaningful way. Fairness, regard for the law and the rights of victims are all considered. Sensibly, a monitoring and rehabilitation drug diversion plan is agreed to. There is weekly drug testing done by a court ordered drug certifier on site. The drug-testing bus comes down each Monday. It sits in the car park outside the court building. The magistrate is given updated tests week in, week out to ensure compliance. Breaches are dealt with by either review, termination or revision of sentencing as appropriate. Offenders have to live in a set place including rehabilitation centres. This is non-negotiable. This is an appropriate zero tolerance type of sentencing with a humane and sensible approach.


In 2010-11, 53 were assessed as eligible candidates and referred to the program; 37 participants successfully graduated from the program; and 118 were removed or re-sentenced before graduation either at their request or due to repeated failures. As of 30 June this year there were 138 participants subject to an IDRO of which 114 were actively participating in the Drug Court program. I have had 20 years experience in Corrective Services and these are good results. There is compelling evidence that it is, in fact, even better. A study done by the Australian Institute of Criminology of the first 100 graduates of the Queensland Drug Court found those who completed the program had significantly improved criminal justice outcomes. Compared to the prisoner comparison group, the graduates' rate of offending after their Drug Court experience was not only significantly lower but represented a greater percentage decline when compared to their offending in the 12 months prior to their Drug Court experience or imprisonment offending rates. Terminated participants are returned to the normal criminal justice process.

The study found that 59 per cent of graduates from the Drug Court program had been reconvicted of a new offence within two years and the first post graduation offence occurred after an average of 379 days. That is longer than the other people who actually took 139 days. Basically, a total of 79 per cent of offenders who terminated had been reconvicted within two years of their offence. Graduates committed an average of 0.61 offences every six months after their graduation, down by 80 per cent when compared to the 12 months prior to the Drug Court program. Interestingly, there were no real differences between terminated participants and the prisoner comparison group in both their pre and post Drug Court-imprisonment offending behaviour.

This then implies two notable conclusions that can assist further management of drug offenders. Firstly, drug courts do not impede standard court approaches in dealing with drug offenders. There is ongoing flexibility after the initial decision. Secondly and critically, a terminated offender is not made harder to handle in any subsequent standard custodial procedure by initially managing them through a more kindly approach. This is proven by equivalent results for terminated offenders and a controlled prisoner population. Therefore, the cumulative gain is significant even though there is greater time and expense allocation. This program needs encouragement.

(Time expired)

Queensland Economy

 **Mr PITT** (Mulgrave—ALP) (11.22 am): Last week we had the Premier of this state declare that Queensland was like Spain and bankrupt. Meanwhile, overseas the Treasurer was spinning a tale of two states, telling investors that Queensland has a stable credit rating. Back here the Premier, as usual, was just playing politics. As the *Courier-Mail's* editorial on Thursday summed it up—

On no measure—be it economic growth, debt, unemployment, investment, credit ratings or even business confidence—is it possible to realistically compare Spain to Queensland.


But for the Premier's benefit, here are some comparisons in case he needs further convincing as to how ridiculous his comments in relation to Spain were. Spain is undergoing a banking crisis as reported by *The Economist* and the Reserve Bank of Australia. Is the Premier implying Suncorp is bankrupt? Spain has a credit rating of BBB. Queensland has a rating of AA+ stable. The Reserve Bank's board minutes from last month mention Spain's debt crisis as a factor for interest rate cuts but not Queensland. Spain has an unemployment rate of 24 per cent—Queensland's is 5.5 per cent. Labor left Queensland with a debt to GSP ratio of 12 per cent for the general government sector. The equivalent ratio as measured by the IMF for Spain is 79 per cent.

There is no comparison, just the running of a lot of bull by the Premier who perhaps has been spending too much time in Brisbane looking at the posters for the Portrait of Spain art exhibition. The Premier might do well to stop reading posters, rise from his siesta and start reading the QTC Investor Blue Book that the Treasurer has been showcasing overseas. Here at home, the Premier has been saying that Queensland is 'on a power dive into the abyss'. The Treasurer has been saying that Queensland is in a debt crisis and that the government coffers are empty. Meanwhile, the Treasurer has been saying to overseas investors in his booklet that Queensland has a far lower level of general government net debt, relative to operating revenue, compared to other similar international semi-sovereign issuers, and that the last government had 'excellent financial management on very positive liquidity'. The Premier has sought to deny this tale of two states by saying that Labor does not understand the difference between the economy and the budget position and that we are somehow confused. Let me be clear. There is no confusion. We are simply pointing out this government's duplicity on both the economy and budget position. In fact, we in the Labor party understand much better the relationship between the state's budget position and the economy. We understand that cuts to the public sector flow on to jobs in the private sector. We will never hear the Premier or Treasurer thank Labor for leaving Queensland's economy in a position of strength.

In January this year the Treasurer said that Queensland had become an economic basket case. The Treasurer, over two lunches in just one day in the last fortnight, was telling investors that strong investment and growth in recent years have accelerated Queensland's economic activity relative to the rest of Australia. The duplicitous tale does not end here. The Premier has been repeating to Queenslanders ad nauseam that Labor was paying 20,000 public servants by borrowing, by incurring debt. Meanwhile, overseas the Treasurer has been reporting that based on the previous government's midyear review an operating surplus is expected to be achieved in 2014-15. And as detailed in the corresponding graph, Labor recorded a surplus in seven of the last 11 years including in the two years prior to the summer of natural disasters. Deficit years coincided with the 9/11 terrorist attacks, the GFC and natural disasters.

I am not sure where the LNP learned how things work, but by definition the government cannot be borrowing to pay employee wages when in a surplus as revenue exceeds operating expenses. It is incredulous to claim that increased expenditure for natural disasters from 2010-11 onwards is proof of borrowing to pay the wages of 20,000 public servants. The government has not substantiated these statements anywhere. This government is telling this duplicitous tale to hide that cuts to services and staff are to fund election promises, not to pay down debt. The Treasurer has now set out in his interim response to the Costello Audit that the LNP plans to increase debt by \$21 billion to 2014-15. This approach was what the Treasurer last month said was Labor's plan. He said it was a debt binge and was putting further pressure on the state's credit rating. This tale of two states must come to an end. As evidenced by public commentary last week, people are finally cottoning on to the double-dealing nature of this Newman LNP government.

Mary River Turtle

 **Mrs MADDERN** (Maryborough—LNP) (11.27 am): It is unique, it is endangered and it is known locally as a bum breather. It is the Mary River turtle, one of Australia's largest turtles. The bum breather tag comes from the capacity of the turtle to breathe by absorbing oxygen through part of its very large tail as well as through its lungs. The turtle lives only in a relatively small segment of the Mary River and it is found nowhere else in the world. In the 1960s and 1970s these turtles were popular as pets in Australia with about 15,000 sent to shops every year over a 10-year period. They were known as the penny turtle because of the flat, small shell of the hatchling. No-one then understood how unique they were or how endangered the species would become.

Over the past 12 years the local Tiaro Landcare group has been actively involved in the process of ensuring that this endangered species not only survives but its scientific value is researched and understood. This group, under the able leadership and direction of Marilyn Connell and others, has worked to increase the awareness of the turtle, raised funds for research, applied for research grants and supported the research, carried out physical activities of predator controls on nest sites and other conservation activities. The Tiaro Landcare group, in conjunction with the Mohammed bin Zayed Species Conservation Fund have set up the Mary River Turtle Support Scholarship which supports student research of the turtles under the auspices of the University of Queensland. The current scholarship holder is Mariana Micheli-Campbell, a Phd candidate, whose research centres around the movement and habitat selection of juvenile turtles. They are a very shy species, difficult to see in the wild and so tracking devices have been attached to juvenile turtles and underwater listening receivers have been deployed in this research. Mariana has presented a paper at the Ninth Annual Symposium on Conservation and Biology of Tortoises and Freshwater Turtles in Orlando, Florida.

Despite the best efforts of the Tiaro Landcare group and the residents of Maryborough, the uniqueness of this turtle is not widely understood or appreciated by Queenslanders or Australians. Financial support for research has been a struggle, with funding only ever available from year to year and in large degrees dependent on local fundraising activities such as the sale of chocolate turtles. The Tiaro and District Landcare Group have written—

Since commencing this project in 2001, we have had to search each year for funding to complement our own fundraising. Currently we are searching for funds which would support our activities for a three year period in order to more effectively use volunteer time. It is an embarrassment to our members that we, as part of a wealthy nation, have to source funds from an international Arabian fund.

The Tiaro and District Landcare Group has said that it needs funding for more research into nesting patterns and frequency, that is, do these turtles nest at the same location every year? They need to do research into dispersal patterns and use of habitat, that is, do the Mary River turtles only live in a defined section of the river? That can be determined only through sonic or acoustic tracking and radio telemetry tracking. A third area of research is population size and trend, that is, in order to more accurately determine the status of the Mary River turtle, is the Mary River turtle already in decline? Given the commitment made over a long period by this group and the uniqueness and endangered nature of the Mary River turtle, surely it is our responsibility to this and future generations to ensure that sufficient funding is available for a three-year research program to ensure the survival of this unique species.

Department of Agriculture, Fisheries and Forestry, Jobs



Mr MULHERIN (Mackay—ALP) (Deputy Leader of the Opposition) (11.31 am): The agriculture minister and member for Toowoomba South needs to be honest and declare how many staff from the agriculture department are being axed in the Newman government's gutting of another front-line service agency. I have heard reports that up to 550 staff from the Department of Agriculture, Fisheries and Forestry and will lose their jobs. There are suggestions from within the department that some of the 550 jobs to go will be made up of 40 to 100 fisheries positions that are on the chopping block. When these claims came to light recently, the agriculture minister did not deny the job cuts; he merely said there would be staff reductions, but would not confirm how many, when or where. The agriculture minister needs to explain how the slashing of fisheries positions will not impact on the important compliance work that Queensland's fisheries patrol officers perform on a daily basis across the state.

To date this is one of the biggest broken election commitments by the Newman government. Just over 100 days out from the election, the Newman government is white-anting one of the four pillars of its economic strategy, agriculture. One of the LNP's election commitments was to create a stand-alone agricultural department with an emphasis on improving agricultural career prospects. Section 4 of the LNP agricultural strategy is to create a stand-alone agriculture department with claims that it will also be critical to recruit and retain many talented professional people, yet now we hear reports of 550 agricultural jobs going.

The Newman government has sunk to a new low. The LNP went to the election talking up its agricultural credentials, but now we see that no-one is immune to Premier Newman's job slashing. The LNP policy, Boosting our Biosecurity Protection, states—


The LNP is committed to agriculture as one of our economy's Four Pillars that together will grow our economy and create jobs for Queensland families.

The LNP policy talks about creating jobs for Queensland families. Therefore, the Premier and agriculture minister need to offer an explanation to the 550 families they will be leaving jobless and without a family income. As a former agriculture minister, I know how respected in the community and committed are the staff in the Department of Agriculture. The agriculture minister said he would not outline how many staff will be cut from his department until the budget in September, leaving 550 families uncertain about their future for the next two months. Today the agriculture minister needs to

ease the minds of all staff in his department and tell them how many jobs he will slash and from where they will be slashed. How many jobs will go in Cairns, Townsville, Mackay, Rockhampton, Gladstone, Mount Isa and Toowoomba? These revelations came on the same day as the Newman government delivered another Black Friday announcement of 208 families losing their jobs in government business units such as GoPrint, QFleet and SDS. By our count, those 208 government jobs cut brings to 8,000 the total job losses so far across government under the LNP, although that is without factoring in the loss of 550 jobs from the Department of Agriculture, Fisheries and Forestry.

In addition, the agriculture minister has announced that he will scrap the \$18 million biosecurity laboratory at James Cook University, heightening the threat of dangerous diseases in North Queensland. This is another example in a long list from the Brisbane-centric Newman government of picking on North Queensland. By scrapping the new lab and closing the old lab at Oonoonba, the Newman government is leaving North Queensland more exposed to threats such as Hendra virus and avian influenza. The Newman government is leaving North Queensland with no capacity to diagnose and respond to those devastating diseases. With the closure of this lab, North Queensland people will have to wait for test results from Brisbane. The scrapping of the lab also will mean the loss of up to 20 jobs. Agriculture minister John McVeigh has significantly reduced North Queensland's biosecurity capability by scrapping the lab. Is he going to scrap the Toowoomba biosecurity lab or is he just picking on North Queensland?

Vegetation Management Act


 **Mr BENNETT** (Burnett—LNP) (11.35 am): Since April, the vast majority of the issues raised in my electorate referred to the Vegetation Management Act. I am happy that the minister is in the House. It is obvious that in a rural electorate like Burnett, the impact of the Vegetation Management Act on landholders cannot be understated. An act that set out to address broad-scale clearing in western Queensland has slowly and destructively morphed into a macro control of farm management practices for landowners unlucky enough to have properties containing remnant vegetation. By virtue of this legislation and the complete absence of compensation provisions, those landowners continue to bear the costs of the public interest in maintaining remnant vegetation on their properties. Not satisfied with placing that burden on landowners, the former government also placed the onus on the landowners to meet the cost of fixing DERM's mistakes.

Other simple farm management actions like realigning boundaries involving remnant vegetation attracted DERM application fees of up to \$5,000. Land zoned for rural residential purposes under local authority planning schemes had development rights disappear overnight when they were mapped as remnant vegetation. Remapping was conducted at the whim of the former department of environment and natural resources, affecting the vegetation status of a property without any notice of the change being given to the affected landowners. These issues must be addressed as soon as the government's program allows, to provide fairness and certainty for the landowners and to allow the sustainable development needed to grow our great state.

Unfortunately, as if the rural landholders had not suffered enough under the former government, the strategic cropping legislation introduced in its last week of office has now proven to have taken a similar path. Legislation that was presented to the community as being aimed at preserving good quality agricultural land from mining activities now prevents farmers from adjusting property boundaries, despite this matter being addressed in the original state planning policy and being enshrined in local authority planning schemes. Simple farm management actions such as minor boundary realignments are being impacted by restrictive legislation that often defies commonsense. In recent weeks several instances have been brought to the notice of my office and the situation often causes delays in or jeopardises property transactions. Again, if landowners are unfortunate victims of incorrect mapping preventing the progress of development, it may cost them up to \$4,000 to correct a mistake not of their making.

A review of strategic cropping legislation in relation to development under the Sustainable Planning Act cannot happen quickly enough for landowners in my electorate. I am sure that my colleagues would agree that a fundamental premise in a civilised society is that the cost of preserving a resource for the public interest should not be born by individual members and that urgent steps are needed in relation to vegetation management and strategic cropping legislation. I congratulate the minister on the changes being implemented. It is rewarding to be part of a government that is aware of the impacts and is willing to change onerous provisions. We are witnessing the work on strategic regional planning and, in the Burnett, we are working hard to ensure sensible provisions are implemented and revised in regional planning. With further positive work being undertaken into the important review of land tenure, we look forward to a bright future in my electorate.

Skilling Queenslanders for Work

 **Mrs SCOTT** (Woodridge—ALP) (11.39 am): Let me introduce to this House a young man: his name is Pete and he is aged 17. Pete has Asperger's syndrome. He is also a foster kid who has had a troubled past. However, Pete has not been left on the scrap heap because he had access to the Get Set for Work program, which led him into a higher level of training through Skilling Queenslanders for Work. These programs enlivened Pete's interest in carpentry and connected him to SkillsTech, an exceptional trades training centre designed and built by a former Labor government.

Peter is now looking forward to continuing in an apprenticeship when he completes year 12. He and his carers are proud he will have a bright future due to our exceptional Get Set for Work and Skilling Queenslanders for Work programs, the envy of other states. Enter our new Queensland government with Premier Newman on his slash and burn campaign to vindictively obliterate seemingly anything the previous Labor government put in place. Does the Premier have any idea how many thousands of people have received training through these programs—how many young people have been set on the right path because of the very dedicated work of hundreds of trainers throughout the state?

Logan City has historically had a high unemployment rate. However, our city is now standing proud and strong and it is due to the efforts of many hardworking government employees, teachers, workers in our training organisations and many others in our non-government sector, organisations such as BoysTown, Career Keys, Access Community Services, Max Employment, Youth and Family Service—some 23 services throughout Logan City and who knows how many throughout the state.

Skilling Queenslanders for Work and its programs such as Get Set for Work have enjoyed very high success rates and employment outcomes with almost all participants finding jobs. But, more than that, our schools, our parks, our public spaces and many of our organisations have been the recipients of projects as diverse as horticulture and landscaping, painting and renovations, upgrades of facilities and much, much more. Participate in Prosperity for long-term unemployed has seen participants gain self-esteem and confidence and the ability to participate in community with jobs of a suitable nature.

Career Keys alone has lost over 500 training places. Their hairdressing salon and cafe will now be redundant, as will their three computer labs in various locations. The funding and effort expended in setting up these facilities can be measured in the thousands—all to have it wiped away by a media release. They have not even had the decency to make a phone call to the CEO, Sally Edwards. There has been no consultation, no recognition of those who suffer disadvantage being given a hand up to enter the workforce, no thought of those who help others into employment—now themselves out looking for work—no thought of the hundreds who will now have no opportunity of training and participating in the workforce. But let me quote from Deloitte Access Economics—


The future of Queensland is bright ... the state has recovered from an onslaught of natural disasters and remains well placed to take advantage of fast-growing Asian markets ... Queensland's economic growth was "roaring back in to life".

The LNP's mantra of a \$100 billion black hole is a nonsense—indeed, a non-truth. So it is no wonder that a number of LNP MPs who have continued to use the \$100 billion figure now come into this chamber today to apologise to this House. The wholesale sacking of government workers and now the closure of so many worthwhile programs which will now result in more jobs of quality workers being lost is a travesty, and the LNP will go down in history as the meanest, most heartless government in Queensland's history.

I hope that some LNP backbenchers grow a backbone and start to say 'enough is enough'. There will be many oncers and we will continue to remind the government and our communities of that. We will also remind voters about the stony silence of those who supposedly represent them and their families. And may I just remind this House of the Premier's comment when asked how he found his first 100 days. His words should burn into your psyche. He said, 'I am having fun.' It leaves me speechless. But can I say to all the young people out there who need training and assistance into work: we will continue to support you.

(Time expired)

Little Haven Palliative Care

 **Mr GIBSON** (Gympie—LNP) (11.44 am): Earlier this year during National Palliative Care Week the 2012 theme was urging Australians to have a conversation with their loved ones about their needs and wishes. The theme was 'Some things are too important to be left unsaid ... let's chat about dying'.

It is important that people have thought about the care and support that they would like to receive at the end of life. This includes such things as the type of care that they want, where they would like to be cared for and by whom. Thankfully in my electorate of Gympie back in 1980 a lady by the name of Phyl Little, a visionary lady, having lost her husband, a daughter and a nephew to cancer, saw a need for better community support for cancer sufferers and their carers and established Little Haven Palliative Care.

A group of friends and supporters joined together with the aim of building a hospice in Gympie for terminally ill patients and to provide whatever support they could. For years this group was funded solely by community donations and literally operated out of the boot of a car, providing cancer support, respite care and equipment loans. Much of the money raised by this group went towards setting up two palliative-care rooms in the Gympie General Hospital, and in 1989 the Little Haven Palliative Care Cooloola/Sunshine Coast became an incorporated organisation.

Since that time Little Haven, as a not-for-profit community based palliative-care service, has provided optimal quality of life for individuals in my community facing terminal illness and their families. The services are provided free and are provided in the client's own home or within their centre at Henry Street. This is in addition to providing 24 hours a day, seven days a week, on-call, in-home professional specialist nursing care. We are truly fortunate in the Gympie electorate to have Little Haven. They also provide equipment loans such as beds, wheelchairs, toiletries, mobility aids and oxygen—things that families do not have but need when an individual is diagnosed with a terminal illness. And importantly they offer bereavement support, complementary therapies, information and trained volunteer support for respite care, companionship or practical assistance in and around the home or the garden.

At any given time Little Haven cares for over 40 palliative-care patients within the Gympie area, their carers and their families. The service covers a geographical area of over 3,000 square kilometres, from Tairo in the north to Boreen Point in the south, west to Kilkivan and east to Tin Can Bay and Rainbow Beach, with its heart being the centre of Gympie.


The older rural population and the attraction to retirement places like Cooloola Cove puts the median age in our region well above the nation's average. As many of our over 40,000 residents are retirees—and research shows that 20 per cent of Gympie's residents are aged 65 or older—this identifies quite clearly the need for palliative-care services in my electorate.

The number of people helped by Little Haven grows each year. On average, caring for one terminally ill patient entails providing care and bereavement support to at least one primary carer and members of the patient's family which can average about five people per patient. Their records show that in 2007-08 they supported 102 families and that has now grown to 162 families in 2011-12. Through community support and the dedication and just sheer hard work of the part-time staff and over 100 volunteers, Little Haven provides compassionate care and living support to over 150 families in the Gympie area annually. They receive less than one-third of their operating costs from government and they depend on the local community to make up the difference, and each year the community does so. The support from the local community shows that the Gympie area truly has locals who care for locals.

Little Haven does have a strong relationship with Queensland Health, with a 'peppercorn' lease agreement on the old ward 7 of the Gympie Hospital providing them with an administrative centre and a place to provide other support services. My community's future requirements in palliative care will continue to be well served by Little Haven and their volunteers for many years to come.

For the record, my family too has personally benefited from the services of Little Haven as our Poppy dealt with terminal cancer and thanks to them was able to spend his final days at home. Let me end where I began by saying some things are too important to be left unsaid. It is never too early to chat about dying.

Flinders River Agricultural Precinct

 **Mr KATTER** (Mount Isa—KAP) (11.49 am): I rise in the House to discuss two issues today, the first of which is irrigation in north-west Queensland. At this time when Queensland is dealing with budget deficits, struggling agriculture, tourism, retail and manufacturing sectors, and the high Aussie dollar applying pressure to our mining industry, it is imperative that this parliament recognise and support this state's bright prospects for development. That is why I once again raise the Flinders River Agricultural Precinct, and I will continue to bang this drum with gusto because it is part of the solution to Queensland's problems.

I acknowledge the attention and support this issue has been given by the respective agricultural and natural resources ministers at the forum held in the north-west last week. It was very good to see them at that forum. All the Flinders River Agricultural Precinct project requires is a government with vision. All it requires is the support of a government with the will to overcome a little adversity and the short-sighted nay-sayers who do not have this state's best interests at heart. This project does not have a lot of people putting their hands out for money, nor does it require large capital infrastructure investments. These are just people who want the right to use the resources that are there. They are not asking to build dams. They are not asking to build any large infrastructure. All they are asking is to access these large volumes of water and apply it to the vast blacksoil plains farm land that has been sitting there and that we have known has been sitting there for hundreds of years. In doing that, they will contribute greatly to the prosperity of this state and to their own prosperity in those areas, which is so vitally important.

Firstly, I will turn to the good news. The LNP government has stated that it wishes to double agricultural output in Queensland by 2040. This is an admirable goal and one that I support. However, for this goal to become a reality it requires more than words; it requires action. If this goal is to be achieved, then projects like the Flinders River Agricultural Precinct will need support from government. I am talking about removing all the barriers that have sat there for a long time. A lot of these people are first-time farmers and any inhibitors will make it enormously difficult. There needs to be incentives. The more barriers that are put up, the less likelihood there is of any of this going ahead.

More than anything else, the government needs to give these modern-day pioneers access to the water. At a recent irrigation forum held in Hughenden, the government committed to releasing 80,000 megalitres of water for this region. This is an announcement that was well received and appreciated. That is about two per cent of the huge volumes of water that pass by the undeveloped blacksoil plains of the north-west. Approximately 220,000 megalitres flow past the town of Richmond every day during the wet season, which is an event that can continue for many weeks, so in the grand scheme of things we are not talking about much. It is not enough, though. The government should commit to increasing the water allocation for the Flinders River to at least 220,000 megalitres and it should be prepared to go much further by looking at financial support to get this development off the ground, as has been done in the past with things such as freight subsidies. That can help achieve the critical mass that is required to keep the industry going perpetually and sustainably into the future.

Additionally, the National Food Plan green paper released by the atrocious federal Labor government is a complete insult to Queenslanders, particularly those who live in the north-west. It states that it is too difficult to irrigate Australia's north because it does not have the population or the infrastructure. I urge this government to respond with force. This region could become a food bowl and it must if the current government is ever to put meat on its promise to double agricultural output in Queensland. I also urge Queenslanders living in the north to respond, otherwise they will be condemned to suffer poor infrastructure and development for decades to come.

This green paper is a disastrous report and offers no more than any of the reports written before it. Report after report has been written about the potential of this bountiful area but nothing has ever happened. I recently had a conversation with an irrigator who falls well out of that desired region. He is about 100 kilometres south. He used to employ himself and his son when I visited him some years ago. He said that if he were ever given a report he never would have farmed there. He now employs five people and has doubled the size of his operation since I last saw him.

(Time expired)

Coomera Electorate, State Schools



Mr CRANDON (Coomera—LNP) (11.54 am): I rise to report to the House on a few exciting developments happening in schools across the south-east region and, in particular, in the state seat of Coomera. Before I embark on that discussion, I would like to update the House on the Origin story. I think we all remember the Origin story. I have met with Origin.

Mr Cripps: Oh good.

Mr CRANDON: They insisted on the meeting. I sent them an email in response to their request for a meeting telling them, 'I don't need to meet you; just fix my bill up,' but they said it was so complicated that they needed to see me. The good news is this: in my speech I referred to the idea that I might take six months to pay my Origin bill. Guess what? The act says that I have got six months to pay it because of the lateness of the arrival of the bill. I got a telephone call to advise me that they are not proceeding with any collection matters in relation to this \$2,375 bill. It is now due on 31 January 2013. I thought I should update the House on the matter.

Let me return to the reason why I want to take a few minutes today to talk about something exciting in my electorate. The other day the Minister for Education, Training and Employment announced that Queensland schools were rewarded for teaching excellence. The minister announced the 27 state finalists in the 2012 Showcase Awards for Excellence in Schools. He was proud to recognise the schools that had gone 'above and beyond in providing excellent teaching programs to Queensland state students'. I am reading these words from the minister's press release. They are worth repeating because I want to talk about the schools in my electorate that are involved in this, and honourable members will then understand why I am so proud.

The minister said that the awards are the 'most prestigious in the state and give schools the opportunity to share their programs with other educators'. Each of the 27 state finalists were selected from 75 regional winners and each receive \$5,000 in development grants. So they went to the regions and they beat the regions. Then they went to the states and they beat the people in the states, and there were 75 of them in those state awards.

The awards covered eight categories including early, middle and senior phases of learning, academic success, inclusive education, innovation, leadership and partnerships with industry or community. Eight state winners will be announced at the showcase gala dinner on Friday, 12 October—put that in your diaries, folks—each receiving a further \$20,000 in development grants. The state finalist for the Network Ten Showcase Award for Excellence in the Early Phase of Learning was Eagleby State School for SOLISS—Structured Oral Language Intervention for School Success. Eagleby State School is ably run by Suzanne Jolley and her team. Hear, hear to Suzanne Jolley and her team. What a wonderful outcome for them.


The Village Roadshow Theme Parks Showcase Award for Excellence in Inclusive Education went to a cluster of 20 schools, two of which are in my electorate—Coomera State School, ably overseen by Chris McMillan, and Helensvale State School, overseen by Ms Pratt. I will tell the House more about the programs. Arundel State School, Biggera Waters State School and many others including Helensvale and Coomera state schools were involved in a program called Coral House. The Coral House program is a partnership between the 20 cluster schools, the south-east region and SAILS, an entity associated with the Anglican Church. The purpose of the program is to meet the needs of primary students from prep to year 2 who have serious behavioural, social and emotional problems. The program enrolls students from cluster schools for a five-week period of intensive support and also includes parenting programs.

The award to Eagleby State School was for Structured Oral Language Intervention for School Success, which is a multitiered approach to intervention for students in prep to year 3 at risk of falling behind in literacy due to difficulties with oral language. The program consists of three tiers—small groups (withdrawal), in-class intervention and whole class intervention implemented by special teachers and classroom teachers. I commend both of those programs and the three schools in my electorate representing 30 per cent of the schools in my electorate which are part of these programs.

(Time expired)

PUBLIC SERVICE AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (11.59 am): I present a bill for an act to amend the Public Interest Disclosure Act 2010, the Public Sector Ethics Act 1994, the Public Service Act 2008 and the Industrial Relations Act 1999 for particular purposes. I table the bill and the explanatory notes. I nominate the Finance and Administration Committee to consider the bill.

Tabled paper: Public Service and Other Legislation Amendment Bill 2012 [\[605\]](#).

Tabled paper: Public Service and Other Legislation Amendment Bill 2012, explanatory notes [\[606\]](#).

I am pleased to introduce the Public Service and Other Legislation Amendment Bill 2012. The bill amends three acts that sit within my portfolio: the Public Service Act 2008, the Public Sector Ethics Act 1994 and the Public Interest Disclosure Act 2010. The remaining amendments in the bill relate to the Industrial Relations Act 1999, which sits within the portfolio of the Attorney-General and Minister for Justice. These amendments reflect our focus on restoring public sector accountability, while at the same time streamlining processes to ensure that the acts are administered as effectively and efficiently as possible. I will now discuss each amendment in more detail.

The changes to the Public Service Act 2008 will complete the final stage of the transfer of the public service appeals function from the Public Service Commission to the Queensland Industrial Relations Commission. The Public Service Commission has been given a new focus on driving our public sector efficiency agenda. Amendments that this House passed in June 2012—which I draw to the attention of honourable members—transferred responsibility for hearing and deciding public service appeals to the Queensland Industrial Relations Commission. This bill simply completes that process by transferring administrative functions for public service appeals to the Queensland Industrial Relations Commission registry, to take effect from 1 January 2013.

The changes to the Public Sector Ethics Act 1994 will replace the annual requirement for public sector ethics education and training with one that will see public servants receiving this as part of induction programs and also at regular intervals from 1 January 2013. The changes also set out what must be included in public servants' ethics education and training. We are absolutely committed to ensuring that departmental chief executives are given maximum flexibility to provide ethical training at the point of induction and at regular intervals as needed, rather than simply requiring blind compliance with a requirement for annual training. The amendments to the Public Sector Ethics Act 1994 that I have introduced today will help us achieve this.

A further improvement are the amendments to the Public Interest Disclosure Act 2010 which will transfer the public interest disclosure oversight agency role to the Queensland Ombudsman from 1 January 2013. In practice, the oversight role for what is commonly called 'whistleblowing' involves monitoring how agencies manage public interest disclosures, reviewing the way agencies deal with these disclosures and offering education and advice about public interest disclosures. This role is currently being performed by the Public Service Commission.

Transfer of this function to the Queensland Ombudsman is an entirely logical step, given that the Ombudsman already receives public interest disclosures in relation to maladministration and also works closely with other integrity agencies, such as the Crime and Misconduct Commission in dealing with whistleblowing. It is also closely aligned with one of the Ombudsman's core functions—handling complaints of maladministration and improving administrative decisions within the public sector. Centralising the whistleblower functions will inject greater independence into the process for dealing with public interest disclosures.

I now turn to the amendments to the Industrial Relations Act 1999. The first amendment will assist in streamlining the administrative functions of the Queensland Industrial Relations Commission by allocating responsibility for the administration of the commission from the president to the vice-president, including the allocation of the commission's business. The amendment reflects similar arrangements in the higher courts in Queensland where certain administrative functions are allocated to other officers of the court to assist the head of the court in carrying out his or her work. For example, in the Supreme and District courts, judge administrators are appointed to assist the chief justice in arranging the business of and administering the court.

The second amendment to the Industrial Relations Act 1999 will give the Queensland Industrial Relations Commission the discretion to allow legal representation, where the commission is satisfied it is appropriate, for a party to be represented by a lawyer. In addition, the changes will provide an entitlement to legal representation in matters before the commission, which are typically more complex or legalistic. This amendment will ensure that parties are able to access legal support in putting complex legal matters before the commission. Such matters often have significant and binding consequences for the parties, and it is essential that legal assistance is able to be provided in such circumstances. I commend the bill to the House.

First Reading



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (12.05 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Referral to the Finance and Administration Committee

Madam DEPUTY SPEAKER (Miss Barton): In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.

HEAVY VEHICLE NATIONAL LAW BILL

Message from Governor



Hon. SA EMERSON (Indooroopilly—LNP) (Minister for Transport and Main Roads) (12.05 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE

HEAVY VEHICLE NATIONAL LAW BILL 2012

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY AC, Governor, recommend to the Legislative Assembly a Bill intitled—

A Bill for an Act providing for the adoption of a national law regulating the use of heavy vehicles.


(sgd)

GOVERNOR

Date: 26 July 2012

Tabled paper: Message, dated 26 July 2012, from Her Excellency the Governor recommending the Heavy Vehicle National Law Bill 2012 [\[607\]](#).

Introduction

 **Hon. SA EMERSON** (Indooroopilly—LNP) (Minister for Transport and Main Roads) (12.05 pm): I present a bill for an act providing for the adoption of a national law regulating the use of heavy vehicles. I table the bill and explanatory notes. I nominate the Transport, Housing and Local Government Committee to consider the bill.

Tabled paper: Heavy Vehicle National Law Bill 2012 [608].

Tabled paper: Heavy Vehicle National Law Bill 2012, explanatory notes [609].

I am pleased to introduce the Heavy Vehicle National Law Bill 2012 into the Queensland parliament. This new, single national law replaces 12 previous model laws that operated across Australia. The Newman government campaigned on growing a four-pillar economy through a focus on tourism, agriculture, resources and construction, and by cutting red tape and regulation. Our aim is to reduce red tape and regulation by 20 per cent and ensure there is a change in the culture of government from one that promotes red tape to one that actively reduces red tape. By making the re-introduction of this bill one of this government's first priorities, Queensland businesses will soon benefit from improved productivity and the ability to operate across state borders without the unnecessary burden of dealing with a range of regulators and regulatory interpretations across jurisdictions.

In July 2009, as part of the national reforms to deliver a seamless national economy, COAG agreed to establish a National Heavy Vehicle Regulator to administer a national body of law to govern the regulation of all heavy vehicles. This recognises the importance of national consistency in heavy vehicle law and regulations and the huge contribution made by the transport industry to the national economy.

The national law includes provisions to create a single national regulator and will apply to heavy vehicles over 4.5 tonnes. It will not cover the transportation of dangerous goods, heavy vehicle driver licensing and bus industry accreditation which are covered under separate legislation.

Commencing on 1 January 2013, the regulator will be responsible for administering the new law for heavy vehicles. This will include matters such as registration, mass and loading, fatigue management, vehicle standards, and compliance and enforcement. A single, uniform national heavy vehicle law will create the 'same outcome in the same circumstances' regardless of the jurisdiction. This in turn will reduce regulatory and operational costs of compliance.

Queensland is expected to accrue a net benefit of approximately \$1.47 billion over a 22-year period, based on preliminary estimates of benefits in present value terms, from the establishment of the national law and creation of the regulator. Queensland's working relationship with industry and its adoption of previous model laws saw Queensland named host jurisdiction for the National Heavy Vehicle Regulator reform in February 2010.

As host jurisdiction, Queensland has the responsibility of being the first jurisdiction to introduce the new national law. All jurisdictions will then pass legislation to ensure the national law, as enacted by Queensland, is effectively applied as law in their own jurisdiction. This new law will create a stronger, safer heavy vehicle freight industry that drives Queensland's economy.

The new Heavy Vehicle National Law Bill 2012 includes some amendments to the previously introduced Heavy Vehicle National Law Bill 2011 as recommended by the Parliamentary Counsel's Committee. The amendments include minor editorial drafting changes to improve readability and accuracy within the bill, changes to oversight arrangements relating to how responsible ministers exercise functions and the delegation of chief executive officer functions, and an amendment to ensure the National Heavy Vehicle Regulator Board must include a person with relevant industry experience in managing risks to public safety arising from vehicle use.

For the past two decades, the heavy vehicle industry was governed by a dozen nationally approved model laws that lacked coherence across jurisdictions. States and territories adapted the model laws based on their own individual needs and circumstances. In the case of Queensland, we only varied from the model laws to cater for the unique nature of freight operations within Queensland or Criminal Code requirements. As a result, the national law before the House contains those policy changes that are required to align Queensland with the national legislation. The only significant new provisions in the bill before the House are those provisions to create the regulator as a separate corporate entity. These provisions provide for human resourcing, financial controls, and governance structures.

This piece of legislation is just the first step in transforming the governance of heavy vehicles in Australia. The inherent difficulties of reducing 12 pieces of heavy vehicle legislation to a single act of parliament would be cumbersome. Therefore, it was necessary for the national law to be split into two bills. This first bill contains the vast majority of the legislation the regulator will administer and

establishes the regulator itself. A second bill is to be introduced in the House later this year and will contain a number of policy refinements and technical amendments. Introducing the majority of agreed legislation at this time will ensure the creation of the corporate structures of the regulator. This will allow the Newman government to meet the time frames set by COAG for establishment of the corporate structures of the regulator prior to 1 January 2013.

Industry is fully supportive of the national law, as benefits gained will flow to itself and consumers. The introduction of this bill confirms to industry that the Commonwealth, state and territory governments are fully committed to the regulator reform. Industry has been actively consulted throughout the reform process and worked closely with jurisdictions on a range of issues. The level of consultation and engagement involved, including the creation of an industry advisory group in 2010, has been critically important to the success of the reform so far. This is no more evident than in the development of a forward work program. The forward work program addresses policy and technical issues in the amendment bill as well as matters to be addressed following implementation of the regulator.

Queensland operators will be able to contact one central regulatory agency—a one-stop shop, if you will—for registration renewals, logbook queries, access permits, escort requirements for wide loads and a host of other services. This will dramatically reduce operator costs and the time spent dealing with regulatory agencies. Currently, heavy vehicle operators and drivers must comply with multiple regulations in each jurisdiction that they enter. For example, an interstate operator taking freight from our Far North to the southern states is compelled to contact and receive access approvals from a number of state regulatory authorities. Each of those jurisdictions may apply their own specific access requirements. A single regulator will ensure that the current level of regulatory inconsistency, costs and red tape is dramatically reduced.

As an independent body, the regulator will assist with identifying issues and trends. It will be a catalyst for economic productivity, ascertaining measures that will improve safety, promote partnerships between government and industry, and make customer service more efficient and effective. The regulator will act as a central link between state road authorities and local governments to ensure that a single permit with a simplified set of operating conditions for all participating jurisdictions is issued. This can only be a good thing for the Queensland economy and for the hardworking members of the heavy vehicle freight industry.

I would like to conclude by thanking the National Heavy Vehicle Regulator Project Office, the National Transport Commission, all jurisdictions and industry organisations. Finally, the members of my department and the Premier have my sincerest thanks for their tireless efforts and ongoing commitment to the implementation of this reform.

First Reading



Hon. SA EMERSON (Indooroopilly—LNP) (Minister for Transport and Main Roads) (12.14 pm): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Referral to the Transport, Housing and Local Government Committee

Madam DEPUTY SPEAKER (Miss Barton): Order! In accordance with standing order 131, the bill is now referred to the Transport, Housing and Local Government Committee.

ENVIRONMENTAL PROTECTION (GREENTAPE REDUCTION) AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 12 July (see p. 1253), on motion of Mr Powell—



That the bill be now read a second time.

Mr COSTIGAN (Whitsunday—LNP) (12.15 pm): It gives me great pleasure to rise in the House to speak in support of the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012. Before I go any further, I wish to place on the record my thanks to those people from various organisations and industry as well as the community in general who provided submissions to the committee. Of course, I refer to the Agriculture, Resources and Environment Committee, now under the chairmanship of my good friend and colleague the member for Lockyer.

The committee has cleaned up a mess that, as far as I am concerned, Labor developed a long, long time ago. The term 'green tape reduction' is one that resonates with many people in my electorate of Whitsunday, particularly those people engaged in our sugar and tourism industries, two industries that come under the umbrella of the Newman LNP government's four-pillar approach to firing up the Queensland economy. In the case of tourism—and communities such as Airlie Beach have been to hell and back—this bill will help provide the framework and conditions for a renaissance of this once mighty industry, an industry that keeps Airlie's poor old heart pumping. In fact, on the back of the recent DestinationQ conference in Cairns—the first of its kind—this state government has agreed to a 12-month action plan to get the tourism sector out of the doldrums. That plan will see us tackle the previous government's red and green tape which, metaphorically speaking in my own vernacular, I wish I could chop up with a cane knife out the back of Bloomsbury. From a parochial point of view, I think the Premier summed it up rather nicely in the House on 10 July 2012 when he said—

... if you go sailing in the Whitsundays you are not allowed to go ashore. It is forbidden.

No, not the Forbidden City in the People's Republic of China; it must be the forbidden beach in my beloved Whitsundays. We have plenty of them; there are beaches scattered everywhere across our 74 islands. They are magnificent islands and those beaches invariably are without a single human being walking on them. Why do we have these forbidden beaches? Because of those Tarago troopers in the corner and their predecessors from the ALP. I acknowledge the hand going up from the member for Rockhampton. 'Oh what a feeling'? I do not think so.

As the Premier pointed out when talking about people sailing through the Whitsundays and coming ashore—

... they cannot put their hand on the beach or walk up and down and feel the sand between their toes ...

I point out to honourable members that we are talking about sand. In the case of world famous Whitehaven Beach, we are talking about almost pure silica sand—not mud, not volcanic lava, not anthrax. It is almost pure silica sand and it sucks in tourists like Julia Gillard sucked in the people of Australia with the tax from hell, the carbon tax.

The people of Queensland, including those in my electorate from Mackay through to the small communities south of Bowen, have had a gutful of red and green tape. It is okay if you are playing Rugby League for South Sydney, but not if you are operating in the tourism and sugar industries or in small business of course.

In fact, I might ask my colleague the Minister for National Parks, Recreation, Sport and Racing to join me with that cane knife up the back of Bloomsbury when the Whitsunday community cabinet takes place this weekend. We will shed as much red and green tape as possible and send it to the rabbit warren at Redfern marked to the attention of Russell Crowe.

Essentially, this bill rebuilds the approval process for environmental licensing under the act to cut costs, deliver greater certainty in terms of business investment and allow environmental regulation to be delivered with greater efficiency. A slow approval process does nothing—I repeat: nothing—to stimulate growth and jobs in our tourism industry in places like the Whitsundays. I have no doubt that if you ask the operators themselves in places like Airlie Beach and Shute Harbour they will tell you that and then some, perhaps with a little more colour than in Ken Done's studio. In fact, I spoke to one prominent tourism operator recently and, when asked about the red and green tape confronting his business, he said 'bureaucratically cumbersome at best' and 'prohibitive restrictions'. This bill will do plenty to help cut red tape and regulation toward that target of 20 per cent, as outlined by the Newman LNP government prior to the election on 24 March 2012.

Perhaps the best outcome here is that this bill will bring about a licensing system that is proportionate to risk. We have heard that term before in this place, but I will say it again: proportionate to risk. As the minister has pointed out previously, 'we will introduce a standard application process for lower risk businesses'. I did say 'lower risk businesses', so let us go back to what the Premier said in relation to coming ashore to those magnificent Whitsunday islands. Imagine the footprints on the beaches—a beautiful part of the world. Unless they are the size of King Kong, I do not think a few dozen tourists walking onto the beach will bring about an environmental disaster, no matter how quiet and remote the beach may be. As the Minister for Tourism has previously alluded to in this debate, thanks to this bill there will be opportunities in the areas of ecotourism and adventure tourism. That is good news for the tourism sector and therefore good news for the Whitsundays.

In this debate we have heard some ramblings from the member for South Brisbane. I say 'ramblings', because the member basically said that this bill is all thanks to the former Bligh Labor government. What I will say is that this bill, as far as I am concerned, is largely thanks to Labor's insatiable appetite for legislation. They love it. If the former government had been fair dinkum about this, why did they not come up with these reforms years ago, when they had the opportunity?

Mr Cox: It's the Labor way.

Mr COSTIGAN: It is the Labor way. After all, for 20 of the past 22 years they ran Queensland.

Mr Ruthenberg: Into the ground.

Mr COSTIGAN: I take that interjection as well. I have not showcased my work to my colleagues prior to my coming into the House today but, yes, they ran Queensland right into the ground, bringing in green tape galore.


Mr Ruthenberg: They left their own footprints there.

Mr COSTIGAN: They have left their own footprints in that regard. There is green tape galore. To see that, you just have to ask the cane-cookies from Narpi to Noorlah, right in the middle of the sugarcane belt that is in my electorate. They will use some of that colourful language that would be more befitting of the studio of one Ken Done.

Regardless of the origin of this bill, these reforms are most sensible. They represent a very good outcome for the environment. At the same time—and critically, might I say—they provide much greater scope to grow the Queensland economy. Do members remember how Peter Costello had to grow the Australian economy from the mess that he and former Prime Minister Howard inherited? That is what we in this House are trying to do. That is what the Newman LNP government is trying to do. It will take time, but we will do it.

I believe that these reforms will provide much greater scope to grow the Queensland economy—something that has to happen and will happen under this government as we start chipping away at paying back that \$65 billion—possibly up to \$85 billion or \$100 billion; who knows?—of debt accrued by state Labor. They are the Olympic gold medal winners when it comes to waste, waste and more waste. As a one-time sports broadcaster, I can hear the great Ray Warren calling it now: 'It's gold, gold, gold to Labor in the 100 metres debt.'

I salute the Minister for Environment and Heritage Protection for his stewardship in relation to this bill. Needless to say, I commend it to the House.

 **Mr MULHERIN** (Mackay—ALP) (Deputy Leader of the Opposition) (12.25 pm): I rise to make a brief contribution to the debate of the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012. As the shadow minister and member for South Brisbane has already stated, this is a Labor bill. The genesis of this bill preceded the minister sitting opposite and even preceded the former minister for environment, Vicky Darling. The idea and subsequent consultation for this piece of legislation was commenced by the former member for Ashgrove and former minister for environment, Kate Jones. The reason I make these remarks is to put on the public record that this bill did not somehow appear overnight. It was not an idea or a bill based on an election commitment by the now government; it was a Labor generated idea and a Labor generated bill.

As previous speakers have outlined, this bill will streamline the application process for environmental activities. Whilst I will not go into the technical details, I would like to put on record that this Labor generated bill is estimated to save 150 pages and an average of 68 days in processing time per application. In addition to this, this bill will provide a streamlined and flexible approval process; allow operators at multiple sites to amalgamate different environmental authorities onto one document, to allow one reporting date; and allow a more streamlined approval process for mining and petroleum applications. These improvements, coupled with many others contained within the 283-page bill, will allow the operator to operate within a less regulated, flexible environment whilst keeping the environment at the fore.

It is no secret that every bill that has come before this parliament can be constantly amended. That is why I will be supporting the amendments moved by the shadow minister and member for South Brisbane. One of the main issues the opposition has with the bill is the lack of time allowed for consultation during this session of parliament. During the public consultation period and hearing—

Mr Powell: Your version had 10 days.

Mr MULHERIN: I am talking about the parliamentary committee process. During the public consultation period and hearing undertaken on Wednesday, 6 June 2012 it was apparent that further finetuning could be done to make this great Labor bill into an excellent bill. But what did we see? We saw the LNP government rush through the consultation phase, with key groups such as the Local Government Association of Queensland and the Queensland Law Society stating that the bill had been rushed, allowing insufficient time for its impacts to be assessed. One of the main concerns that came out of the public hearing was the apparent lack of public submission time set aside for community members to have their say on major projects within Queensland but predominantly within the south-east corner of the state.


During the committee process there were a variety of submissions on this issue, but the main one was from the Environmental Defenders Office, which indicated that 20 days was too short and 50 days should be allowed for public consultation. This is something which is supported by the opposition and something that the shadow minister and member for South Brisbane has foreshadowed in her speech. As I travel the state—most recently up north in Cairns, Bowen, Mackay and Townsville—people are

talking about the lack of consultation that this government provides, which was evident during its public consultation for the current bill. Therefore, I was surprised when I heard the minister on ABC Radio on 23 July 2012 stating that he agreed with the Environmental Defenders Office that the community deserved more time to lodge a submission against a project and raised the days to 30 business days for small developments and 40 business days for large scale operations, with the ability for appeals on top of this. This is the same Environmental Defenders Office that the minister cut funding to only weeks prior, devastating the organisation and removing a vital source of information and advocacy service from the public domain.

Although this is a step in the right direction, we believe that we can go further than this and better empower our communities to have a say in activities that could last years, if not decades, into the future. Unfortunately, the minister could not help himself and continued playing politics with an important issue by implying that under the Labor government the public only had 10 business days to lodge an objection when, at the conclusion of the interview, he said that that certainly gives them longer than the 10 days previously had under the Labor government. The minister unfortunately was being a bit tricky with the truth, as Jo Bragg from the Environmental Defenders Office pointed out after the minister's interview that the community has always had 20 business days to lodge a public submission under the current legislation. It just goes to show that the minister is not serious about the important issue of the environment and would rather play politics with the issue to score cheap points. I table a copy of the *Courier-Mail* article which outlines this event.

Tabled paper: Courier-Mail article, dated 24 July 2012, titled 'Untangling green tape gets tricky' [610].

This Labor bill will form the foundation for positive environmental change within our state. It will allow business to better engage in our economy by cutting the burden of red tape and streamlining the process it has to go through whilst not compromising environmental standards. I look forward to supporting the shadow minister and the member for South Brisbane with regard to her amendments to better strengthen the bill. I commend this Labor bill to the House.

 **Mr KATTER** (Mount Isa—KAP) (12.32 pm): I rise to make a contribution to the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012. As always when approaching any issue it is important to have a proper understanding of the principles involved, otherwise any subsequent decision-making process will be flawed. So the principal question to be asked about environmental protection is this: what is the purpose of the environment? Environmental extremists will answer that it is an end to itself sitting above society. They would have society serve the environment. It follows from this that any impact society has on the environment is negative. The ultimate goal of environmental extremists is to ensure that human society has no impact on the environment. This is essentially an antiperson philosophy and it flows from a subversion of fundamental principles.

The truth is that the environment and its resources are at the service of society and are to be used for the benefit of society collectively and as individual persons. Once this proper understanding is achieved, another question needs to be asked: how are environmental resources best used to benefit society? It is obvious that for environmental resources to benefit society they must be extracted and refined. They must be captured and constructed from raw material into useful things. They must also be protected so that they are not wasted. This is simply making best use of these resources, and another word for this is sustainability. The word 'sustainable' has been misrepresented of late. Some would have it mean that the environmental resources that our state has been blessed with are locked up and kept out of reach. This is not a proper understanding of the word. The word 'sustainable' implies that activity is undertaken. With regard to the environment and its resources, it means that society is undertaking activity to capture those resources, exploit them and do something useful with them. This simple truth must be understood. There is no sustainable activity without activity itself.

The question for the House today when regarding this bill is this: is this bill primarily aligned with fundamental principles and will it provide a better outcome for Queenslanders in utilising environmental resources? I believe the answer is yes. For too long governments around this country have been beholden to environmental extremists and the antiperson policies pushed through by the Greens element. The Greens are a party that do not support people but rather would inhibit and reduce their forward development because they worship a false idol called the environment. They have a flawed view of the purpose of the environment. Most Australians would call them out of whack with Aussie values and the writing is on the wall for this party of extremists. Their time of reckoning is approaching. Their true colours have been exposed in their last two years of power and Australians have not liked what they have seen. Let me say here today that Katter's Australian Party is intent on removing the Greens from their position of power. They are not good for this country and we are coming after them. We are coming after them right across Australia. If the Labor Party is to rebuild its credibility, it must do two things. Labor must scrap its harmful relationship with the Greens in Canberra. This relationship is destroying Australia. Labor must also put the Greens last on every ballot across Australia. Posturing is not enough. Queenslanders saw through this posturing at the last election and shunned the Greens and Labor as a result.

Legislation in Queensland must ensure that, collectively and as individuals, our society can make best use of the environment. One cannot make best use of the environment when it is locked up and kept out of reach. I want to highlight some examples of the madness that has been occurring in Queensland. Business cannot make best use of the environment when regulations supposedly put in place to protect it mean that more time is spent on paperwork than useful, productive activity. The Chamber of Commerce and Industry Queensland has found that the overall complexity of environmental regulation and the high cost of environmental compliance are among the top concerns for businesses over the last three years. Green tape, environmental levies, fees and charges are not good for Queensland. I table the chamber's submission for the benefit of the House.

Tabled paper: Letter, dated 1 June 2012, from the Chamber of Commerce and Industry Queensland to the Agriculture, Resources and Environment Committee, regarding the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012 [611].

Farmers cannot make the best use of the environment when productive activity on arable land is curtailed by bureaucratic overheads imposed at the behest of extremists who have long wielded too much power and influence. I quote from an article published on 18 June this year in *The Land* regarding difficulties farmers faced when clearing their land, and I table it for the benefit of the House.

Tabled paper: Document by David Leyonhjelm, Baron Strategic Services, titled 'Property rights gone for the "general good"' [612].

The article states—

The consequences were devastating. Farms were almost frozen in time, with owners unable to clear land and not game to plant trees for fear they would be unable to remove them. Properties on which regrowth had established were rendered almost valueless.

Miners cannot make the best use of the environment when rich natural resources in empty tracts of land are locked away by extremists living thousands of kilometres away in latte land. I table a shameful report for the benefit of the House which highlights the high levels of funding extremist green groups in Australia receive from overseas. This report is titled *Stopping the Australian coal export boom* and is proof the Greens and their fringe lobby groups are anti people and anti Australian. I table that and quote the vision of this anti-Australian proposal which seeks to prevent Australia from gaining from the mining boom—

Our vision for the Australian anti-coal movement is that it functions like an orchestra, with a large number of different voices combining together into a beautiful symphony ...

Tabled paper: Document by John Hepburn (Greenpeace Australia Pacific), Bob Burton (Coalswarm) and Sam Hardy (Graeme Wood Foundation), titled 'Stopping the Australian Coal Export Boom: Funding proposal for the Australian anti-coal movement' [613].

Fishers cannot make best use of the environment when extremists from the other side of the planet dictate laws to the Labor/Green federal government to impose fishing restrictions which they would not allow in their own nations. For the benefit of the House, I quote from an article in *Fishing World*, which I also table for the House—

The US-based anti-fishing organisation Pew has admitted it pressured the Australian Government to lock anglers out of vast areas of the Coral Sea but would not take the same action in American waters because it would harm the US economy and disadvantage local fishermen.

Tabled paper: Document, dated 29 June 2012, titled 'Pew admits it targeted Australia for lockouts, left US alone' [614].

Tourist operators cannot make best use of the environment when ridiculous laws prevent visitors from accessing the natural beauty and features Queensland has to offer. In fact, within the last year Queensland government departments have considered such draconian bans as preventing tourists from feeding dolphins in Tin Can Bay. I table a news report regarding this for the benefit of the House.

Tabled paper: The Gympie Times online article, dated 21 December 2011, titled 'New dolphin feeding ban' [615].

It states—

In a new assault on the Bay's most famous and unique attraction—enjoyed and supported by thousands of people from all over the world each year—the Department of Environment and Resource Management and its agency, the Queensland Parks and Wildlife Service, seem to be attempting again what they failed to achieve in 2005—a total ban on one of the world's most charming wild-life experiences.

Families cannot make best use of the environment when green tape actually prevents the construction of homes. This is something that particularly impacts first Australians. A 2009 article in the *Australian*, which I also table, states—


A \$15 million Howard government project to enable Aboriginal people on Cape York to build their own homes has been stalled for more than two years because the Queensland Government is insisting that trees in the vast unpopulated region cannot be cleared.

Tabled paper: The Australian online article, dated 3 June 2009, titled 'Green tape halts housing as Queensland vetoes Cape York land clearing' [616].

All of these examples highlight the high cost of extremist environmental protection on Queensland. Let me be clear: I am not opposed to environmental regulations. Regulations and bureaucratic activity are an important function, because without sensible planning arrangements there would be chaotic, dysfunctional and destructive environmental practices.

However, regulations and bureaucracy also have limits. These necessary requirements are in place only to facilitate access to and exploitation of environmental resources for the good of society. If these regulations are preventing this from happening, then they need to be changed.

I give credit to the government for making it a priority to reduce environmental green tape. This is necessary if Queensland is to develop, grow and prosper. I note that this bill is only a first step in the process and does not address many of the issues that I have raised, but it is a good start.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (12.40 pm): I rise to speak to the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill. In doing so I want to make a short contribution. This is a significant bill of 283 pages and it has the potential to have an impact on the community, particularly the community that I represent. I think that there would be many who live in the electorate of Gladstone who would support the reduction of red and green tape—and I do, too. However, the reduction in regulatory obligations must also be matched by the protection of the community that may be affected by approvals under this legislation.


I note that there are four main areas of reform: a licensing approach that is proportionate to the environmental risk, streamlined approvals for resource activities, flexible operational processes and approvals, and streamlined information requirements for numerous environmental approvals. A licensing approach that is proportionate to environmental risk sounds eminently logical and appropriate, and I welcome that. In my electorate there are some operations that potentially have significant risk of environmental harm. It would be counterproductive for those operations not to have to comply with significant obligations in terms of protection of the environment and their accountability to the government and to the community in relation to that environmental protection. I make that comment, because I know that in my community there would be people who would be concerned if major projects were allowed to have skinny environmental approval processes.

I know that for a long period a streamlined approval for resource activities has been an issue before the government. I seek some clarity on the flexible operational processes and approvals. Recently, there has been an incident in my electorate that I know the minister is across in relation to operational processes at the port. The port was issued with a temporary environmental permit. However, it knew of that exceedence for over eight months. I seek clarification that the changes in accountability and approval processes in this bill will not in any way diminish the obligations on companies, whether it is Gladstone Ports Corporation, mining companies or the LNG industry, to the community.

The other matter on which I seek clarification is whether this bill in any way diminishes the opportunity for landowners to have their rights and their protections properly considered. Even under the legislation as it stands currently, many landowners feel disenfranchised. They feel that there are not the opportunities for them to be able to comment on projects that will impact on their properties. If there is going to be a streamlining or a reduction in time and complexity of the approval process for major projects, I would seek the minister's comment as to whether there will be a reduction in the opportunity for landowners and others affected to make comment on, object to, or inquire about projects that will impact on them personally and on their properties and whether the reduction in approval time will diminish the opportunity for these people not only to get the paperwork in if they have concern but also to fully understand the project in terms of its impact on their property.

I note that under the Intergovernmental Agreement on the Environment three principles will remain: the precautionary principle, which has significant impact when you look at the detail of what the precautionary principle is; the intergenerational equity principle; and the conservation of biological diversity and ecological integrity principle. Those three principles encompass many concerns in the community, but I would be interested in the minister's comments in relation to the need to continue adequate and achievable protection for landowners when these major projects arise. Most projects in my electorate are major projects. People in the Surat Basin also need to know that their interests are going to be protected and that their opportunity for information and comment and objection is also protected.

As I said, there is a lot in this bill. However, I am interested particularly in those matters. Will the removal of an EMP and replacing it with a clear list of application requirements reduce the opportunity for an objection by landowners? There is not much of an opportunity for objection now under an EMP or changes to an EMP, so I am interested in that. The bill also allows public notification to occur earlier in the process—and I welcome that—reducing assessment time frames by about three months. I look forward to the minister's response, because those matters are of infinite concern to people in resource-rich areas.

 **Mr KRAUSE** (Beaudesert—LNP) (12.45 pm): I rise to speak in support of the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012. Firstly, I commend the minister for the timely manner in which the bill was brought to the House, underscoring the importance of the reforms contained in the bill to the Queensland economy and the regulatory framework for environmental protection. Secondly, I would like to note the constructive and collegiate manner in which all members of the Agriculture, Resources and Environment Committee—government and non-government members—undertook their task of reviewing this bill, hearing public submissions and

making inquiries of and seeking clarification from the minister. In particular, I thank the chairman, the member for Lockyer, and the member for Gympie for their contributions. The member for South Brisbane even contributed positively to the committee's deliberations. If only the member for South Brisbane would bring her constructive attitude in the committee to this House. If by some measure of a miracle we were to see that—and see that from members opposite generally—we might finally see the members opposite show some contrition for the mess in which they left this great state of Queensland.

Mr Berry: And apologise.

Mr KRAUSE: We can only hope. When I listen to the speeches of the members opposite in relation to this bill, it is a bit strange to marry their comments in this House with some other comments they have made in the media. It is like they cannot make up their minds whether they support the bill or not. In particular, when the member for South Brisbane spoke to this bill she claimed it very adamantly as a Labor bill and very much wanted to take the credit for all the reforms being made to the EPA by this bill.

Mr Johnson: It will be interesting to see how she votes.

Mr KRAUSE: It will be interesting to see how she votes. I take that interjection from the member for Gregory. But I see in the paper today comments by the member for South Brisbane about the process by which this bill has come to this place, in particular the consultation process that has led to this bill being brought in here. I note that there was consultation on the bill, in its former form, by the previous parliament. That consultation was included in the activities of the Agriculture, Resources and Environment Committee in this parliament. The member for South Brisbane is quoted in the paper as saying the following—

It's legitimate to ask if they are fair dinkum about consultation.

I have had cause to bring up this matter in previous speeches in relation to bills, but I ask the House: how can members opposite question whether we are fair dinkum about consultation when we look at their record of consultation on things like the asset sales? Was the previous government fair dinkum about consultation in relation to asset sales and the split of QR National?

Mr Berry: Two weeks.

Mr KRAUSE: Two weeks. Was the previous government fair dinkum in consulting with community and business on the introduction of the waste levy? Was the previous government fair dinkum when it introduced exploration permits for coal seam gas over the entire Scenic Rim without any consultation with any of the landholders in that community? It is duplicitous in the extreme for the member for South Brisbane to get up in this House and claim this bill as a Labor bill and then go to the media and bag the process by which it has come to this House. The member for South Brisbane cannot make up her mind whether she supports the bill or not. I ask the members of this House, including the members opposite: would the real Jackie Trad please stand up?

I am quite pleased to see that a number of submissions made by the committee have been adopted by the minister and will be presented to the House further into this process as amendments to the bill. The efficiency in bringing the legislation to the House and the positive contribution of the committee demonstrates a commitment by this government to take the required steps to ensure Queensland's economy fires again. This can be so easily contrasted with the actions of the former government that shamefully allowed the former version of this bill, introduced in the last parliament, to lapse when the election was called. It preferred instead to ram through this parliament the Civil Partnerships Act in a desperate act to try to save the former Treasurer, the former member for Mount Coot-tha, from electoral oblivion. It did not work.

Mr Powell: And the member for Ashgrove.

Mr KRAUSE: The former member for Ashgrove as well. I take the interjection from the minister. Labor never let good policy get in the way of politicking and it is still doing it now in opposition. Those opposite will do and say whatever they need to to stay in office. By shelving the former version of this bill they show to Queensland business their true colours. The passing of this version of the bill, which will ease the burden of regulation on business, will, to coin a phrase from another era, unchain the heart of business. It will do away with the unnecessary slow and duplicative environmental regulation. Instead of governing for Queensland and its economy, Labor preferred to pass another tax in the form of the Waste Reduction and Recycling Act, a result of which was to impose yet another tax on thousands of businesses that simply could not afford it and to raise the cost of living even further for everyday Queenslanders.

As we have heard here in this place in previous sittings, members opposite are still clinging to waste, taxes and the absolute hypocrisy with which they conducted themselves in government. They defended a waste tax in this place just a few weeks ago which was thoroughly rejected by Queenslanders. It seems they are cuddling up to the Greens at the very time the rest of the ALP is trying to distance itself from the Greens. It is nonetheless encouraging to see them clinging to the wreckage of the Bligh Labor government which took them to the depths in which they find themselves now—seven seats—a Tarago.

Ms Trad interjected.

Mr BERRY: I rise to a point of order. I know that the member for South Brisbane has adopted the seat of the Leader of the Opposition, but if she is going to interject she has to go back to her own chair.


Madam DEPUTY SPEAKER (Miss Barton): As shadow minister she has carriage of the bill for the opposition.

Mr KRAUSE: I congratulate the minister on taking immediate decisive action through regulation to abolish the waste levy and I am pleased to be able to speak in favour of this bill here today. Let me consider briefly some of the features of this bill, which was left to the LNP to bring to this place, that will ultimately benefit all Queenslanders. The bill and the green tape reduction project will produce estimated savings of \$12.5 million per year, contributing to the government's policy to reduce regulation and red tape by 20 per cent. That is something that businesses in my electorate, and businesses all across Queensland, will welcome with open arms. In particular it will introduce a process for standard applications with standard conditions for specified operations which meet set criteria. It is estimated that following implementation around half of all environmental applications will be able to go through this standard process. It will save each applicant on average \$20,000 in preparation costs, 150 pages in avoided application materials and 68 days in processing time which is a reduction of approximately 62,000 pages of application documents per year. This does not just save business time, it also saves officers in the department time which results in greater efficiencies all round for business in this state. In particular I know that businesses in my electorate, such as AJ Bush, Gelita, the Enright sawmill and various agricultural operations will welcome the simplification and streamlining of environmental application processes. There are examples of environmentally relevant activities that a standard application may apply to, including wooden product manufacturing, screening and waste transfer stations. Might I add to that list and say that motor mechanic workshops like Geiger Motors in Canungra should also be a part of this standard application process. The business of a motor mechanic shop is not new to society and there should be standard conditions that apply to these businesses when they are sold or moved into other ownership so the process of selling businesses is made more simple. Such businesses should not be subject to vigorous site-specific applications.

There are other initiatives contemplated in this bill which will also be of benefit to business in my electorate and all over the state, including looking into a proposal to remove the need for small businesses to obtain environmental authorities. Motor vehicle workshops are one of those areas where that is proposed. This is the crux of where we are going with this bill. This bill does not pretend to be a complete reform of the Environmental Protection Act, although I think there is some merit in looking at doing that some time in the future, but the department should have a goal of constantly assessing whether regulation is necessary and perhaps look at a system where there can be conditional exemptions given to some operations subject to regular ongoing compliance over time so that the department and the regulatory authorities adopt a more passive role in implementing and policing the provisions in the act.

Might I also make reference to the streamlining of information requirements. The bill provides a clear list of information that needs to be in an application for an environmental authority. This will reduce the number of matters that need to be considered by an officer to make a decision to approve an authority and, not only that, it will stop the back and forth of information requests between officers and businesses making environmental applications. This is obviously going to save time, money and get projects and businesses into operation in a more timely manner.


There has been consultation carried out on this bill, both in 2011 under the former version of the bill and this year. Peak industry associations have reaffirmed their support and the Agriculture, Resources and Environment Committee received feedback from a number of those stakeholders. The bill is a start on the road to a reform of the Environmental Protection Act and the environmental protection regime in this state. Might I also add that whilst it is not contained in this bill, members in rural and regional areas will also be looking in the future for some review of vegetation management regulations as they apply to the removal of regrowth in rural areas and some relief from the vigorous monitoring and enforcement which has been to date carried out by the Department of Environment and Resource Management. Where areas have been cleared they are subject to regrowth and that regrowth then needs to be cleared. But I digress. I commend the bill to the House and thank the minister for bringing it to the House so promptly.

 **Mr COX** (Thuringowa—LNP) (12.57 pm): I wish to support the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012. Firstly I wish to thank the committee, especially the research team led by Rob Hansen, for their efforts. The committee thanks those who briefed it, made submissions, gave evidence and participated in its inquiry. In particular the committee acknowledges the assistance provided by the Department of Environment and Heritage Protection.

This is the most significant reform to the licensing process under the Environmental Protection Act 1994 since it commenced. The committee's process, brief but thorough, involved obtaining advice from the Department of Environment and Heritage Protection on the differences between the 2011 and the 2012 bills. The committee published comparison versions of the bills and explanatory notes on the web pages. It considered eight submissions accepted by the Environment, Agriculture, Resources and Energy Committee on the 2011 bill and advice on the submission that the committee received from the former Department of Environment and Resource Management. It invited submitters to the Environment, Agriculture, Resources and Energy Committee to revise their submission in view of the 2012 version of the bill, notifying other stakeholders of the inquiry and accepting further submissions, receiving briefings by the Department of Environment and Heritage Protection officers and hearing evidence of five stakeholders at the hearing on 6 June 2012. All these transcripts were available on the parliamentary website and were broadcast live. Unfortunately we now see, going on from here, that we do have to hear more from the opposition and the member for South Brisbane in an attempt to make amendments. Obviously they do not see that the committee followed a thorough enough process, which I find just another stall.

The committee also sought advice from the Department of Environment and Heritage Protection on possible fundamental legislative principles issues based on briefings prepared for the committee office's technical scrutiny secretariat. The Minister for Environment and Heritage Protection, the Hon. Andrew Powell MP, noted in his introductory speech that the main objective of the bill is to introduce a transparent and simplified regulatory system for environmental approvals. The bill seeks to amend the Environmental Protection Act 1994 to introduce a licensing model proportionate to environmental risk, introduce flexible operational approvals, streamline the approvals process for mining and petroleum and streamline and clarify information requirements whilst maintaining environmental outcomes. In addition to amending the Environmental Protection Act 1994, the bill seeks to amend 15 other bills which I will not list. The bill is an outcome of the green-tape reduction project announced by the former Labor government in 2000.

Sitting suspended from 1.00 pm to 2.30 pm.

 **Mr COX:** The Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill is an outcome of the green-tape reduction project announced by the former Labor government in 2009 as part of ClimateQ: toward a greener Queensland, which was the former government's climate change strategy. The project commenced in 2010 and sought to reform the licensing framework for environmentally relevant activities under the Environmental Protection Act 1994, focusing on application and assessment processes. Unlike the Labor way, an LNP government has not taken two years to act on the bill and is not just taking care of the environment but also is considering the interests of business, industry and this state of Queensland now. The key aim of the green-tape reduction project was to reduce licensing costs for industry and government without compromising environmental standards. As noted by the minister, the bill seeks to achieve this aim by introducing a single integrated approval process for all environmentally relevant activities, ERAs, from a small motor vehicle workshop to the largest mines. The single process has five clear stages for all environmentally relevant activities, including mining and other resource activities.

During the public hearing the committee questioned departmental officers about residual risk payments and how they would be calculated. The questions were taken on notice. In a written response received on 7 June 2012, the department advised—

The department is unable to give an example of a residual risk payment under the current Environmental Protection Act 1994 equivalent of sections 318ZK to 318ZN as a residual risk payment has never been required under those provisions.

The department does not currently have a published methodology for calculating a residual risks payment, but a methodology is currently being developed in consultation with industry.

The committee is surprised that, at this late stage, the department had not finalised how to calculate the payments provided for the bill and that the methodology is still subject to further consultation with industry. For the information of the House, the committee recommends that the minister advise when his department will have completed calculating the methodology for risk payments and whether there is any outstanding risk to the state by not having this calculation completed. I wish to thank Minister Powell for addressing this in his speech earlier. I commend the minister for answering and considering the committee's recommendations. The committee recommends that the Committee of the Legislative Assembly considers options to ensure that the parliament and its committees, in their examination of bills, are duly informed of methodologies for the calculation of fees and payments provided for in bills at the time the bills are presented to the House.

Once the changes contained in the bill are fully implemented, which is expected to be in March 2013, about half the environmentally relevant activities, which equates to about 410 applications a year, will be able to go through a standard application process. By going through the standard automatic application process, each applicant will save thousands of dollars in application and preparation costs. The government estimates the bill will help achieve for Queensland business savings of about \$12 million a year and the process will save applicants pages and pages in avoided application materials and up to 68 days in processing time. At the moment, most environmentally relevant activities

go through a one-size-fits-all system. It is clear that this bill will streamline the administration process but, more importantly, these changes will make it clearer and more cost effective for small business to establish itself in Queensland. The bill supports the Newman-led government's direction in acknowledging not only the importance of the environment but also that of small business and industry in helping to get the state back on track, unlike the Labor way. I support the LNP's Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012.

Mr WELLINGTON (Nicklin—Ind) (2.34 pm): It is great to be able to rise to participate in this debate on the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill following the member for Thuringowa. It is also great that we have an Independent deputy speaker in the chair. I do not intend to repeat all the matters that have been raised by other members who have spoken on this bill. Suffice to say that it makes a lot of sense. As the member for Thuringowa and other members have recognised, work started on this plan to cut red tape in 2010. That was acknowledged by the minister in his second reading speech. I note that the overriding principle is to try to bring licensing into proportion with the risk involved. When I was reading the material, I noted that the bill consists of 283 pages, the explanatory notes go to 196 pages and there are amendments to be moved by the opposition which I am interested to pursue during the committee stages.

When I was reading the material in relation to the overriding principle that licensing is to be proportionate to the risk, I reflected on a matter that has been front and centre in my electorate over the past few years, which was a Powerlink proposal to build a new transmission line through an area where there was no transmission line. The real issue was the different opinions about what was the risk. Certainly, various parties believed that the powerline would cause no risk to the community, yet my constituents had a different view on that issue. I note that the bill is trying to cut red tape for small business, but I do have a bit of a quandary about the definition of 'risk' when there is a difference of opinion between bureaucrats and the community as to how to interpret that concept.

I note that a number of ministers are in the chamber at the moment whilst we are talking about the issue of cutting red tape and trying to better clarify the status of the law. Recently I wrote to the Minister for Environment, the minister responsible for primary industries and the Minister for Transport on a similar matter. A whole range of state departments are involved in the Maroochy River and issues around the management of fish habitat, transport issues, river safety, boating safety, fishing, bank erosion, water skiing and so on. There are many issues involved. Property owners whose land adjoins this area of the Maroochy River are trying to get some resolution, to ensure that they can protect their property and stop the continual erosion of the riverbanks.


I note the proposed cutbacks in staffing for the various departments. Recently the Sunshine Coast Regional Council was approached and asked to take the lead in trying to resolve this. The council was of the view that it was not able to take on the additional duties that the state government officers were asking it to take on, because the council is also facing significant staffing pressures. Although I know that is not directly on point, I raise it here to see if we can get all the ministers and the departments together, as we did a few years ago, to see if one department will take the lead agency role to resolve all the issues of conflict between the fish habitat, boating and recreational and commercial fishermen. The council, too, is very keen to be involved. If we cannot come forward with a sensible resolution so that landowners can do the work they want to do on the riverbanks to prevent continual erosion, frankly, they will say that this government is as bad as the last because no-one has shown any real leadership. Perhaps the ministers will find the time to respond to the issues about which I have written to them. Maybe some department officers can sit around a table with council officers, representatives of the community and myself to try to resolve those conflicting issues. When previous state government officers wanted the council to be the prosecution arm, council said, 'No way. If you want to prosecute landowners for doing what you believe is the wrong thing, you become the prosecutors.' Fortunately nothing happened, but certainly we need to see this issue resolved as soon as possible.

On another issue in relation to cutting red tape—and I note that the Minister for Local Government is here—recently I had a meeting with a business which has been building garages and carports for many, many years and they shared with me their experiences that they have had with all of the local councils and their differences in regulations and the cost of compliance. They said, 'It is the same carport. It is the same garage. Yet look at the difference between what is required by the various councils and the hoops we have to jump through and the costs.' In some instances the cost of compliance was greater than the cost of building the carport! And councils wonder why so many constituents in South-East Queensland just throw their hands in the air and say, 'Sorry, I'm going to build it and forget about council compliance.' Something is drastically wrong when the cost of compliance outweighs in some instances the cost of building a simple carport.

I say to the Minister for Local Government that I commend this government's attempt to reduce red tape. I hope the government can take it further and lead the way, especially with councils. I know the government says, 'We want to empower councils to take the lead and do their own thing and we are not going to stand on their toes.' But my view is that, if our councils are not going to cut red tape and businesses that deal across all of these councils can show the very clear inconsistencies between councils and the ridiculous fees and charges, then surely there is a case for the state government to say

at the next Local Government Association meeting that maybe the state government needs to take the lead to show that we also want councils to cut red tape to make it easier for small business to operate in our great state of Queensland.

I have read the amendments that the opposition has foreshadowed. I think they make a lot of sense, so I will be very interested to hear what the minister's response is to those amendments. I commend the bill to the House and look forward to the minister's response to the matters that have been raised in this debate.

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (2.41 pm), in reply: I start by thanking and acknowledging all honourable members who took part in the debate not only today but over the various days of the preceding sitting week. Members in the House made it clear that there is overwhelming support for the green-tape reduction solutions provided by this bill. This is a bill that is good for industry, it is good for regulators and it is good for the environment.

Just to give some indication of how well received this bill has been by the broader industry as a whole, I recently met with an industry representative who presented me with this lanyard. For those who cannot see it, it says, 'Greentape reduction champion', and there is a picture of a green frog on the back. I note many of the comments made by those opposite, including by the shadow minister, that they really do feel that this is their bill. I would like to think that I am a fairly reasonable guy. I would be happy to share this lanyard with the shadow minister and with members opposite in acknowledgement of the 14 years of effort that they made in preparing the bill and in presenting it to the House. Unfortunately, they let it lapse. But I am very happy to share this in recognition of the work that the government as a whole has done in terms of reducing green tape.

Mr Bleijie interjected.

Mr POWELL: I am not going to take the interjection of the Attorney-General in this instance. But I think it is important to note that industry has been anticipating this bill and it is looking forward to it. Certainly, as the regulator, I know that my department is looking forward to the benefits that it will achieve as well. As most of the key elements in the bill have been sufficiently covered in debate, I will limit my reply largely to responding to the issues and questions raised by members during the debate. Let me start though by addressing some of the less than helpful contributions particularly from those opposite.

A couple of weeks back the member for South Brisbane suggested that the only delay in proceeding with this bill—the only reason it lapsed—was the election. Not only can I point out the fact, as I just did, that they had roughly 14 years in which they could have acted in bringing forward this legislation; but I also point out the fact that it was presented at the time it was and that six other pieces of legislation were introduced at either the same time or after Labor tabled their version of this bill and those were all debated and passed. I commend the member for Beaudesert for picking up on this because that certainly was the case.

If green-tape reduction were the priority for the former Labor government, they would have addressed this. They would have brought it forward for debate like they did six other pieces of legislation. What were those pieces of legislation? We had the failed Building Boost Grant Amendment Bill, the Criminal Organisation Amendment Bill, the Holidays and Other Legislation Amendment Bill, the Strategic Cropping Land Bill and the Civil Partnerships Bill, as the member for Beaudesert pointed out. So the point is not that it was their bill but that it was clear that they had no desire to see it implemented under their jurisdiction, under their government. So we saw it lapse when the election was called.

The member for South Brisbane also referred to the Queensland Law Society submission to both the former EAREC and the new AREC, the parliamentary committee that considered this bill. In relation to the Queensland Law Society submission, I think the former environment minister would answer the same as me. That submission has been provided to the OQPC and ultimately it is for the OQPC to determine the drafting language. Certainly I have taken on board the comments, but ultimately the Queensland Law Society possibly needs to sit down with the OQPC to sort out some of those differences of opinion.

The member for South Brisbane also referred to the bilateral agreement and in fact spent considerable time talking about the bilateral agreement.

Ms Trad: Important issue.

Mr POWELL: It is an important issue. I take the interjection of the member for South Brisbane. It gives me another opportunity to raise what our government is doing. It is worth putting on the table again why UNESCO is at all interested in what is going on in the Great Barrier Reef in the first place—and that is that the federal Labor government and the former state Labor government failed to notify UNESCO when approving projects on Curtis Island in the Gladstone Harbour. It was not anything to do with the management of the environment from our perspective, but it was the inability of the previous Labor governments at the state level and the federal Labor government still operating in Canberra to notify UNESCO that those projects were underway.

But it is worth noting that we are delivering for Queenslanders, we are delivering for the Commonwealth and the World Heritage area state party, and we will deliver for UNESCO, as we have outlined on numerous occasions now the seriousness of the matter, the work we are doing in conjunction with the Commonwealth government in terms of the strategic assessment of the Great Barrier Reef, our work around port strategies and the various other elements that we have committed to as part of our response to that UNESCO report.

A couple of other members have rightly picked up on the reference a number of times throughout the member for South Brisbane's speeches to the 'Labor way'. What we have clearly seen is that the 'Labor way' is not to deliver. They had an opportunity to deliver this bill, to pass this legislation to deliver this reform, and they could not do it. The Labor way is debt.

Ms Trad: The fact that you're doing it is testament to the fact that we did it. You have been in this House for two days.

Mr POWELL: Labor had 14 years, member for South Brisbane, in which to see this bill through the chamber and could not achieve it. Instead it put six other pieces of legislation through in the same period of time. As the Premier is often saying, the 'Labor way' is debt, deficit and deceit. I think that pretty much sums up the situation here.

It is also worth pointing out that the member for Mulgrave in his address to this bill suggested that no-one on our side has an environmental bone in our body. I think it is worth stressing again that he said that no-one on this side of the chamber, including our LNP colleagues sitting over there next to the opposition, has an environmental bone in our body. Let us take a look at two former environment ministers. Perhaps I will start with the former member for Ashgrove. Do not take my word for it. Let us look at what Des Houghton had to say about her experience—

Mrs Miller: You make us laugh!

Mr POWELL: They just don't want to hear it, Madam Deputy Speaker.

Ms Trad: No, we don't want to hear from Des Houghton. You're right!

Madam DEPUTY SPEAKER: Order! I call the minister.

Mr Emerson: They hate journalists.

Mr POWELL: I do not know why they hate journalists, Minister for Transport. I really do not. Obviously if it is not on the front page of the *Courier-Mail* it is not worth bringing into the chamber.

Des Houghton said that the former member for Ashgrove 'has been a prisoner of the Labor Party all her adult life and has little experience outside of it'. A quick summation is that, after completing an arts-journalism degree at QUT, the former member for Ashgrove worked in the office of former state Treasurer David Hamill at the age of 21. From there she switched to the office of former public works minister Robert Schwarten. I acknowledge that like a lot of us in this chamber she also worked in small business at the age of 14 and that was with McDonald's. My first job was with Myer at Strathpine—a very reputable organisation.

Ms TRAD: Madam Deputy Speaker, I rise to a point of order. I ask you to rule on relevance. What the former environment minister did for employment purposes before she came into this House has no link at all, I would suggest, to the bill that we are debating.

Madam DEPUTY SPEAKER (Mrs Cunningham): Order! There is no point of order. I ask the minister to return to the bill, but I think he is being encouraged to go elsewhere by the interjections.

Mr POWELL: Thank you, Madam Deputy Speaker. I will return to the bill, but I am, as I said, responding to an issue raised by the member for Mulgrave in his speech on this bill when he said there is no-one on this side of the chamber who has an environmental bone in their body. As I return to the bill, might I add that the former member for Sandgate completed a Bachelor of Arts in recreation and administration at Griffith University—I know that some of those studies touch on environmental matters, so I will acknowledge that—but then worked as a public servant, recruitment consultant, travel agent manager, and TAFE lecturer. I will not focus necessarily on what previous environment ministers did. I will not even speak of the fact that as part of my science degree I studied subjects such as biogeography, climatology and geomorphology, but I will point out that the Assistant Minister for Natural Resources and Mines is an environmental scientist and has worked in the industry. To suggest there is no-one on this side of the chamber with an environmental bone in their body is a bit rich. It is stretching the truth a little too far.

I turn to the more positive and constructive contributions from members on both sides of the chamber. Both the member for South Brisbane and the member for Mulgrave foreshadowed that the opposition have amendments which they believe will improve and enhance this bill. I return to their original statement where they endorsed this bill. I think the member for South Brisbane used the words that this does not neglect the primary goal of protecting the environment. This is purely about administrative change. It does not in any way reflect or neglect the primary goal of my portfolio, and that is of protecting the environment. I thank the member for those words.

I have only recently had an opportunity to see these amendments, but I have gathered from the member's speech supporting this bill that they centre on the public submission period. I imagine we will have considerable further discussion during the consideration in detail stage. Not only has this period already been increased from Labor's bill—and, again, I am sure we will speak at length on that during the consideration in detail stage—I put it on the record as part of my response to the report by the Agriculture, Resources and Environment Committee that my department will work with the Department of Natural Resources and Mines to develop a guideline for the decision maker to use their discretion to extend the submission period from 20 to 30 business days for large mining or petroleum operations. This allows six whole weeks for community groups and individuals to make a submission. I would like to point out that this does not include public holidays or the Christmas period. If this is the case, additional time will be allowed.

I have specifically ensured that the extensions to the public submission period apply only for large mining or petroleum operations and not small to medium operations, the reason being small to medium operations are the least likely to attract third-party submissions and an extended submission period is likely to have a big impact on the company in terms of delay, with little to no gain in community engagement or environmental outcomes. If in doubt and an extended submission period is required, the guideline can be used to exercise the existing discretion and extend the time allowed. This is a common-sense solution to ensure that only those operations which need the extra time will be delayed further. The member for Dalrymple also raised this issue along with the need for the right information to be provided. I agree with him and this is why the bill requires that all application documents are kept on the proponent's website during the assessment process. This means that the right information is accessible to all concerned.

The member for South Brisbane also asked me whether I would delay commencement of the bill until after this financial year. This bill has already been delayed, as we have just discussed, and to delay it any further would impact on business in Queensland, especially small businesses which can least afford to absorb costs for those extra months. Not only that but smaller local governments which will also reap the benefits of the bill will have to persist with the more expensive system of approvals for a number of months if this bill does not commence in March 2013.

The member for South Brisbane raised concerns about section 133 of the bill, which allows for a simple administrative process to make minor changes to an application. I wish to bring to the member's attention that 'minor change' is fairly narrowly defined and includes changes like correcting a mistake about the name or address of the applicant or correcting a spelling or grammatical error. These are changes that are very unlikely to have a dramatic impact on the community or the environment. The member for South Brisbane also asked that I and my department look into better ways to capture information on suitable operators. I believe we already have systems in place to address this issue. As I mentioned in my tabled response, not only am I moving amendments to the bill to deregister inactive operators after five years, my department has administrative procedures in place to obtain information on prosecutions for environmental offences in other jurisdictions. This information on the operator's environmental record may then be grounds to cancel or suspend the person's registration if my department is satisfied that it amounts to the person not being a suitable operator.

The member for South Brisbane tabled a memorandum issued by the acting director of the Environmental Regulatory Practice Unit in my department. I would like to point out that the advice given in this memorandum is merely common sense and not politically driven. If my department were to interpret ambiguity or uncertainty in the legislation as leading to a greater impost on business, I am informed it is very likely that this decision would be overturned on any appeal since ambiguity or uncertainty in the legislation tends to be interpreted by the courts in favour of a non-government party to the proceedings. Quite frankly, I saw that so-called leaked document as good news. Not only are we addressing what is really a legal matter around ambiguity and uncertainty; it is also showing that there is a cultural change occurring in the department. We are willing to work with industry where industry is committed to achieving high environmental outcomes.

I thank all members for their contributions during the debate. I note that the many attributes of the bill were widely acknowledged by members of the House. The member for Burdekin, for example, commented on a number of advantages that the proposed risk based licensing system will provide. As outlined previously, the bill contains amendments to the Environmental Protection Act 1994 that remove the current requirement for an environmental approval and amendment to the Sustainable Planning Act 2009 to remove the requirement for a development approval for low-risk environmental activities such as tyre storage. These are low-risk activities usually run by small to medium businesses. The standard application process will save each applicant an average of \$20,000 in preparation costs, save 150 pages of application materials and save the business from waiting 68 days in processing time. These fees will be history following the passage of the bill, as eligible low-risk businesses will instead be able to obtain an automatic environmental approval with standard conditions which are published and developed in a transparent way based on an assessment of the risk associated with the activity.

I am pleased to reassure the House that the new regulatory framework will not come at an environmental cost. Again, I refer to the comments made by the shadow minister that this is not about neglecting our environmental responsibilities. Whether environmental activities are low risk or high risk, they will still be required to meet the conditions set by the department and the environmental outcomes will not be affected. Madam Deputy Speaker, I think that addresses in part some of the concerns you raised, but I will come back to your specific questions later in my summing-up.

The members for Chatsworth and Albert spoke about amendments to the Environmental Protection Act that will change the way environmental approvals work by introducing corporate licences that are more flexible for operators. This will mean a substantial green-tape reduction for many operators in Queensland via two key avenues—No. 1, existing development permits and environmental authorities can be rolled into one and, No. 2, a company with more than one site can operate under one permit instead of separate permits for each site. Once again, these amendments will bring great savings not only for Queensland businesses in the form of reduced application fees, delay fees and annual fees but also for Queensland taxpayers as the hours and resources spent by government administering the permits will be significantly reduced. The flexibility provided by the provisions in the bill mean that businesses may have more say in how they are regulated while ensuring that the same stringent environmental standards are met.

The members for Pine Rivers and Albert conveyed the importance of maintaining strong environmental safeguards. This bill is about ensuring that the greatest regulatory effort is aimed at those activities which present the greatest environmental risk. In addition, by publishing the eligibility criteria and standard conditions for low-risk activities upfront, applicants know what is expected of them in carrying out an environmentally relevant activity and can establish and situate their businesses in appropriate locations with appropriate infrastructure in place to obtain an automatic approval on standard conditions.

I feel it is also worth reiterating points made by the member for Pumicestone in relation to the significant benefits to the mining and petroleum industry. The bill streamlines the approval process for mining and petroleum activities by replacing the current complex process with a clear, easy to follow procedure from initial application through to approval or refusal of the permit—no more duplication, no more onerous administration. This is regulatory simplification that is long overdue. I would like to emphasise that regulatory simplification of this significance and scale could only be achieved with the ongoing commitment of industry, community and government stakeholders more broadly.

I will just address a few other points raised by a number of other members. The member for Gaven and a couple of other members suggested that this is a good start but that more work needs to be done. As I informed the House, this is stage 1 of the green-tape reduction that my department is working on. We are currently working on the Environmental Protection Regulation, and we have plans to bring changes to that. Subsequent to that, we will bring further changes to the Environmental Protection Act. I stress again that this is not about watering down environmental standards; it is about improving and streamlining our administrative processes to ensure that the most effort and the most focus is placed on those industries and those approvals that require the most intricate and detailed investigation.

I would like to thank the member for Gympie for his comments. He referred to the fact that what we are seeing today is democracy at work—where the committee had suggested a number of recommendations and sought further clarification and, as the minister, I am given the opportunity to bring forward amendments based on the committee's recommendations. This shows that the committee structure is working and that it is democracy in full flight. I would like to thank the member for Gympie for identifying that and acknowledging that.

If I could turn to you, Madam Deputy Speaker, and the questions you raised in your role as the member for Gladstone. Flexible environmental approvals will not diminish an operator's environmental obligations. As I have said on a number of occasions now, this initiative streamlines administrative processes and does not in any way alter the environmental conditioning of a project. It may be that a number of conditions will be standard. For example, a workshop in an industrial site will have very clear standard conditions that they can meet very easily, as the member for Beaudesert pointed out. On the other hand, some of the industry that the member for Gladstone referred to in her own part of the world obviously needs to be looked at more closely, and that is why we have the three-tier process of environmental approvals.

The ability for the public to comment on major projects is actually improved by this bill, not diminished. Firstly, there are longer public notification periods, and we are also making sure that the publication of application material is on the website. So there is actually a greater opportunity for the community more broadly and for conservation groups, such as the Gladstone Conservation Council, to be able to see the information being put forward and have a period of time in which they can comment on that. We are also introducing the opportunity to do that earlier in the piece so that it will inform the ultimate outcome, and this is a good outcome.

Madam Deputy Speaker, you also raised the environmental management plan. It is being replaced by the application requirements. Previously, there was no opportunity for the community to comment on an EM plan, but the community will have the opportunity to comment on the application documents for larger projects. In that case, we are not watering it down; if anything, again we are enhancing the situation. As I said, a number of members suggested that this is a first step. The member for Beaudesert particularly highlighted this, and I take on board his comments and say that we are working on it. I look forward to bringing back further amendments to both the regulation and the act in coming months as part of that program.

This bill is an outstanding achievement for DEHP and the Queensland industry combined. All stakeholders have been extensively consulted at each stage of the green-tape project and the preparation of the bill. I again want to pause on that note because, yes, this is the culmination of a lengthy process. There was consultation with industry and a range of interest groups over a long time under the former government. There was then consideration under the previous parliamentary committee and, yes, there was a truncated period of time in which the current committee could also view it. But many of the issues raised had previously been raised and addressed. It has been good that those issues have been very minor in the broader scheme of things for what is really quite a significant amendment, alteration and rewrite of the approval process within the Environmental Protection Act.

The responses to the changes in the bill have been extremely positive. The business discussion paper and regulatory assessment statement released in July last year generated feedback from a broad range of industries, and valuable contributions were made by a wide variety of interest groups. I know I mentioned this in my introductory speech but I would like to point out again the key support from such stakeholders as the Queensland Resources Council, the Cement Concrete and Aggregates Association, the Chamber of Commerce and Industry Queensland and the Waste Contractors and Recyclers Association of Queensland, who have each indicated their continuing strong support for the green-tape project.

This bill represents good environmental legislation. The bill introduces sensible changes that mean less time wasted on overly complicated administrative projects and more time spent getting the job done. The bill creates savings for Queensland industry in excess of \$11 million a year. Finally, and perhaps most importantly, the changes do not compromise strong environmental standards.

Before I conclude, I want to thank the staff involved in the preparation of this legislation, in particular those involved in the green-tape reduction project team, especially Elisa and Kate who are here this afternoon. Both of them feel very under the weather, so I ask the shadow minister to please be gentle on them in the consideration in detail stage. They have dragged themselves out of their sick beds to be here today.

Ms Trad: It's not them we're after.

Mr POWELL: All right. As a result of this bill, this champion tag that I was referring to before really should go to staff like Elisa and Kate who have put in the hard yards.

Ms Trad: Hear, hear!

Mr POWELL: I take that interjection from the shadow minister. They are a prime example of DEHP staff who have adopted the Newman government's agenda and focus. We have great staff in DEHP who are excited about working for a positive and focused environmental regulator. I thank them again for all the effort they have put in. I commend this bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—



Ms TRAD (3.08 pm): I move the following amendment—

1

Clause 2 (Commencement)

Page 22, lines 8 and 9—

omit, insert—

'This Act, other than sections 41 and 42, commences on 1 July 2013.'

I table the explanatory notes to the amendments.

Tabled paper: Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill, explanatory notes to Ms Jackie Trad's amendments [617].

This amendment ensures that enough time is allowed for regulatory bodies, such as local government authorities throughout the state, to establish the appropriate processes for the new legislation. This is the one submission that they made during the consultation period on this bill, and I think it should be reflected in the commencement date of the bill. The amendment will also align the commencement date with the new financial year and, as such, allow for local government bodies to budget appropriately for the new legislation and any internal regulatory changes that they need to pursue.

I take on board what the minister has said in terms of the delay to this bill. The issue is that this bill has been part of the Queensland environmental law landscape for almost 20 years. This bill provides a very good opportunity to set up the structure for the next 20 years, and it is more imperative that we get it right for all of the stakeholders, particularly local governments throughout Queensland, rather than get it through as fast as possible. I commend that amendment to the House.

Mr POWELL: The LNP will not be supporting the amendment put forward by the shadow minister. As I have explained on a number of occasions already, there has been significant delay to the introduction of this bill. Hopefully, the bill will pass through this chamber this sitting week with the support of the opposition. We have given ourselves a considerable amount of time to sit down and work with local government through the processes, through the application of this new structure. Therefore, we will not be supporting this amendment.

Division: Question put—That the amendment be agreed to.

AYES, 8—Byrne, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

NOES, 74—Barton, Bates, Berry, Bleijie, Boothman, 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, Gullely, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Katter, 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, Woodforth. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendment (Ms Trad) negatived.

Clause 2, as read, agreed to.

Clauses 3 to 7, as read, agreed to.

Clause 8—



Ms TRAD (3.23 pm): I move the following amendment—

2 Clause 8 (Insertion of new chs 5 and 5A)

Page 48, lines 4 to 14—

omit, insert—

'(1) The submission period for an application for a mining activity must be at least—

- (a) for a large-scale operation—50 business days; or
- (b) otherwise—30 business days.

'(2) Also, the submission period for an application for a mining activity must not end earlier than—

- (a) if there is only 1 relevant mining tenure application—the last objection day under the Mineral Resources Act for the application; or
- (b) if there is more than 1 relevant mining tenure application—the later of the last objection days under the Mineral Resources Act for the applications.

Note—

For the last objection day under the Mineral Resources Act, see section 252A (Issue of certificate of public notice) of that Act.

'(3) In this section—

large-scale operation means a mining activity that—

- (a) involves the extraction of 100000 tonnes or more of material each year; or
- (b) is likely to be carried out for more than 5 years.'

This amendment seeks to increase the length of time in which people can make public submissions in relation to mining activity applications from 20 days to at least 30 business days, or at least 50 business days for a large-scale operation. This amendment further defines a 'large-scale operation' as an operation which extracts 100,000 tonnes or more of material each year or which will span across five or more years.

This amendment is vital as it will give members of our community the opportunity to make a meaningful contribution about what is occurring within their community through the increase in the time allowed to make a submission. Some mining activities could last years, if not decades, so it is prudent that adequate time is provided to members of the community to have a say on something that will affect them and their families for years to come.

This amendment is fair and is responsive to a number of concerns raised by communities. We on this side of the House know that communities are the best advocates for their local environment—not the Greens, not politicians, no-one in this House. Local communities are the best champions for the environment they inhabit and look after. This amendment seeks to give them ample time to respond to applications, to organise independent expert advice and to engage meaningfully and genuinely in the submission process. I commend the amendment to the House.

Mr POWELL: Again, the government will be opposing this amendment. I think it is worth reiterating the reason. I mentioned it in my second reading speech and again in my reply to the second reading debate, but I think it is worth spelling out very clearly what we are actually achieving through this bill. It is not, by any means, a diminution of communities' opportunity to have a say, particularly on major projects; it is actually increasing the opportunity for the community to have their say on these projects.

Under the current Environmental Protection Act, no community member and no interest group has the opportunity to comment on the application for major projects. The only opportunity they have is the 20-day court objection period at the end. Under the version of this bill put forward by the then Labor government, that 20-day period was offered at the time of the application but the court objection period was reduced to 10 days. That makes a total of 30 days. So what started out as 20 days in the original act was to go to 30 days under what was proposed by the previous government.

We are proposing a standard 20-day comment time on application for major projects and 20 days for the court objection period. That is 40 days. As I have said on a number of occasions, we will be working with the Department of Natural Resources and Mines to establish a guideline such that, in instances where a project is considered of a significant magnitude, the 20-day period at the time of application be extended to 30 days. So in essence we are achieving the 50 days that the shadow minister's amendment is trying to achieve. We are doing it at two different stages through the process, thereby allowing input earlier in the process for the community, for interest groups, to achieve exactly what the member has just elaborated on. Therefore, there is no need to support the amendment and we certainly will not be.

Division: Question put—That the amendment be agreed to.

AYES, 8—Byrne, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

NOES, 73—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, 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, Shorten, Shuttleworth, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendment (Ms Trad) negatived.

Mr POWELL: I move the following amendment—

1 Clause 8 (Insertion of new chs 5 and 5A)

Page 48, line 27 to page 49, line 3—

omit, insert—

- '(2) The applicant must keep copies of all the following documents for the application available on a website—
- (a) the application notice;
 - (b) the application documents;
 - (c) the response to any information request.
- '(3) A document mentioned in subsection (2) must be kept available on the website from the day the document is given to the administering authority until the end of the access period for the application.
- '(4) In this section—
- access period** see section 157(2).'

I table the explanatory notes to my amendments.

Tabled paper: Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill, explanatory notes to the Hon. Andrew Powell's amendments [626].

Ms TRAD: I move the following amendment to the minister's amendment—

1 Clause 8 (Insertion of new chs 5 and 5A)—

Amendment to Minister's amendment No. 1, (2) (c), 'request.'—

Omit, insert—

'request;

(d) additional information about the application provided to the authority.'

This amendment is similar to the minister's amendment, and I congratulate him on listening to the views expressed at the public hearing. However, this amendment seeks to create proactive incentive around alerting people who have made submissions on applications currently before the department to be notified of any further information that comes to the department for clarification. There were already provisions in the bill for information to be placed on the website. However, this amendment further clarifies that any subsequent information must also be placed on the website in the public domain, ensuring that all members of our community are kept up to date and informed on the current proposal in its entirety.

Mr POWELL: We will not be supporting the amendment to this amendment. The information that the shadow minister is trying to obtain is already encapsulated in the amendment that I have moved today. Again, this is picking up on comments made by the committee. That is why we moved the amendment. It sufficiently covers the issues that the shadow minister is raising.

Non-government amendment (Ms Trad) negated.

Amendment agreed to.

Ms TRAD: I move the following amendments—

4 Clause 8 (Insertion of new chs 5 and 5A)

Page 49, line 7, 'the application open'—

omit, insert—

'the application, including any response given for an information request and any additional information about the application provided to the authority, open'.

5 Clause 8 (Insertion of new chs 5 and 5A)

Page 49, line 20—

omit, insert—

'(2) If an application made available under subsection (1) is amended, the administering authority must attach a notice about the amendment to the application.

'(3) In this section—'

Amendment No. 4 will ensure that any additional information that is provided during the application stage will be made available to members of the public. This is an important amendment as the public submission period and the application process will run concurrently. It is vital that the public have access to all the information as it gets lodged with the department so that people are better informed to make a decision about whether to put in a submission against the proposed activity or not.

Amendment No. 5 further strengthens the public notification process by compelling the administering authority to attach an amendment notice to the application. This will ensure that individuals who have already made a submission will be better informed and may wish to amend their submission depending on the information available at the time.

Mr POWELL: Again, we will not be supporting the amendments moved by the shadow minister. In regard to amendment No. 4, we have already addressed that amendment through the amendment that I have just moved. We clearly are addressing the kind of information that will be made available to the community and to interest groups.

With regard to amendment No. 5, publication will be made of the amended application. Therefore, additional notice is unnecessary. We are actually publicising the amended application. So the intent of what the shadow minister is trying to achieve here is already achieved.

Non-government amendments (Ms Trad) negated.

Mr POWELL: I move the following amendments—

2 Clause 8 (Insertion of new chs 5 and 5A)

Page 50, line 1, '10 business days'—

omit, insert—

'20 business days'.

3 Clause 8 (Insertion of new chs 5 and 5A)

Page 50, line 14, '156(2)'—

omit, insert—

'156(3)'.

Again, these amendments address a committee recommendation by increasing the consultation period to 20 days.

Ms TRAD: I have a question of the minister. Considering the public submission period will now run concurrently with the application period, at what stage during the application process will the mandated minimum public submission be placed? Considering that some projects are months, if not years, in the application and assessment, if public submissions run concurrently where will the public submission process commence? At the beginning? At the end? In the middle?

Mr POWELL: I have it on advice that it can commence immediately once there is notification of the application of the tenure. So there is no reason it will not start straightaway.

Amendments agreed to.

Ms TRAD: I move the following amendments—

6 Clause 8 (Insertion of new chs 5 and 5A)

Page 52, line 9, after 'submission'—

insert—

'and notice to submitters of relevant events'.

7 Clause 8 (Insertion of new chs 5 and 5A)

Page 52, after line 21—

insert—

'(4) If the administering authority accepts an entity's submission, it must, by written notice, inform the entity about any of the following (each a **relevant event**)—

(a) a change to the application;

(b) a response given for an information request;

(c) a later submission about the same application accepted by the administering authority.

'(5) A written notice under subsection (4) must be given to the entity no later than 1 business day after the relevant event happens.'

These amendments relate to proposed section 161 of the bill. Amendment No. 6 amends the title of the proposed subsection to read—

Acceptance of submission and notice to submitters of relevant events

The purpose of this amendment is to allow the proposed subsection as a whole to be better described subsequent to the amendments to clause 6.

Amendment No. 7 is the substantive change to the section, which compels the administering authority to give notice within one business day of receipt of new material to individuals or entities that have provided a submission. This amendment will ensure that continuous disclosure is undertaken to better empower members of the public to make informed decisions about whether they should express their views about activities that are occurring within their local community.

Mr POWELL: Again, the government will not be supporting these amendments moved by the shadow minister, largely because, again, they are unnecessary. Submitters will have a chance to review the outcomes of the assessment process during the objection period and, again, all relevant documents will be published online.

Non-government amendments (Ms Trad) negated.

Mr POWELL: I move the following amendments—

4 Clause 8 (Insertion of new chs 5 and 5A)

Page 79, line 6—

omit, insert—

'(4) The amendment of the environmental authority'.

5 Clause 8 (Insertion of new chs 5 and 5A)

Page 92, line 8, '252B'—

omit, insert—

'252A'.

6 Clause 8 (Insertion of new chs 5 and 5A)

Page 93, line 3, '252B'—

omit, insert—

'252A'.

7 Clause 8 (Insertion of new chs 5 and 5A)

Page 106, line 2, '201'—

omit, insert—

'200'.

8 Clause 8 (Insertion of new chs 5 and 5A)

Page 142, line 11, 'administering authority'—

omit, insert—

'department'.

9 Clause 8 (Insertion of new chs 5 and 5A)

Page 142, line 27, 'administering authority'—

omit, insert—

'department'.

10 Clause 8 (Insertion of new chs 5 and 5A)

Page 145, lines 5 to 7—

*omit, insert—***'318J Term of registration**

'(1) A registered suitable operator's registration—

(a) has effect from the day the operator's name and address is included in the register of suitable operators;
and

(b) continues in force until it ends under subsection (2) or is cancelled or suspended under division 2.

'(2) A registered suitable operator's registration ends at the completion of a period of 5 years for which the operator was not the holder of an environmental authority.'

Ms TRAD: I have a question about amendment No. 10, which relates to the list of suitable registered operators. I think the amendments that have been moved in the minister's name are good and I congratulate the minister on listening to the views of members who were at the public hearing. However, I ask the minister: are there any provisions or methods for detection of unsuitable behaviour by a registered suitable operator in other jurisdictions, which he has addressed, but particularly in relation to overseas activities? It is important, obviously, that interstate activities are captured on the suitable operator register, but there are also examples of where operators are also operating internationally and any breaches of environmental protection that occur overseas should be captured in the suitable operator register.

Mr POWELL: Certainly, within the Department of Environment and Heritage Protection we have assessment processes for determining in other Australian jurisdictions. The challenge that we get into if we start looking internationally is twofold. Firstly, the environmental legislation and standards of environmental legislation can vary from nation to nation. If we were to go down a path, which we will be discussing shortly, we could end up assessing a company based on the environmental standards of, say, a country like Afghanistan. That is really getting problematic and potentially undoing all of what we are trying to achieve here in terms of green-tape reduction.

Ms Trad: That's not a slur on Afghanistan?

Mr POWELL: We could pick any country the shadow minister would like, but the issue is that we are talking about different environmental standards, different pieces of legislation. The other factor that we need to take into consideration is that the company name is often different in other nations. So there are then challenges in terms of the legalities of looking at a company here in Australia that is part of a larger multinational but not the same company that we are potentially referring to in another nation. I think the member will move an amendment later on that will pick up some of that and we will probably talk about this matter again.

Amendments agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 59, as read, agreed to.

Clause 60—



Mr POWELL (3.51 pm): I move the following amendment—

11 Clause 60 (Insertion of new ch 13, pt 18)

Page 208, line 31—

omit, insert—

'same as the anniversary day that applied to the registration certificate immediately before the commencement.'

Amendment agreed to.

Clause 60, as amended, agreed to.

Clause 61—



Mr POWELL (3.52 pm): I move the following amendments—

12 Clause 61 (Amendment of sch 2 (Original decisions))

Page 229, '311(1)'—

omit, insert—

'311'.

13 Clause 61 (Amendment of sch 2 (Original decisions))

Page 233, '311(1)'—

omit, insert—

'311'.

14 Clause 61 (Amendment of sch 2 (Original decisions))

Page 234, 'decision about amount of costs or expenses claimed'—

omit, insert—

'363N(2) decision about amount of costs or expenses claimed'.

Amendments agreed to.

Clause 61, as amended, agreed to.

Clause 62—



Mr POWELL (3.53 pm): I move the following amendments—

15 Clause 62 (Amendment of sch 4 (Dictionary))

Page 237, line 13, after '*business*'—

insert—

'*business days*'.

16 Clause 62 (Amendment of sch 4 (Dictionary))

Page 239, line 10, '7'—

omit, insert—

'17'.

17 Clause 62 (Amendment of sch 4 (Dictionary))

Page 240, after line 21—

insert—

'*business days* does not include a business day that occurs during the period starting on 20 December in a year and ending on 5 January in the following year.'

18 Clause 62 (Amendment of sch 4 (Dictionary))

Page 245, lines 8 to 18—

omit.

19 Clause 62 (Amendment of sch 4 (Dictionary))

Page 246, lines 10 to 13—

omit, insert—

(b) for an application for an environmental authority under chapter 5—includes a body of persons, whether incorporated or unincorporated; or

(c) for an application to be registered as a suitable operator under chapter 5A, part 4—includes a body of persons, whether incorporated or unincorporated.'

Amendments agreed to.

Ms TRAD: I move the following amendment—

8 Clause 62 (Amendment of sch 4 (Dictionary))

Page 254, line17—

omit, insert—

'under a law of another jurisdiction, including a jurisdiction outside Australia, that provides for the same or similar matters as this Act; or'.

This amendment goes to the issue that we were discussing previously in relation to registered suitable operators and capturing information regarding environmental breaches internationally on the register. I take on board what the minister is saying in relation to different environmental jurisdictions internationally and it being hard to compare, but I ask the minister to consider that, where significant environmental breaches occur by a potential suitable operator—for example, an oil spill or the illegal dumping of hazardous or radioactive waste—surely the department should be looking at capturing this information if a suitable operator is the same operator that is conducting this sort of environmental damage internationally.

Mr POWELL: I refer the shadow minister to my previous comments. If we go down the path of the amendment she is moving we are potentially capturing companies that are operating under completely different environmental standards in different countries and that may be operating under a different company name. There are legal matters there. Most certainly no-one would dispute the fact that if there is an environmental catastrophe of a significant nature that we would certainly be keeping an eye on it, but we have to put it in the context of Queensland law in terms of Queensland environmental standards and in terms of the company operating in Queensland. Therefore we will not be supporting the shadow minister's amendment.

Division: Question put—That the amendment be agreed to.

AYES, 7—Byrne, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

NOES, 72—Barton, Bates, Bennett, Berry, Blejje, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, France, Frecklington, Grant, Grimwade, Gullely, 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, Shorten, Shuttleworth, Sorensen, Springborg, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth. Tellers: Menkens, Smith

Resolved in the negative.

Non-government amendment (Ms Trad) negatived.

Mr POWELL: I move the following amendment—

20 Clause 62 (Amendment of sch 4 (Dictionary))

Page 254, after line 27—

insert—

(7) Schedule 4, definition *submitter*, 'a person'—

omit, insert—

'an entity.'.


Amendment agreed to.

Clause 62, as amended, agreed to.

Clauses 63 to 78, as read, agreed to.

Schedule, as read, agreed to.

Third Reading

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (4.04 pm): I move—


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

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

Motion agreed to.

Bill read a third time.

Long Title

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (4.04 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.

PENALTIES AND SENTENCES AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 11 July (see p. 1135).

Second Reading

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (4.04 pm): I move—

That the bill be now read a second time.

I thank the Legal Affairs and Community Safety Committee for its consideration of the Penalties and Sentences and Other Legislation Amendment Bill 2012. I note that the committee tabled its report on the bill on 23 July 2012. I now table a copy of the Queensland government's response to that report.

Tabled paper: Legal Affairs and Community Safety Committee: Report No. 5—Penalties and Sentences and Other Legislation Amendment Bill, government response [\[618\]](#).

The committee made six recommendations. Those recommendations concern the amendments in the bill that introduce the offender levy and the amendments that help minimise and facilitate the recovery of any future overpayments to health employees. I will now address each of the committee's recommendations. The committee's first recommendation, that the Penalties and Sentences and Other Legislation Amendment Bill 2012 be passed, is certainly welcomed.

Recommendation 2 is that the bill be amended to include an amendment to schedule 1 of the Industrial Relations Act 1999 to include 'deductions to be made or proposed to be made from wages' so that disputes in relation to deductions made under the proposed amendments can proceed to conciliation and arbitration under that act. The Queensland government is confident that the definition of an 'industrial matter' in section 7 of the Industrial Relations Act 1999 is sufficiently broad that it includes 'deductions to be made or proposed to be made from wages' as a matter within the jurisdiction of the Queensland Industrial Relations Commission. Disputes in relation to deductions made under the proposed amendments can proceed to conciliation and arbitration under the Industrial Relations Act. The government will therefore not be adopting this recommendation.

Recommendation 3 is that the Attorney-General and Minister for Justice review the implementation of the amendments to the Industrial Relations Act 1999 relating to recovery of overpayments to health employees and report to parliament on its operation within 12 months from commencement. It is important that the Department of Justice and Attorney-General works with Queensland Health to review the operation of the amendments. It is intended that reporting will occur and Queensland Health will be establishing internal processes to monitor the operation of the amendments. Information arising from the review process will be shared with unions on an ongoing basis in its established consultative industrial forums. Queensland Health has committed to providing a report on the impacts of the amendments to the Attorney-General and Minister for Justice as required.

There have been suggestions that the legislation should apply for a period of 12 months only. From Queensland Health's perspective, this would not be practicable as the legislative change is necessary to support recovery of system-generated overpayments into the future, regardless of the volume of overpayments that might be occurring. Based on current advice relating to the capacity of the payroll system, withdrawal of the proposed legislation would mean Queensland Health would not be able to implement such an overpayment recovery strategy and would need to revert to manual systems and strategies. With a workforce in excess of 84,000, this represents a significant risk to Queensland Health.

Recommendation 4 is that the Attorney-General and Minister for Justice clarify how the transition loans will be treated for taxation purposes in his reply to the committee's report. We are aware that the transition loans will incur a fringe benefits tax liability. However, employees will not be impacted, as any FBT costs arising out of the transition loans will be borne by Queensland Health. The Queensland government considered this issue and determined that the costs of the transition loan payment will be funded on a whole-of-government basis. Other taxation implications have been identified that might arise for staff who have received excess benefits from overpayments and the transition loan. In some circumstances, the excess benefit could result in an increase in the employee's reportable fringe benefit

amount on future payment summaries. This could, in turn, affect income tests relating to various Australian government benefits and surcharges, such as Medicare levy surcharges, superannuation co-contributions, Higher Education Contribution Scheme and similar schemes reductions, tax offset for contributions to a spouse's superannuation, child support obligations and entitlements to certain income tested government benefits such as Centrelink.

The potential for this impact will be communicated broadly to all staff during the transition process, and employees will be advised that, to minimise the risk of this happening, they should consider not receiving the transition loan or, alternatively, they should repay the amount prior to the end of the current financial year.

The committee's fifth recommendation is that the bill be amended to allow the Special Circumstances Court to retain discretion in imposing the offender levy. This recommendation is also not supported. Providing a court with discretion to impose the levy is inconsistent with the very nature of the levy. The offender levy is an administrative levy that does not form part of the offender's sentence. Further, the State Penalties Enforcement Registry is well placed to manage disadvantaged and vulnerable offenders. The State Penalties Enforcement Registry will certainly be experiencing some change under the Queensland Treasury, in the portfolio of the honourable Treasurer.

In relation to the committee's recommendation 6 that constitutional and other legal concerns of the Queensland Council for Civil Liberties be addressed, crown law advice has been obtained. I am satisfied that there is no legal impediment to its imposition.

I note that the committee's inquiry involved a detailed consideration of the application of fundamental legislative principles to the bill—in particular, the rights and liberties of individuals potentially impacted upon and affected by the bill. In particular, the committee noted that the proposed new section of the Industrial Relations Act 1999 allowing the unpaid balance of a health transition loan to be deducted from an employee's final payment has the potential to cause significant hardship to the employee. It is important to distinguish these deductions from the deductions allowed by the other new provisions to recover overpaid wages.

Existing provisions enabling deduction to be made to recover wages overpaid due to an employee's absence and the new provisions enabling deductions to recover absence and non-absence related overpayments from health employees are all limited by the Industrial Relations Regulation 2011. The regulation stipulates that the amounts paid at any time must not be reduced to less than three-quarters of the amount otherwise payable at the time. The deduction from a final payment to recover the unpaid balance of a transition loan is not limited by the regulation.

The transition loan is like any other loan, entered into voluntarily by and with the consent of the employee. The employee will be made fully aware that the loan must be paid in full by the end of their employment as a health employee. Employees will be encouraged to enter into a repayment agreement prior to the end of their employment, so the employee will have appropriate control as to the impact of repayment of the loan on any payments received.

I note the committee's comments in relation to a reference to the Auditor-General in the explanatory memorandum and supporting documentation may give the perception that he is endorsing government policy objectives when he does not have a role in that regard. I also table an erratum to the explanatory notes which removes the reference to the Queensland Audit Office from the explanatory notes 'Consultation' section.

Tabled paper: Penalties and Sentences and Other Legislation Amendment Bill, erratum to explanatory notes [\[619\]](#).

I would like to acknowledge those who have made submissions on the bill to the committee and to address the key issues raised. I note that three submissions provided to the committee, including a submission by the Queensland Law Society, did not support the increase in the value of the penalty unit from \$100 to \$110. A further three submissions endorsed the Queensland Law Society submission. This small increase is needed so that the value of the penalty unit keeps up with the increase in the consumer price index over time. Increasing the value of the penalty unit will ensure that monetary penalties maintain their deterrent or punishment effect.

I have noted public submissions which have opposed the introduction of the offender levy on various grounds including its impact on disadvantaged groups, its retrospective application and the absence of a waiver provision. Concerns were also raised about the higher levy applicable to superior court matters, the absence of exemptions for minor matters, the absence of judicial discretion as to the imposition of the levy, the prohibition on the court taking the levy into account when sentencing and the amount of the levy being set by regulation.

The offender levy is a modest administrative levy that does not form part of the sentence. As such, it would not be appropriate for the levy to reflect the gravity of the offence or to be subject to the exercise of judicial discretion. It would also not be appropriate for the levy to be taken into account during sentencing. The levy is based on the principle that offenders should make a contribution to the justice system in recognition of the cost of their crimes to the community. It will apply prospectively to sentencing events from commencement.

As to the setting of the levy amount by regulation, it is a common practice for monetary amounts of this kind to be prescribed so that they can be subject to ongoing review, including for movements in the consumer price index. Any regulated amount will be subject to review by a parliamentary committee and possible disallowance by the parliament in accordance with section 50 of the Statutory Instruments Act 1992.

As to the impact of the offender levy on disadvantaged groups, the State Penalties Enforcement Registry, which will collect unpaid levies, has a community engagement team which specialises in dealing with identified disadvantaged and vulnerable groups. The primary aim of the team is to assess the best options available for this cohort of debtors. The State Penalties Enforcement Act 1999 specifically provides for payment by instalments.

I would also like to specifically address the concerns raised by the Chief Justice about the impact of the levy on court resources. It is expected that this impact will be met and is able to be met from within existing resources. To the extent that it cannot be met from existing resources, it will be subject to the usual budget process.

As I mentioned at the time I introduced the bill into the Legislative Assembly, the bill delivers on two of the government's key pre-election commitments to increase the penalty unit value and to introduce an offender levy in Queensland. The bill also facilitates the recovery of any future overpayments to health employees and enables improvements to the Health payroll processes so that such overpayments are minimised in future.

In addition, the bill contains a number of other unrelated amendments. It addresses the expiry of the Childrens Court Rules 1997 and the Land Court Rules 2000. It exempts certain rules of court and tribunals from the provisions in the Statutory Instruments Act 1992 relating to automatic expiry and regulatory impact statements. It expands the definition of 'relationship' in the Civil Proceedings Act 2011 to include a 'registered relationship' as defined in section 36 of the Acts Interpretation Act 1954. It facilitates the provision of evidence to commissions of inquiry by ensuring that evidence may be given regardless of any oath taken, affirmation made or a provision in an act that may afford a reasonable excuse to a person not to comply with the request. It also makes other minor and technical amendments.

I would like to foreshadow that I intend to propose a number of amendments to the bill during consideration in detail. These amendments have been circulated in my name. Firstly I propose a minor amendment during consideration in detail to a technical amendment in the bill to the Civil Proceedings Act 2011.

In addition, I will be proposing amendments to further clarify the proposed new sections 396A and 396B of the Industrial Relations Act 1999. These new sections permit a health employer to make deductions from a health employee's wages and other amounts payable in relation to employment to recover overpayments or to recover the transition loan.

It is considered appropriate to further amend the proposed sections to make it clear that the health employer is not limited to the process set out in the amendments to recover such amounts. Like all other employers, a health employer will retain the right to recover amounts by instituting legal action other than under the act. This clarification is in line with the current section 396(2) of the Industrial Relations Act 1999, which provides that an employer's right to recover overpaid wages is not limited only to deductions from an employee's wages paid in a subsequent pay period. I commend the bill to the House.



Ms PALASZCZUK (Inala—ALP) (Leader of the Opposition) (4.19 pm): Mr Deputy Speaker—

Mr Hopper: Mr Deputy Speaker—

Mr DEPUTY SPEAKER: Leader of the Opposition.

Ms PALASZCZUK: No, it is my turn.

Mr DEPUTY SPEAKER: Leader of the Opposition.

Ms PALASZCZUK: The member has been around long enough to know the procedures of the House.

Government members interjected.

Mr Bleijie: You shouldn't have taken so long to stand up.

Ms PALASZCZUK: Mr Deputy Speaker, I rise to contribute to the debate on the Penalties and Sentences and Other Legislation Amendment Bill 2012. From the outset, I would like to advise the House that the opposition will not be opposing the bill in its entirety, but there are some aspects of the bill that we will oppose. I would also like to foreshadow that I will be moving an amendment during consideration in detail.

The first issue I would raise is the lack of adequate consultation. The submissions received by the committee have virtually all mentioned the inadequacy of consultation. I raised this issue during the debate on the Criminal Law (Two Strike Child Sex Offenders) Amendment Bill 2012. During that debate, I said—

Whilst I am again extremely impressed by the generosity of the stakeholders who made such thoughtful and highly considered submissions to the committee, I cannot help thinking they would have preferred more time to consider the implications of the bill before responding. In fact, the limited consultation period was raised in quite a number of submissions. I ask the Attorney-General in future consideration of bills that he might be mindful of the real purpose of the committee system, which is to give thoughtful scrutiny to pieces of legislation in order to improve their effectiveness in achieving policy outcomes. To this end, time frames that better allow this to occur would be appreciated by everyone concerned.

Once again, I ask that the Attorney-General be more mindful when he brings forward future bills. The subject matter of this bill has a significant impact on a great number of people. They deserve the best that this parliament can do in terms of the consideration we give to this bill.

Another matter relating to consultation raised in submissions was that of the Auditor-General. He was concerned the explanatory notes state that consultation was conducted with the Audit Office but that not all aspects of the bill were consulted on. He was also concerned that including such statements about consultation with his office could be interpreted as his office having supported the policy objectives of the bill. This would be highly improper and contrary to the purpose of the Audit Office. So great was his concern that he has asked there be no further mention of consultation with his office in future explanatory notes. I hope that all ministers take account of this request.

I will now turn to the substantive elements of the bill. Part 2 amends the Childrens Court Act to provide continuity of the rules made under that act. Part 9 of the bill is related in that it has similar provisions in respect of the Land Court. There was some doubt as to whether the rules of those courts have expired, so these amendments clarify the position and provide certainty. This seems to be the best way to deal with the uncertainty and I certainly support these amendments.

Similarly, part 3 amends the Civil Proceedings Act 2011 to include registered relationships in the definition of 'relationships' as it relates to claims by a spouse of a deceased person in dependency claims. It provides that if the spouse enters into a subsequent relationship the financial benefits received by the spouse from that relationship are to be taken into account when assessing the spouse's claim for damages. This was an amendment that was perhaps overlooked as the Civil Proceedings Bill 2011 and Civil Partnerships Bill 2011 were introduced and debated so closely together. We will be supporting this amendment.

Part 4 amends the Commissions of Inquiry Act 1950. There are some potential witnesses to inquiries—and the Carmody inquiry is a good example—who may have sworn an oath or affirmation relating to confidentiality in respect of information they gain in the course of their employment or there may be some legislative confidentiality requirement. In such cases, to enable the inquiry to have the fullest evidence before it for consideration, these amendments will allow the commissioner to make a 'writing' which will have the effect of making the witness competent and compellable to give that evidence that would otherwise not have been admissible.

I understand that Child Safety staff have been advised of this change. Due to the time period covered by this inquiry, there will undoubtedly be quite a number of ex-staff of the department called to give evidence. I have every confidence the commissioner will make them aware of this change. These appear to be amendments that make a lot of sense and will assist the inquiry to elicit important evidence, and we will also be supporting these amendments.

The Queensland Law Society has also recommended an amendment to be made to schedule 1 of the Industrial Relations Act 1999 which defines 'industrial matter'. Parties to a dispute involving an industrial matter can have access to the conciliation and arbitration provisions of the act. The QLS has submitted that 'deductions to be made or proposed to be made from wages' should be included in the definition of 'industrial matter' to allow access to those provisions. The Queensland Law Society has raised a very important point here and I hope that the Attorney-General has given due consideration to this request.

The next set of amendments in the bill relate to the introduction of the offender levy. The LNP released this policy before the last election in its costings and savings strategy. The strategy states, 'This proposed model draws on New Zealand's policy for making criminals pay for costs of court services applying to them.' It then states that the funds will be 'directed towards funding our massive front line police boost as well as supporting more services for victims of serious crime'. 'Draws on' the New Zealand policy might be putting it a little high. In New Zealand the levy is, in fact, \$50 irrespective of which court the matter is heard in and it does go—all of it—to services for victims of crime. In the bill the preamble is amended to insert a new clause 4—

Society is entitled to recover from offenders funds to help pay for the cost of law enforcement and administration.

The bill also inserts a purpose of the new part—

The purpose of this part is to provide for a levy imposed on an offender on sentence to help pay generally for the cost of law enforcement and administration.

However, nothing in the bill directs that the money be spent that way. I foreshadow that I will be moving an amendment to the regulation during consideration in detail providing that the offender levy be \$50, the same as the levy in New Zealand. As the New Zealand Ministry of Justice website states—

A flat \$50 offender levy, regardless of the crime committed, was decided upon by Parliament as the best option to ensure as many offenders as possible pay it.

There were quite a few submissions which raised concerns about the offender levy. As Queensland Advocacy Inc. said in its submission—

... charging fees to convicted offenders may only serve to exacerbate the very problems that led to the offending behaviour. It is well established that many petty offences are crimes of poverty, and exacting fees for offences of poverty such as shop stealing, begging, minor theft and public space offences only serves to perpetuate a cycle of disadvantage.

Oh, it is music to my ears. Its submission continues—

People who spend much of their time in public spaces, such as homeless people, including many Aboriginal and Torres Strait Islander people, and many of whom have intellectual disabilities or suffer from various forms of mental illness or addiction, are precisely the sort of people who will be most affected by this sort of fee.

It is of considerable concern that people who are at the margins of our society should be able when being sentenced by a court to have all of their circumstances taken into account. The Queensland Bar Association also raised a concern that the restriction on the court's power to take account of the offender levy when sentencing an offender and in considering their financial circumstances deprives the court of the power to consider all relevant circumstances and is likely to result in injustice.

I note that recommendation 5 contained in the committee's report recommends that the bill be amended to allow the Special Circumstances Court to retain discretion in imposing the offender levy. Whilst this is a plausible recommendation and will target the most marginalised people who do appear in the court, I also note the sorry story that appeared in the *Brisbane Times* earlier this month that funding will cease to the Special Circumstances Court at the end of the year.

Mr Bleijie: That was speculation.

Ms PALASZCZUK: Well, I ask the Attorney-General, and he can state quite categorically—

Mr Bleijie: The funding ceases because that's all the Labor Party funded it for.

Ms PALASZCZUK: Are you going to continue the Special Circumstances Court? The Special Circumstances Court enables people with a disability to be able to have their cases heard in a situation which is very different to a proper Magistrates Court. A lot of good work has been carried out in the Special Circumstances Court. I ask the Attorney-General to take the time, if he can, to visit the Special Circumstances Court and just see firsthand the good work that does happen there. That is all that I ask.

Mr Bleijie: Why didn't you fund it permanently if it was so good?

Ms PALASZCZUK: Because it was a trial initially. I would hope that he would give due consideration. If the government cuts the Special Circumstances Court, they are once again cutting something that has actually helped people with a disability. I ask that he just goes down there and has a look at it—take the time, meet with the staff down there, sit for half a day or just a couple of hours, knowing his very busy schedule. No doubt the Attorney-General will be at the opening of the new Supreme Court building there on Friday—

Mr Bleijie: And I offered you an invitation to that.

Ms PALASZCZUK: Thank you very much for the invitation. Yes, it was very, very nice to get an invite—paid for by the former Labor government.

Mr Bleijie: And opened by the LNP government.

Ms PALASZCZUK: Paid for and initiated by the former Labor government. I would like to thank the Attorney-General for the invite because this is the first time we have actually been invited to something that was commissioned under the former Labor government.

Mr Crisafulli interjected.

Ms PALASZCZUK: It was not paid for by the LNP government. You do not know the true facts at all. All you do is cut the ribbon—you cut the ribbon on the Northern Busway, and you are going to cut the ribbon on the Supreme Court building.

Mr Crisafulli interjected.

Ms PALASZCZUK: Well, don't go and open it. If you are so opposed to it, don't go there, don't cut it, boycott it. That is open to you. I ask the Attorney-General to please inform the House whether he is prepared to guarantee the funding for the Special Circumstances Court into the future. Section 704 of the Criminal Code Act 1899 provides—

No fees can be taken in any court of criminal jurisdiction or before any justice from any person who is charged with an indictable offence for any proceeding had or taken in the court or before the justice with respect to the charge.

The fact that clause 17 of this bill amends this section to state that the offender levy is not a fee does not actually mean that the levy is not a fee. The Attorney-General can put a clause in an act stating that black is not black or white is not white, but we all still know what the situation really is. The Department of Justice and Attorney-General has advised that it is expected that more than \$12 million in revenue will be collected by the offender levy.

The Chief Justice of the Supreme Court has again unusually taken the step of making a submission to the committee on behalf of the Supreme Court. His concern is in relation to the increased cost and resource implications for the registries. I would ask the Attorney to please provide some cost estimates of the increased costs to the courts of imposing this levy and the increased costs to other agencies—for example, SPER, DPP, Legal Aid and the community legal centres. The committee made a recommendation to this effect and it seems a very sensible option to me.

The other amendment to the Penalties and Sentences Act 1999 is in relation to the increase in the penalty unit. This is not indexed and there has been no increase in the penalty unit since 2008 so the opposition will support these amendments. However, I would like to point out the sheer hypocrisy of the members opposite. When the Labor government increased the penalty unit in 2008, it had not been increased for nine years, yet the then opposition opposed the bill. The member for Toowoomba South and the then shadow Attorney-General said during the debate on the Penalties and Sentences and Other Acts Amendment Bill 2008—

If ever we have seen a grab for money it is the bill before the parliament today.

The member for Kawana said—

This bill represents another desperate attempt by the Bligh government to use taxpayers to solve its financial problems.

The member for Burdekin contributed to the debate by saying—

... I fail to see how this adjustment can be any more than a money-grabbing exercise.

And the member for Clayfield, who is now the Treasurer of this state, made the following breathtaking statement—


I do want to speak about the hypocrisy of this government in terms of this legislation before the House and which we are debating today. There is a widespread view that fines can act as a deterrent to stop people breaking the law, but that is not what this bill is about. This bill is simply a desperate grab for cash to solve this government's financial woes. Quite simply, this is just another gouge out of Queenslanders' pockets and out of their hard-earned income.

Fines and penalties have to keep up with CPI. This increase is in keeping with those increases.

Mr Cripps interjected.

Ms PALASZCZUK: Mr Deputy Speaker, if the member for Hinchinbrook wishes to speak, I am quite sure he can put his name down on the speaking list. Fines and penalties also have to remain comparable to other jurisdictions. Members will not see the same kind of hypocrisy from the opposition. We supported the increase then and we will support it now. Our position has not changed.

I also reiterate my earlier comments about proper consultation. I have previously asked the Attorney-General to allow people adequate time to make submissions on his bills. I have asked him to allow the committee to do its proper job of scrutinising the legislation. Let us hope that the next bill he introduces is given the proper consideration by the committee and is able to benefit from real and insightful scrutiny by the stakeholders.

 **Mr HOPPER** (Condamine—LNP) (4.37 pm): I rise to speak to the Penalties and Sentences and Other Legislation Amendment Bill. Our committee considered that there is a need to ensure consistency and certainty in the operation of all court rules and that if there is any doubt on the validity of the court rules steps must be taken to remove such doubt. The committee supports the amendments to ensure the validity of the operations of the court.

I now move to the Industrial Relations Act. With regard to the recovery of overpayments by the Queensland Health payroll system, it is clear to the committee that all stakeholders, including the unions and Queensland Health, agree that the ongoing problems with the Queensland Health payroll system must be addressed as a priority. Further, the committee acknowledges that no submission is advocating that any employee who has been paid an amount to which they are not entitled should not have to pay the amount back to their employer.


The matter for consideration by the committee is whether this problem ought to be resolved by way of specific legislative amendments applying solely to Queensland Health employees and, if so, whether the bill does this in a satisfactory manner. The explanatory notes state that no other options were considered, as legislative amendments are the only way to achieve these outcomes. Having considered the detailed submissions on this aspect of the bill, the committee does not accept that position. That being said, the recovery of overpayments through a legislative mechanism is clearly an option available to the government to address the ongoing payroll problems.

As for the fringe benefits tax, the committee notes the fringe benefits tax issue raised by the QNU in its submissions. It is not clear in the bill or the explanatory notes how the transition loans will be treated for taxation purposes and whether the state will incur further costs payable to the Australian

government through the implementation of this scheme or whether health employees will be adversely affected by the application of fringe benefits tax. The department provided no further information addressing the potential taxation issues.

On the Land Court Act 2000, the committee considered there is a need to ensure consistency and certainty in the operation of all court rules and that if there is any doubt on the validity of the court rules steps must be taken to remove such doubt. The committee supports those amendments to ensure the validity of the operations of the court. As for the tax or levy, the committee notes the constitutional and other legal issues raised by the QCCL in its submission and the department's response but considers that these matters may warrant further consideration.

As for the State Penalties Enforcement Act 1999, the committee notes the department's response and the adequacy of SPER processes to recover the graduating offender levy. In relation to the Statutory Instruments Act 1992, the committee notes the need to ensure consistency and certainty in the operation of QCAT rules. As for fundamental legislative principles, in regard to the rights and liberties of individuals—3.1—the committee notes that new section 396B, as currently drafted, has the potential to cause considerable hardship. However this may be reduced through the operation of a directive provided it has the intended effect.

 **Miss BARTON** (Broadwater—LNP) (4.39 pm): It gives me great pleasure to rise in the House in support of the Penalties and Sentences and Other Legislation Amendment Bill. This is a bill which delivers on some of our government's pre-election commitments. It is a bill which will increase the value of a penalty unit by merely \$10. It will also impose a court administration fee, which will be known as an offender levy, in the Supreme, District and Magistrates courts where an offender is found guilty. This bill also seeks to ensure the reclaiming of overpaid wages as a result of the costly Queensland Health payroll debacle and ensure that expired rules of some of Queensland's courts will continue to operate.

Firstly, please let me extend my gratitude to the secretariat of the Legal Affairs and Community Safety Committee for again doing a marvellous job in collating all of the submissions and preparing a report, again, in a truncated time frame. I would also like to extend my thanks to my fellow committee members and thank the chair, the honourable member for Condamine, in particular for his leadership. I would also like to extend my gratitude to those interested members of the community who made submissions to the committee on this bill.

At the outset I would like to say that I certainly appreciate the concerns that some of the members of my committee and also some of those who made submissions had with regard to the truncated time frame for making those submissions. Certainly I appreciate that it can be incredibly frustrating. However, the government has an obligation to govern for all of Queensland and our government is committed to doing this. The previous Labor government left Queensland with a debt that is rapidly spiralling towards \$100 billion and we made a commitment to Queenslanders that we would get Queensland back on track. We made a commitment that we would revitalise front-line services and we made a commitment to get Queensland's AAA credit rating back. We also made a commitment to stop the wasteful spending and the economic mismanagement which became the norm under the previous government and we made a commitment to return Queensland's budget to surplus. This is certainly not an easy task. Fixing the mess in which the previous Labor government left Queensland is no easy task but our government is committed to doing so. It was certainly a mess made all the worse by the very costly Queensland Health payroll debacle.

As I said, as a government we have an obligation to act in the best interests of all Queenslanders and key to that is getting this state back on track. In order to start fixing the Queensland economy we have to consolidate \$4 billion worth of revenue over the next three years, and that certainly is not an easy task. That is why our government has moved to increase penalty units by a mere \$10 to \$110. Where offences are provided for and where a penalty is prescribed, it is usually set as a certain number of penalty units, which are usually \$100 per unit. This \$10 increase is a very minor impost indeed. It is an impost that, unlike the previous government's cost-of-living burdens, will not impact everyone in my electorate of Broadwater nor will it affect all Queenslanders in our communities. Rather, it is an impost that will be borne by those who have erred in their ways. It is expected that this measure will see an increase in revenue of \$22.6 million in a full financial year.


In addition to the minor increase in the value of prescribed penalty units, this legislation will also see the introduction of an offender levy. Like the increase in the penalty unit, this is an impost not to be borne by members of my community in Broadwater or by the broader Queensland community; this is an administration fee on criminal justice matters where an offender who has appeared in either the Supreme, District or Magistrates courts is found guilty. This levy will be \$300 for matters in the Supreme and District courts and only \$100 for matters heard in the Magistrates Court. This fee will not be going on to form part of an offender's sentence but it will be imposed at the time of sentencing and will be paid per sentencing proceeding. It will not matter for how many offences a person is convicted nor whether a conviction is recorded; it is solely an administration fee payable at sentencing. I think it is also important to note that, should a person's conviction be overturned on appeal, the levy will be refunded and, of course, it will not be applied to juvenile offenders. The State Penalties Enforcement Registry, otherwise known as SPER, will be responsible for the collection of the levy.

I certainly have a great deal of respect for the Queensland Law Society. I appreciate their view and the submission that they made that it should not be for those who are offending to pay for the running of the criminal justice system; rather, the maintenance of the criminal justice system should be in the province of the government. This was a view that was endorsed by the Prisoners Legal Service and the Bar Association of Queensland. As I said, certainly I appreciate this view. However, with a debt that is currently at \$65 billion and that could potentially spiral to \$100 billion if we do not rectify the situation, it is appropriate at this time that the government look to alternate ways of funding the criminal justice system. This initiative is one that will ensure that offenders contribute to the cost of running the Queensland justice system.

This bill will also seek to ensure that the expired rules of the Land Court Act and the Childrens Court Act continue to operate. These are rules that expired in 2010 and 2000 respectively. The retrospective application of these rules is crucial to ensure the removal of any doubt and to validate courts' decisions and judgements. It will also streamline the processes under the Commissions of Inquiry Act so that the chair of a commission of inquiry can obtain evidence regardless of whether or not one has taken an oath or made an affirmation.

This bill also, I think crucially, seeks to make amendments to the Industrial Relations Act to ensure that Queensland Health is able to recoup some of the overpayments as a result of the very costly payroll debacle. It is estimated that the average overpayments per fortnight total \$1.7 million. A moratorium was placed on the recovery of these payments by the former government in July 2011 and was lifted in May 2012. The current industrial relations laws in Queensland mean that overpayments can only be recovered if a worker was overpaid because of absence from work or if the existing enterprise bargaining agreement allows for it. As a government, we have an obligation to do all that we can to ensure that Queensland's budget is brought back into surplus, and that means the recovery of overpayments as a result of Labor's costly payroll debacle. I certainly agree with the Queensland Law Society's submission that the recovery of these overpayments should not result in financial hardship for the employee involved. This was also raised by the Australian Workers Union, United Voice Queensland, the Together union, the Queensland Nurses Union and the Queensland Council of Unions. However, I do certainly have faith in our government and its ability to ensure that such recovery is handled well and that the considerations of all parties, particularly employees affected, are taken into consideration.

This legislation is incredibly honourable in its intentions. As I said, as a government we have an obligation to do all that we can to ensure that Queensland gets back on track and that we stop the economic mismanagement to which we became accustomed under the previous failed Labor government. Again, I wish to reiterate that I appreciate the frustration experienced by those making submissions. However, as I said, we have an obligation to govern for all of Queensland. Queenslanders certainly expect the recovery of overpayments made in the light of the Queensland Health payroll debacle. I also believe that the community understands the need to ensure that those who are convicted of crimes have an obligation to contribute to the ongoing funding of the criminal justice system. That is incredibly appropriate and they have a duty to do so. I commend this bill to the House.

 **Mr SHUTTLEWORTH** (Ferny Grove—LNP) (4.48 pm): I rise today to speak in support of the objectives of the Penalties and Sentences and Other Legislation Amendment Bill 2012. There are a number of objectives, each worthy of my support for the reasons that I will outline over the next few minutes. Primarily, this bill delivers on yet another of the Newman government's election commitments, that to introduce an offender levy. This nominal administrative fee ensures that a guilty offender contributes to the management of their case through the justice system. Additionally, this bill proposes to increase the penalty unit from \$100 to \$110. The offender levy is implemented with the purpose of ensuring that the offender, upon sentence, will contribute towards the cost of law enforcement and administration. In a system that is on occasion being reported as overwhelmed, the introduction of the levy may contribute towards allocation of additional resources to assist in this regard.

The additional funds—estimated to be \$22.5 million by the increase of the penalty unit and with the addition of \$12.6 million by the offender levy—are to be used to fund, at least in part, the election commitments of additional policing resources throughout our electorates and at the front line of policing throughout the state. Additionally, the revenues raised through the increase in penalty units applying to certain streams of income will, as legislated, be directed towards public safety education and awareness programs. It is important to note that the offender levy, which will be automatically applied at the time of sentencing, is separate from the penalty associated with or imposed upon the offender.

Another very important component of the bill is that which relates to the issue of overpayments within Queensland Health since the introduction of the payroll and rostering system in March 2010. I am sure that most Queenslanders, while appalled at the never-ending cost of the system's rectification, now estimated to be in excess of \$1.2 billion, would be completely astonished to hear that the system continues to overpay Queensland Health staff to the tune of \$1.7 million per fortnight. It is clear that the redirection of these overpayments would greatly assist the provision of additional health services through the state. Queenslanders, while typically a generous mob, would consider the age-old adage of

a fair day's pay for a fair day's work to still hold true and would therefore remain quite steadfast in their resolve that their tax dollars should not be continually given away without a means of recovering these overpayments.

While the previous administration announced a moratorium on the recovery of overpayments on 10 July 2011, the moratorium has since been lifted—on 30 May this year—and this government will seek recovery of overpayments as and when they occur. An important component of the change is to ensure also that the pay cycle extends from three to 10 days after the end of a pay period. This will ensure a higher degree of accuracy in payment processing.


I think it is important to note that the moneys paid to Queensland Health employees are a result of overpayments as calculated in error by the flawed payroll and rostering system. These erroneous payments are not entitlements of the employee and therefore should, with all reasonable effort, be recovered by the state. It is therefore important to consider both time line and method of recovery to ensure that all parties are in agreement. It is considered reasonable, therefore, that the recovery must commence within a year of overpayment and recovery must be completed within six years of overpayment. I note that the Attorney-General earlier this afternoon addressed a recommendation made to the committee. And I acknowledge favourably that he outlined our willingness to collaborate with parties involved, such as Queensland Health and associated unions. The collaboration and interfacing with alternative sources other than the government is certainly a welcome change, I am sure.

Deductions to recover overpayments are limited to ensure that the payment to the employee must not at any time reduce beyond three-quarters the amount otherwise payable. This is to ensure there is no financial hardship upon the recovery of those moneys. Queensland Health will be obliged to negotiate repayment strategies with affected employees and will only be able to recover moneys without consent as a last resort.

On 28 June 2012 the Governor in Council approved the commission of inquiry order No. 1 of 2012, to commence the child protection commission of inquiry to review Queensland's child protection system. This inquiry delivers upon yet another of the Newman government's pre-election commitments. More importantly, this inquiry will assist in strengthening Queensland families by protecting our children.

Another very important aspect of this proposed bill is to ensure that the fundamental principles of legislation cannot be overturned through regulation. Only parliament should be empowered to overturn the provisions of an act, and this should not be overridden by regulations of the Governor in Council. This provision of the bill will deliver upon recommendations of the former Scrutiny of Legislation Committee. While reviewing the Commissions of Inquiry (Forde Inquiry—Evidence) Regulation 1998 the committee commented that section 5(2A) was objectionable and should be removed.

I wish to congratulate the Attorney-General for his timely and thorough preparation of this bill, which will assist the Newman government in delivering upon a number of our election commitments, ensuring that the great state of Queensland does get back on track. I commend the bill to the House.

 **Mr CRANDON** (Coomera—LNP) (4.54 pm): I rise to make a short contribution to the Penalties and Sentences and Other Legislation Amendment Bill 2012. Essentially the objectives of the bill are to increase the value of a penalty unit from \$100 to \$110; introduce a nominal administration fee on criminal justice matters in the Supreme, District and Magistrates courts where an offender is found guilty; address the expiry of certain rules of court; expand the definition of 'relationships' in section 67(7) of the Civil Proceedings Act 2011; and facilitate the recovery of any overpayment and the transition loan paid to employees of Queensland Health or a hospital or health service.

The area I will focus on is the overspend in relation to the Health payroll and the need for us to drag those dollars back. I will also mention the increase in the penalty unit from \$100 to \$110. I note that the last time an increase occurred—from \$75 to \$100—was in 2008 legislation and came into effect in 2009, some three years ago as I have been recently advised. We are now seeing an increase of \$10, taking it up three-and-a-bit per cent per year. From my background in finance and investment, it certainly makes sense for these things to keep pace with inflation, so I am in full agreement. It makes absolute sense.

The argument put forward at the time of the previous increase by the now Leader of the Opposition, criticising the then opposition—talking about increasing the penalty unit from \$75 to \$100—just falls by the wayside when we know that it was a money grab at the time. If those opposite were serious about putting genuine increases in place over time to keep pace with inflation, they would have been addressing it. They would not have left it for nine years. They had their eye off the ball for nine years and they finally came up with this you-beaut idea of increasing the penalty unit from \$75 to \$100 to grab a bit of money. That is the reality of what was happening then. I am in full agreement with the increase in the penalty unit from the user-pays perspective. In a situation like this, the person who creates the problem for society is going to pay compensation to society. That also follows for the levy of \$300 and \$100 respectively, depending on which courts we are talking about, to be charged if an individual is found guilty. If someone is found guilty, they can pay for some of the costs of running our courts. The sum of \$100 or \$300 is not a lot of money in the scheme of things. The member for

Broadwater indicated that something in the order of \$22.6 million a year would be generated. It is a small amount to pay in the scheme of things. As I mentioned a minute ago, inflation is what it is all about. Three and a third per cent per annum sounds about right to me.

I do not know whether anyone else had the opportunity to be caught in traffic this morning on the way to parliament as I was. I was listening with interest to the Leader of the Opposition being questioned by Steve Austin. I thought, 'What a coincidence! We are talking about a \$6 million expenditure and here is an interview with Steve Austin, the Six Million Dollar Man.' I thought it was quite ironic that we would end up with the Six Million Dollar Man coming into the fray in state parliament. But Steve Austin was hitting the opposition leader hard about the \$6 million bill. I suppose to build a Steve Austin in this day in age—all those years ago, back in the day when we built Steve Austin, he was the Six Million Dollar Man—with inflation it would cost about \$1.25 billion.

Mr Springborg: Twenty thousand per cent or thereabouts.

Mr CRANDON: A 20,000 per cent increase, is it? I take the interjection from the health minister.

Mr Springborg: Quite extraordinary!

Mr CRANDON: Quite extraordinary. Steve Austin on 612 4QR was a tough interviewer today in that he really did hit the Leader of the Opposition hard on a lot of tough questions. It occurred to me though that if I did not know better I would have almost started to believe what the Leader of the Opposition was saying. If I did not know better—

Mr Crisafulli: But you do know better, though.

Mr CRANDON: But I do know better; I take that interjection. If I did not know better, I would have almost started to believe that the Leader of the Opposition was quite genuine in her insistence that this has nothing to do with her and that it is totally out of her control. She insisted so many times when the Six Million Dollar Man asked her the question. So many times she ducked and dived the answer by telling him that it had nothing to do with her, that it was not her rules, that the rules were made by others and they were managed by the cabinet—

Mr Springborg: The cabinet secretary and she couldn't change them.

Mr CRANDON: Yes, the cabinet secretary and she could not change them. She had no option and no choice and there were no ifs, buts or maybes about it, and she hung in there to the end. I have to say that if I did not know better I would have started to think she was genuine. Given the way she was absolutely lambasted by the Six Million Dollar Man, in the end I would have imagined that she would have had to give in. But she did not and he even came back at her right at the end. He said, 'Okay. If—and he must have had some prior knowledge—the cabinet secretary came to you and said, "If you want to, you can", would you?' And she ducked and dived that one, too. He said, 'If the cabinet secretary says to you, "You can if you want to," would you?' She ducked it and she dived it and she ducked and dived and kept on saying—

Ms TRAD: I rise to a point of order. Mr Deputy Speaker, I ask you to rule on relevance. This has absolutely nothing to do with the bill before the House.

Mr DEPUTY SPEAKER: Order! There is three minutes left and I would assume that the speaker will come back to the topic.

Mr CRANDON: I most certainly will. Thank you, Mr Deputy Speaker, for your direction. I refer to the bill which specifically addresses issues with regard to payments made by Queensland Health to its employees since its new payroll and rostering system went live in March 2010. I think we are accruing about \$1.7 million each fortnight in additional debt, and that came about because of this \$6 million system. I am told that at that time there was the option of running the old system beside the \$6 million system and that that was going to cost \$4 million. I do not know whether that is exactly accurate, but it was going to cost \$4 million to run the old system beside the new system just in case the new system did not work. The Labor government decided to save the \$4 million by not running the old system beside the new system. So here we are now where that \$6 million system, member for South Brisbane, became the \$1.25 billion system—that is, \$1,250 million. We saved \$4 million and we got \$1,250 million as a final payout. That is the relevance of my comments in relation to this matter.

The health minister, however, popped the balloon—popped the Leader of the Opposition's balloon—when he came in here and made it very clear to everyone. I would suspect that the Six Million Dollar Man may have even known that there may have been something in the wind, because the health minister came in and the health minister specifically read the letter to us. At the end of the letter it is stated that the opposition leader has the discretion to decide to release all information unconditionally, and there she was banging away for 20 minutes this morning on 612 4QR with the Six Million Dollar Man talking about—


Ms TRAD: I rise to a point of order.

Mr DEPUTY SPEAKER: What is your point of order?

Ms TRAD: I ask you to rule on relevance.


Mr DEPUTY SPEAKER: The member is speaking in relation to the bill and in relation to the recovery of overpayments and therefore is speaking about the payroll system. I find there to be no point of order. Please take your seat.

Mr CRANDON: Thank you, Mr Deputy Speaker. She has discretion to decide to release all information unconditionally, so that little bubble was burst. We came in here today. We now know the truth. Steve Austin—the Six Million Dollar Man—knew the truth this morning. He could not say he knew the truth, but I tell members what: he absolutely nailed her, because she would not admit to anything on the day. I commend this bill by the Attorney-General to the House.

 **Mr DOWLING** (Redlands—LNP) (5.05 pm): Tonight I rise to deliver a brief contribution to the Penalties and Sentences and Other Legislation Amendment Bill 2012. It is interesting to note that in recent days when there is legislation before the House it is always prefaced by delivering on an election commitment. How good it is to actually deliver on your manifesto, and that is what this bill does. It is just another plank in the delivery that is this new LNP government. I fear it is a lesson not learnt by those opposite. I fear it is a lesson that they still do not understand. However, this bill will deliver on our commitment. The bill will, in effect, increase penalties by increasing the current value of the penalty point system, or the unit system, from \$100 to \$110. It is an efficient practice and an efficient method of doing these kinds of things. People often say that 10 per cent is above inflation and things like that, and we hear some other comments. At the end of the day, these are penalties. These are fines. These are infringement notices. These are tickets. These are offences committed, and that is the way as a society we recoup or we make amends. I have no problem with the fact that this is going from \$100 to \$110.

I further support this legislation inasmuch as the offender levy. It is a very carefully considered and a very carefully planned strategy. It has all of the safety nets in it in that—and I commend the minister for introducing this as part of it—the levy will apply only to offenders who are found guilty. Further than that, the legislation actually allows for repayment if a guilty decision is overturned on appeal. It will work in the three courts—the Supreme Court, the District Court and the Magistrates Court, albeit at varying levels. The offender levy will be set at \$300 in the Supreme and District courts and at \$100 in the Magistrates Court.

I want to pick up on a few points from the Attorney and minister's explanatory speech with regard to the introduction of a nominal fee for offenders who are found guilty and how increasing penalties has the potential to contribute to our bottom line in the order of \$22.6 million in a full financial year, and that is not to be sneezed at. In the earlier contribution by the member for Coomera we heard what \$4 million, saved very unwisely, turned into with the Health payroll system. The penalty unit system is a basis for most fines and penalty infringements or tickets and the various offences have almost a prescribed range, so it is a very simple system. Again paraphrasing the minister's explanatory speech, using the penalty units provides a convenient way of updating the level of fines and infringement notices without having to individually amend fines and offences right across the entire statute books. Again, it is a very good mechanism and a very practical way to do this. As I said, the offender levy will introduce a nominal administration fee on criminal justice matters where offenders are found guilty and that will help with the running of the process. Of course, the offender levy will be automatically imposed at the point of sentencing. I commend the minister for again delivering on another LNP election commitment and I commend the bill to the House.


 **Hon. DF CRISAFULLI** (Mundingburra—LNP) (Minister for Local Government) (5.09 pm): I rise to speak in support of the Penalties and Sentences and Other Legislation Amendment Bill. This bill delivers on some of our pre-election commitments and at the same time helps us mop up the mess left by those opposite. The bill will increase the value of the penalty unit from \$100 to \$110 and will impose a court administration fee, aptly known as an offender levy. The bill will also ensure the reclaiming of overpaid wages as a result of the Queensland Health payroll train wreck.

My brief contribution today will focus on the offender levy. Law and order is one of the chief concerns of my electorate. The people of Mundingburra want to see offenders take responsibility for their actions. Perhaps what concerns the people of my electorate the most is that those who break the law never seem to have to face up to the consequences of their actions. This bill is a small step towards correcting the injustice of the blameless always footing the bill. A \$300 administration fee in the Supreme and District courts and a \$100 fee in the Magistrates Court if an offender is found guilty will relieve some of the cost pressures of justice being served. The millions of dollars that these administration fees will raise are dollars that are sorely needed. Can I tell members why? Because of a legacy of disgraceful financial management; of poorly planned infrastructure projects, which we will pay for for generations; and of operating expenses that are simply out of control because of a government that failed to plan and was full of waste and mismanagement. To tie that to this bill, it is about time

criminals found out that crime never pays but that they, in fact, should. I put it to members: why should decent, law-abiding taxpayers have to constantly put their tax dollars towards the cost of court cases at a time when the state is in such financial peril? This government has made the right decision to get offenders to pay something towards the expense of their wrongdoing.

Whilst I am sure the Attorney-General will do a magnificent job in summing up, it would be remiss of me not to comment on something that the member for Inala said when she was proposing her amendment of a \$50 offender levy. She said, 'To increase the fee would exacerbate the problem.' I firmly disagree. I believe what exacerbates the problem is the fact that governments have been weak on these matters. They have not been willing to accept that we must have adequate deterrence in this state. That is the problem that permeates our legal system. It is a problem that we constantly look for excuses as to why somebody should not face the consequences rather than reflect the views of the majority and ensure that offenders pay the just price for their offence.

This issue is something that we took to an election—how refreshing! A government that actually highlights what it plans to do and sells a vision—and it is an issue that I believe the House should support. The silent majority of good, hardworking people know that they have a government which has the vision and the courage to find ways to relieve the burden on those who will never appear before a judge or a magistrate. I urge members to support this bill.

 **Mr DAVIES** (Capalaba—LNP) (5.13 pm): I rise to speak to the Penalties and Sentences and Other Legislation Amendment Bill. This bill seeks to implement a number of beneficial amendments for the people of Queensland. The first of these amendments facilitates yet another of the election pledges of the Newman LNP government: to boost the funding of front-line police by increasing both the penalty unit value from its current level of \$100 to \$110 as well as implementing a nominal administration fee on all criminal justice matters where an offender is found guilty. This levy of \$300 for Supreme and District courts and \$100 for the Magistrates Court will add approximately \$12.6 million to the collected revenue while the increase in the penalty unit will add as much as \$22.5 million to the state's budget. This much needed money will be partly used to fund road safety education awareness programs while the bulk of the funds raised will be used principally to further bolster Queensland's front-line police.


Over the past few weeks I have had the privilege of meeting front-line police officers from a variety of different areas of policing—from the drug squad, from the major crime squad and from general duties. All of those police officers were patting me on the back. I felt quite pumped up. They were saying that they feel valued, they feel supported and that, as a government, we are a breath of fresh air after many years of feeling ignored by the previous administration.

This bill also includes a provision to amend the Industrial Relations Act 1999. This amendment is vital in the recovery of Queensland Health payroll overpayments that are paid after the amendment has commenced. This bill also provides appropriate rostering processes to minimise the risk of overpayments as well as underpayments for Queensland Health staff. The need for this amendment is a direct result of the previous government's—what can I say—debacle of the Queensland Health payroll implementation. It failed to manage, it failed to implement and it failed to make the payroll system work at all. As a businessperson who worked in the banking industry for many, many years, the banking industry often rolled out different computer programs to facilitate banking processes. I never saw anything like this. The bank that I worked for would often run processes in parallel for months and months, if not for years, to make sure that the system that it was implementing worked correctly. Unfortunately, that was not the way it was done for the implementation of the Health payroll. Obviously, it all went to billyo after that. There have been many rumours in my electorate about why this happened—ranging from the fact that the previous government did not want to pay a million dollars to renew the contract on the old payroll system; hence it did not run it in parallel to a number of other different things. My question is: why will the opposition not simply release the cabinet documents? Why will the Leader of the Opposition not allow the public to understand the process? Why did it go live? Why did all of these things happen? Honestly, it is just beyond comprehension that it can go live with a system that affects 85,000 Queensland Health workers. We need to let the sunshine in. We need to let the dark period of the operation of the Queensland Health payroll come to light. I ask the opposition: what has it got to hide? Why will the opposition not release the documents? Why will it not make them available?

This legislation will provide the mechanism that, once an overpayment is identified, there will be a clear two-week gap before the deductions commence. The deductions will be limited to 25 per cent of payable earnings, meaning that people will not be left in the lurch from week to week. These two weeks allows employees the opportunity to raise any concerns about the accuracy of the overpayments as well as issues such as hardship or any other issue that may affect the recovery of that money.

Finally, this bill provides a longer 10-day period—from the end of the roster to the pay date—rather than the current three-day period for the processing of the payroll. This extension of time will surely give the people who operate the Health payroll, who I dare say are going through a terrible time

with the enormous pressure that they must be under, the time to deal with this system. We will be providing a loan to help people transition to that new process. That will enable people who work for Queensland Health to manage their funds. I commend this legislation to the House. I think it will be a great thing.

 **Dr DOUGLAS** (Gaven—LNP) (5.19 pm): The Penalties and Sentences and other Legislation Amendment Bill is a fairly simple bill. In part it addresses the issues raised during the election and what has subsequently transpired. The increase in penalty unit value from \$100 to \$110 and the introduction of a small administration fee in criminal justice matters where the offender is found guilty are key changes in the bill. It has been stated by speaker after speaker and it is, of course, one of the LNP's election commitments. This in part reaffirms the LNP's ability to acquit on its promises made in the public forum prior to the election. We could not be expected to do anything less. Trust is earned, not bought, and the LNP has delivered on the trust placed in it. This is a small legislative step that in part reflects that there is a cost in the administration of justice, also that offenders have a real role in recompensing those who have to deal with the consequences of the offending behaviour and, finally, there may be a deterrent factor built in by putting a dollar value on this. This goes to the issue of reducing recidivism which I spoke about in relation to the Drug Court this morning. That said, it is a small step and we should not get carried away with anything too excessive. The amount of \$100 these days is not a big amount. It is less than a ticket to the Big Day Out and it is roughly a little more than the cost of four tickets to the cinema.

There are some other changes in this bill, and certainly there are some significant changes with regard to Queensland Health and the retrieval of funds. I note all the statements from stakeholders and the comments of the Attorney-General. The committee has done a very good job in a relatively short time. I know how pressured it has been. All members have made comments in those terms. The bill addresses the issue of the overpayments made to staff of Queensland Health and what subsequently did not happen. Generally, everything that could go wrong did go wrong—in other words, the ultimate catastrophe that can happen when you decide you want to do something that is organic rather than transitional and you do not know what you are doing. That is exactly what happened. It was obvious from the beginning. The member for Currumbin, the now Minister for Tourism, Major Events, Small Business and the Commonwealth Games, Jann Stuckey, and I were present at the briefing by CorpTech which was being run by the Department of Housing and Public Works and its advisers. There were quite a few people there. There were some IT people as well. They told us about this magnificent plan they had with what was then called Paris and then morphed into Workbrain. They were replacing the ageing Lattice system which some may not know was a Mincom program. Mincom had indicated to the government that it was possibly not going to upgrade the ongoing system. These were all allegations at the time. It was said that Lattice was an ageing system that could not be transitioned into the future. The reality is that Lattice was a very, very complicated system in its own right. Certainly it was old, but it could have been transitioned by paying a very small amount. Whilst these are argued about, the amounts concerned are certainly far, far less than what has been spent on this system so far.

A hospital payroll is without doubt the most complicated of any payroll system. The whole idea of having a totally holistic system is utterly ridiculous in a regional situation like Australia. It is literally trying to join the former hospital boards into one and then saying they are effectively the same. This is totally preposterous. It is just not possible. This bill is an attempt to try to cleave back some of the payments that have been made. What people may not know is that the original Lattice system required a time sheet to be filled out. I certainly filled out time sheets with Queensland Health for many years. You submitted your time sheet, which was a paper record and then an electronic record subsequently by scanning, and then your payroll was worked out from that and it could be checked back. The transition to this system was theoretically to a paperless system. That was the whole idea. It addressed all within the one cost. The problem was, of course, that this was never going to happen. It was totally ridiculous. It was an idea thought up by people who had no idea of the people on the ground who would be getting paid.

What would happen in normal management circles is that when these sorts of things happen you would immediately attempt to redress the situation. They did not do that. They basically decided to manually go through the payrolls and handle them. They had to; they had no other alternative. They had to go through and literally just pay people. Without the benefit of having a time sheet, which is what this system was theoretically originally designed to prevent, they did not know what people had really done. This went to the heart of trust and there was debate about whether people could be trusted on the hours that they worked. People who work in the health system tend to be caring and nurturing people. That is what they are like. They embark on this career for those sorts of reasons. They are not primarily financially driven, nor should they be. This bill is attempting to address some of the problems that should have been addressed in the early phases. It is going to be difficult. The assumption could be that overwhelmingly the vast bulk of people have not taken large amounts of money, but there has to be a legislative mechanism to address some of these issues. This is a prospective thing, it is not retrospective. It addresses some of the issues that need to be addressed around recovering the money. The difficulty is that it is occurring well after the event.

Fortunately for the state the Labor government lost the election. We are now trying to address these issues and not drive people's lives into the ground. These types of bills become necessary because decisions were not taken at the time. In other words, if you do not make the decision then you are ultimately compelled by decisions that are made in the absence of you not making them. That is what has led to this bill. When people say they do not like aspects of it, they are in this situation because of the decisions that were not made at the time. The Attorney-General has rather elegantly explained what he is trying to achieve with this bill. He has done that in a collegiate way with the current health minister and I congratulate him for the way he is prosecuting the matter. The reality is that this will take some time to fix. It is disappointing that it had to come about at all. To those parties who are affected by it I can only say that I am deeply saddened for what they might have to go through. I would like to think that there are ways and means of making their lives easier as they attempt to explain how payments might have to be made. For many there could be difficulties because it was a paperless system and they cannot justify themselves and claims made upon them. The health department, for those who know it very well, has a good history of working with its staff. I think this is relatively good legislation. Nothing is ever perfect, but in situations where you are compelled to make decisions you need this type of tool. I implore the Attorney-General and the health minister to look towards the needs of the staff. I wish them well. I know that most of the staff are hoping that no tragedies come out of this.

Debate, on motion of Dr Douglas, adjourned.

MOTION

National Disability Insurance Scheme



Ms PALASZCZUK (Inala—ALP) (Leader of the Opposition) (5.28 pm): I move—

That this House:

- supports the implementation of the National Disability Insurance Scheme;
- acknowledges that the scheme will benefit Queenslanders with a disability as well as their families and carers by providing care and support over their lifetimes; and
- calls on Premier Newman to allocate funding to a trial of the NDIS in the state of Queensland.

At the outset I say that this government's attitude towards this landmark reform—indeed, this Premier's attitude towards the disabilities community in general—has been nothing short of a disgrace. They have intentionally missed the boat on the landmark reform that is the National Disability Insurance Scheme. They have turned their backs and to do that is to shut down a once-in-a-lifetime opportunity. I join the thousands of Queenslanders living with a disability and the thousands of family members who care for those Queenslanders in their condemnation of the government's callous disregard for their sons and daughters, brothers and sisters and husband and wives. The fact that this government and this Premier refuse to make even a token effort toward the establishment of a national disability insurance trial in Queensland is now not a matter of Queensland shame, it is a matter of national shame. While the premiers of South Australia and Tasmania and the Chief Minister of the ACT have been joined by the premiers of New South Wales and Victoria in allocating funding for trials in their states and territory, this Premier's arrogant, head-in-the-sand reaction is a cruel slap in the face for Queenslanders with a disability.

It is a sad and sorry story that I tell now. Last week the Premier went to Canberra. He went there for the meeting of the Council of Australian Governments in the full knowledge that not only was the NDIS on the agenda but that it was to be the major focus of discussion and negotiation. For the Premier, the NDIS may as well have been the elephant in the room because he went to Canberra ill prepared. He went to Canberra with no intention of progressing Queensland's participation in an NDIS trial. In fact, he went there determined to shut it down. For instance, take the insulting, embarrassing, pitiful preparation his government, and particularly his disabilities minister, Ms Davis, put in ahead of the COAG meeting. While Victoria and New South Wales prepared submissions numbering more than 100 pages each, and those submissions acknowledged and addressed the NDIS criteria, the Queensland disabilities minister offered a meagre—a pathetic—one and a half page submission. I repeat that—it was a one and a half page submission. What a complete and utter embarrassment! What an insulting backhander to the thousands of Queenslanders with a disability. What was the other cruel hoax played on this state? It was for the people living in Gympie, because the Premier held up Gympie as the place where there could be a trial for the NDIS in Queensland. What did the people of Gympie get? What did the member for Gympie deliver? Absolutely nothing!

Any member of the community of people with a disability or any of their families or carers could be forgiven for asking a fundamental question: what has this government got against Queenslanders with a disability? It is a pertinent question considering this government's heartless, unfeeling and cruel behaviour over just the past week. Throughout the past month thousands of Queensland families living with a disability have been treated with scant regard. In fact, they have been treated with little regard at

all as this government continues on its ruthless path of cutting, burning and slashing. Queenslanders with a disability have been singled out in the most distressing way. Those families have received correspondence from the department of the disabilities minister informing them that the support they require and deserve and have received under successive Labor governments is about to be axed. Let us look at what that means. It means families have been put on alert that they will lose hundreds of dollars in support each month and that their access to items vital to the wellbeing of their children and critical to their everyday lives will be axed. That will include items such as incontinence aids, child-care subsidies, travel subsidies and medical and pharmaceutical aids. Those items are made available to the families of Queenslanders with a disability under the \$47 million Family Support Program, a program that this government and the minister who is sitting in the House tonight have determined to slash.

On top of that, just days later the government's transport minister announced the end of the taxi disability scheme, an important travel initiative for disabled Queenslanders that will be cut off before it is even started. The former Labor government announced that fully funded \$1.5 million subsidy earlier this year with an implementation date of 1 July. It was to provide a sum—

Government members interjected.


Ms PALASZCZUK: Members opposite can mark my words: they will hear about it in their electorate offices. The scheme was to provide a sum of \$6.50 for every trip taken in a cab by a wheelchair-bound passenger. For many Queenslanders with a disability, that is the only safe and viable means of transport. To put it bluntly, to axe that scheme is mean-spirited, it is extreme and it is fundamentally wrong. It is the final blow in a triple whammy against this community.

Just as many in the community of people with a disability will be feeling let down, betrayed, shocked and lost at this government's attitude towards them. Frankly I am also at a loss to understand the motivation behind this uncaring approach to the needs of this vulnerable and often marginal sector of our society. It is critical to remember that people with a disability are not all born that way. In fact, a disability can happen to anyone at any time. Each year there are between 300 and 400 new cases of spinal cord injury. In 2006-07 alone, 142 Australians suffered a spinal cord injury as a result of traffic accidents. A figure of 2.2 per cent of the population, one in every 45 people, have an acquired brain injury. The vast majority of those were suffered also in some form of traffic mishap. Those are the frightening statistics that tell us that life can change in the blink of an eye. Disability can happen to any one of us, altering our lives and the lives of those around us immediately.

As a former disabilities minister, I have first-hand knowledge of the needs of this community, their vulnerabilities, their heartbreak and their day-to-day struggles. For two years as a former disabilities minister, I visited hundreds of people with a disability. I sat down and listened to them talk about their concerns. We continued to increase the budget for the disability sector time and time again. That is what the Labor government delivered. Parents raising children with disabilities, often into adulthood, often do so in the most challenging of circumstances. They require our support. They need a caring hands-on government. They deserve our acknowledgement and they deserve to have the government of the day fight the good fight. In refusing to take seriously the NDIS, this government has failed in that fundamental task.

I have spent time with Bailey who was left a quadriplegic after a horrific car accident that claimed the life of his brother, Jett. I met Ellen, who was struck down with Huntington's disease in her early 30s, thereby demanding her mother's day-to-day attention until her death. Her mother, Colleen, knows the raw pain and heartache of a mother of kids with disabilities losing not one but both of her children to Huntington's disease. Those are the real people who deserve better than to be treated as a political football. They are the real people who deserve better than having their Premier travel to the national capital without any intention—no intention whatsoever—of negotiating on their behalf and without any intention of fighting the good fight.

To play politics with the lives of some of our most vulnerable families who struggle every day in often unthinkable circumstances to care for their infant, their teenage or their adult children with a disability is to look the other way. When you turn your back on an initiative like the NDIS, you turn your back on a once-in-a-lifetime opportunity for change. You turn your back on hope. You forfeit the chance to be part of a landmark national social reform that everyone must be part of. This government has shut the door. It has closed the door on thousands of Queenslanders with a disability. I commend the motion to the House.

 **Mr MULHERIN** (Mackay—ALP) (Deputy Leader of the Opposition) (5.38 pm): I second the motion moved by the opposition leader. The Premier continues to play politics rather than support a trial in Queensland of the National Disability Insurance Scheme. The premiers of New South Wales and Victoria did not take long to reject Mr Newman's obstructionist and politically motivated approach to the NDIS.

Madam SPEAKER: Order! I ask the member to refer to other members by their correct titles.

Mr MULHERIN: They recognise that the NDIS is a once-in-a-lifetime opportunity to make a real and lasting difference in the lives of people with a disability and in the lives of their families and carers. Queensland should not be missing out. Even former Prime Minister John Howard has applauded the NDIS and has said that it is 'something that the country in 10 years time can feel good about'. Mr Howard also said, 'I think it is something that a decent, compassionate society should find the resources to provide more for.' I wonder whether Mr Howard thinks Premier Newman is decent and compassionate. The Premier's stance on the NDIS is indicative of the mean-spirited, cold-hearted nature of this government.

As we have seen over the last few months, the Premier and the LNP government are very quick to slash funding and services that help some of the most vulnerable in our community. We have seen the debacle which has been the public housing shake-up by Minister Bruce Flegg, threatening tenants, many of them elderly or with a disability. We have also seen the slashing of so many front-line services like Sisters Inside, Family Planning Queensland, the Queensland Association of Healthy Communities and tenants' advocacy services. But last week we saw the Newman government show that it is simply mean by hitting Queenslanders with a disability not once, not twice, but three times—a triple whammy.

At the start of last week this government began cutting support to the families and carers of people with a disability by cutting the Family Support Program, which provides items such as medical aids, incontinence aids and child-care subsidies. Then the LNP government abolished subsidies to taxis transporting people with disabilities. To top the week off we saw the cold-hearted efforts by the Premier at COAG, coming back from Canberra empty handed for the people of Queensland when it comes to the NDIS. Then we saw the cruel hoax that the Premier played on the community of Gympie, promising that they would be a trial site for the NDIS.

The disability minister's pathetic so-called submission on NDIS was only 1½ pages, when Victoria and New South Wales had submissions of more than 100 pages each. The fact that the Queensland effort was not even considered by the Commonwealth government shows that the Newman government were never serious about having a trial site in Queensland. I understand that the letter from the disability minister even blames the Commonwealth for creating 'further uncertainty for people with a disability and their families and carers'. The only government creating uncertainty for people with a disability and their carers is the cold-hearted Newman government.

It is obvious that the Newman government has twisted priorities when it comes to the NDIS. The Premier can find money to build himself and his ministers a brand-new Executive Building in the middle of Brisbane but he cannot stump up to help change the lives of people with a disability. Similarly, the Premier can find \$300,000 to mount a High Court challenge against the mining tax to protect heavyweight LNP donors but cannot help some of Queensland's most vulnerable people.

The Newman government's actions are simply mean. These are not the actions of a government that can be characterised by the 'humility, grace and dignity' that the Premier had promised.



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (5.43 pm): I move—

That all words after 'National Disability Insurance Scheme' be deleted and the following words inserted:

'and calls on the federal government to fully fund the scheme in line with the recommendations of the Productivity Commission report.'

Like all Australians I want to see a better quality of life provided for people with disabilities, and I personally know the challenges families face in caring for loved ones with a disability because I have family members with disabilities. I recognise that reforming disability services means reforming the lives and support of our nation's most vulnerable people. That is why my government is and has always been a strong supporter of the National Disability Insurance Scheme. We want to be part of this very important national reform, but to make this national scheme work it must be funded by the Commonwealth government.

In their final report the Productivity Commission made it quite clear that 'the Australian government should be the single funder of the NDIS'. Of course the members opposite had the exact same view when they were in government. It is disgraceful that they are now, as an opposition, playing politics with people with disabilities. I point out that the *Australian* newspaper pointed out that the Prime Minister's own staff said there were great politics in disabilities. What a shameful comment. When the opposition leader was the minister she said this to the House on 25 November 2009—

Queensland supports a national disability insurance scheme in principle ... However, we do not want to give people false expectations and hopes. We need to see what the Productivity Commission study concludes and how any national disability insurance scheme would be funded.

I table her comments.

Tabled paper: Ministerial statement, dated 25 November 2009, by Ms Anastacia Palaszczuk MP, regarding disability services [620].

Honourable members interjected.

Madam SPEAKER: Order! There are too many interjections across the chamber.

Mr NEWMAN: In May 2011 the former Labor government went further in their submission to the Productivity Commission—and I table the document for the benefit of all members because it demonstrates how you spell hypocrisy; it is A-L-P.

Tabled paper: Queensland government submission, dated May 2011, to the Productivity Commission's draft report: Disability Care and Support [621].

In their submission they stated—

The Queensland Government considers that any new scheme should clarify roles and responsibilities, and require the policy, funding and regulatory roles to be exercised by the Australian Government.

...

Queensland notes that given the breadth of an NDIS, the states and territories do not have appropriate revenue powers to finance a broader long term scheme ...

...

An important consideration for the Queensland Government—

and this is important—

is that the state should not be worse off fiscally through the funding of an NDIS ... the funding of an NDIS should be based on current state funding contributions and not based on concepts linked to an average national funding contribution.

These are not my words. These are the words of the former Bligh Labor government in a submission they made when the member for Mulgrave was the minister. Has he got amnesia?


What is currently being proposed by the Commonwealth government does not involve a long-term plan and it does not involve a sustainable funding model. I was disappointed that the long-term funding model for the NDIS was not even discussed at COAG, which is turning into a sham of a meeting. As I pointed out this morning, Labor's reckless financial management has left Queensland with \$65 billion worth of debt and we have lost our AAA credit rating.

Opposition members interjected.

Mr NEWMAN: They want to shout abuse because they have nothing up top in their head to argue back. That has meant that our borrowing costs are \$100 million a year higher. That is \$100 million that could go towards funding better disability services in Queensland.

We will be closely watching the NDIS trials as they progress. We understand that the current system could be working better and that more people could be supported. My government is committed to providing real support for Queenslanders, and that is why we put \$920 million in this year and the Commonwealth put in less than \$300 million. Should we put more in? Absolutely. Do we want to put more in? Absolutely. Can we right now thanks to the Australian Labor Party opposite? No, we cannot but we will in the future when we have made the necessary savings.

(Time expired)

 **Hon. LJ SPRINGBORG** (Southern Downs—LNP) (Minister for Health) (5.48 pm): I rise to support the amendment which has been moved by the Premier here tonight. One thing seems very, very clear to me, and that is that the only political party in this parliament which has been consistent with regard to our approach to the NDIS has been the LNP. The Labor Party has been absolutely 100 per cent inconsistent in its approach to the NDIS.

The LNP has said all along that we support the principle of an NDIS. It is something that we should have. It is something that an egalitarian society should actually have. There is no argument about that. I doubt there would be one member of parliament in this place who opposes the principle of an NDIS. Indeed, as we go around our electorates, we are all touched by people and exposed to people who deal daily with people in their communities and in their families who are struggling with a serious disability. They may have been born with that disability, while others may have acquired that disability sometime during their life. All members of parliament have dealt with those people and we have attempted to assist wherever we can.

The other thing that the LNP has been consistent about from day 1 is that any commitment to the NDIS should be funded by the Commonwealth. Where is that consistency on the other side? When the honourable members opposite were sitting over here, they were saying that they supported an NDIS and that it should be funded by the Commonwealth. Now that they are sitting on the other side of the House—through a process of self-defenestration following their breach of trust with the electorate on 24 March this year—they support the principle of an NDIS but they do not want the Commonwealth to fund it, they want the state to fund it. When they sat over here prior to 24 March this year, they said yes to an NDIS but they agreed with the Productivity Commission when it said that any funding for an NDIS should be met by the Commonwealth government.

Why did the Productivity Commission say that the funding should be met by the Commonwealth government? Because the Commonwealth, the federal government, has the taxing powers. It has the revenue raising ability to be able to meet the significant additional billions of dollars of commitment which is necessary to fund an NDIS. That is what the Productivity Commission said. They said that the states, through whatever means, should continue to contribute the amount they are spending across the Commonwealth—which is \$4.7 billion collectively—but that any additional funding should be met by the Commonwealth.

What the LNP has done is be consistent. We support an NDIS. We would have liked it if the Commonwealth government had not played politics in Canberra last week. Rather than sticking to the principle of what had been put on the table through their own development process and also through the Productivity Commission—which was for the Commonwealth to support it and fund it—they decided to go a different way and play politics with it. Let us look at New South Wales and Victoria.

Opposition members interjected.

Madam SPEAKER: Order! The interjections across the chamber are making it difficult to hear the speaker with the call.

Mr SPRINGBORG: If they had stuck to the original part of the bargain—that is, the Commonwealth and the Productivity Commission—then of course it is something we could have supported. All Australian states and territories could have supported it, but there was some sort of political ambush by the Prime Minister. Let us look at what the Premier of Victoria has said in only the last 24-odd hours. He said that whilst they are committed to these trial sites the cost of implementation is going to be 20 or 30 times that amount. So they have not even got to how they are going to fund it beyond that, and therein lies the catch for everyone. It was a political ambush by the Prime Minister, and it was something which the state government in Queensland was not prepared to be a part of.

If the leader of the Labor Party was prepared to come clean and give us that legal advice to allow us to take action against the contractors with regard to IBM or anyone involved, maybe we might have some money. If the Leader of the Opposition was not part of a government which vaporised \$1¼ billion, we might have had some money to be able to contribute towards an NDIS. If the Leader of the Opposition was not part of a government that started out with a Queensland Children's Hospital which was costed at \$680 million but which then blew out to be in the vicinity of \$1.5 billion for exactly the same facility—no more beds than what was envisaged in the original proposal—maybe there might be some money as well. The reality is that the LNP has been the most consistent—

(Time expired)

Mr PITT (Mulgrave—ALP) (5.54 pm): I rise to support the Leader of the Opposition's motion. In August 2011, the Australian government released the Productivity Commission's final report on disability care and support. Queensland provided in-principle support for the Productivity Commission's report to establish a National Disability Insurance Scheme. Shortly after, COAG agreed that the need for major reform of disability services in Australia through an NDIS was necessary.

It was the position of the previous Labor government in Queensland that, in line with the Productivity Commission's report, the Australian government had the greater financial capacity to support an NDIS and that it should exercise policy and regulatory responsibility to create a genuinely nationally consistent scheme. However, let us be clear that this position was based on the fact that discussions were still ongoing about an appropriate funding arrangement, which I am sure all would agree is critical to ensuring the long-term viability and success of an NDIS.

Prior to the election, like other jurisdictions, we sought clarity regarding the responsibilities for each level of government and funding arrangements. We saw this as being important before any firm position and any subsequent funding could be committed to by Queensland. At that time—and this is important—no offer had been made by the Australian government for us to consider, but the Prime Minister announced that the start date for trials would be from mid-2013.

In September 2011, as minister for disability services, I launched the Queensland government's 10-year plan for Queenslanders with a disability called Absolutely Everybody. In that plan, Labor had committed Queensland to ongoing reforms, and this plan deliberately included a transition to an NDIS. To support this, we established the \$1.5 million Queensland Readiness for Disability Reform initiative to assist NGOs—as well as people with a disability, their families and their carers—to prepare for ongoing disability reforms.

The fact is, and no doubt Minister Davis will attest to this, that disability reform is ongoing and it could be argued that a national approach is inevitable. And that is why our participation in an NDIS trial is so important. It is important to ensure that the unique needs of people with a disability in regional areas of Queensland are factored into how a national scheme would operate, including remote Indigenous communities. I constantly highlighted at the meetings of states and territories that

Queensland is the only truly decentralised state. Western Australia try to lay claim to that tag too, but in reality they have more of a hub and spoke model. The definition of regional is different from state to state. Regional Victoria is very different to regional Queensland in terms of scale and distance.

Last year I represented Queensland on the COAG Select Council on Disability Reform to work on foundation reforms. The work of the council was guided by a set of principles endorsed by COAG in late 2011 and included the following statement—

All governments recognise that addressing the challenges in disability services will require shared or coordinated effort.


It is that shared and coordinated effort that was the hallmark of the select council. Disability ministers from the conservative states of New South Wales and Victoria—Andrew Constance and Mary Wooldridge—were both strong contributors to this process, at least during the time I was the minister in Queensland, and appeared to be leaving politics out of it.

But then there is the Premier. While the Treasurer was telling the truth to overseas investors, the Premier was here at home playing politics. His reckless statements regarding Spain were made as an excuse to avoid putting \$26 million over three years on the table to deliver an NDIS trial site in Queensland. This level of funding represents just 0.06 per cent of the state budget. It contrasts with the Premier's commitment for a \$65 million council road upgrade in his own electorate that he says the state can afford.

Labor recognised with Absolutely Everybody and the Growing Stronger intake and assessment process that there was a need to transition to individual funding for greater choice and control—including portability between service providers, improved access to aids and equipment, and innovation for new technologies. It was recognised that we needed to work towards building the capacity of disability service providers and the disability workforce to provide greater choice and control and contemporary service models. It was recognised that under Labor in Queensland the budget for Disability Services increased by a massive 495 per cent, but it still was not enough. There would continue to be unmet need.

There is no doubt that the implementation of an NDIS would mean a fundamental change to the way in which people access disability support to help them live their lives. It is about moving from a welfare approach to an insurance approach and giving people choice in how they access support. It is about enabling people to move between states and manage their support package. It is about supporting people with disabilities and their families and carers to plan for the future. It is about providing a greater level of certainty in the long term—particularly for ageing parent carers who want to know what will happen to their son or daughter when they are no longer able to care for them.

There is a reason why other jurisdictions are getting on board with the Australian government's national disability reforms. With an offer from the federal government to commence the trials, they see that we have an historic opportunity—a once in a generation opportunity—to make significant and lasting change to empower people with a disability in this country. They are getting on board because they are viewing this for the long term and not taking a short-term approach. I urge the Premier to reconsider his position and see Queensland's participation in a trial site as an investment in the future and not to take a 'wait and see' approach.

 **Mr DOWLING** (Redlands—LNP) (5.59 pm): The figure—\$1.2 billion. If we had \$1.2 billion, we could double the current spend in the disability space. With \$920 million currently invested right here this year in Queensland, and \$320 million from the federal government, that is \$1.2 billion. We could double our contribution into Disability Services.

Do honourable members know that there is \$1.2 billion worth of dead money to be paid over the next few years that we cannot spend otherwise? That is the amount to be spent on a failed Health payroll system for which those opposite have to accept responsibility and blame. We could have doubled our contribution if we had not inherited that debacle. We are cleaning up the mess made by those opposite—and they are still here calling out across the chamber, whingeing and carrying on. They have nothing to be proud of. I will give another example. An amount of \$600 million and climbing is what the Traveston debacle has cost. What could that amount of money do for disabilities, disabled families and carers in this state right here, right now if it were not squandered by those opposite? Our AAA credit rating—there is another \$100 million in a year that we could have actually invested in those people most in need.

The mismanagement by Labor does not stop at the border. Sadly, it goes over the border and into their federal counterparts. They have put \$1 billion on the table—that is their claim—to get this thing up and running. Unfortunately, \$650 million of that is squandered on duplication—duplicating the current administrative systems and the IT systems that are already in place across the states. In real terms, that means we are left with somewhere in the order of \$342.5 million actually getting to where it is needed, to where it will do some good.

The NDIS is a great idea. There would be no-one on this side who would not support a national disability insurance scheme. What we are disputing is how it is funded. It is a national program. The federal government has the wherewithal to introduce a levy but it will not. It was quick enough to introduce a carbon tax but clearly it would not support this. It is just leaving disabilities out on a limb. It is an absolute travesty.

A government member: Traveston!

Mr DOWLING: I take the interjection. Without a long-term funding strategy, without a sustainable model, this is going nowhere.

Mr Newman: They have got a political model but not a funding model.

Mr DOWLING: They have got a spin model and a political model and that is it. I actually take on board a contribution by the member for Mackay in which he said that this is a cruel hoax—and it is a cruel hoax. It is a cruel hoax and nothing more than that from those opposite. The hopes of those who are most in need will be completely dashed by this scam, this sham that is being put forward. They are false prophets yet again. Even the Productivity Commission recommended that the funding should be much more—\$3.9 billion should be funded. Clearly, we are nowhere near that. This is an absolute farce.


I say to those opposite and their counterparts—their federal Labor mates—that if they were really serious, if they were really genuine, they would actually support the amendment; they would support the amended motion as put forward by the Premier. If there were just a hint of sincerity from those opposite they would be supporting a levy or a similar funding model—something that would actually deliver the NDIS. Here is the rub: not only would it deliver an NDIS, but it would deliver it now, not in 2018, not with a bodgie funding model—

Honourable members interjected.

Madam SPEAKER: Please pause the clock. There are interchanges across the chamber which are not being made through the chair and are not being accepted as interjections from the speaker. It is making it difficult to hear the speaker with the call. I ask for them to cease. I call the member for Redlands.

Mr DOWLING: If we had a proper funding model, if a levy were put in place, not only would this be able to be delivered now, but also we would not have to wait until 2018. The offer was on the table. They could have had support across the states and they could have actually delivered this program. Instead, they chose to hide behind all of the charades and carry-ons. The NDIS, the National Disability Insurance Scheme, is a national scheme. It is not a state based scheme.

(Time expired)

 **Mrs SCOTT** (Woodridge—ALP) (6.04 pm): All across the state tonight Queenslanders with a disability are despairing at the mean, tricky and heartless Newman government. In the last week the Premier has broken their hearts and forfeited their trust and they will not soon forget it. Let us step through the litany of disappointments that the Premier has served up to Queenslanders with a disability, their carers, their families and their loved ones. The first strike was to the Family Support Program, a vital program to help Queensland families. The disability services minister announced a review of the program, and we all know what this government means when it uses the word 'review'. It means that there will be savage cuts. In short, this government proposes to strip money away from needy families—money which goes to such things as medical and incontinence aids, transport subsidies and pharmaceutical products.

I received a copy of a letter addressed to the minister from the Blacklock family. I table the letter.

Tabled paper: Letter, dated 17 July 2012, from Paul and Rosemary Blacklock to Hon. Tracy Davis MP, Minister for Communities, Child Safety and Disability Services, regarding disability services [\[622\]](#).

The letter concerns their daughter, Alicia, and I must tell honourable members that we in my office wept when we read this letter. Mother, Rosemary, and father, Paul, explained that Alicia has severe intellectual disabilities and high-level autism. Alicia does not speak and cannot care for herself. She requires constant supervision, particularly as she self-harms. The Blacklocks were very upset that their support package was being cut. Rosemary writes—

On Wednesday, July 04, 2012, I was advised by Disability Services that the support Paul and I received to assist with respite for our 19 year old daughter Alicia ... will be substantially reduced. They advised us that the support package has been reduced by 14 hrs (\$350) of in home support per month, \$720 per year of specialised food, \$342 per month for incontinence aids and an additional \$80 per month for transport and pharmaceuticals.

They are not my words; they are from the family. This government's cuts are hurting families like the Blacklocks right around Queensland. Then, of course, we move to the Premier's biggest failure, his breathtaking refusal to do even the smallest thing to support the NDIS and secure a trial site for Queensland. It all started with the Premier riding down to Canberra vehemently opposed to helping out in the smallest way. He stated—

Queensland is sick and tired of the Prime Minister putting her hand in their pocket.

Then we heard the sum total of the Newman government's submission to secure an NDIS trial site, a one and a half page letter. Other conservative state governments put in submissions of over 100 pages. Unlike Minister Davis's letter, they actually addressed the selection criteria. I can only imagine the minister's office on the day the submission was due. At about 4.30 pm the minister must have said to herself, 'There was something I meant to do today. What was it?' Suddenly it dawned on her. She was supposed to—


Honourable members interjected.

Madam SPEAKER: There are members interjecting across the chamber from my left and my right who are not directing their comments and interjections to the Speaker and it is interfering with me being able to hear the member. We do have some competition with regards to noise at the moment from outside the chamber. I call the member for Woodridge.

Mrs SCOTT: Suddenly it dawned on her that she was supposed to submit a detailed expression of interest on hosting a trial site for the National Disability Insurance Scheme. She must have dragged her staff in and, like a group of lazy school students, they knocked something out at the last minute: one and a half pages full of standard hyperbole and motherhood statements. The minister's slackness, approved and endorsed by the Premier, ensured that Queensland was never in contention to host a trial site. If this government thinks a page and a half is sufficient to communicate to a different jurisdiction on a matter as important as this, I can only imagine how little effort they put into cabinet submissions. I bet the Premier's briefing documents at COAG consisted of a post-it note which said 'help no-one'.

Then the Premier floated the idea that Gympie might be a good place for a trial site. This was not mentioned in the minister's letter to Jenny Macklin. It was government by press release. Then after sustaining a few days of bad press, on Friday he decided to put up the idea of a further tax to fund the NDIS. What did his conservative counterparts do? They ran from him as fast as possible. Baillieu and O'Farrell caved—

(Time expired)

 **Mr GIBSON** (Gympie—LNP) (6.09 pm): I rise to support the Premier's amendment. As legislators it is rare that we have an opportunity to be involved in a reform that is so innovative, that has such potential it can be something that all Australians benefit from not just for future years but also for generations to come. A sustainable, funded NDIS can do exactly that. As a child of two lifelong disabled parents, I know by often bitter experience the barriers that disabled people face in Australia, across all states. The current systems have been described as being dysfunctional, old-fashioned, unfair, piecemeal, paternalistic and failing those Australians who need them the most. Indeed, I heard it most recently being described as a disability lottery, and the NDIS creates the opportunity to fix this.

The current system is based on the view that people with a disability should be grateful recipients of charity rather than empowered individuals capable of choosing what works best for them. People want the removal of many barriers so that the disabled can have full inclusion in the community and they can participate in the social, economic, cultural and political life of this nation. The NDIS offers a model to achieve this. That is why the NDIS has bipartisan support. But if people were to listen to those opposite they would think otherwise.

Let us be very clear: this debate tonight will do very little to contribute to those in Queensland who have a disability. It is nothing more than a cruel stunt by those opposite, who clearly have no regard for the lives of those who will benefit from an NDIS as they use this opportunity for base political purposes. Like snake-oil cure salesmen peddling their wares as the wagon rolls into town, they know that they can leave town and leave those who have bought the dodgy products feeling despair. That is what this debate will do.

If we listened to those opposite we would think Queensland has outright refused an NDIS. Let us be very clear, as the Premier was today: Queensland is supportive of an NDIS in principle. We still do not know what the NDIS will be or look like. What is occurring at the moment is a brouhaha over the trial sites—the first steps on the road to a fully fledged scheme in 2018. What we have seen is the NDIS become a political football over trial sites. Heaven help us when it comes to the full implementation if we cannot get the funding right!

Let me use my remaining time to strip away some of the smoke and mirrors. I am amazed at the support and concern that those opposite suddenly have for my electorate, because I note that neither of the former disability ministers visited my electorate to talk to organisations in that community about disability issues. In fact, the former Premier never bothered to visit the electorate after she explained the announcement on the Traveston Dam. Their concern for Gympie is nothing more than hollow words. Gympie meets the requirements for an NDIS trial site. It is a discrete geographical area and would be a good site if it could be delivered fully funded by the federal government. The Productivity Commission very clearly said—it was unambiguous in fact—

... the Australian Government would take responsibility for meeting the entire funding needs of the NDIS.

Mr Stevens: Did it say 'pass the buck'?

Mr GIBSON: I take the interjection because the report addressed the issue of buck-passing. It said—

This would provide certainty, clear lines of funding responsibility, avoid the inefficiencies of the Commonwealth-State 'blame game' ... and reflect the Australian Government's unique capacity to raise efficient and sustainable taxes of the magnitude required.

We would not be wasting this parliament's time if the federal government adopted the Productivity Commission's recommendations on a sustainable, funded NDIS model and we would deliver something that is lasting and worthwhile for all disabled Australians.

Mr WELLINGTON (Nicklin—Ind) (6.14 pm): I rise to support the motion that Queensland support the proposed trial of a National Disability Insurance Scheme. Tonight we can do something, not just pass the baton and blame someone else. We can follow the lead and join other states in trying to take that very first step of improving the lot for people with disabilities around Australia. Just as the member for Gympie said, it is the first step. It is not the last; it is simply the first step.

A number of government speakers have said, 'We have no money. We can't afford it.' The Premier wrote to me some time ago and said, 'Give me some suggestions.' Can I say: put the 'for sale' signs up in the Mary Valley tomorrow. That would generate income. Stop the ridiculous High Court challenge to the mining resource rent tax.

Opposition members interjected.

Madam SPEAKER: Order, members! The member with the call is not taking the interjections. I call the member for Nicklin.

Mr WELLINGTON: Another government speaker said, 'Take the money from Nicklin.' Well, the government has. It has stopped the funding of the disability access improvements for the Nambour Railway Station. Shame on the government! It was planned and justified, but what did the government say? 'Sorry. We will consider it in the future.' So they have taken funding from the electorate of Nicklin. I say to the Premier and his government, who say there is no money: put the 'for sale' signs up in the Mary Valley tomorrow so we can have the trial in Gympie. It is very simple.

Mr Gibson interjected.

Mr WELLINGTON: I am not taking interjections from government members. Put the 'for sale' signs up tomorrow, stop the ridiculous banter to the High Court in relation to federal government's proposed mining resource rent tax. That would represent another significant saving. I look forward to the opposition members continuing with the debate.

Ms TRAD (South Brisbane—ALP) (6.16 pm): I rise in support of the opposition leader's motion on the benefits of the National Disability Insurance Scheme. One in five Australians has a disability. Every seven hours an Australian child is diagnosed with autism spectrum disorder. Every 15 hours a child is born with cerebral palsy. People with a disability are among the most vulnerable members of our society, with 45 per cent living in or near poverty. It is shocking statistics like these that have driven Labor to boost disability funding in Queensland by almost 500 per cent since 1998, lifting the state government's investment in specialist disability, mental health and community support to more than \$1.6 billion. I table a graph showing the increase in disability funding between 1999 and 2011.

Tabled paper: Table titled 'Qld Disability Funding History 1998-1999 to 2010-2011' [623].

This has provided family support packages, provided more young people with a disability with postschool support, and provided 10 times more people with spinal cord injuries with support to rehabilitate and live independently. These are thousands of Queensland families whose lives have been changed thanks to support from Labor governments.

But disability support needs more. It needs a new system. It needs national reform and national leadership. The moment was last week. The time for the idea had come and those opposite waved it goodbye. Not only did they wave it goodbye; they turned up their noses and watched people despair. State budgets are, by design, political documents. They are about choices. They are about what governments value. The Premier's refusal last week to invest—

Government members interjected.

Madam SPEAKER: Order! The levels of noise are rising to the point where it is difficult to hear clearly the speaker with the call. I call the member for South Brisbane.

Mr STEVENS: I rise to a point of order. I understand that the speaker had 2½ minutes.

Ms TRAD: I have not reached 2½ minutes.

Madam SPEAKER: There is no point of order. The previous speaker did not go that long. There was actually a five-minute slot and we cannot narrowly define it as 2½ minutes on the clock. Therefore, I instructed the staff at the table to put three minutes on the clock. I call the member for South Brisbane.

Ms TRAD: Thank you, Madam Speaker. This government's priority is not about helping lift the load to build the NDIS; it is about building an extravagant new Executive Building for itself. This government's priority is not about the NDIS; it is spending thousands of dollars on its mining mates on High Court challenges. This government's priority is not the NDIS; it is spending millions of dollars mopping up the mess left by the Premier when he deserted the Brisbane City Council.

Government members interjected.

Madam SPEAKER: Order! I call the member for South Brisbane.

Ms TRAD: Thank you. This government's priority is picking up the tab for the CityCycle scheme, which is an abject failure. The Premier is an embarrassment. Not even his own conservative colleagues will stand by him. The Premier's words and deeds last week not only embarrassed Queenslanders; they were deeply saddening for so many people with a disability and their families, and those opposite should all hang their heads in shame!

Honourable members interjected.

Madam SPEAKER: Order! Members! I will have silence before I call the next speaker.



Hon. TE DAVIS (Aspley—LNP) (Minister for Communities, Child Safety and Disability Services) (6.20 pm): I rise in support of the Premier's amendment to the motion. Who should hang their heads in shame?

Government members: Labor!

Ms DAVIS: The Newman government does and always has supported the National Disability Insurance Scheme as proposed by the Productivity Commission. This is a position that we have communicated publicly, including on the national stage through the Premier's attendance at COAG during discussion with the Prime Minister and other state and territory leaders. We on this side of the House understand the challenges faced by people with a disability, their carers and their families and are very much aware that reforming the disability system means reforming their lives. We would very much like to be part of an NDIS trial, but we cannot. And why can't we? Because of the parlous financial position that the former Labor government left!

Honourable members interjected.

Madam SPEAKER: Minister, order! Members who are interjecting are doing so loudly. I cannot hear the member with the call, and they have the right to be heard without having to strain their voice to be heard over those interjections. I call the minister.

Ms DAVIS: Thank you very much, Madam Speaker. We are acutely aware that reform of the NDIS would serve thousands of Queenslanders with a disability and deliver the much needed certainty that they deserve in the long term. I speak regularly to carers, to people with a disability and their families and the disability sector and I do hear of their hopes and aspirations for an NDIS and how it has the potential to change lives. This government wants to see disability reform, but all those opposite want to do is play politics—cruel and heartless politics. The thing that people with a disability and their families want is certainty surrounding the long-term viability of the scheme. But it is really important to note and make clear that what was announced at the COAG meeting last week were launch sites, not the NDIS in its entirety. The NDIS full rollout is not due until 2018 and we are very committed to preparing our state for that rollout. Just to be clear, the Newman government wants and supports an NDIS and our Labor-created financial inability to participate in a launch site should not be interpreted as a lack of support for a scheme as a whole.

As a government we expressed this support to the Commonwealth in June this year through correspondence to the federal Minister for Disability Reform, Jenny Macklin. In that same letter I also highlighted that our government would be interested in hosting a launch site for the scheme should the Commonwealth fund it—it was very clear—and fund it as recommended by the Productivity Commission. To date I have not received any response to that correspondence. The key concerns surrounding the long-term funding of the NDIS have not been addressed by the Commonwealth. It simply does not want to talk about it. All it is interested in is the political expediency of getting trial sites up and running. It has no desire to talk about the long-term viability of the scheme, and people with a disability and their family and carers deserve to know that beyond the four years there will be funding for them to have the care and support that they need for the term of their life.

With regard to funding, those opposite want a bit of a bob each way. In his contribution the Premier highlighted comments by the Leader of the Opposition when in government. But what did the member for Mulgrave say in a YouTube clip published on 28 February this year when he was the then minister for disability services? He stated—

As it's a major national reform, we believe the Australian Government has a greater financial capacity to fund an NDIS.

Government members interjected.

Ms DAVIS: But wait! The member for Mulgrave then told the *Courier-Mail*—

I believe that this should be a shared responsibility.

So what is it? Is it funded by the federal government or a shared responsibility? He cannot even make up his mind! This side of the House cares about people with a disability. We want to see the long-term viability of an NDIS rolled out so that people in Queensland with a disability, their family and carers get the support in the long term that they need and deserve.

Division: Question put—That the amendment be agreed to.

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

NOES, 8—Byrne, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

Resolved in the affirmative.

Madam SPEAKER: For any future divisions on this issue, the bells will ring for one minute.

Division: Question put—That the motion, as amended, be agreed to.

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

NOES, 8—Byrne, Mulherin, Palaszczuk, Pitt, Trad, Wellington. Tellers: Miller, Scott

Resolved in the affirmative.


Motion, as agreed—

That this House:

- supports the implementation of the National Disability Insurance Scheme; and
- calls on the federal government to fully fund the scheme in line with the recommendations of the Productivity Commission report.

COMMITTEE OF THE LEGISLATIVE ASSEMBLY

Portfolio Committees, Reporting Dates

 **Mr STEVENS** (Mermaid Beach—LNP) (Manager of Government Business) (6.41 pm), by leave: I advise the House that the Committee of the Legislative Assembly has today, in accordance with standing order 136(2), agreed that the committee reports in respect of the Heavy Vehicle National Law Bill and the Public Service and Other Legislation Amendment Bill are to be tabled by the committees considering those bills by 13 August 2012.


Sitting suspended from 6.41 pm to 7.40 pm.

PENALTIES AND SENTENCES AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from p. 1329, on motion of Mr Bleijie—

That the bill be now read a second time.

 **Mr GRIMWADE** (Morayfield—LNP) (7.40 pm): At the outset, I lay on the table that I will be supporting this bill. The Newman government is committed to revitalising front-line services in Queensland. In fact, it was a cornerstone of our commitment to Queenslanders that we would revitalise front-line services, in particular in the policing sector. As I have mentioned many times in this House in many debates, I have been a fierce advocate of those front-line police officers who serve our communities. By supporting this bill we will again throw some advocacy behind these guys who go out of their way to protect our communities on a daily basis. As we have heard in this place, and as we all know, the Newman government is committed to delivering 1,100 additional front-line police officers on the beat. That is a huge number of additional police officers on the beat. It is an example of how we are delivering to protect our communities, such as my community of Morayfield. It is also an example of what the public expects us as a government to do, and that is to make safer communities for us to live in. Many members of this House, including me, have children and there are also other people who need to be protected. In that regard, these additional front-line police officers will definitely tick all the boxes. My electorate has already benefited from five additional police officers since the election. That has been

great news for my area. My electorate has received additional officers who have gone through the academy and also some second-year police officers who have come from other electorates. That shows that a lot of police officers are willing to relocate to my area. That is great news.

This bill will be a massive advantage in building up our overall police numbers in Queensland. This legislation will effectively raise \$35 million through law enforcement initiatives that will put a penalty on those criminals who do the most heinous things in our community—those guys who go out of their way to do things in our community that do not live up to community expectations. I think slapping this extra fee onto those who are doing the wrong thing will be really well received by the community. Most people understand that we need to fund that \$275 million announcement of 1,100 new police officers. Most people would also understand in their hearts that those who do the wrong thing by the community should be forced to pay an additional penalty. In effect, with that \$35 million penalty they are making a contribution, if you like, to the \$275 million that it is going to cost to provide 1,100 new front-line police to our beat.

As I said earlier, this is what the community expects. When I get out into my community and speak to people, I hear that there is a community expectation to provide safer communities. There is a community expectation that the government will do whatever it takes, including during very hard financial times, to deliver, firstly, its election promises and, secondly, its commitment as a government to ensure that our communities are safe. As I mentioned, we are doing things tough in Queensland. But we are also implementing our election commitments. We are delivering on our commitment of 1,100 new police officers—a \$275 million commitment. Things are tough. We know that. We have been left with a legacy of \$65 billion of debt, as it is currently, with the possibility, if we did not change things, for that debt to blow out to \$100 billion. So we are a government that stands here committed to ensuring that we will do things right by Queenslanders. We will deliver on their expectations and we will continue to move forward to ensure that we can do that as a government.

Obviously, an important part of the financial situation that we find ourselves in is the loss of our AAA credit rating. Today, we have heard that the fact that we lost our AAA credit rating during the term of the former Labor government is costing us hundreds of millions of dollars. That is hundreds of millions of dollars that we could be putting towards additional police, to front-line services—to really focus on those areas that we want to focus on, which is revitalising our front-line services.


I want to touch on another section of the bill, which relates to our health services. I have no doubt that our nurses in Queensland are very hardworking people. They offer professional services that are critical to our community. Our nurses deserve to be paid correctly and on time. It is an expectation of not only the community but also all health practitioners and nurses that they get paid correctly and they get paid on time. The Health payroll disaster is costing this government around \$1.25 billion. If we did not have that \$1.25 billion debt arising out of the Health payroll disaster, we would be able to fund initiatives for our nurses, obviously pay them on time and give them the support they need. At the moment, there is \$91 million in overpayments outstanding. As much as I know that nurses need and expect to get paid, these overpayments will be recouped by this bill in a fair and compassionate way to ensure that that \$91 million can be put towards providing cost-of-living relief and front-line service delivery for Queenslanders. It is only fair that the government will act to recoup these overpayments and direct the funds towards providing better service delivery for Queenslanders.

I will give members a couple of examples from my electorate. Currently, the Caboolture Hospital in my region is struggling. I have mentioned this issue previously in speeches that I have made in this place. Recently, I was speaking to two ambulance officers in my electorate. When I approached them the first question these gentlemen asked me was, 'What is your government doing to unblock the emergency department at Caboolture Hospital and what are you doing about ambulance ramping?' As we got into the discussion I started to tell them what we were doing about emergency services in Queensland and the government's plans to pay down debt to get our AAA credit rating back and to have a balanced budget so that we could deliver front-line health services. I also told them what the government was doing currently in terms of unblocking the emergency department. The ambulance officer who I spoke to first told me that things were critical for him. In fact, he went on to say that, on average, every time they take someone to Caboolture Hospital they are stuck there, ramped, for two hours. I know that everyone in this House would understand that that means effectively that those ambulance officers take a patient to the hospital and then they are stuck there. Instead of being available to be called to attend other areas of critical need, those ambulance officers are stuck there, ramped up with the patient in the bed in the ambulance. That is an example of why we need to recoup some of these overpayments so that we can put funds into the delivery of health services and front-line services.

The Newman government will protect employees from having their pay amounts reduced inappropriately by the repayment deductions. This is an important part of this bill. Recently, when I was holding a National Tree Day event at a shopping centre in my electorate I was approached by a nurse who had been overpaid. She had received quite a substantial amount of money in overpayments throughout this process.

Her comments to me were something along the lines of 'We know we have been overpaid. We expect to pay it back.' What the nurses and the health practitioners are saying is that they want to pay it back, they want a government that will take responsibility, they want a government that will move to ensure that the overpayments are corrected immediately and large debts are not incurred. This is what this act will do. What this particular nurse was telling me at the National Tree Day ticks all the boxes.

In summing up, this Newman government that I stand part of will act responsibly to ensure that the state's finances are balanced and focused to regain our AAA credit rating. It is through this responsible financial management and hard decision making that we will be able to fund appropriate front-line services to our communities and get Queensland back on track. These are two examples of things that we can do to ensure that we have the money in tough economic times so that we can deliver for Queenslanders—deliver for nurses, police, teachers and all other public servants in front-line roles throughout Queensland. It is because of this that I will be supporting the bill tonight. I commend the bill to the House.

 **Mr RUTHENBERG** (Kallangur—LNP) (7.50 pm): I rise to speak in favour of the Penalties and Sentences and Other Legislation Amendment Bill 2012. I am glad the minister is in the House. It is with great pleasure that I support this bill. I hold it up in this House and to the community of Queensland as an example of getting the fundamentals right. For too long in this place the fundamentals were not dealt with—in fact, they were ignored. What we are seeing from this Newman-led government is a focus on getting the fundamentals right. It is paramount that we do that because like the foundations of a building the rest of the things that we want to accomplish will be built off those fundamentals.

I note this bill has several purposes but that the main purpose is to fulfil one of the government's election commitments to increase the value of penalty units from \$100 to \$110. Further, the bill introduces a nominal administration fee on criminal justice matters where an offender is found guilty. I support this move to require those found guilty to contribute to the cost of bringing them to account before the community. In fact, I may go even so far as to say that these fees are quite small in comparison to the cost incurred by the community and urge the minister to review these fees in future years with an eye to addressing if they could be used as a deterrent by raising them to be closer to the real cost the community faces when prosecuting and bringing to justice those who choose to break the law. I use that word rightly: they choose to break the law. I do, however, provide this caveat to that encouragement and that is that innocent family and friends who may be caught up inadvertently by criminals not be penalised by the criminal action, especially, for example, where there might be joint bank accounts associated.

I note the law and regulation in Queensland that imposes a financial penalty often uses the mechanism of a penalty unit. Out in voter land these imposed penalties are often called tickets. For example, when someone gets a fine for breaking the law they often say, 'I got a ticket the other day.' Depending on where you are, this can bring a varied response. If you are having a drink at your local watering hole, getting a ticket is often associated with many stories from mates about how they got tickets or, in some cases, how they avoided getting a ticket, but never about how it was their fault that they got a ticket. It is always, 'You know what? They could have just been a little bit more lenient.' If, however, I have to tell my wife I got a ticket, the discussion is very different. It is accompanied by an hour of 20 questions and discussion as to what I will give up to pay for the ticket. However, I digress. I am sure that the increase from \$100 to \$110 per penalty unit will serve to help with conversations about getting a ticket. When legislation uses a penalty unit to determine the amount, it will more importantly help the community better pay for the state's justice system. Penalty units better reflect an ever-increasing CPI and the increasing costs of doing business.

I note the attention of previous speakers to front-line services, especially those of police, and I add my praise to using these collections in that fashion. In my own electorate our policing effort is so effective because, in fact, we have the highest ratio of police to population. We are in some cases a victim of our own success. I applaud the police in our electorate for their efforts in this area. Recently we were allocated 18 more police. I thank the Minister for Police and Community Safety for that. They will come in handy. As law and order is a major issue in my electorate these new police will be welcomed by the community. I note that, while the penalty units also apply to local laws, this increase will not at this time apply as the act that authorises that increase will not be amended until the minister further consults with local government. These penalty units are also used at local government level but at this point in time that is not to be introduced. I make this point: our government is consulting with local government. Our government is going to local government and treating them with respect and dignity and asking them what it is that they feel about this. That is unlike the former government that just imposed its will on them.

Mr Bleijie: They hated local government.

Mr RUTHENBERG: I will take that interjection from the Attorney-General. He is absolutely right. They disliked them with some passion. They exhibited that dislike in the absolute disdain with which they treated local government. What I must emphasise here is that recently in conversations with our mayor, who is the mayor of the third largest local government in Queensland, he expressed some relief at the fact that finally councils were being listened to. This is a fantastic example of this government


consulting with other levels of government and treating them with the dignity that they deserve as a group of people who also help to govern our communities. I congratulate the two ministers on seeking the advice of the people that a move such as this would have an impact on. I congratulate the Attorney-General for that and thank him for treating our local governments with respect.

I turn my attention now to the amendments to the Penalties and Sentences Act 1992 to introduce a nominal administration fee on criminal justice matters where an offender is found guilty. I have stated that I agree with this particular provision. The levy of \$300 for matters that are dealt with in the Supreme and District courts and \$100 for matters dealt with in the Magistrates Court I think are very fair and reasonable. Last Thursday as I was conducting a mobile office a local resident waited patiently to see me. He was most concerned about two things: the first was that the judiciary was not reflecting in its sentencing the expectations of the community and the second was that those who were being convicted were not only costing the community in policing and prosecuting of their actions but also costing the community to keep them in jail and wondered if there was any way to put them to work so they could help pay their own way or at least subsidise the cost to the community to keep them locked up. I do not propose to comment on his first point, but I think there is merit in his second point and that it deserves some attention at some time in the future when this government has finished establishing sound fundamentals and has started to get this state back on track.

It was great to be able to share with him some of our efforts so far, such as the bill we passed last time we sat that imposed mandatory sentencing for second time sexual offenders, a bill that the Labor Party did not support. I also shared with him our plans to implement trial boot camps for minors. I also shared with him our plans to increase sentencing for murdering a policeman. I also shared with him some of the other initiatives that we have put in place and that are coming. He was somewhat relieved that his state government was acting tough on crime and shook my hand vigorously.

That man is only one of the several people who have had the same conversation with me and in my assessment the community approves of this tough stance on crime. In my assessment the levies of \$300 for matters that are dealt with in the Supreme Court and the District Court and \$100 for matters dealt with in the Magistrates Court are very reasonable. These measures are very reasonable and meet community expectations. For that reason I support the bill.

I congratulate the Attorney-General and Minister for Justice and I encourage the opposition to support the bill unamended. I also congratulate the police in my electorate. They do a sterling job. I mean that seriously: they do a sterling job. When the rest of us are running away, the cops are running in. That is an unbelievable thing that they do for us. To the health workers who have struggled for a very long period with this farce of a system, I say that our health minister is getting the job done. I encourage the opposition leader to help us finalise that effort and to stop hiding behind whatever it is she is hiding behind. I thank the committee for its work and to the Attorney-General I say again, sir, thank you for your efforts.

 **Mr DRISCOLL** (Redcliffe—LNP) (8.01 pm): It gives me great pleasure to rise in support of the Penalties and Sentences and Other Legislation Amendment Bill 2012. Although the explanatory notes and the background to this legislation are quite straightforward, I believe the bigger story lies in the amount of information that will be forthcoming and the benefits that this type of legislation will have in the long term, particularly with reference to how some of these funds and penalties will be used for the good of the community.

When we look back on making decisions such as implementing this legislation, we will see clearly the benefits of those decisions to police and to communities through the accountability we will bring to bear on those who perpetuate crimes knowingly, are found guilty and are actually made to pay. Other speakers have also talked about that sentiment being something that they look forward to. In the electorate of Redcliffe I speak to many local people who are very determined indeed to see justice served. In fact, I look back to some of the discussions my colleagues and I had when we underwent the induction program following our election to this place. We were fortunate enough to receive briefings from some of the senior judges and justices in Queensland. Many of us had the view that being made to pay, whether it be through sentencing or the payment of a fee, modest though it may be, is a very positive step in the right direction.

In the electorate of Redcliffe I talk to very senior police and I also share information with police on the beat. They tell me that they are looking forward to and have already welcomed positive changes that have resulted from having a new government in Queensland. Those positive changes have already seen more police on the beat. Since this government has taken office, new police have already come into my electorate and we look forward to more of the same. Indeed, this new LNP government has committed to providing 1,100 new police and members of the Police Service certainly laud that fact when I speak with them.

Some of the best police in Queensland operate out of the electorate of Redcliffe, although I am sure that many members in this place would contend the same. However, I am a little biased, as I suppose we all are. I know that the passion and the commitment that the police have for achieving justice for our community in Redcliffe is second to none. We will go back to our electorates and inform

them that we are passing legislation such as this. We will tell them that we are looking at legislation that will put more money back into front-line policing and road safety campaigns, for example. That is the sort of positive stuff that the police are looking for from our government. We rely on the police to uphold the laws that we pass, so when the people who put themselves on the front line give us a tick of approval, that is the sort of stuff to be proud of. They do not do that by shouting about it in newspapers. They come up to you, in your office or when you are at the station, and they say privately, 'This is the sort of stuff that we really appreciate; thank you.'


An unfortunate element of the bill that we have to address relates to the overpayments and the farce of the health and hospitals payroll debacle that was presided over by the former Labor government. In this place everyone on the side of the government will have heard horror stories, which they are quite prepared to tell, from nurses and doctors who were absolutely at their wits' end because of the absolute disgrace that was inflicted upon them. Again, those people are professionals upon whom we rely to look after the most vulnerable people at times when they are most in need. I have been in the Redcliffe Hospital with family members who unfortunately required treatment for emergencies or injuries and I spoke with some of the doctors and nurses about the plight they were facing. When the Labor government was in its dying days, albeit still in power, I heard about the enormous frustration, the fear, the anguish and the uncertainty that was being experienced by front-line service providers, the doctors and nurses. In fact, some the stories that I was told during just one visit are worth sharing with the House tonight.

One doctor told me that he had been pleading with the bureaucrats within the health department to take back the money that he knew he was being overpaid. In fact, they were so disorganised that they had no answer for him. I am sure the circumstances of that doctor were not unique. When the doctor looked across tax years, he saw the complexity that had been allowed to creep into some situations and scenarios, whereby tax had to be paid on overpayments. It is mind-boggling that it was allowed to go on for so long, that it was brushed under the carpet. In fact, the former Labor government tried to pretend that none of it ever really happened and suggested that we all just look away and stop talking about it.

As recently as today, we saw the same tricky behaviour from the now Labor opposition which still cannot give a straight answer on the Health payroll debacle. It beggars belief, but it seems impossible for them to come clean. I applaud the Minister for Health for his dogged pursuance of this information. He is a minister who will not let go until that information is forthcoming and can be used in a meaningful way on behalf of the people of Queensland. When that information comes forward, we will see more progress towards getting Queenslanders back on track financially by getting back our AAA credit rating. Today many speakers have talked about how that is costing this state dearly when it comes to interest repayments on debts that we have to carry forward. The legislation before the House tonight is attempting to put back into the Queensland coffers money that rightfully should have remained in the Queensland coffers. Therefore, it was the absolute height of hypocrisy that earlier this evening the Labor opposition carped on about why we should be better funding certain services and certain programs that it wishes the Queensland government to put money towards.

If the Labor opposition had not squandered the finances of Queensland, if the Labor opposition had managed the books of Queensland the way this government has started to and will continue to, then we would have an awful lot more money to be able to dedicate to programs that are worthy of support. The hypocrisy of the opposition beggars belief. I congratulate the minister on this piece of legislation and I commend the bill to the House.

Mr DEPUTY SPEAKER (Mr Berry): Member for Bundamba, before you commence to speak, it is a sign of respect to bow to the Speaker on entry into this place. On several occasions you have entered without bowing. I am not warning you, but I am asking you to show the respect that this place and the Speaker deserves. I call the member for Bundamba.

 **Mrs MILLER** (Bundamba—ALP) (8.11 pm): Thank you, Mr Deputy Speaker. Remarkable. I would like to speak now on the Penalties and Sentences and Other Legislation Amendment Bill 2012. This is a complex, piecemeal and haphazard bill which seeks to amend a number of different pieces of legislation. The major components of the bill include the 10 per cent increase in the penalty unit, the introduction of an offender levy for individuals using the court system, amendments to the Civil Proceedings Act 2011 to expand the definition of a 'relationship' to include a 'registered relationship' and to allow for the automatic recovery of overpayments to Queensland Health and hospital employees. There are also some minor and technical amendments which affect the rules of the Land and Children's courts, commissions of inquiry and sundry legislation.

It is important that fines are reflective of the general cost of living in the community. Fines act as both a disincentive to any wrongdoing and also punishment once wrongdoing has occurred. If fines are too low relative to income, their deterrent effect is significantly diminished. The last time the standard penalty unit was increased was in 2008 and before that it had not been increased for nine years. The standard penalty unit is not indexed to inflation and therefore it needs to be increased by legislation to ensure it continues to keep pace with inflation. I support the increase in the penalty unit, noting that the \$10 or 10 per cent increase is roughly in line with inflation over the 3½ years since the last increase.

I am pleased to add my support to this change and note what a difference a few years make. When the previous government increased the penalty unit, which had not changed in almost a decade, I ask: who opposed it? It was the member for Southern Downs, the then Leader of the Opposition, who fought tooth and nail against it and so did every other member of the LNP in this House. The member for Southern Downs called it 'nothing more than an effort to gouge money from Queenslanders' and the Treasurer called it a 'grab for cash'. It must be nice to have such a short memory, never having to stick by your previous statements. Blatant hypocrisy is fast becoming a major hallmark of this LNP 'can't-do' government.

I support this element of the legislation. It is reasonable and fair to adjust the penalty unit from time to time. I just think it is incredibly important to keep the government accountable and to point out how far they have moved from their position in less than four short years.

I now turn to parts of the bill concerning health overpayment recoveries. Health employees have been singled out in these amendments, with provisions relating to the recovery of overpayments to them that are not applicable to any other workers in Australia. This is highly unfair. I acknowledge that workers have already suffered with the introduction of the new payroll system. It is unfair to punish them because of this. Everyone expects that overpayments have to be repaid. I certainly expect that. No-one would argue that Queensland Health has no right to recover overpayments from staff. What we have here is an argument with the manner in which it is being done under this bill.

In his explanatory speech the Attorney-General spoke of overpayments which continued to be generated at an average rate of \$1.7 million every fortnight. The vast majority of this amount is not through any fault in the payroll system but due to changes in rostering and absences of workers which occur too late in the pay cycle for them to be factored into the payroll for that fortnight. I would ask and respectfully request—but never bow to—the Attorney-General to please clarify in his speech in reply exactly how much of his quoted \$1.7 million is attributable to late roster changes and absences so that we can have a clearer picture of the scope of the ongoing problem. So tell us, Attorney-General, what the real story is.

I understand there will be a change made to the pay date of health employees so that this will occur 10 days after the work period instead of the current three days. This change was in fact announced by former minister Wilson in December last year after extensive consultation with the unions that represent health workers. This change should give a much greater degree of accuracy in the calculation of appropriate pays for the actual work undertaken during the period. Given this measure, wouldn't it be better to wait until we see how that works and how much of a problem then exists before taking such a heavy-handed legislative sledgehammer to crack not a walnut but an almond?

Legislation is not required. The health workers unions and health workers themselves have been acting in good faith in all negotiations in relation to the Health payroll. The previous government spent a lot of time and energy in negotiating acceptable conditions for the recovery of overpayments. It is disingenuous of the government to seek to go behind those negotiations with the heavy hand of legislation just because you currently have a large majority in the House. But I tell you what: it is going to go down next time. This smacks of arrogance from you lot over there and we have come to expect that from this government but also the government's anti-worker, anti-union—

Mr DEPUTY SPEAKER: Member for Bundamba, would you please address your comments to the chair. Thank you so much.

Mrs MILLER: I would be delighted to, Mr Deputy Speaker. But we have also come to expect the anti-worker and anti-union sentiments of the government and in particular the Attorney-General. I do not make this allegation lightly. The government has acted diabolically in respect of public sector workers in this state. The arbitrary sacking of workers and the changing of redundancy conditions in the new directive are a slap in the face to the hardworking people who serve the government and the state in what can sometimes be very trying circumstances.

The amendments contained in the Industrial Relations (Fair Work Act Harmonisation) and Other Legislation Amendment Bill 2012 are another prime example of this bias. It is no coincidence that this was the second bill debated and passed in this 54th Parliament. The amendments offend on many other fronts as well. By allowing automatic recovery from workers' pay, this bill reverses the onus of responsibility and requires workers to prove they do not owe the money. There is a reason why employers have not been able to withhold workers' pay in such a unilateral way under Queensland industrial law, and that is that it is open to abuse. That is why this principle should always be protected.


The other issue with the way in which deductions can be made is the fact that not only wages can be attacked. Queensland Health or any other employer can automatically recover up to 25 per cent of 'an amount otherwise payable at the time'. This includes allowances or any other payment that is employment related, not just wages. This is another way in which health workers are being singled out for particularly draconian treatment.

The deal being negotiated between the previous government and the unions was for a smaller proportion of the wage to be taken in repayments. It provided for a sliding scale of 10 per cent to 15 per cent depending on the salary earned by the worker and it was to be implemented by way of a change to the award, not through legislation or unilateral action. This bill means that if a hospital cleaner or a wardie or a nurse is taking their annual leave not only will up to 25 per cent be allowed to be deducted from their wages for the period but the employer can also access 25 per cent of their leave loading. Mr Deputy Speaker, dear or dear!

The employment transition loans will be available to assist employees disadvantaged because of their change to the roster period and pay date. Again, this was a good idea and former minister Wilson's December media release clearly indicated that this was proposed by the previous government.

There will apparently be a directive issued in relation to early repayments, but again this is very unclear. This bill is lacking in that there is no mention of if or how any interest might be charged on the loan. So I ask the Attorney-General: will the minister assure the House that the silence on this matter means that there will be no interest payable? Everything needs to be upfront and open in this matter.

I would like to place on the record that tonight I received a message from Gary Bullock, the state secretary of a great union, United Voice. He advised us of the effect of another declaration—which is that all employment security will be abolished in hospitals and schools. So the people of Queensland should take note: this government is going to contract out the provisions that are in the enterprise bargaining agreements so that health professionals face losing their jobs as services, like cleaning, get contracted out. United Voice has a campaign that started tonight called Our Jobs Not For Tender. So shame on you over there. Shame on the lot of you. You are a disgrace to Queensland. You are the job pimps of Queensland. And you, Premier, are the job pimp of Queensland for being in charge of it. You are a disgrace.

 **Mr WATTS** (Toowoomba North—LNP) (8.21 pm): I rise today to speak on the Penalties and Sentences and Other Legislation Amendment Bill 2012. I will deal with some of the technical issues in the bill, but in response to the member for Bundamba I would like to read something that was submitted to the committee from the Queensland Nurses Union, and I will come back to it later as well. They stated in their submission—

The payroll system failure occurred through administrative incompetence and the introduction of ineffectual technology by the executive arm of government.

That was the Labor Party, and three of those people now sit on their front bench. That was administrative incompetence. I will come back to that later, but I will first go through some of the more technical parts of the legislation briefly.

This bill will facilitate the provision of evidence to commissions of inquiry. The bill amends the Commissions of Inquiry Act 1950 to remove the power for a regulation to override provisions of an act. A new section 5(2A) is inserted to provide that any person may give information to a commission of inquiry despite any confidentiality clauses in any other legislation. This is important because there are some inquiries where we need to have the ability to both compel people and summons people to give evidence at the inquiry. It is important that confidentiality is protected, so there will be two new confidentiality provisions to regulate the disclosure of information. These will protect an individual's rights to privacy without impacting on the work of the inquiry.

I note that on 28 June 2012 the Governor in Council approved the Commissions of Inquiry Order (No. 1) 2012, which established the Child Protection Commission of Inquiry to review Queensland's child protection system. This will help to protect our children and develop a policy to ensure that happens. This bill will make sure that people can be summoned and compelled to give evidence properly and not be protected by other acts.

The bill also deals with a simple oversight in relation to relationships. With the changes to the Relationships Act 2011, the bill now basically recognises that that relationship can be included in civil proceedings. This is a good and technical change that was required.

Another technical change addresses the expiry of rules of courts and tribunals. The bill amends the Land Court Act 2000 and the Childrens Court Act 1992 to address the expiry of the Land Court Rules 2000 and the Childrens Court Rules 1997 on 1 September 2008 and 1 September 2010 respectively. The amendments give validity and certainty to matters heard and decided using the rules during the period of expiration and ensure that in future the rules of the courts and tribunals will not expire.

I would like to move on to a couple of parts of the bill that I think are the meat of the bill. The Penalties and Sentences and Other Legislation Amendment Bill shows that we in the LNP are not soft on crime, like our Labor counterparts have proven themselves to be, and that we are competent managers, not incompetent managers and administrators like our Labor counterparts have proven themselves to be. During the campaign, the LNP pledged to boost funding to front-line police out there

on the beat, and this will be achieved by increasing the value of a penalty unit from \$100 to \$110 and introducing a nominal administration fee on all criminal justice matters in the Supreme, District and Magistrates courts, where there will be a charge of \$300 for someone who is found guilty in the Supreme and District courts and \$100 for someone who is found guilty in the Magistrates Court. There is an important principle here—that is, the person has been found guilty. At the moment, the taxpayer of Queensland funds all of the associated court costs. This will put some of the responsibility back on to the people who have been found guilty. Even those who often get let off lightly, with no conviction recorded, will have to pay these fees—and I think justly so.

The good part is that these two changes will increase revenue. It is projected that \$22.5 million will be raised by the change in the penalty unit, while the offender levy will provide another \$12.6 million. Collectively, that will give a total of approximately \$35 million which will help to fund and boost the front-line police. This goes further to proving that the LNP will be tough on crime. We will hold people who have been found guilty of crimes accountable, and we will reuse the resources from that to help make sure people are safe in their homes and that we have a good police presence on the street.

I was pleased to hear the Attorney-General talk about SPER earlier today. Some submissions were put forward that said that it will be difficult for people to pay these fees. Remember these are people who have been found guilty of committing a crime in a court after all the evidence has been heard, but some said they will have difficulty taking responsibility for the crimes they have committed. A community engagement team will be used to help the disadvantaged take their responsibilities and ensure they can pay the fee when they have been found guilty of committing a crime.

I wish to move to the recovery of overpaid wages, and this is important. I will go back and read from the Queensland Nurses Union's submission again so that we are all clear of what the union for nurses thinks of Labor and its administrative capabilities. I quote—

The payroll system failure occurred through administrative incompetence and the introduction of ineffectual technology by the executive arm of government.

That was the Labor government—incompetent administratively—

Mr Newman: I didn't notice that from their reaction previously.

Mr WATTS: I will take the interjection from the Premier. Everybody in Queensland noticed, Premier. They noticed it on 24 March.

Mr Newman: No, this seven here in Queensland.

Mr Bleijie: They don't get it yet.

Mr WATTS: They do not get it yet that they were incompetent but the rest of Queensland knows that they were incompetent administrators. They showed that on 24 March and we thank them for their confidence. We will move forward to fix up the mess, the chaos, the debt and the disaster that was created by the Labor Party when they were administering this state.

The bill amends the Industrial Relations Act to facilitate the recovery of wages that have been overpaid to health staff. It is very important that the people of Queensland are able to recover these wages. Lots of comments have been made that this could be done this way, that way and everything else. We will still go through a process so that people are not unfairly treated, but at the end of the day we do not want to unfairly treat the people of Queensland by continuously running a system that has no ability to recover the money that has been overpaid—a system that has proven itself to be a complete and utter disaster.

The bill will protect employees from having their pay amounts reduced inappropriately by the repayment of deductions. The maximum deduction for the recovery of overpayments is 25 per cent of the amount that would otherwise be payable. As we move to change the pay cycle so that we can administer this dinosaur of a pay system that has been implemented which does not work, employees will be given a one-off transitional loan to assist them. A question was asked about how that will be treated in relation to tax. I was pleased to hear the Attorney-General let everybody know that the FBT component of that loan will be borne by the government. So there will be no disadvantage to the nurses and the doctors who were paid so poorly under the previous administration as the FBT component of that loan will be paid for by the government.

I would like to finalise my comments if I may. It is time to get Queensland back on track. It is time to fix up the law and order disaster that has been left to us in terms of people getting off with light sentences and having no conviction recorded, and we have several bills before the House that will go towards achieving that. We will hear a lot of bleeding hearts complaining that these people have been disadvantaged, that this should not happen and everything else. I would just like to remind everybody that these are people who have been found guilty of committing a crime and that is why they will pay the administrative charges.

Further, we will fix up the payroll system. These changes are desperately needed so that we can do that in a competent and efficient manner and so that we can look after the money of the people of Queensland—something that was sadly lacking in the Labor government during its term in office. I commend the bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (8.31 pm): I rise to speak to the Penalties and Sentences and Other Legislation Amendment Bill 2012. There are three elements to the bill that I wish to comment on and ask questions about. The first one is in relation to the offender levy, which will apply to criminal justice matters where an offender is found guilty. Previous speakers have talked about the fact that it is a relatively modest amount—and it is; it is certainly not onerous. There has also been comment about the fact that, if an offender is found guilty, it is appropriate that they contribute to the cost of the process whereby their guilt is confirmed. My concern is not that the offender should be able to pay that amount of money. My concern is for their family members who are inadvertently caught up in the fine process. I do not know in detail, but I believe that when people are incarcerated they are paid a small amount of money per day for the work that they do, and that also is modest—as it should be. I am wondering whether, if an offender is found guilty—

Mr DEPUTY SPEAKER (Mr Berry): Order! Member for Gladstone, take your seat for a moment. There is too much audible conversation. I can hardly hear the member for Gladstone. If you could assist, I would appreciate it.

Mrs CUNNINGHAM: I am speaking particularly of cases in which the family clearly has not been involved in the activities that caused the conviction. I would hope that they would also not be involved in the requirement to pay the levy. I wonder whether it is possible for that levy to be paid from any moneys that that person earns while they are incarcerated. My concern is that, whilst it is not a modest amount of money, if a parent or children are left without a breadwinner, they are going to find it exceedingly difficult to find even \$100, let alone \$300. I reiterate that I am talking about cases in which the family members are not involved in the activities that were the cause of the guilty finding. I am interested in the minister's response to that.

The previous speaker talked about SPER, and I think that there is work to be done on SPER in terms of ensuring that people who are sent SPER notices actually do receive them. I would certainly not like to see families caught up in the SPER process where a member is incarcerated.

The second issue that I am concerned about is the changes to the collection of overpayments. I do not believe any Labor Party member, particularly those who are returning Labor Party members, can turn their back on the fact that it was a Labor government that created the debacle that is the Queensland Health pay-roll. I think the position in which it placed Queensland Health workers is appalling. It is unforgivable. I do not know that there are enough superlatives to put in a string to describe accurately the position in which Queensland Health workers have found themselves.

During that period a number of nurses in my electorate—as happened across Queensland—brought in paperwork for me to help them with. I asked for an undertaking that health staff who did go to their local members would not in any way be criticised, ostracised or victimised for speaking out about the situation in which they found themselves. To his credit, the then minister for health, Geoff Wilson, gave me that assurance. To my knowledge that did not occur, and I have to acknowledge that. However, the paperwork that I was confronted with was appalling in terms of the inaccuracies and the inability to follow what people were paid and what was debited against them. Some of the people had pay slips that said their income was, say, \$2,135. There was then a reverse entry that might have given them \$2.50 as their fortnight's pay. Many of them had no time sheets as they had relied on the health system which, over a number of years, had been relatively accurate in the way that it paid its part-time and full-time staff. Those who had relied on that past history were sorely let down. They had no paperwork to prove or disprove what they were owed by Queensland Health.

My concern is that Queensland Health could potentially be relying on inaccurate documents to claim this money back from workers. I am also concerned that workers who have money taken from them through a garnishee type system—or whatever system is introduced through this heads of power—have an opportunity to properly discuss the facts of their situation. Again, the fact that there is still a \$1.7 million overpayment per fortnight indicates the depth of the decision making and the error in the decision making that occurred when the new pay system was introduced without the old pay system running in parallel.

Mr DEPUTY SPEAKER: Order! There is still too much audible conversation. I can hardly hear the member. Can you please keep the noise down.


Mrs CUNNINGHAM: The minister who is sponsoring this bill is the Attorney-General, but I would also be interested in information from the health minister about this process that is being introduced to facilitate—and that is a nice word—the recovery of any future wages that might be overpaid to Queensland Health staff. The fact is that by facilitating those overpayments you are putting those Queensland Health workers, who work tirelessly for our communities, in a position of disadvantage.

I am interested to know what safeguards there are to ensure that these families will be able to survive and how, through administering these new heads of power, workers in Queensland Health will be guarded against hardship.

Again, I reiterate that the situation which they are in now is overwhelmingly not of their making. There may be a number of workers who know that they are being overpaid and are not remedying that, but they would be in the minority. As I said, my experience with this issue is that it was an appalling lack of judgement on the part of the then health minister and the then minister for public works. There is no excuse and there is nowhere to hide, yet these Queensland Health workers are being asked to carry the cost of that faulty decision making. That is putting it the best way I can.

The powers that are being given in relation to the Commission of Inquiry Act 1950 are welcome. I do not think there is a person in this House who would not stand here and defend the protection of children in Queensland's child protection system. I understand that part of the result of these legislative changes will remove Henry VIII clauses from the act. That is welcome. It is something that the Scrutiny of Legislation Committee over decades has endeavoured to remove from legislation so that the powers that are conferred in legislation are clear and that legislation cannot subsequently be changed by regulation. I welcome that.

I note that the bill provides the chairperson of the commission of inquiry with a power to summons a person as a witness and require the provision of documents and records regardless of any oath taken, affirmation made or provision of an act that may afford a reasonable excuse to a person not to comply with the request of the chairperson. I note that there are other protections, but I do not believe that any reasonable person in this state would accept that anyone would want to go before a commission of inquiry specifically looking at the protection of our children and mislead. I am not naive; I have been around long enough. There are such people, they do not deserve protection and these changes will ensure they cannot hide. They might run, but they cannot hide. Our children deserve nothing less.

 **Mr COSTIGAN** (Whitsunday—LNP) (8.41 pm): I rise tonight to speak in support of the Penalties and Sentences and Other Legislation Amendment Bill 2012. As we have already heard, this bill delivers on two of the key pre-election pledges made by the Newman LNP government. Firstly, as we have already heard in the House this evening, it will increase the value of the penalty unit under the Penalties and Sentences Act 1992 by 10 per cent, from \$100 to \$110. As has been pointed out by some of my government colleagues, the penalty unit is the base value for most fines and infringement notices. All of us in the community know them simply as tickets. Perhaps if the Labor Party does not like that concept we should issue it with a ticket!

Secondly, this bill will bring in what we have termed an offender levy—a levy which comes into play in criminal justice matters when an offender is found guilty. The amount of the levy for both Supreme Court and District Court matters will be \$300 and for all matters going before a Magistrates Court it will be \$100. I understand that this measure will raise additional revenue of somewhere close to \$23 million in any full financial year. I welcome these new arrangements because they will make sure that offenders contribute to the justice system they have gone before. Not only that, they will address the harm and damage that crimes cause in the community. That latter outcome is something that people who are on the receiving end of crime would surely welcome without qualification. I know that I speak for all government members in the House this evening when I say that we stand shoulder to shoulder in being tough on crime. If you do the crime, you may not do the time but now you will cop an extra fine.

As most members would know, the show circuit is continuing around Queensland at present. Of course, the Ekka is fast approaching. Last weekend the member for Hinchinbrook was at the Tully Show. I think the member for Brisbane Central joined him in that beautiful part of North Queensland. I suspect that this weekend my good friend the member for Mirani will be off to the Sarina Show in between his travels to Proserpine and Airlie Beach for the Whitsunday community cabinet, which I will be delighted to host. At these shows I am sure my colleagues have seen and will see plenty of soft toys. You know the ones, Mr Deputy Speaker Berry—the ones in sideshow alley, the ones that look like Big Ted of *Play School* fame.

Mr Bleijie: And those seven clowns where you put the ball in the mouth and they turn their heads.

Mr COSTIGAN: I take the interjection of the Attorney-General and Minister for Justice. The clowns will probably be next door to these very soft plush bears. That is the sort of softness we expect from Labor in relation to dealing with people who break the law and do the wrong thing, especially those people who break the law repeatedly.

The Newman LNP government will not be soft on crime. I have no problem with people who are found guilty of an offence helping to pay for things like more police officers on the beat. I am sure there are plenty of members in the House here tonight who can relate to that. I know from my own point of view in the electorate of Whitsunday, in the high-growth corridor of the great city of Mackay and the

Northern Beaches, this is particularly applicable over a long period of time. In fact, my predecessor said in her maiden speech to parliament that there would be a 24/7 police presence on the Northern Beaches. It goes without saying that in more recent times that has not been the case.

I know some of these officers on the Northern Beaches of Mackay. Mr Deputy Speaker Berry, if you join me at the Blacks Beach Tavern this Friday night for a counter meal and maybe a pot or two—

Mr Hart: Is that an invitation?

Mr COSTIGAN: It could be seen as an invitation not only to Mr Deputy Speaker but also to honourable members—I reckon you might come across one or two of these officers?

Mr Krause interjected.

Mr COSTIGAN: I will have to ponder that interjection. Thanks very much for that. I have to draw the line somewhere! I reckon you might come across one or two of these officers. Historically, they have been frustrated with the lack of resources on the beat, particularly at that station in the Northern Beaches. I saw this frustration myself during the election campaign, going from pub to pub, town to town, street to street. Pubs are a great melting pot. The people there will tell you straight what is going on. Coppers are no different. They are front-line public servants. Police officers have been crying out for more resources over a long, long period of time under previous Labor administrations that have governed Queensland and run this state into the ground. Putting more coppers on the beat, as we have heard since the election of the Newman LNP government, is something that this government is fiercely committed to—in keeping, I might add, with our pre-election promises.

A great component of this bill is the new provisions relating to the Industrial Relations Act 1999. These provisions will give Queensland Health the capacity to recover any wages overpaid to employees in the future—not the past but the future. The former Bligh Labor government presided over what was possibly, if not probably, the biggest public sector payroll debacle in the history of Western democracies. That is perhaps a big call, but I am happy for anyone to interject and challenge me on that note.

The bill will also assist Queensland Health to make improvements to payroll and rostering processes so that the department and its employees can have confidence in future payment of wages and salaries. Since the new Queensland Health payroll system kicked off back in March 2010 there have been significant issues associated with wage payments to Queensland Health staff. I understand that the majority of system errors have been fixed. I would like to compliment the Minister for Health, who has taken on the onerous task of cleaning up Labor's mess. It is fair to say that new overpayments continue to be generated through the payroll system at an average rate of \$1.7 million every fortnight.

We talk about more police officers on the beat. It is not only police officers but also police resources. I know for a fact after talking to coppers on the beat in places like Cannonvale that the Whitsundays Water Police has the oldest vessel in the water police fleet and services a very significant offshore population. Need I remind honourable members that the Whitsunday islands are very much inhabited. There are two schools, for example, in the Whitsunday islands. The northern most school in my electorate is the Hayman Island State School. There are obviously many businesses on islands such as Hamilton Island and so forth and many visitors, yet it goes without saying that they are crying out for a better deal. If the crooks help sponsor some of these improvements to resources, I say hip hip hooray.


In summary, the Attorney-General and Minister for Justice has done some fine work in putting together this legislation. He is a gentleman who has a wonderful grasp of his portfolio and we are very blessed to have him in this House, and I commend his work.

Government members interjected.

Mr COSTIGAN: I was going to wind down the clock, but—

Mr Bleijie: I move that the member be given more time!

Mr COSTIGAN: I will disappoint the minister by saying that I do in all honesty look him in the eye and say job well done, Minister. It goes without saying that I commend the bill to the House.

 **Mr CHOAT** (Ipswich West—LNP) (8.50 pm): Now, that is a hard act to follow! Mr Deputy Speaker Berry, if I am not mistaken, this is the first opportunity I have had to address you in the chair, so congratulations on that appointment.

Mr DEPUTY SPEAKER (Mr Berry): Member for Ipswich West, thank you very much for those congratulations.


Mr CHOAT: What a contrast it is locally from the days of 'Rachel the Rail Wrecker', so well done on that front, too. I rise to speak to the Penalties and Sentences and Other Legislation Amendment Bill 2012. As a member of the Legal Affairs and Community Safety Committee, I am pleased to speak on this bill tonight. This bill represents the implementation of key LNP election promises and it is pleasing to see this example of the Newman government getting on with the business of governing the state in line with the expectations of Queenslanders. One of the primary objectives of the bill is to increase the value

of a penalty unit from \$100 to \$110—this has not been increased since 2008—and another is the introduction of a nominal administration fee on criminal justice matters in the Supreme, District and Magistrates courts. Other matters the bill covers are the expiry of the Land Court Rules 2000 and the Childrens Court Rules 1997. It also provides that certain rules of court are no longer subject to the requirements as per the Statutory Instruments Act 1992 with regard to regulatory impact statements and the expiry of subordinate legislation automatically.

Significant issues related to erroneous payments made as a result of the infamous Health payroll debacle will also be addressed through this bill. Using amendments to the Industrial Relations Act 1999, the bill facilitates the means for recovery of wage overpayments to employees of Queensland Health. This also enables improvements to the payroll system of Queensland Health, including aspects relating to the rostering processes which will assist greatly in reducing the potential for further overpayments. Just on this matter, I do not know of anybody who is at ease over the complete disaster that is the failed Health payroll system. I have heard the payroll horror stories firsthand from nurses and other health workers in the system who dread payday because they simply cannot have any confidence in what they are being paid, whether they are being paid enough or whether they are being paid too much. The whole sorry tale hits at the heart of the value we must place on those who dedicate themselves to the service and care of others, and there is no group who so deserve to be paid properly and on time. I know that the government will show compassion, but we must act responsibly so that moneys that are overpaid can be recovered as quickly and as reasonably as possible, and we are talking an average of \$1.7 million every cycle. I am confident that Queensland Health under its great new minister, the Hon. Lawrence Springborg MP, will look after the interests of employees while being responsible in the handling of public moneys through the Health budget payroll allocations.

The bill also incorporates amendments to the Civil Proceedings Act 2011, effectively expanding the definition of a relationship within its act to include a registered relationship as per the definition in the Acts Interpretation Act 1954. A consequential amendment in the State Penalties Enforcement Act 1999 in the Civil Proceedings Act 2011 is also incorporated into this bill so as to address renumbering of the amended provision under the Local Government Electoral Act 2011. Also amended by the bill is the Commissions of Inquiry Act 1950, facilitating the provision of evidence given under a commission of inquiry and specifically addressing significant concerns about the act which allows a regulation to override an act of parliament. The institution of parliament is not given sufficient regard by such a regulation as provided for as part of the Legislative Standards Act 1992.

I am particularly pleased with the aspects of the bill which concern penalties. People have an expectation that where people have broken the law they will be punished accordingly and the reality is that fines associated with offences should act as both a punishment and a deterrent. The offender levy as provided for under the bill provides some means to meet the ever-growing expenses related to running our legal system and the courts. The offender levy will only be imposed on certain offenders where they are found guilty whether or not a conviction is recorded and there are also arrangements where the levy will be refunded on successful appeals and will not be applied to juvenile offenders. This bill sends all of the right messages to offenders—if you break the law, you will pay the price. I see this as a responsible means by which the government is securing our community and honouring our pre-election commitments. I am pleased to have been part of the Legal Affairs and Community Safety Committee which considered the documentation associated with this bill, including the various submissions from quite a number of stakeholders. I look forward to seeing the benefits of this bill that will be provided to the community and for community safety. I am very happy to commend the bill to the House.

 **Mrs MENKENS** (Burdekin—LNP) (8.56 pm): I am very happy to rise to make a contribution to the Penalties and Sentences and Other Legislation Amendment Bill and commend the Attorney-General for bringing this legislation to the House. This legislation does fulfil an election commitment to increase the penalty unit value from \$100 to \$110. It also addresses another election commitment—and that is great—and that is to introduce an administration fee, albeit nominal, on all criminal justice matters in the Supreme, District and Magistrates courts where an offender is found guilty. This administration fee would be \$300 in Supreme and District court matters and \$100 for the Magistrates Court. This is a fee that will be paid by offenders—offenders only—and I believe this to be a very sensible move. The cost of offenders in our court system is enormous and it is a cost that we as Queenslanders are picking up every day. I know many people in the community will agree that it is about time that these perpetrators of the law contributed to the public coffers.

It has been estimated that the increase in penalty unit value could provide about \$22.5 million in additional revenue and the offender levy would provide an additional \$12.6 million in collected revenue. It is noted also that the value of the penalty unit is also relevant for local law infringement notice offences which may be issued by local governments. The Minister for Local Government, as he outlined in his speech in this House this afternoon, will consult with all local governments about the application of this change to their local laws. It is also worth noting that the offender levy will be automatically imposed in the various levels of court if they are found guilty, but this will not form part of any fine that would be imposed or may be imposed by the court. Of course, this also will not apply to juveniles.

This is a fairly wide-ranging bill which has many parts to it. One of the very important elements of this bill is to address the overpayment of wages by the department of health. This is one of the many leftover problems from the previous ALP government where Queensland saw the incredible health department wage payment system debacle. Thousands of Health workers were constantly underpaid. Thousands of Health workers were constantly overpaid by an incompetent government. The previous government brought in a moratorium on recovery of overpayments on 10 July 2011, but this was lifted on 30 May of this year. The government, and more specifically Queensland Health, does have an obligation under the Financial Accountability Act to recover these overpayments.

It is not just a case of the government being tough on employees. Absolutely not! It is a legal requirement that these funds be recovered. These funds have also been impacting on Queensland Health's financial resources. I have no doubt that it has been extremely difficult for staff members who have been receiving these overpayments as they have had to budget around these payments knowing that, sooner or later, these had to be repaid. Our heart goes out to these wonderful people who work for Queensland Health who were treated so shabbily by the previous government.

This has been one of the biggest debacles Queensland has seen. It is amazing that the ALP, which created this, is still reticent to assist in clearing it up. I note the question asked today in this House by the member for Townsville to the Minister for Health. The question referred to the motion passed by the House requesting that the Leader of the Opposition provide all legal advice and associated material, including minutes from Labor's cabinet meetings, on the \$1.25 billion failed payroll contract. The member asked the minister to advise if he is now in possession of these documents. Minister Springborg's answer was very interesting. I will try to paraphrase his answer. He said that the taxpayers and the workers of Queensland Health have been led on a very merry dance in recent weeks by the Leader of the Opposition. When the parliament sat previously, we passed a motion in this place that the Leader of the Opposition should make available to the minister all of this information so that the government could properly inform itself of the prospects of any likely legal action that might be able to be taken against the contractors or anyone else who had been involved in this very costly disaster, as the Treasurer had indicated. The minister then went on to say that he needed to remind honourable members that this was a \$6.1 million contract that turned into a \$1¼ billion dollar debacle. He said that it is the worst IT debacle of any government in Australia in our history.

The minister then went on to say that the Leader of the Opposition said that the information was available, but she subsequently wrote to the minister saying that they could have access to all the information but they cannot tell anyone about it. The minister can look but not show anyone. How ridiculous is that? That is quite a bizarre situation, particularly when the Leader of the Opposition on ABC Radio said to Steve Austin that she could not release that information owing to some point of convention. However, advice from the secretary of the cabinet was that, in their view, the Leader of the Opposition can vary any of these terms up to and including allowing public disclosure of documents if she wishes. Today, the Minister for Health has called on the Leader of the Opposition to release that information to try to help out these Queensland Health workers who have been so badly disadvantaged by the previous Labor government. It certainly begs the question of what the Leader of the Opposition is hiding.

This bill also amends the Industrial Relations Act, which will assist in the recovery of wages that have been overpaid. These new provisions will give the department the ability to recover overpayments through deductions from the wages of staff who have been affected. I understand that there is a broad time frame, so that should not impact severely on staff members who are involved in having to repay this money. It will be difficult for many of those staff. I certainly feel for them, as do the other members on this side of the House.


This is legislation that has been brought into the House by the Attorney-General. It delivers on our election promises and it sets out to right at least one of the wrongs of the previous government. I commend this bill to the House.

Debate, on motion of Mr Stevens, adjourned.

ADJOURNMENT

Mr STEVENS (Mermaid Beach—LNP) (Manager of Government Business) (9.04 pm): I move—
That the House do now adjourn.

Central Queensland University, Engineering Laboratories

 **Mr BYRNE** (Rockhampton—ALP) (9.04 pm): I rise to speak about an exciting new development in higher education in Rockhampton, the Central Queensland University engineering laboratories. Central Queensland University has a long, proud history of producing quality engineering graduates for the Central Queensland community. In fact, the Australian *Good Universities Guide* rates CQU

engineering graduates as the most sought-after employees in the country, with the highest starting salaries among any graduates from any discipline from any university. For over the past 20 years, CQ University has pumped out more than 3,000 graduates from its engineering school, of whom many are helping to drive the current resources boom in Queensland.

However, after 20-odd years and 3,000 graduates the sprawling engineering laboratories at the Central Queensland University campus had started to show their age. The equipment and the facilities were starting to get a bit tired and the university had its reputation as a world-class engineering educator to maintain. So it undertook very big refurbishments. It was not just a simple paint job with new equipment; it was a complete gutting and rebuilding of thousands of square metres of lecture facilities, teaching spaces and technical laboratories over three floors of three enormous buildings. The university invested \$9 million from its own funding into the refurbishment and received an additional \$1.8 million from the federal Labor government's Better Universities Renewal Funding. I acknowledge the role that federal MP Kirsten Livermore played in securing this funding.

The results of this \$11 million rebuilding project are simply world class. There are brand-new, state-of-the-art laboratories for fluids, thermodynamics, thermofluids, geotech, concrete and structures, and electronics. There is a new lecture theatre, a postgraduate area, a materials testing area, an acoustic test cell, a soils store and a multipurpose project based learning laboratory. Those who have visited Rockhampton in the warmer months would appreciate the brand-new, innovative air-conditioning system that is so energy efficient that it is actually incorporated into the curriculum.

What the Central Queensland University has done for the region and its economy through its engineering school has been underestimated. My colleagues who represent seats in regional areas know that to retain the best minds locally you need to train the best minds locally and not see them lost to cities forever. CQ University has moved on from simply training and retaining local graduates; it is now attracting kids from outside the region—from Cairns, Townsville, Brisbane, Sydney and all over Australia—to come to Central Queensland University to study engineering.

Engineering is not the only course that has begun attracting school leavers from all around the country, but it is an important one for my region. I can only imagine Central Queensland's potential should the CQ University replicate these laboratories on the Mackay campus when the merger with the Central Queensland Institute of TAFE goes ahead.

(Time expired)

National Tree Day



Mr RUTHENBERG (Kallangur—LNP) (9.07 pm): Last Friday, 27 July, was plant a tree day.

Mr Rickuss: That's my birthday.

Mr RUTHENBERG: Indeed, happy birthday to the member for Lockyer. Plant a Tree Day is a great initiative. On that day I joined the students and the deputy principal of Dakabin State High School, where we planted trees that were donated by the Moreton Bay Regional Council. I thank the council for its participation in this great event. At Dakabin State High School we were met by the deputy principal, Sandy Kane. From there we met teacher/librarian Andrew Hanson. Andrew was the coordinator of this fantastic event and he was there with the groundsman, Steve Hicks, and about 20-odd students. They had put aside an area at the school and we spent some time digging up some ground and planting some trees. It was just a wonderful event. I always enjoy going to Dakabin State High School. It is a fantastic community.

From Dakabin State High School we then went to Undurba State School. The principal of that school, Kerri Jones, met us and Mrs Watson, one of the teachers, took us and a small group of students to another area where we planted some more trees, this time with a prep student and her buddy from year 6. We had a fantastic time planting trees and sharing stories and talking. It was a wonderful day. Again, I spent some time at Undurba State School and truly enjoyed the experience in talking with the students.

It is a great tradition and a great reminder for the kids of the importance of the environment and the importance of trees to our communities. Again I commend the efforts of the teachers and staff at Dakabin State High School and the teachers and staff at the Undurba State School for the leadership they show in our community and for inviting me to participate in this great event. I hold them up as fantastic examples of good community leaders.

Gatton Research Station; Horticulture Industry; Ipswich Tertiary Hospital



Mr RICKUSS (Lockyer—LNP) (9.10 pm): Last week Minister McVeigh visited my electorate. It was a resounding success. Minister McVeigh called in at the Gatton Research Station where a lot of horticulture research is carried out and spoke to the staff. The response he got from the staff was quite

pleasing. He did highlight the fact that when the Labor government took over the reins of the state some 20-odd years ago there were over 6,000 people working for the Department of Primary Industries and there is now less than 3,000—job cuts, job cuts, job cuts.

A government member: Shame!

Mr RICKUSS: It is a shame, that is right. We also visited the biosecurity facilities at Helidon. It is on the wrong side of the highway. Every truck has to cross the highway to get to that biosecurity facility. We are in discussions with the department about how we can manage that system better.


I would also like to comment on HAL, the funding body for horticulture in Queensland. Ausveg, Growcom and the researchers need to get together to make sure that they receive their fair share of horticultural research money. That is what we need to grow this economy. Being one of the pillars of the LNP's economy, horticulture is a major employer. Six of the big growers in my area employ well over 200 people.

Mrs Menkens: I have some of them, too.

Mr RICKUSS: That is right, some of the big growers from the Lockyer Valley even spread up into the Burdekin. They go right down to Geelong as well. The biggest growers probably employ 500 people. Horticulture is a major employer of people. It is a lot of hands on. Every day that you turn up at Woolworths, Coles or the local greengrocer the produce has been harvested and cared for by people like my growers in the Lockyer Valley who start work before daylight. A lot of the process happens very early in the morning.

I had a meeting during the week about a tertiary hospital in Ipswich. It was an interesting meeting. It will take 10 years of planning to get a hospital of this calibre in place but I think the time to start is now. I am sure that the member for Ipswich would agree with me that now is the time to start to implement the plans. We will make sure this plan gets driven properly through the processes and the boards that are being implemented in health. It will be a great plan that will support Queensland well into the future.

Gladstone Harbour


 **Mrs CUNNINGHAM** (Gladstone—Ind) (9.13 pm): I rise to present to the parliament five statements from fishermen in my electorate. They are either statements or statutory declarations in relation to their experience with fishing in the Gladstone Harbour. They are from Mr Bob Appo, who has been a fisherman in the Gladstone region for a long time—some would call him a legend, others would call him other things; Colin Dale, who has been fishing since 1989; Gary Grant; Michael McMullen; and Richard Pershouse.

Based on his long experience in fishing—his family have fished in the Gladstone region for years—Bob Appo talks of the connection between dredging and spots and ulcers in crabs. Colin Dale talks about the correlation between previous dredging and health issues in crabs. He also talks about the fact that he observed that the problems in the crabs with shell rot and other ulcerations gradually disappeared as dredging was phased out. There have been a number of dredging programs. Gary Grant talks about the dredging impacts that he observed on his core catch of bream and salmon. Michael McMullen talks about his catch rates being down from 120 crabs per day to 15 crabs again during that period when dredging was occurring. Richard Pershouse, who has been fishing for over 30 years in the region, observed the impact of dredging right out at Sea Hill, where he saw dead barra, kingfish, Spanish mackerel, turtles and also the same sorts of species at Deception Flat. That was only just recently. In his statement he says there were similar incidents in the early eighties. They correlate those similar experiences to periods of dredging in the Gladstone region.

I note that the Minister for Environment and Heritage Protection has established a committee to look into the health of the harbour and I thank and commend the minister for that. There was some comment in the paper about 'yet another committee'. I think anyone who has relied on the fishing industry in the Gladstone Harbour and its environs would welcome anything that will give them answers. One of the difficulties is that there has been nothing definitive. The last scientific panel that was established by Labor said they did not know what caused the problem but there definitely is a problem. These fishermen and their families are left with no support or help. Some of these fishermen travelled great distances to hand me these statutory declarations. I table them in this chamber for the edification of anyone who wants to read them. These are firsthand experiences by men and their families who have a great history in the harbour.

Tabled paper: Statements from five professional fishermen regarding the crab industry in Gladstone [624].

Independent Public Schools; Kirwan State High School

 **Mr COX** (Thuringowa—LNP) (9.16 pm): I would like to take this opportunity to highlight the introduction of independent public schools in Queensland. The introduction of independent public schools was a pre-election policy of the LNP. Unfortunately, because of the Labor government's waste and failure to get the basics right, Queensland's education standards have slipped and as a result our

students have ended up lagging behind other states. Also thanks to Labor, in the past schools have been forced to spend their budgets with a one-size-fits-all approach. The whole idea behind introducing independent public schools is to give principals and school communities greater autonomy in making decisions, whether that be cutting red tape, balancing the school budget or hiring teachers.

The Newman government is planning to roll out 120 independent public schools over the next four years, with 30 schools to be selected each year. As part of the process, schools that apply must have an existing school council or there must be a commitment to establish a school council. The council will be responsible for informing and monitoring the school's strategic direction. Participating schools will receive a grant of up to \$50,000 to assist with implementing the changes. These schools will also be eligible to receive up to a further \$50,000 in funding each year for administration purposes.

Last month the state government released a prospectus inviting state schools to apply to become an independent school in 2013. There is one school in my electorate of Thuringowa, Kirwan State High School, which has already shown interest in the independent public school initiative. I recently met with the Kirwan State High School principal, John Livingstone, to discuss the future of the school and also the benefits of becoming an independent public school. Kirwan State High School is one of the biggest high schools in the state and the largest in North Queensland with more than 2,000 students and 120 teaching staff. It is nationally recognised for its performance in sport, which is run through a range of sports excellence programs. It can boast it has produced a number of sporting legends, including Sam Thaiday and our very own North Queensland Cowboys star Aaron Payne. This school is just one of many that is in a position to take advantage of the benefits that will flow from becoming an independent public school.

While I am talking about the achievements of Kirwan State High School I would like to mention that it has been recognised for its outstanding teaching program, becoming a state finalist in the 2012 Showcase Awards for Excellence in Schools. It has been chosen for its innovative teaching program Doorways to Success. I congratulate the principal, John Livingstone, and the teachers on this great achievement. The school was selected from 75 regional winners and will receive \$5,000 in development grants. Kirwan State High School has been chosen as a finalist in the BHP Billiton Mitsubishi Alliance Showcase Award for Excellence in Community or Industry. State winners will be announced at the showcase gala dinner at the Brisbane Convention and Exhibition Centre on Friday, 12 October. The winners will also receive an additional grant of \$20,000 each. Once again I commend the teachers and principal of Kirwan State High School for making the state finals and wish them the best of luck.

Murrumba Electorate



Mr GULLEY (Murrumba—LNP) (9.19 pm): Tonight I rise to congratulate several schools and organisations within Murrumba. In this House previously I have mentioned that 'Murrumba' is an Aboriginal phrase meaning 'good place'. The following schools and organisations are part of the reason why today the Murrumba community is a great place.

I have had the pleasure of visiting Deception Bay State School. I congratulate Principal Lorna Cogle and Deputy Principal Samantha Waldron for their outstanding work at Deception Bay State School. I thank them for taking the time to show me around their school and introduce me to their staff and students.

I have also visited Deception Bay North State School. I thank Principal Del Latemore and P&C President Michelle Crosbie for their hospitality. The pride they take in their school is contagious. I had been looking forward to following in my wife's footsteps, literally, and that night I was able to go home and swap notes with my wife about the school. Deception Bay North State School was one of the schools that my wife worked at during 2011 whilst she contributed to Education Queensland's Science Spark project.


I also have had the good fortune of celebrating Catholic Education Week with Southern Cross College, MacKillop Campus, at Kippa-Ring. I would like to thank Maureen Cullip for her warm hospitality. She showed me around her school and gave me the opportunity to listen to the poems and musical items as performed by the students for their parents and staff.

Not only do schools in my electorate take good care of their students, but also they are mindful of the environment. I had the privilege of celebrating National Tree Planting Day at the Lakes College. I congratulate Sharon Lollback and Simon Armstrong on their leadership at The Lakes College.

This year the Mousetrap Theatre Co. celebrated its diamond jubilee. Whilst not technically located in Murrumba, that vibrant theatre has many members from Murrumba and hosts the annual Murrumba Festival. On behalf of the entire theatre company I congratulate president Keith Wilson for 60 years of premier local theatre.

Madam Speaker, I thank you for this opportunity to bring these schools and groups to your attention and I remind you that they make Murrumba a great place.

Olympic Games, Mackay Athletes

 **Mr MULHERIN** (Mackay—ALP) (Deputy Leader of the Opposition) (9.21 pm): Over the past few days many Australians, me included, have been enjoying with great pride the London Olympics. In the spirit of the Olympic Games, the most important thing is not to win but to take part. The essential thing is not to have conquered, but to have fought well. Our inspirational Australian Olympic team includes representatives from across the nation. Tonight I pay tribute to a couple of Australian Olympians who call Mackay home.


Former Mackay junior hockey player, representative hockey player and St Patricks College student Matty Swann is a member of the Kookaburras team and made an impressive Olympic debut on Monday night. In their first game the Australian men's hockey team had a very convincing win, walloping South Africa six goals to nil. On Wednesday the Kookaburras will play against Spain and again Matty will represent Australia and Mackay with pride. If the Kookaburras win gold in London, it will be the second hockey gold medal to return to Mackay.

In 1988 at the Seoul Olympics as a member of the Hockeyroos Tracey Belbin won gold. This year Mackay again has representation in the Hockeyroos team with Teneal Attard. She played junior hockey in Mackay and will be flying the flag for Mackay in London. Unfortunately, the other night the Hockeyroos were defeated by New Zealand 1-0 in a very close game. We are hoping that one day Teneal will also bring home gold.

Mackay has a very proud sporting history and has produced many champion athletes who have gone on to represent Australia at various summer Olympics, including Tracey Belbin, Geoff Huegill, Linda Mackenzie and Paralympian Beau Menzies, who represented Australia in soccer at the Sydney games in 2000. Of course, Mackay's own Cathy Freeman won an inspiring gold in the 400 metres in Sydney.

The Olympics is a time for Australians to unite in support of our fellow country men and women and also to reflect on the attributes of peace, tolerance and sportsmanship that the Olympics promotes internationally. Local Olympic representatives from regional centres such as Mackay provide inspiration to ambitious youngsters hoping one day to follow in the footsteps of people such as Matty Swann and Teneal Attard. I wish all athletes wearing the green and gold in London all the very best and every success.

Hannah's Choice Foundation; Burleigh Groove and Food Festival

 **Mr HART** (Burleigh—LNP) (9.24 pm): I rise to update the chamber on a couple of events that happened in my electorate on Sunday, 8 July. It was a beautiful day. My wife and I decided to go for a long walk. We walked down Burleigh Hill to Burleigh, and then along the beach to the Pacific Surf Life Saving Club, which is about 10 kilometres. As many members will know, I was formerly the president of the Burleigh Surf Life Saving Club, so it was with great pride that I went along to help support the Hannah's Choice Foundation. Some members may be aware of Hannah's Choice. On that day, six teams of three board riders held a surf competition in aid of the foundation.


The Hannah's Choice Foundation revolves around a young lady called Hannah. When Hannah was 16 years old, she discovered a lump on her leg. Despite its removal, it turned out to be an aggressive cancer that returned and eventually spread to her lungs. I would like to read from the foundation website about Hannah and her husband, Tom O'Driscoll. It states—

Hannah met her soul mate, Tom O'Driscoll, whilst they were both receiving treatment for their illnesses. Their relationship had all the hallmarks of a fairytale romance but only 10 days prior to their planned wedding day, they were forced to have a moving ceremony by Hannah's bedside. Hannah succumbed to her illness only three hours after their marriage with Tom by her side.

After that, Tom decided to start the foundation to raise money to battle sarcoma. The website goes on to state that this endeavour was born out of love and founded on a common bond to fight sarcoma. It is very appropriate to talk about Hannah today because some members may be surprised to know—or maybe they will not—that Hannah is the daughter of Tracey Wickham. With the Olympics on, this is a great time to reflect on Hannah's story.

Following our visit to Pacific Surf Life Saving Club, my wife and I walked back to Burleigh to attend the wonderful Burleigh Groove and Food Festival. We listened to a bit of jazz music and had something to eat. We enjoyed a wonderful day. Burleigh is one of those places that you would like to be every Sunday morning.

Supporting Teenagers with Education, Mothering and Mentoring Skills


 **Mr WELLINGTON** (Nicklin—Ind) (9.27 pm): Tonight I would like to share with members a good-news story, instead of the doom and gloom that we have heard recently about people being sacked and job losses. The Attorney-General may know what I am going to talk about, because on the weekend he and his lovely wife attended a function in aid of a program run by the Burnside State High School. Many young teenage mums are familiar with the program. It is called the STEMMS program, which stands for Supporting Teenagers with Education, Mothering and Mentoring Skills.

On Saturday night we held a function to help raise funds for the wonderful STEMMS program for young mums. Some graduate young mums came along. We heard some real-life stories about how their lives have been turned around by the program, which is supported by Education Queensland, TAFEs and universities and the department of communities. However, the message was that the unit cannot do it alone. It needs significant support and partnership from anyone who is able to assist with finances. The event was about raising funds to try to continue the program.

I put on the record that this program achieves amazing outcomes and results. Often we talk about cost-benefit analyses or analysing results to see whether a program has been beneficial. I have to say that this program is one of a kind for Queensland; maybe it is one of a kind for Australia. It achieves amazing results. It helps teenage mums by building their confidence and teaching them some real-life skills, so that they can be great mums, continue their education and then play a constructive role in our communities. We heard from some young mums who have jobs. Others are continuing on with university studies. They want to go back into our communities and be constructive workers to help others in need.

In the lead-up to the budget I know that a lot of departments are looking at cutting costs and getting better value for money. However, this is a wonderful program and we need to put aside politics. It is good for Queensland. I hope that the federal government reviews its support for the program. If we had more programs like this in Australia, we would see better outcomes. Fewer young mums would spend the rest of their lives on the dole. More young mums would become great players in our community and great role models for their children. I commend the program. If any members would like to know more about it, they are most welcome to contact the Burnside State High School, downtown Nambour.

Wynnum Hospital

 **Mr SYMES** (Lytton—LNP) (9.29 pm): I rise tonight to give an update to the House on my crusade to fight for the Wynnum Hospital, which is something that was very close to my heart throughout the campaign and continues to be. Last Thursday afternoon I had the pleasure to accompany the member for Capalaba, Steve Davies, as well as members of the Metro South Health Board including the board's chair, Mr Terry White, to tour the Wynnum Hospital, the Moreton Bay Nursing Care Unit and Casuarina Lodge. I congratulate Minister Springborg for appointing Mr White as the chair due to his expertise.

The tour consisted of observing the facilities at the dental practice, the rehabilitation ward, and the emergency and patient wards. As I said in my maiden speech, I will fight for the Wynnum Hospital. The board spoke with nurses and doctors at the hospital about the issues that they have faced on a daily basis for the last decade. I table a report conducted by the *Wynnum Herald* relating to the funding of the Wynnum Hospital over the past decade.

Tabled paper: Extract from the *Courier-Mail*, dated 18 July 2012, titled 'Special investigation reveals measly spending at Wynnum Hospital's emergency centre' [\[625\]](#).

As reported, in the last decade the hospital has received \$511,757, which has been spent on new equipment, and just \$219,442 for facility upgrades. This equates to funding by the previous Labor government of less than \$1,000 a week on equipment to help patients who come through the hospital's doors. But we should not be surprised, as the health minister for that time was none other than the former member for Lytton, Paul Lucas, who squandered over \$1 billion on a failed payroll system instead of helping to fund this hospital in his own electorate.

It is only a Newman government that will work hand in hand with both the Metro South Health Board and the wider community to fix the problems that the Bligh government left in the Lytton electorate. I look forward to working very closely with Mr White, Dr Ashby and the rest of the board, as well as with my constituency, to fix the problems that face local health service providers in the Lytton electorate. It should be noted that the hospital services service not only my constituency but also those of the members for Capalaba, Bulimba and Chatsworth.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.31 pm.

ATTENDANCE

Barton, Bates, Bennett, Berry, Bleijie, Boothman, 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, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Menkens, Millard, Miller, Minnikin, Molhoek, Mulherin, Newman, Nicholls, Ostapovitch, Palaszczuk, Pitt, Powell, Pucci, Rickuss, Rice, Ruthenberg, Scott, Seeney, Shorten, Shuttleworth, Simpson, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trad, Trout, Walker, Watts, Wellington, Woodforth