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FIRST SESSION OF THE FIFTY-FOURTH PARLIAMENT

Wednesday, 17 April 2013

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WEDNESDAY, 17 APRIL 2013

The Legislative Assembly met at 2.00 pm.

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

PETITION

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

South-West Region, Bus Service

Ms Palaszczuk, from 756 petitioners, requesting the House to ensure the frequency of bus services in the south-west region remains the same [2438].

Petition received.

TABLED PAPERS

MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by the Clerk—

Minister for National Parks, Recreation, Sport and Racing (Mr Dickson)—

[2439](#) Letter, dated 16 April 2013, from the Minister for National Parks, Recreation, Sport and Racing (Mr Dickson) to the Clerk of the Queensland Parliament (Mr Laurie) regarding additional information to the answer to Question on Notice No. 62 of 2013 tabled on 21 March 2013

MEMBER'S PAPER TABLED BY THE CLERK

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

Member for Inala (Ms Palaszczuk)—

[2440](#) Non-confirming petition regarding the overhaul of Queensland bus services

MINISTERIAL STATEMENTS

Livermore, Mr R

 **Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (2.01 pm): It was with great sadness yesterday that we learnt of the death of Ross Livermore. Ross was the Managing Director of the Queensland Rugby League from February 1981 until his retirement in July 2011, just a few weeks after Queensland had won a sixth straight State of Origin series. We all know that that streak has now been stretched to seven straight series wins.

As a highly respected rugby league administrator, Ross Livermore played a central role in the development and success of rugby league in this state, both at the grassroots and the State of Origin level. Rugby league would not be as strong as it is in this state without the leadership and dedicated contribution that Ross Livermore made over more than 30 years.

Ross Livermore was a great Queenslander. He always stood up strongly for Queensland, advocating passionately for our rugby league interests in the many debates and discussions with New South Wales rugby league officials and others over the years. I would like to take this opportunity on behalf of the government and this House to place on the parliamentary record our sincere condolences to Ross Livermore's family and friends.

'Buy Locally' Campaign

 **Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (2.02 pm): I am pleased to inform the House about a 'buy locally' campaign that Minister Jann Stuckey and I launched on 25 March 2013. As part of the campaign, Queenslanders are being encouraged to support small businesses across the state by shopping locally to help boost sales and support local jobs. When people shop locally, their money stays local. In addition, every dollar spent at a local business returns five times that amount in employee wages, rates and the purchasing of materials and suppliers. Consequently, the campaign is

about highlighting the importance of shopping locally to assist small business. The minister and I are delighted to have the support of the Chamber of Commerce and Industry Queensland and members of this House across Queensland.

'Buy locally' campaigns have been run at the local electorate level previously and have proven very successful. 'Buy locally Saturday' and the 2012 'Christmas buy locally campaign'—two great initiatives run by the members for Pine Rivers and Kallangur—involved nearly 100 local businesses which were offered advertising opportunities including flyers and a dedicated 'buy locally' Facebook page. One business—a battery retail store—reported that on that day it had its highest Saturday sales for over 12 months, thanks to the campaign, while another—a web design company from Brendale—reported several new clients within weeks as a direct result of the campaign.

The government is committed to growing a strong and prosperous small business sector. We have already introduced a number of initiatives to help small businesses. Now we are asking Queenslanders to help out as well and assist their local businesses by shopping locally where possible as a means of strengthening and supporting their local community. The small business sector is the backbone of the Queensland economy, with almost 412,000 small businesses in Queensland accounting for 96 per cent of all businesses in the state. This government is unashamedly pro small business. We will continue to support the sector given its importance to our economy and the crucial role small businesses play in stimulating investment and driving jobs growth.

Rise and Shine Queensland Tour

 **Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (2.05 pm): The start of 2013 was a challenging time for many Queenslanders. Much of our state was affected by severe weather and flooding. This affected people's livelihoods, their physical assets such as their homes, businesses and farms, as well as taking a toll on their wellbeing. Out of this heartache we saw communities come together and lend each other a hand. The recovery efforts may still be ongoing but now is the time to take a break, to reflect and to celebrate.

As I announced early this year, the Queensland government is partnering with the Queensland Music Festival to deliver an exciting tour throughout flood affected parts of the state. Today I am delighted to launch the Rise and Shine Queensland tour. Rise and Shine Queensland will take place in 10 flood affected regions, with the first event in Rockhampton on Saturday, 4 May. The tour will then travel to Biloela, Gympie, Bundaberg, Gayndah, Laidley, Maryborough, Ipswich and Tamborine Mountain. The tour will also visit Gladstone later in the year in conjunction with the Queensland Music Festival's 2013 event program.

These occasions are a celebration of the community spirit that came alive during these weather events. This tour will celebrate the resilience of local communities and provide an opportunity to thank everybody who has contributed to the recovery efforts to date. Each event will include a free barbecue, live music and a range of family activities. In many local council areas the recovery work due to flooding has been ongoing for many years. We are therefore encouraging people in all regions to join family and friends for a day out to celebrate their great communities and take a short break from recovery efforts.

I would like to personally thank Mr James Morrison, Queensland Music Festival's artistic director, and his team for their involvement in programming the event. It will be a fantastic celebration of each community. This tour is about the people in those devastated areas. It is an opportunity for them to come together, celebrate how far they have come and to truly rise and shine.

Mary Valley

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (2.08 pm): Today I want to inform the House that our government is on track to repair the damage that the former Labor government did to the Mary Valley. Our strategy has been to rebuild the economic base of what should be a vibrant, diversified agricultural economy. This week we have secured a third economic development project for the valley, and today we will release more properties on to the open market. The latest economic development project will see Australia's biggest producer of ginger, Templeton Farming Enterprises, take up three lots comprising 223 hectares of land at Bollier. Templeton Enterprises has been farming ginger on the Sunshine Coast for more than 70 years. It plans to produce 800 tonnes of ginger and 5½ thousand tonnes of sugarcane annually in the Mary Valley to meet the demands of the Australian market and to replace ginger imports from Fiji.

The social and financial disaster that the Beattie and Bligh governments inflicted on the people and communities of Mary Valley from their ill-conceived and eventually failed Traveston Dam proposal was one of the worst travesties of their time in office. Our government promised to rebuild the Mary Valley economy and to rebuild its communities. It is pleasing that after less than a year that strategy is getting results and the economy of the Mary Valley is slowly being rebuilt.

To date, outdoor education specialists Higher Ground, native fern growers Cedar Hill and now the ginger growers Templeton have decided to establish and expand their business operations in the Mary Valley. The Templeton Enterprises development will create 14 new full-time jobs in the Mary Valley and bring approximately 28 seasonal workers into the area every year. Cedar Hill has shown great initiative in developing a new method to artificially cultivate Australian native ferns which it sells across Australia and around the world. It expects to employ up to 17 staff in the Mary Valley and will work with the University of the Sunshine Coast to offer placements to students through an undergraduate and honours research program.

Higher Ground operates a successful outdoor education centre and employs around 75 people. Its expansion in the Mary Valley will employ another 22. All combined, the three companies' projects will secure more than 50 new full-time jobs in the Mary Valley. These new jobs will make the Mary Valley an attractive place for more people to live and to increase the demand for the more than 400 properties that the Queensland government wants to return to private ownership.

To this end, today we will place another 10 properties for sale on the open market. Nine are rural residential properties and one is a village residential property. Hopefully they will add to the 26 properties already sold or auctioned since we started this process. New jobs and new residents making the Mary Valley their permanent home will be the basis for a new local economy as we repair the damage that the Labor government did to the Mary Valley.

Natural Disaster Events of 2013



Hon. TJ NICHOLLS (Clayfield—LNP) (Treasurer and Minister for Trade) (2.09 pm): Among the many financial challenges facing Queensland is just how we will meet the cost of the natural disasters that have hit our state this year—disasters that the Premier mentioned in his statement to the House. Continuing the rebuilding process from the most recent disasters and those of the previous two years remains an urgent priority. While the human cost of this year's floods and storm damage from ex-Tropical Cyclone Oswald is hard to define, we are getting a clearer picture of the real financial cost. Based on the latest estimates, the cost of the 2013 natural disasters is set to be just over \$2.5 billion. Reconstruction of local government infrastructure and state controlled roads will make up the lion's share of the repair bill. More than half the cost has been in payments to local authorities with repairs to council infrastructure costing in excess of \$1.3 billion. Repairs to state controlled roads will run to around \$900 million. This compares to a repair bill of just over \$2 billion after the 2012 floods and the massive cost of more than \$7 billion incurred after the flood and cyclone disasters of 2011.

How we rebuild and from where we get the funds to rebuild are important considerations as we move towards the coming state budget. We need to be sure that what we rebuild is better than what we lost and will withstand future weather events to build Queensland's resilience. Importantly, this also addresses the growing concerns around increasing insurance premiums in increasingly flood affected areas. To this end, the Newman government stands ready to contribute \$100 million to a betterment fund on a dollar for dollar basis with the Commonwealth. Up to this point the Commonwealth had only been prepared to put \$40 million towards the prospects of rebuilding Queensland into a betterment fund to enable us to carry out those tasks.

As with everything this government does, we are planning for the future, and to simply reconstruct damaged infrastructure to its predisaster standard is not an option in disaster-prone areas. Our government is about building stronger, more resilient infrastructure, which is why the Premier has expanded Minister Crisafulli's role to include Community Recovery and, importantly, Resilience. Again, this action serves to clearly differentiate the Newman government from the former Labor government, which failed to submit even one betterment proposal to the Commonwealth government since the 2010-11 events. The former government was happy to continue the madness of forcing councils to repeatedly replace the same infrastructure in the same place that will be damaged again in the next disaster.

Whilst we can never flood-proof Queensland, we can rebuild in a better way which will make it easier for communities to bounce back. Once again the actions being taken by the Newman government ensure that Queensland is a great state with great opportunity.

Evolution Mining Project; Cosgrove Residential Precinct

 **Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (2.12 pm): My Department of Natural Resources and Mines has recently been involved in the successful commencement of two important projects that promise to deliver jobs and boost the state's economy, particularly in North Queensland. Just last night the Premier and I hosted a resources reception, attended by industry leaders from the resources sector. This event provided the Premier and I as well as other members of the government with an opportunity to speak with key players in the resources industry and to reaffirm our commitment to the sector.

Last week the Premier and I visited and officially opened Evolution Mining's new project, the Mount Carlton gold, silver and copper mine south of Townsville. This \$200 million mine will provide 135 new jobs during production and will provide an economic boost to the state, particularly in North Queensland. This is Evolution's fourth mine in Queensland and the company plans to invest another \$28 million to continue mineral exploration in this state. The fact that Mount Carlton has begun production is a clear indication that Queensland is a great place for business and is an attractive destination for the resources sector to invest. I am pleased that the Department of Natural Resources and Mines has played a role in supporting the development of this important project. As a proud North Queenslander, I am also pleased with the company's commitment to local employment and businesses, which will benefit towns such as Bowen, Ayr and Townsville.

Prior to the tour of this site with the Premier, I was pleased to officially launch the Cosgrove residential precinct in Townsville's western suburbs. My department has granted Parkside Development a 20-year development lease over 270 hectares of the 320-hectare site. This is a big opportunity for Townsville. The Cosgrove development in the soon-to-be-formed suburb of Cosgrove consists of 2,700 lots which will house thousands of residents and accommodate new businesses. It will include parklands and open space and will eventually be a thriving community hub—a great place for North Queenslanders to raise a family or set up a business. This project promises to deliver Townsville much needed housing, including social and affordable housing, at a time when the city is experiencing strong growth. By mid-2014 we hope to have Cosgrove's first residents moving into their homes.

These are two examples of how the Newman government is strengthening two of Queensland's key pillars—the resources sector and the construction industry. Queensland is a great state with great opportunity, and my Department of Natural Resources and Mines will continue to support the economic development of our state for the benefit of all Queenslanders.

Ecotourism

 **Hon. SL DICKSON** (Buderim—LNP) (Minister for National Parks, Recreation, Sport and Racing) (2.15 pm): The Newman government is committed to increasing ecotourism opportunities in Queensland's national parks so that they are available to be enjoyed by all Queenslanders. The government is working with industry to achieve this through initiatives such as the DestinationQ Forum which was held in Cairns last year. As a result of discussions at this forum, the Premier and the Queensland Tourism Industry Council signed an important partnership agreement. It contains a number of actions to support the growth of tourism as one of the four pillars of the Queensland economy, in particular ecotourism. A key DestinationQ commitment was the development of an ecotourism plan for Queensland's protected areas. I am pleased to inform the House that this morning, together with the Tourism Minister, Jann Stuckey, I released the draft of this important plan for public consultation.

The draft ecotourism plan will be open for public comment until Friday, 31 May 2013. The draft ecotourism plan recognises that Queensland's greatest competitive advantage is our world-class protected areas. These include five World Heritage areas—more than any other state or territory. This government's vision, outlined in the ecotourism plan, is to make Queensland Australia's No. 1 ecotourism destination and a world leader in ecotourism by 2020.

Working in partnership with industry, the Newman government aims to deliver world-class experiences, facilitate product innovation, raise the profile of Queensland's 'hero experiences' and foster thriving operators to support industry growth. The draft ecotourism plan has a number of action items across government, with a focus on cutting the red tape strangling the Queensland tourism industry and facilitating innovation to showcase and improve access to our pristine national parks. One example of the ways we are facilitating such innovation is the changes to the Nature Conservation Act 1992, which are currently before this House, to allow for ecotourism investment

opportunities on national parks. These amendments will be followed by an expression of interest process to be released in June, allowing industry to be creative and innovative in proposing ecotourism investment in national parks.

I would like to acknowledge Spicers Group, which helped to launch the draft ecotourism plan this morning by showcasing the kind of innovative investment we could have in our national parks with their ecocamp display. This week Spicers was also recognised for the quality of its business operations, with three of its restaurants being awarded 'hats' at the Good Food Guide Awards on Monday night.

As I have already said, the draft ecotourism plan is available now for public comment until 31 May. In keeping with the government's commitment to listen to industry instead of dictating to them, I encourage anyone with an interest in facilitating ecotourism in Queensland to submit their feedback on the draft plan. The draft plan and instructions on how to submit feedback are available on my department's website.

Queensland is a great state with great opportunity. The LNP government is standing up for Queensland families. By working together we are delivering better services and we are opening up our national parks so that they are available to be enjoyed by all Queenslanders now and into the future.

Education Reform

 **Hon. JH LANGBROEK** (Surfers Paradise—LNP) (Minister for Education, Training and Employment) (2.18 pm): Last Monday the Premier and I visited the education faculty at QUT and announced Great Teachers = Great Results, a \$535 million commitment commencing in 2015. For the first time in Queensland we will be able to effectively determine our best teachers, school leaders and principals. Once we have identified the best teachers in the state we can reward them, we can upskill them and we can deploy them to where they are needed most. Research tells us that the teacher is the biggest influencing factor on student outcomes within a school. After all, it is the teacher in front of the class who has direct contact with the students.

This document has 15 initiatives. The initiatives work with each other. The initiatives are aligned. The initiatives are true to the same purpose and goal. This document is a robust policy document. It may not be full of headlines but it is full of improvement. It may not be full of rhetoric but it is full of reform. Importantly, this document requires significantly less money than the much hyped Gonski plan because when you do the hard work, when you put in the required thought, you do not need to spray money around inefficiently. You achieve your outcomes because the things you are doing are precise and potent. Compare that with Gonski.

I want to put something on the record here today. If you were to ask Prime Minister Gillard or Peter Garrett what is needed to improve school performance, their answer would be 'money'. If you were to ask the Newman government, we would say 'improving parental engagement, boosting teacher quality and developing leaders in schools'. See the difference? We are prepared to look at what the research has to say, we are prepared to challenge long-held norms and we are prepared to exercise political courage to bring in much needed reforms. Yesterday at Windsor State School Peter Garrett cut a birthday cake and answered some questions about Gonski. His answers have not changed. He said—

Our ambition and goal for Australian schools is more funding for them in the future.

The Labor Party's answer to everything is money. It is in their blood. To make up for their inability to develop a coherent, aligned and research based policy, they throw money at the problem. We will never beat the Labor Party when it comes to spending money. If you were to ask both the LNP and the Labor Party to solve the same problem, it would take those opposite a lot more money in order to find the solution. In this document there are 15 policy initiatives. As yet we have not seen a single one from the opposition leader. I table the document.

Tabled paper: Document titled *Great teachers = great results: a direct action plan for Queensland schools*, Department of Education, Training and Employment [[2441](#)].

Insurance Companies

 **Hon. DF CRISAFULLI** (Mundingburra—LNP) (Minister for Local Government, Community Recovery and Resilience) (2.21 pm): One of the driving ambitions of the Newman government is to find a way to make things happen, because we know it has been far too long since Queenslanders

have had a government that stands up for them. That means simplifying things whenever we can. People yearn for a common-sense approach to life and fair reward for effort, and that includes their dealings with insurance companies. The people of this state have been hit hard—first by floods and then by the massive insurance hikes that followed. From my talks with the insurance industry it is obvious that more could be done to help flood victims.

Insurers offer discounts on home and contents premiums for measures like security screens, alarms and deadlocks. Why can they not cut customers a break when they choose more resilient building products or raise their house high enough to avoid flooding? I acknowledge that there are a few companies in the industry who take some factors into account, but I am referring to a clear set of guidelines—not on a suburb-by-suburb basis and not even street by street but by house-by-house assessments. A simple declaration is all that is needed.

This government is all about getting the best results for Queenslanders and their families. I am asking insurance companies to take stock of their current practices and start helping those who are showing the sort of resilience that will help us recover from these floods. If homeowners take into account their location's vulnerability to flood and storm damage, build their houses accordingly and lessen the risk of re-damage, what is stopping insurers from reducing their policy prices accordingly?

It could be a win-win. People like the Hargreaves family in Bundaberg would get some financial relief from the impost of a \$6,000 flood insurance premium which they are struggling to pay. Insurance companies would sign up many of the people who are now forced to forgo the security of insurance simply because it is unaffordable. Owners who have restumped their houses more securely or above benchmark flood levels, resisted the urge to build in extra rooms underneath Queensland's stilt homes, lifted power points above flood heights or even laid tiles in downstairs rooms instead of carpet deserve to pay less insurance.

I say to insurance companies: reward the people who are doing the smart thing and they will reward you. It is not rocket science. It is not just common sense; it is another way we can all play a role in standing up for Queensland families.

Dam Management



Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (2.23 pm): Dams across the south-east, in particular Wivenhoe and Somerset, provided major flood mitigation during severe weather events which saw heavy rainfall and flash flooding across the east coast of Queensland. By early March this year almost 1.1 million megalitres—enough to fill Suncorp Stadium to the top just under 750 times—had passed through Wivenhoe and Somerset dams. This weather event was the second largest in terms of release volume to impact Wivenhoe Dam since its inception. The largest event continues to be January 2011, with an outflow volume of 2.65 million megalitres.

Over the Australia Day long weekend Wivenhoe and Somerset dams managed almost 900,000 megalitres during the severe weather event associated with ex-Tropical Cyclone Oswald. These inflows were equivalent to filling Suncorp Stadium to the top just over 600 times. Earlier this year I authorised Seqwater to temporarily reduce the full-supply level of the drinking water compartment in Wivenhoe Dam to 88 per cent to increase its flood storage capacity. Wivenhoe Dam's flood storage capacity is almost twice the amount of drinking water storage, and during these events there was ample storage in the flood storage compartment. A preliminary review shows that the operation of Wivenhoe and Somerset dams reduced the flood peak in Brisbane city. Thus, peak river levels remained below minor flood levels over the duration of the event in these areas.

During the Australia Day long weekend there was high rainfall over a short period of time, resulting in inflows into Somerset and Wivenhoe dams occurring quickly. To reduce flood peaks in Brisbane, water was held in Wivenhoe Dam. During the March event there was high rainfall over a longer period of time, resulting in slower inflows into the dams. Therefore, water could be released at a slower rate to reduce flood peaks.

Looking forward, we are advised there is a 60 to 80 per cent chance of higher than average rainfall for southern and eastern Queensland in the April-June period, and this government will look after the people of this state, in conjunction with Seqwater, by keeping an eye on dam levels to reduce the impact of any flooding.

MOTION

Referral to the Health and Community Services Committee

 **Mr STEVENS** (Mermaid Beach—LNP) (Manager of Government Business) (2.26 pm), by leave, without notice: I move—

1. That the Health and Community Services Committee inquire into and report on the current regulation of outdoor advertising in Queensland and whether reform, including legislative reform, is needed to protect children from being exposed to sexually explicit and inappropriate outdoor advertising.
2. That in undertaking this inquiry, the committee is to consider:
 - (a) the sexualisation of children and other adverse impacts on children through sexually explicit outdoor advertising;
 - (b) the range of outdoor advertising, including roadside billboards, shopfront windows, on public shelters and public transport, and the existing regulation of such advertising spaces;
 - (c) the adequacy of the existing regulation of outdoor advertising in Queensland, focusing on the effectiveness of the regulatory model to limit children's exposure to sexually explicit images and slogans;
 - (d) the regulatory framework for other forms of media including publications and television that limits children's exposure to sexually explicit and inappropriate advertising and whether such framework could be applied to outdoor advertising;
 - (e) previous parliamentary and expert reports on the regulation of outdoor advertising; and
 - (f) any recommendations for reform for the regulation of outdoor advertising in Queensland.
3. Further, that the committee take public submissions and consult with relevant local, Queensland and Commonwealth government agencies, business and industry groups and other key stakeholders.
4. Further, that the committee is to report to the Legislative Assembly by 31 January 2014.

 **Mr PITT** (Mulgrave—ALP) (2.28 pm): I am not rising to oppose this motion, but I wish to point out that outdoor signage is regulated in a national framework. This referral is something that would better sit with the Legal Affairs and Community Safety Committee. We do not believe that the Health and Community Services Committee is the place for it. We certainly welcome broad-ranging community consultation as part of this process. I think the same outcome would have been achieved if the matter had been referred to the legal affairs committee and other committees were offered opportunities to provide input into the inquiry. But we will not be opposing the motion.

Question put—That the motion be agreed to.

Motion agreed to.

QUESTIONS WITHOUT NOTICE

Education Reform

 **Ms PALASZCZUK** (2.29 pm): My question is to the Minister for Education, Training and Employment. Will the minister commit to meeting with teachers rallying outside parliament this afternoon and explain to them why he announced an unfunded, half-a-billion-dollar education plan without consulting teachers and without consulting parents?

Mr LANGBROEK: I thank the Leader of the Opposition for her question. I have a letter here which is that invitation from the President of the Teachers Union, Kevin Bates, which of course is a great ploy to say, 'Get out there and talk to the teachers.' It is important to note that this is obviously a question that is framed because of the debate that is going on about Gonski, and I table that invitation from Kevin Bates received the day before the rally.

Tabled paper. Letter, dated 16 April 2013, to the Minister for Education, Hon. John-Paul Langbroek, from the President of the Queensland Teachers Union inviting him to attend a rally outside Parliament House on Wednesday, 17 April 2013 [\[2442\]](#).

By the way, the rally was originally going to be about the allocative model and all of a sudden now it is about this particular debate—that is, the Gonski debate. That just shows that the Queensland Teachers Union is ready to have a rally about the allocative model but now it is going to be about the Gonski debate and of course Great Teachers = Great Results. That is really what is happening. In fact, the invitation said that teacher proxies could come, which means that the people out there may not even actually all be teachers. It will just be any public servants—

Government members interjected.

Madam SPEAKER: Order! I call the Minister for Education.

Mr LANGBROEK: Thank you, Madam Speaker, because that is what we have seen from the other side—from the opposition—and the unions, which are prepared to say anything and do anything to undermine the great systems that we have in Queensland.

I want to turn to the other aspect of the opposition leader's question—that is, the fact that those opposite say that \$535 million is unfunded and uncosted. I can tell them that it is not unfunded and uncosted if it has been through the Treasurer and through the cabinet, which it has been, because there is no way that we are going to get away with that. Yet the opposition leader with the height of inconsistency says, 'You haven't funded that, but I want you to fund \$1.3 billion.' Isn't that the genius of those opposite!

Government members interjected.

Madam SPEAKER: Order! I call the Minister for Education.

Mr LANGBROEK: That is what we see from those opposite—standing up for their union mates who of course are so tied to the coat-tails of Julia Gillard, even though the federal government is proposing to take money away from our universities and take money away from our early childhood kindergartens and preschools. Yesterday it was revealed that it would be \$195 million over the next six years. That will take billions of dollars away from our universities that are supposedly going to help those very students whom Labor says it helps—people like me who came from a middle-class background where scholarship fees and fee relief enabled me to go to university to better my life. The Labor Party is prepared to say, 'We'll take it from the universities and from those people to give it to schools.' How does that make sense? It does not make any sense, but it just shows that on the eve of a federal election the Labor Party will be completely expedient and will talk about spending more money whereas we are interested in outcomes and results.

Madam SPEAKER: I call the Leader of the Opposition.

Mr Johnson: See if you can do better this time, Annastacia!

Madam SPEAKER: Member for Gregory, I warn you under 253A for interjecting while a question is being asked. I call the Leader of the Opposition.

Regional Community Association Moreton Bay

Ms PALASZCZUK: My question is to the Minister for Communities, Child Safety and Disability Services. I refer to the minister's comments last month when she said four times that her department was investigating the RCAMB, then her statement yesterday that Health is conducting the audit of the association and then her admission on the same day that the audit is being done in conjunction with her department, and I ask: will the minister explain what aspects of the Department of Communities funding and which activities of the RCAMB are being investigated as part of this audit?

A government member interjected.

Ms Palaszczuk interjected.

Madam SPEAKER: Order! Leader of the Opposition! We want members to have the courtesy of being able to ask questions in silence and, similarly, I want ministers to have the opportunity to answer the questions. I call the Minister for Communities, Child Safety and Disability Services.

Ms DAVIS: I thank the honourable member for the question. My department was investigating some complaints made—some anonymous complaints made—regarding the RCAMB. What has happened subsequent to that is that, along with Health, PricewaterhouseCoopers is undertaking an audit regarding the management of the finances of that particular organisation. That is quite right. My department was looking into it and dealing with the board and then it was determined that we needed to get in an independent auditor in order to do it. That audit is underway and it is ongoing.

I think we need to take a step back and consider the roles and responsibilities in this matter. This is an autonomous organisation with a board and with a management committee. We engage organisations to provide services; we do not manage the organisations. When this issue was first raised, it was referred to the department, it was then referred to the CMC and then it came back for no further investigation. With subsequent concerns, I asked my department to continue to have a look at it and we know the history from there. My department has done everything that it could to continue to provide services into the community. We had a contingency plan put in place. We now have the Pine Rivers community centre delivering those important community services.

It is disappointing that the RCAMB closed its doors on its staff before the Easter long weekend but, again, it is not the role of government to micromanage organisations. Our role is to fund them. The funding that we provide to organisations is public funds. It is taxpayer money. As we well know,

the board of the RCAMB contacted our department to advise that it was unable to provide those services. In fact, it thought it was insolvent. It is appropriate that our department sought to find another organisation to deliver those services, otherwise those opposite would be complaining that we were giving money to an insolvent organisation. We are doing the right thing. We are getting community services out on the ground in Redcliffe. I just think the opposition needs to sit back and not play politics with this very sensitive issue.

Bruce Highway Action Plan

Mr COSTIGAN: My question without notice is to the Premier. Can the Premier please update the House on the progress of the Bruce Highway Action Plan and how it will improve safety on our major highway?

Mr NEWMAN: I thank the honourable member for his question. I also want to commend the *Courier-Mail* and its journalist Robert McDonald for an article that appeared today which I think states the case very clearly for the people of this state, particularly the people who are in Central, North and Far North Queensland who rely on this vital arterial—this 1,677 kilometre-long backbone to the state and important part of our four-pillar economy. We have launched a blueprint for a safer, more reliable Bruce Highway and a Bruce Highway that has a greater degree of flood immunity, and it is the Bruce Highway Out of the Crisis plan. The plan includes \$6 billion in projects and upgrades that could be built in the next 10 years under existing funding agreements with the Australian federal government. On top of our historical level of contribution to the Bruce Highway, we as the state government have committed to providing an additional \$1 billion over 10 years—but only if the Australian government also brings forward its share of additional funding to match our contribution on the basis of the existing, ongoing or long-term arrangement, which is an 80/20 split.

The Bruce is a federal road and is part of the National Highway, and yet it has been ignored by the federal government. It is time that the Prime Minister and her cabinet, particularly Labor federal members and senators from Queensland, stopped short-changing Queenslanders. At the same time I say that we as a government are also after a commitment from Tony Abbott and the federal coalition. We want both of the major parties to get up and tell us very clearly in the next five months—as soon as possible—what they are prepared to do for the Bruce Highway and for Queenslanders.

We have seen the RACQ state in the media that it is time for the feds to step up and fund Bruce Highway upgrades. Queenslanders, and indeed this government, are increasingly frustrated as road crashes have resulted in an alarming level of fatalities—17 per cent of total road deaths and serious injuries on a stretch that represents just 7.5 per cent of the entire network. The Bruce Highway is in a state of crisis, with the RACQ sadly and very ominously predicting between 300 and 400 road deaths occurring within the next 10 years if action is not taken now.

This government, with its crisis action plan, stands ready to make it happen—to deal with more than 50 capacity flood mitigation projects and hundreds of kilometres of safety treatments to be delivered over the next 10 years. What we need from the federal Labor government and from the federal coalition is a commitment in the next few months on what they will do to support this government to make the highway safe for all Queenslanders.

Redcliffe Tourism Association

Mr MULHERIN: My question is directed to the Attorney-General and Minister for Justice. I refer to fundraising undertaken by the LNP member for Redcliffe through the Redcliffe Tourism Association for the Bee Gees statue, and I ask: is the Attorney-General aware of the information provided to his office about fundraising by this unincorporated association? What steps has the Attorney-General taken to ensure that all funds raised have been properly distributed?

Mr BLEIJIE: I thank the honourable member for the question. Am I aware? No, I am not. This is an independent organisation with an independent board. As the honourable member and Minister for Communities has indicated to this House, these independent boards are not micromanaged by ministers every step of the way. But one thing for sure about this investigation by various departments is that the public know what is going on. The public have seen the debate through the reporting in the *Courier-Mail* and other media outlets. They have also heard the debates and the questions in this chamber. The one thing that is different about the way in which this is being undertaken is that, under Labor, which incidentally funded this very organisation since it was established 20 or so years ago, it would have covered it up. No-one would know about it. No investigations would be undertaken.

Mr MULHERIN: I rise to a point of order.

Madam SPEAKER: Yes, Deputy Leader of the Opposition?

Mr MULHERIN: It is not about the tourism body; it is about whether the funds have been properly distributed.

Madam SPEAKER: What is your point of order?

Mr MULHERIN: Relevance.

Madam SPEAKER: Please take your seat. The Attorney-General has time on the clock to answer the question. I ask him to answer the question.

Mr BLEIJIE: Thank you, Madam Speaker. I have answered the question. I said, 'No'—N-O— I am not aware of what the honourable member asked. I answered the question. I took the opportunity while I had a couple of minutes remaining on the clock to address other matters that were the subject of the question and other matters about the fundraising of this body which, of course, is an incorporated association under my relevant legislation.

I could also advise the House that we have complete confidence in the health department and the communities minister's department to fully investigate these matters. We know that this particular organisation to which the honourable member refers has been established for a long time. It has been continually funded, essentially, by the Labor Party government. As I understand it, it is funded by the federal Labor government. So this government became aware of certain issues and this government has taken the actions necessary.

We do not need to remind the former minister for racing, do we, about tender and procurement documents and all of those sorts of things? We do not need to remind the former minister for racing and also the former agriculture minister about agricultural colleges and how they were run into the ground? And who is left to pick up all the pieces? The LNP government. Would we rather be in a position where we could be talking about this great state with great opportunities and the great Queensland families that we have? Yes, we would. But these issues have been legitimately raised in the public. Therefore, we are taking the necessary action and all the action that is required at this point in time so that we get to the bottom of these issues, but recognising the fact that this is an independent body with an independent board and ministers ought not be micromanaging these bodies.

Mining Industry

Mr COX: My question without notice is to the Deputy Premier and Minister for State Development, Infrastructure and Planning. Is the Deputy Premier aware of the concerted attack on the Queensland coal industry and its effects on the Queensland economy?

Mr SEENEY: I thank the member for Thuringowa for the question. He, like so many other members representing regional Queensland, understands the essential importance of the coal industry. It is very opportune to note that there is a concerted attack on that industry. There is a concerted attack on that industry that threatens not just the people who live in regional Queensland, the people who live and work in those mining communities, but every Queenslanders.

The resources industry generally is incredibly important to the Queensland economy, but three-quarters of the resources industry is our coal industry. Our coal industry operates at world's best practice standards. We are leaders in the world in supplying a product to the rest of the world. That is a very important part of our economy. But no matter how well we do that, no matter what standards our coal industry attains in its operations, there will always be those who seek to attack that industry and who seek, for their own philosophical reasons, to make all sorts of claims about what the coal industry is supposedly doing.

We have seen that demonstrated over the past week or so. We have seen that a Greenpeace vessel has suddenly decided to make some sort of a stand-off at the coast. We have seen the member for South Brisbane and her compatriots in the Greens political party trying to make political mileage out of every approvals process for every project. We have to appreciate that the member for South Brisbane and the Greens and Greenpeace will never support a coal project. They will never support the projects that are important for Queensland's future. They will never support an industry that has attained world's best practice standards and they will never support the projects that are important for Queensland's future—for generations of Queenslanders to come.

We have also seen concerted attacks on the coal industry in the media in the countries that are our customers. For example, in the past week or so in the Indian media we have seen absurd claims made about the quality of Australian coal and absurd claims made about how that product can be used in that particular country. That demonstrates the lengths to which these people are prepared to go to attack our industry, to attack our economy, to attack the future of every Queenslanders.

Can I say that everybody should know that these comments come from that perspective. When we see these comments from the member for South Brisbane and the Greens and Greenpeace and people such as that, we have to understand that they come from that perspective. They will never support Queensland. They will never support Queensland's future.

Ms TRAD: I rise to a point of order. The Deputy Premier is alluding to comments I have made in relation to this matter and I want to elucidate for the record—

Madam SPEAKER: Take your seat. I remind the member for South Brisbane that she has to refer to the appropriate standing orders. You did not. I call the Deputy Premier.

Mr SEENEY: The member for South Brisbane proves her own guilt by her own reaction. The member for South Brisbane will never support Queensland's future—

(Time expired)

Regional Community Association Moreton Bay

Mr PITT: My question is to the Minister for Communities, Child Safety and Disability Services. Will the minister outline what steps she has taken to have her department's views represented in the Supreme Court application to wind up the Regional Community Association Moreton Bay as opposed to allowing the organisation to be liquidated?

Ms DAVIS: I thank the honourable member for the question. The fact that the board has decided to go to the Supreme Court to wind up the organisation is a matter for the board. It is not a matter for the department.

Mr Bleijie interjected.

Madam SPEAKER: Order! The Attorney-General!

Ms DAVIS: So the answer is that that is a matter for the board. If that is where they need to be and if that is what they feel is in the best interests of the organisation, then that is what they will do.

While I am on my feet, it has been disappointing that in question time yesterday and today we have not had anybody opposite ask anything positive about what is happening in Queensland. This government is doing a number of proactive things in order to provide services to people in Queensland. One of those areas that I am really passionate about is that of domestic and family violence. Those opposite may know that domestic and family violence month starts next month. It is an important time for the community to come together to support people who are at risk, vulnerable to or victims of domestic and family violence. Domestic and family violence should never be tolerated in any community. It is a horrendous and heinous act and no-one should stay silent when it comes to supporting people or, in fact, raising it with others in order that these victims that we see out in the community are supported.

I would like to share a story, if I could, about a young woman I met recently who had been in a rather unfortunate relationship. One of her colleagues at work actually went up to her because they had noticed that she had been coming to work with long trousers and long sleeves and with marks around her neck. It was hard for her because we like to be quite private and think that these matters should be dealt with privately, but sometimes it is important that we make a stand and we make a call. This colleague of this young woman went to her and asked three simple words: 'what is wrong' and her name and she broke down. She just needed somebody to come to her, somebody to make that effort to say, 'How can I help? What's happening?' I am really happy to say that as a result of that really short initial approach by the work colleague this young woman is now out of that really dreadful relationship, living a full life. It is really important that we continue to fund domestic and family violence.

(Time expired)

Newman Government, Financial Management

Mr MOLHOEK: My question without notice is to the Treasurer and Minister for Trade. Can the Treasurer inform the House of the Newman government's achievements in financial management and whether there are any alternative views.

Mr NICHOLLS: I thank the member for Southport for his question. I can answer his question and outline the achievements in financial management and, indeed, I can outline some alternative views—although they are a little stale and old. The government's budget delivered on 11 September took the hard decisions to stop the accumulation of debt which had been endemic and had persisted under the former Labor government. Australia's worst Treasurer, Andrew Fraser, is now campaigning for Yvette D'Ath in the seat of Petrie and offering the benefits of his insight.

All reasonable parties from Queensland Treasury offices, Queensland Treasury Corporation, the Independent Commission of Audit and, indeed, the Auditor-General appointed by the former Labor government have acknowledged that Queensland's fiscal position was unsustainable and that action was required. In his most recent report on state finances the Auditor-General noted that borrowings by the general government sector have grown by 388.5 per cent, a nearly 400 per cent increase in borrowings between 2008 and 2012, and he says that the increase in borrowings over this time has increased the risks to the long-term financial sustainability of the state.

The budget which I handed down on 11 September and the subsequent update confirmed that this government has taken the steps necessary to stop the rot in order to ensure that Queensland does not continue to accumulate debt and over the forward forecasts will save Queenslanders—Queensland taxpayers—through this government, over \$1.3 billion. That is \$1.3 billion that we are able to redeploy back into the delivery of front-line services, whether that is better education services under the Minister for Education, whether that is more police on the beat under the Minister for Police and Community Safety, whether that is more disability services, an extra \$868 million than the former Labor government, despite all their chest beating, was ever able to deliver. That is money that we have been able to deliver.

What was the alternative program? Yesterday I outlined to the House, after listening to the shadow Treasurer have a go at us in the matters of public interest debate about the funding, their contribution, their alternative. What is their alternative after 389 days, 347 days since the creation of the mythical TJ Ryan Foundation and 216 days since I have been asked a question about economics and finance in this place? What is their alternative? Their alternative is what it always was: Anna Bligh's unfunded, uncosted election commitment made before 24 March. Where were they going to get their money from? The 43,000 jobs that they were looking at cancelling under their expression of interest. There is no alternative.

Gladstone Area Water Board, Dividend

Mrs CUNNINGHAM: My question without notice is to the Minister for Energy and Water Supply. Minister, the decision to cancel the dividend payment by the Gladstone Area Water Board to Gladstone Regional Council will significantly disadvantage residents in the electorate. Will the minister consult further with Gladstone Regional Council and reconsider this decision?

Mr McARDLE: I thank the member for the question and, like other members on this side of the House, acknowledge her contribution to her electorate and her care for the people who reside in the electorate. I think historically we need to go back a bit in regard to the Gladstone Area Water Board. The board came into being in 1973 as a consequence of the then Gladstone City Council and Calliope Shire Council not agreeing to put together \$70 million to increase the capacity of the dam and water infrastructure to provide for the growing needs of the industrial and the domestic users in the region. In 1977-78 the assets were transferred to the state at a value of around \$6.5 million, but also with a debt of \$6.1 million. Today that value has increased to some \$534 million and an equity of \$262 million. The state in that period of time has continued to pour money into the dam. It has poured money into the maintenance and the upgrade of the dam. I note that it is the industrial users of the water, totalling 80 per cent, that actually use the bulk of the water. The domestic use is about 20 per cent.

The government had to make some very tough decisions in the past 12 months. We also realise that under our four-pillar economy we need to grow the infrastructure right across the state. We also acknowledge, unlike those opposite, that the regions have made a contribution to the state that has not been acknowledged by former Labor governments. We therefore put in train the Royalties for the Regions campaign of \$495 million over a period of four years commencing in 2012-13 and thereafter a contribution per annum of \$200 million. What we are doing, for the member's benefit, is actually utilising the funds drawn by way of dividends to assist the whole of Queensland grow across the four pillars we have outlined during the election campaign to ensure that everybody across the state does get a fair share of the contribution made by each individual Queenslanders.

We do not forget the regions. We do not forget the contribution they have made and will make to the state in years to come and that is why we put in train Royalties for the Regions. I believe it is an equitable outcome for all concerned. I hope the Gladstone council does understand that we do have to do certain things in government to ensure a proper and equitable outcome for all people across Queensland. We do not forget people who make a large contribution. Living in the region can be tough at times. We put money on the table on an ongoing basis to assist them. That money is in

addition to the normal allocations by way of budget for education, roads, police, ambulances and the like. We are going to work with Gladstone Regional Council. In these circumstances we have made the determination based upon the reality of what we had to do and an assessment and then it is brought together.

Nurses and Midwives

Mr GRIMWADE: My question without notice is to the Minister for Health. Can the minister outline for the House why next week is so significant to nurses and midwives under an LNP government?

Mr SPRINGBORG: I thank the honourable member for Morayfield for his question. I thank him very much for his advocacy on behalf of his electorate and the nurses and midwives who reside there. That stands in stark contrast to the actions of the seven members opposite who let down Queensland nurses and midwives over a number of years, particularly when it came to the failed payroll bungle in Queensland. We know what happened with regard to the carnage, the chaos and the personal financial harm that was caused as a consequence of the incompetence of the previous government in Queensland.

Next week is very important for Queensland nurses and midwives. On 24 April Queensland nurses and midwives will receive their second pay increase under the LNP government. That was not able to be achieved by the previous government, but immediately upon becoming Minister for Health I set about negotiating it with nurses and midwives. Within a week or two of coming into office, we were able to resolve that with the support of the Premier and the Treasurer. It had been stuck in a hiatus under the members opposite, who had lost care and attention for Queensland nurses and midwives.

Indeed, what more contrast can you have than this: before we came into office, up to 70 per cent of Queensland nurses and midwives were overpaid, thousands were underpaid, thousands were not paid at all and, indeed, they were all paid less than we are paying them. Fast forward another year and we have fewer nurses being overpaid, fewer nurses being underpaid and all of our nurses paid more than under the previous Labor government. As of 24 April, on average a grade 5 nurse—in Queensland there are around 14,000 grade 5 nurses out of a total cohort of 32,700—will receive between \$132 and \$170 more per fortnight than was received under the previous Labor government. Guess what? They are going to be paid something! That stands in stark contrast to what happened under those opposite.

Opposition members interjected.

Mr SPRINGBORG: I note the bleating from the honourable member for South Brisbane and others opposite who want to also kill the coal industry in this state. They do not mention the hundreds of Queensland nurses who are on temporary contracts that were not renewed during their time in government in this state.

(Time expired)

Forsyth, Water Supply

Mr KATTER: My question is to the Minister for Energy and Water Supply. In my electorate, the people of Forsyth, which is within the Etheridge shire, are now suffering an acute water shortage as the dam is critically low. It will cost the Etheridge Shire Council an estimated \$400,000 a year to truck water in daily. Can the minister tell me what financial assistance or long-term solutions this government will provide for this small council, which can ill afford that type of expenditure?

Mr McARDLE: I thank the member for the question. The state government owns and operates a significant number of dams right across the state. We have a clear obligation to ensure that the dams that we operate are operated efficiently and effectively and provide a safe and secure water supply to the people of the region that they service. I make the point quite clearly: local governments own dams in their own right. We will offer the assistance that we can, but we are not going to take over the problems of local governments in relation to their dams. In my opinion, there must be a clear line: if you own an asset, you need to operate the asset efficiently and effectively. The government will offer what help it can, but we are not going to assume the mantle of taking over every problem that arises in a local government in relation to a dam or other issue. If you own the asset, you need to deal with it efficiently and effectively. We will not stand by and let people suffer, but we will not assume the role that the member is asking us to take on.

If the member wants to talk to me about the matter, certainly I can do that. However, I make it very clear that this government operates its own dams. We expect councils to operate their own dams efficiently and effectively and if water levels have dropped to the point that the member has now indicated, he has to ask why. What has the council done in the past to garner water, to look at what it can do to deliver water and, more importantly, to understand the implications of what it has got itself into? If the member wants to talk to me I ask him to please do so, but to bear in mind my comments.

On 26 March I raised the issue of the recreational use of dams and waterways across South-East Queensland. In essence, an amount of \$2 billion is generated each year by the use of dams across South-East Queensland and across the state. Now Seqwater is looking at reviewing that wonderful program to ensure we can get a better return from Wivenhoe, Somerset and all the other dams, so that we can build an economy based around tourism and put money back into the coffers of local councils and generate a few dollars for the local operators as well. This is an exciting scheme.

I say to all members in this House that if they have a dam or waterway in their electorate, they should get on board and discuss what we can do to make that waterway or dam more efficient and more effective, to turn their local region into a better tourism destination which will be good for suppliers, good for B&B operators and, more importantly, better for them as well. If we can generate more tourism into the regions by utilising the dams and waterways, we can also generate more jobs. That must be better for our economy. It is one of the four pillars that we built the election campaign on and that will build this great state—

(Time expired)

Queensland Teachers Union

Mr DOWLING: My question without notice is to the Minister for Education, Training and Employment. Can the minister please inform the House on the quality of representation Queensland teachers are receiving from the Queensland Teachers Union?

Mr LANGBROEK: I thank the honourable member for the question. As I have already mentioned in this question time, I have received from the Queensland Teachers Union an invitation to attend the rally this afternoon where I will be presented with questions from the Queensland Teachers Union about our Great Teachers = Great Results plan. Don't you love the politics? I can say that we will consult with the union when they start representing school communities rather than blindly clinging to the coat-tails of Julia Gillard. I am not confident that the QTU is capable of putting its political differences aside in the best interests of our communities and students.

I would say that the Queensland Teachers Union is as predictable as an oscillating fan in what it thinks it is trying to achieve. Instead of asking for an appointment with me to discuss the policy, as they could have done yesterday, they try this stunt which has been used by members of the former government, now in opposition, who have brought to the public gallery people from whatever thing they are trying to push, to get their heads on television. With the QTU, it is all politics and no policy. In fact, we saw that yesterday from Minister Peter Garrett, who went to Windsor State School and criticised us for not signing up to the policy that we heard about in the media on Sunday. He cut a birthday cake and held a media conference in one of our state schools, but did not attempt to meet with either the Premier or I in terms of negotiating the deal that he wants us to sign up to.

The Queensland Teachers Union does not want to improve teaching quality. It wants to continue to receive membership dues. It rules through fear. Union leaders want to position themselves for seats in this parliament and in Canberra. I have a few questions for Kevin Bates. Why is his union opposing a \$50 million bonus pool for teachers, which is money that goes directly into—

Opposition members interjected.

Madam SPEAKER: Order! I warn members on my left to cease their interjections. I call the minister.

Mr LANGBROEK: Thank you, Madam Speaker. Why is the union opposing a \$50 million bonus pool? Kevin Bates has been telling journalists that this is not about putting money into teachers' pockets; this should be about putting resources into schools. When Kevin Bates and the Queensland Teachers Union were out there protesting about the pay rise we were going to give them during the enterprise bargain negotiations last year, which turned out to be \$601 million from this government, I do not remember them saying, 'Please, we don't want a pay rise; we'd like you to put it into schools.' We would gladly have obliged if they had said that. When we were going through the pay negotiations, the Queensland Teachers Union opposed independent public schools and then it agreed to a memorandum of understanding once the pay deal had been signed.

I have more questions for Mr Bates. Why does he want to deny 200 teachers a year the opportunity to study a master's program or not have 300 teachers with master's degrees in our schools? Why does he want to deny every school leader a leadership or management qualification? We care about outcomes. We care about students. It is about time the QTU did too.

Vehicle Safety

Mr WELLINGTON: My question is to the Minister for Transport and Main Roads. I am informed that some drivers of private vehicles are being fined under the transport operations regulations on the basis that while driving some of the items they are carrying in their utes or trailers are not properly secured to their vehicles. With confusion about what meets the definition of properly secured to a vehicle, will the minister send out with all vehicle renewal notices of relevant vehicles and trailers a one page guide outlining what is required to ensure compliance with these regulations?

Mr EMERSON: I thank the honourable member for the question. Road users and those carting equipment in the back of their vehicles, whatever that vehicle is, should know what the rules are. They are required to know them. It is very important for us to keep our roads safe. We have seen the situation this year where our road toll is too high. As at the beginning of this week there had been 80 deaths on our roads, 16 above the toll at the same time last year. While I think everyone in this House would appreciate that one death on our roads is too many, 16 above where we were last year is far too many.

We want to make sure our roads are as safe as possible. That is why we do have those rules in place. There is an onus on drivers to make sure their loads, whatever they may be, are safe. We have seen situations in the past where material on the back of a ute or truck has blown off and potentially caused deaths or injuries to other motorists. It is important that people know those rules. We want our roads to be as safe as possible.

Having said that—and particularly in terms of the Sunshine Coast and moving up the coast—the Premier made a very good point before in terms of the Bruce Highway. There is a perfect example of a road we want to make safer. As the RACQ has said, if we do not see more money spent on that road over the next decade we will see between 300 and 400 deaths on that road over the next decade. That is why, as the Premier said, it was great to see the article by Robert MacDonald in the *Courier-Mail* today stressing the importance of the Bruce Highway.

The Bruce Highway is the lifeline for this state—going past the member's electorate and all the way up to North Queensland. We want more money for the Bruce Highway. It deserves more money. Let me remind everyone here that it is a federal road. We made a very clear election commitment in terms of that road. That is that we would spend a billion dollars on it over the next decade as long as the federal government commits to the traditional 80-20 split.

We are waiting to hear from federal Labor but also from the federal coalition. We are knocking on everyone's door. That is our job as a government. We are here to fight for Queenslanders. I do not care who gives us the money, as long as that money comes to Queensland.

There is only one small group in this parliament that is not expecting more money for the Bruce Highway and does not expect the state government to play a role in the Bruce Highway. We know who that is. That is the Labor Party. The Labor Party believes any money spent by the state on the Bruce Highway is mispending state money—that is a disgraceful position; a disgraceful statement. I think everyone in this House should condemn those comments and Labor's policy on the Bruce Highway.

Gold Coast Commonwealth Games

Mr HART: My question without notice is to the Minister for Tourism, Major Events, Small Business and the Commonwealth Games. Can the minister please update the House on any recent milestones in the countdown to the Gold Coast 2018 Commonwealth Games?

Mrs STUCKEY: I thank the honourable member for the question. As a very proud Gold Coaster like myself he is very excited about the recent announcements made and milestones reached for the Gold Coast 2018 Commonwealth Games—a games that the Gold Coast is very proud to host, but a games that belong to all of Queensland and, of course, Australia.

Honourable members, we are four years 352 days and five hours away from the Gold Coast 2018 Commonwealth Games. Early on the morning of Thursday, 4 April hundreds of Gold Coast residents, MPs and dignitaries turned out at the Broadwater Parklands in Southport for the unveiling

of the official emblem of the Gold Coast 2018 Commonwealth Games. Joining me on stage for this very momentous occasion was Nigel Chamier, the chairman of GOLDOC, Acting Gold Coast Mayor Donna Gates and very popular singer Jessica Mauboy. I will not tell members who was most popular that morning.

As the giant inflatable emblem unfolded the applause was drowned out by a fantastic fireworks display. The colourful emblem catches the essence of the Gold Coast, the Commonwealth Games and the sports which define it. Even our towering building Q1 features in it. I would like to place on record my congratulations to everybody who was involved—GOLDOC, the media, the Gold Coast City Council and, of course, residents, some of whom came from Brisbane, I understand.

Later in the morning I headed to Surfers Paradise beachfront where, together with several elite athletes, I switched on the Commonwealth Games countdown clock to remind everyone how quickly the games are approaching. Shaped as a surfboard and located at the beach end of Cavill Avenue in our famous Surfers Paradise, the countdown clock is the first fixed element of the Commonwealth Games visual identity program. I recommend everybody visit Surfers Paradise and get a photograph as it is a great opportunity.

Now that the emblem has been launched and the brand protection legislation passed through the parliament, sponsorship opportunities will allow games partners to leverage direct and indirect opportunities over the next four years plus. The merchandise is now available. Some of us in the House today are wearing the pin.

The final result though will be an enduring legacy and positive economic impact estimated at \$2 billion. This emblem is our global invitation for current and aspiring athletes to come to the Gold Coast and Queensland in 2018. The emblem is also an invitation to fellow Australians and overseas tourists to visit in April of that year. Please remember that although the Commonwealth Games is very proudly being held on the Gold Coast, it is an event for all of Queensland and all of Australia.

(Time expired)

Public Hospitals, Elective Surgery

Dr DOUGLAS: My question is to the Minister for Health. Can the minister please confirm whether all elective joint replacement surgery other than emergencies has been cancelled until the new financial year at Metro North, Metro South and the Gold Coast?

Mr SPRINGBORG: I acknowledge the honourable member's question and certainly can indicate that the Commonwealth government's midyear budget cuts in December of last year of \$103 million have had a dramatic impact upon our hospital and health services throughout Queensland. That is something that the honourable member knows much about. In the case of Metro North it is a cut in the vicinity of \$22 million and in the case of Metro South it is about \$18.8 million. In the case of the member's own area it is about \$9 million.

Not once have I heard the honourable member for Gaven go out and stand up to the Commonwealth government and demand that that money come back. Not once have I heard the honourable member for Gaven stand up and actually back the Senate—

Dr DOUGLAS: I rise to a point of order, Madam Speaker.

Madam SPEAKER: Minister, take your seat. Member for Gaven, what is your point of order?

Dr DOUGLAS: I asked about joint replacement surgery. I did not—

Madam SPEAKER: What is your point of order?

Dr DOUGLAS: Relevance, Madam Speaker.

Madam SPEAKER: Please take your seat. The minister is answering the question. I call the minister to answer the question.

Mr SPRINGBORG: It is important for the honourable member to understand and not just be an apologist for Julia Gillard and Wayne Swan when it comes to what they have done in terms of the brutalisation of the Queensland Health system. At a time when the federal Senate is prepared to be bipartisan and call on the Commonwealth government to give that money back, which is equivalent to almost 10,000 joint replacements in Queensland over three to four years, the member for Gaven is mute. If the member for Gaven actually cared to listen to what was said by the CE of Metro South before Christmas he would know that non-urgent orthopaedic surgery will be postponed until after 30 June this year.

That has already been said. Different HHSs are applying different strategies to deal with this issue across Queensland because we are not getting any help from the honourable member for Gaven or the seven apologists over there, notwithstanding the fact that the federal Senate has said in a bipartisan way that that money should be given back because it will mean more services in Queensland.

In the case of the honourable member's own area on the Gold Coast, I understand that there have been about 330 joint replacements which have been scheduled and done this year, with about another 60 which are scheduled to be done in the remainder of this calendar year. So joint replacements are actually proceeding. The message that I have for the honourable member is that, instead of running out there being a Henny Penny, instead of running around the place carrying on and being an apologist for the Commonwealth government, he should actually get on board with the federal Senate and call on the federal government to give that money back so we can reinstate some of that surgery.

(Time expired)

Information Technology

Mr PUCCI: My question without notice is to the Minister for Housing and Public Works. Given the many IT system blow-outs overseen by the previous government, can the minister please advise the House if he is aware of any other IT system which has resulted in significant cost blow-outs to the taxpayers of Queensland?

Mr MANDER: I thank the honourable member for his question. To answer that question I can say, yes, I am aware of another IT system that has failed to deliver. We can add the travel management system to the list of Labor IT disasters. The party that brought us the Health payroll debacle and the IDES email system can now lay claim to another overpriced failure that will end up having to be replaced because it is too broken to be fixed. The travel management system, or TMS, was meant to be a fully integrated end-to-end travel management solution for government—

Honourable members interjected.

Madam SPEAKER: Members, order! There are interjections from my right and my left. Please give the minister the courtesy of being heard. I call the minister.

Mr MANDER: Thank you, Madam Speaker. It was meant to provide a single portal for online booking of airfares, hotels and car hire as well as reconciling expense claims. The project was projected to cost \$2.2 million and scheduled to be rolled out over four years. Of course it ended up costing \$7.69 million—a 250 per cent blow-out—and nine years down the track, not four, it is yet to reach 50 per cent of its planned rollout. That is an appalling result in anyone's language.

Not only is it late and not only is it over budget, but it also does not do what it is supposed to do. Over five years the business case said the new system would save roughly \$5 million a year. What was the result? Only a saving of \$2½ million a year—half of what was expected. Not only that, the annual licensing fee is \$1.8 million. The savings for this you-beaut system are almost non-existent.

Furthermore, it has been plagued by bugs and glitches from the very beginning. The software is incompatible to the systems in some departments and, because of these issues, some departments—like one of our big ones, the department of education—cannot use it at all. Because of these compatibility issues, 40 per cent of travel is still booked the old-fashioned way with forms and paperwork to fill out and another 10 per cent is booked directly through airline and hotel websites.

Keep in mind that this was a custom-made piece of software. They actually ordered it this way. This is a custom-made failure. But this is the sort of bungling that we have come to expect from the Labor Party. The people of Queensland deserve better and under this government they will receive better.

In the case of TMS, though, it has been such a debacle that we had no choice but to scrap it altogether and start again. My department is currently looking at alternatives, and so far I have been advised that there are numerous off-the-shelf replacements that could potentially reduce the cost per transaction by as much as 50 per cent. I can assure the House of this: we will have a system that is cost-effective, user-friendly and which does the job it was designed for. I look forward to advising the House on the selection of a replacement system in coming months.

National Parks

Mr BYRNE: My question is to the Minister for National Parks, Recreation, Sport and Racing. I refer to comments made by the minister's office yesterday indicating that all protected areas in Queensland are being reviewed and I ask the minister, rather than lounging around the Speaker's Green, will he rule out absolutely the logging of national parks, and we can start with Springbrook on the Gold Coast?

Mrs Miller interjected.

Madam SPEAKER: I warn the member for Bundamba under standing order 253A. I call the Minister for National Parks, Recreation, Sport and Racing.

Mr DICKSON: I thank the member very, very much for the question. Actually we were out on the Speaker's Green today promoting ecotourism. I think we should all get together on that. It is about creating jobs and moving forward. But let's go straight to the question.

The member has made it very, very clear that he is trying to cast aspersions again on our side of politics. The Labor Party are extremely good at that. They did it at the state election and they are going to try to do it at the federal election. What we are about is being honest and upfront with the people of Queensland. Yes, we are doing a scientific review of 12½ million hectares of land. That covers a lot of Queensland. We make no apology for that. The question he did not dig down and ask about is whether we are going to start logging in national parks. Let me say this really, really slowly just so they can understand: we will not be logging in pristine national parks. I hope I have made my point extremely clear. But what I can tell the House about the Labor Party—

Mr Byrne: All national parks or only pristine ones?

Madam SPEAKER: Order! The member for Rockhampton will cease interjections. I will warn him under the standing orders next. I call the minister.

Mr DICKSON: Thank you for your protection, Madam Speaker. What I can tell the House is that the Labor Party had management plans for only 17 per cent of our protected areas. We continue on this side of the House to look after our national parks and protected areas, and in the future, in 20 years time, the people of Queensland and Australia will look back at this side of politics and say this is the greenest government they have ever seen.

Opposition members interjected.

Madam SPEAKER: Order! Members.

Mr DICKSON: Let's talk about our friends the WWF.

Ms Trad interjected.

Madam SPEAKER: I warn the member for South Brisbane under standing order 253A. I call the minister.

Mr DICKSON: Let's talk about the WWF, the friends of the Labor Party and the Greens. It is one big happy hugging family that get together in bed every now and then, particularly when there is an election on. What the WWF support is illegal fishing on the Great Barrier Reef in Queensland in green zones—a sponsored boat, paid for by the WWF. That is what they paid for, and they represent the Labor Party. They back the Labor Party. They back the Greens. And each and every year I understand the federal government give them roughly \$1.2 million. I think there needs to be an investigation into where that money is being spent, why it is being spent and why the WWF is behind political advertising backing Tony Burke. What is going on there? There are a lot of questions that need to be answered. But I am sure our Labor Party friends will explain that in great detail leading up to the election.

(Time expired)

Police Assaults

Mr KAYE: My question without notice is to the Minister for Police and Community Safety. With reference to the recent public debate around assaults on police officers, could the minister please inform the House of the government's commitment to protecting these officers?

Madam SPEAKER: I call the Minister for Police. You have two minutes.

Mr DEMPSEY: I thank the member for Greenslopes for the question. He certainly understands all too well the impact of assaults on police, their work colleagues as well their families. An assault on a police officer is an assault on the entire community. The good men and women in the Queensland

Police Service go to work every day with the primary goal of protecting Queenslanders and visitors to this great state. They work to ensure that all Queenslanders can easily rest in their beds at night, knowing that should anything untoward come their way they will be there to address it and serve the people of Queensland and protect the people of Queensland. With this in mind, it is incumbent on governments to protect those who dedicate their lives to protecting others.

Unfortunately there are those in society who have no regard for community values and even less respect for authority. These are the people who were charged with more than 2,600 assaults on Queensland police officers last year. Of these offences more than 700 were classified as serious assaults, leaving in some cases officers with lifelong scars and medical complications. These are reprehensible acts which this government and the community at large find unacceptable. That is why this government has introduced in the first few months of this parliament some of the toughest legislation in relation to the increasing number of serious assaults on police, doubling penalties from seven years to 14 years for serious assaults on police and introducing a 25-year non-parole period for taking the life of an officer. This is why the LNP government is not only tough on crime but also serious about protecting our police officers.

We will continue to monitor both the frequency of assaults and the penalties handed to the perpetrators as a result of the new laws that we have in place. Should they not meet community expectations, we will be more than happy to revisit the already tough penalties including considering mandatory sentences. The job of a police officer can be inherently dangerous, but they are not a punching bag for thugs.

(Time expired)

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

GASFIELDS COMMISSION BILL

Resumed from 27 November 2012 (see p. 2756).

Second Reading

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (3.30 pm): I move—

That the bill be now read a second time.

For people in the agricultural and resources industries in Queensland, for the people in regional Queensland especially, today we deliver on one of our key election promises. The formation of the GasFields Commission was an election promise that we made a long time before the election was called. It was an idea that had its genesis in a discussion between me, the member for Warrego and a number of other members who understood clearly the disaffection that was being caused by the maladministration of the CSG industry by the previous government. We understood that there was a need for an independent third party in that space. We understood that an important part of addressing that community disaffection was to ensure that we had an independent community based commission.

The process to put that commission in place has been a long one. We developed the idea from the ground up. We consulted widely about the role and the form that that commission should take. Public consultation on the proposed role, functions and powers of the commission was undertaken between 19 April 2012 and 25 May 2012 with some 55 submissions received. Submissions were received from the industry peak bodies, from gas companies, from landholders and company groups. The submissions were about what the GasFields Commission should be, what it should do, the roles it should have, the powers it should have and the functions that it should be responsible for.

The government and the commission carefully reviewed the submissions and took them into account when developing the proposed powers and functions suggested in this bill today. The bill that we consider today was first introduced in this parliament on 27 November 2012. It was then referred to the State Development, Infrastructure and Industry Committee, and the committee invited public submissions on the bill by 25 January 2013. Seventeen written submissions were received by the committee, with 16 made publicly available on the parliamentary website. The committee also held regional hearings in Brisbane and Toowoomba between 13 and 15 February 2013, with 12 organisations appearing at the hearings including environmental groups, industry peak bodies and local governments. I have considered the committee's report and will move amendments during the

consideration in detail stage of the bill to give effect to those recommendations necessary to ensure the government's intentions are properly reflected in the legislation. I table a copy of the government's response to that report.

Tabled paper: State Development, Infrastructure and Industry Committee: Report No. 20—Gasfields Commission Bill 2012, government response [2443].

It is important to understand the extent of the public consultation that has been undertaken in the design and the formation of the GasFields Commission. It is important to understand the extent of the opportunities for public input from the various bodies of opinion about the CSG industry and the gas industry, and the interaction between the resources industry and the agricultural industry. All of the various bodies of opinion and interest groups were given, and have taken, the opportunity to have considerable public input into and considerable consultation on the formation of this bill before the House.

Establishing the Queensland GasFields Commission and providing it with appropriate powers to address community concerns and the conflict between the agricultural industry and the resources industry I believe demonstrates our government's commitment to improving the co-existence between those two important pillars of our economy—agriculture and mining.

The commission itself has been in the field and at work since 1 July 2012. This bill formalises its formation and provides it with the powers it requires to undertake the important work that we believe it can do. We have taken the time in the consideration of this bill to make sure that public consultation—that opportunity for public input—has been offered to every interest group that may have an interest in the area.

The objective of this bill is to establish the GasFields Commission as an independent statutory body. It is incredibly important to understand the extent to which the GasFields Commission is an independent body. It is a body that is charged with the responsibility of managing and improving the sustainable co-existence of landholders, regional communities and the onshore gas industry.

Since its formation in 2012 the commission has met with rural landholders, regional communities and local government representatives across Queensland. It has been described as a one-stop shop where answers can be sought and information verified. Once the legislation comes into effect, currently proposed for 1 July 2013, the commission will be looking to deliver wider community engagement across the state.

To assist the commission with its work, the Southern Gasfields Community Leaders Council was created. The Gasfields Community Leaders Council meets regularly across the state to address and resolve issues arising within the onshore gas industry. During a recent visit to Longreach, the commission commenced consultation with stakeholders on establishing a Northern Gasfields Community Leaders Council. Establishing a northern council will ensure greater focus and representation of regional communities and industry throughout Queensland.

A variety of functions have been included in the bill to assist the GasFields Commission to undertake its work. One function of the commission will be to review the effectiveness of the government entities in implementing regulatory frameworks that relate to the onshore gas industry. The commission is also tasked with providing advice to ministers and government entities about the ability of landholders, regional communities and the onshore gas industry to co-exist within identified areas.

The Six-Point Action Plan Committee, of which GasFields Commission Chairman John Cotter is a member, resolved two changes to land access laws that ensured conduct compensation agreements will be noted on land titles and providing an option for parties to opt out of a formal land access agreement if the landholder wants to. The GasFields Commission will also make recommendations to me, as the relevant minister, about regulatory frameworks and legislation relating to the onshore gas industry.

Another function of the commission is to make recommendations to the relevant minister about leading practice management and matters relating to the industry. The GasFields Commission may also obtain particular information relevant to their purpose from government entities and prescribed entities such as the Department of Environment and Heritage Protection and the Department of Natural Resources and Mines.

GasFields Commissioners Steven Raine, Ian Hayllor and Rick Wilkinson have recently engaged with the Independent Expert Scientific Committee, Associated Water and Commonwealth Scientific and Industrial Research Organisation, Queensland Chief Scientist Geoff Garrett and the Coal Seam Gas Research Roundtable to meet with stakeholders to identify and prioritise what

information landholders need relating to the onshore gas industry. Communities and industry alike are encouraged to view the information sheets that are available on the commission's website which provide valuable educational material to the public.

This bill provides for the GasFields Commission to require information and advice from government entities that relate to the onshore gas industry and that are a function of the commission. The bill provides for the GasFields Commission to require information from prescribed entities—landholders, onshore gas operators and gas companies' subcontractors, for example—that is relevant to carrying out the commission's functions. We always understood that it was very important for the GasFields Commission to have access to information—to have almost unrestricted access to information.

The bill also provides for the commission to be consulted by government entities that are developing policy or legislation intended to affect the onshore gas industry. It provides for the commission to publish information relevant to the purpose or function of the commission, and it provides for the commission to establish a committee—the Gasfields Community Leaders Council—to assist the commission in identifying issues affecting the co-existence of landholders, regional communities and the onshore gas industry. Lastly, the bill provides for the chairperson to establish advisory boards which can provide additional or technical advice about a matter relevant to the function of the commission or feedback about advice the commission proposes to give a minister or government entities.

The GasFields Commission has been tasked with managing and improving the co-existence of landholders, communities and the onshore gas industry across the state. While the initial focus has been on the immediate impacts of gas developments in the Surat Basin, the chair has stated that better engagement in Central and North Queensland is a priority for 2013. To assist with that engagement, the Northern Gasfields Community Leaders Council will be established, as I have mentioned. It will complement the existing Southern Gasfields Community Leaders Council, which has been established in South-East Queensland.

The bill establishes the GasFields Commission as an independent statutory body with all the powers necessary to achieve the commission's objectives. It is very important that the commission is not seen as another arm of government. It is very important for the effectiveness of the GasFields Commission that that independent statutory role is very clearly defined. When I looked at some of the submissions that were made to the committee and some of the comments in the committee report itself, I think there is a need to emphasise with the passing of this legislation the importance of the GasFields Commission being recognised as an independent statutory body. The bill explicitly states that the commissioners, the general manager and the staff of the commission are not subject to outside direction in the performance of their duties by any person.

The bill allows for the commission to access a wide range of sensitive information and it sets out how that sensitive information should be treated. Confidential information has been defined in the bill as any information that could identify an individual; is about a person's current financial position or financial background; or would be likely to damage the commercial activities of a person to whom the information relates. The commission will need to put procedures in place to ensure that sensitive information as opposed to confidential information is used appropriately. Some of the confidential information that the commission will hold will be the conduct and compensation agreements, the CCAs as they are known, that landholders have negotiated with CSG companies. There are approximately 3,500 of these agreements already in place across Queensland. The commission's powers to access information will provide it with the details of those arrangements between property owners and the CSG companies should they believe it is necessary for them to access it.

We also made a commitment that information of this nature would be made available to landholders and interested parties to assist in their dealings with gas companies. That, too, was an election promise that we made. We believed it was important that the information in the CCAs was accessible to other landholders so that they could have a database of information upon which to base their negotiations with gas companies, so that they could almost establish a market, if you like, with the information that was contained in those CCAs. To deliver on that election promise, I will be asking the gas commission to compile a register of these financial arrangements. It is proposed that the commission will publish an indicative list of various arrangements between landholders and companies. This list will not identify specific individuals, but it will provide the detail necessary for others to understand the agreements that have already been negotiated and so they can take guidance in their own negotiations with CSG companies. Landholders will know what compensation has been made for various uses of land by CSG companies and, therefore, will be able to make

informed judgements about the compensation arrangements that they may seek. It is another role that the GasFields Commission can play, I believe, in improving the relationship between CSG companies and landholders.

There are also some amendments to be moved to this bill that relate to the Rio Tinto Alcan Weipa facility at Boyd Point. These amendments support the government's commitment to grow the four-pillar economy by facilitating a major new mining development in North Queensland. They seek to clarify a situation which has been brought into doubt and which I will explain in some detail when we consider the amendments at the consideration stage of this bill. In the meantime I will ensure that the opposition receives a briefing about these particular amendments.

I look forward to the consideration of the bill to formalise the formation of the GasFields Commission here today in the parliament. It is an important step, I believe, in addressing the community concern that has been evidenced in relation to the growing CSG industry. It is an important step in ensuring that those two important industries—agriculture and resources—can co-exist in a way that will be to the benefit of all Queenslanders. I commend the bill to the House.

 **Mr MULHERIN** (Mackay—ALP) (Deputy Leader of the Opposition) (3.45 pm): To be clear from the outset, the opposition is broadly supportive of the Gasfields Commission Bill 2012. We acknowledge the intent of the Deputy Premier in introducing this bill. We also recognise that it meets part of an election commitment of the LNP. It is also worth noting that the GasFields Commission has been operating on an informal basis for the last nine months with the chair of the commission and its part-time commissioners already appointed. This bill formalises a nascent body and clarifies its powers and responsibilities. There are, however, a few elements of the legislation with which we do have some concerns, and I was able to raise these during the State Development, Infrastructure and Industry Committee examination. Many of these issues have been highlighted in the committee's report.

Although coal seam gas has been an element of the Queensland economy for well over a decade and now provides approximately 90 per cent of our domestic gas supply, the industry has really kicked up a gear in the last few years driven by the global demand for energy. This increase in activity has been spurred by the new LNG industry which was encouraged by the previous Labor government. The LNG industry has already transformed Queensland and it is responsible for tens of billions of dollars of investment in our state. The industry is responsible for massive benefits and will provide jobs and incomes for thousands of Queenslanders when it matures. The royalties which are soon to flow will strengthen the government's balance sheet and provide the funding for important government projects in years to come.

However, when an industry springs up quickly, it will always have some teething problems. This is particularly so when the industry in question requires access to privately owned property, needs significant infrastructure development and could cause serious harm without proper environmental regulation. Therefore, it is not surprising that the boom in the CSG investment and development has stirred up significant community concern. We have seen some backlash from affected communities and witnessed green groups make common cause with farmers. While some of this community concern has been overblown and whipped up by irresponsible interest groups and individuals, most of that concern is understandable and well placed.

The previous government developed a comprehensive regulatory framework for the CSG industry and developed strong environmental safeguards. I think it would be accurate to say that the previous Labor government developed the most robust set of regulations governing the CSG industry anywhere in the world—all while providing the industry with certainty to develop. These elements are crucial to continued public support of the industry.

The Newman government has made a number of changes to the environmental regulations and the opposition will be watching like a hawk to ensure they have no negative consequences. As new industries develop and move from one stage to another, it is important to continue examining the regulatory framework under which they operate and identify any improvements which can be made. The Gasfields Commission Bill 2012 formalises those processes by setting up the GasFields Commission and enumerating its powers and responsibilities. The legislation sets out a number of responsibilities of the commission, the first of which is facilitating better relationships between landholders, regional communities and the onshore gas industry. In light of the community concern which the expanding onshore gas industry has created, this is indeed a vital responsibility. It was at the core of the previous government's approach to the matter and requires further emphasis. This responsibility should not only fall on the GasFields Commission; it must be incorporated into the entire

government decision-making process. Onshore gas companies must also engage with residents and affected interest groups to proactively address any issues which arise. CSG and LNG proponents have to encourage community goodwill themselves and not solely rely on the government.

A further responsibility which is of paramount importance is advising ministers and government entities about the ability of landholders, regional communities and the onshore gas industry to co-exist within an identified area. I think it is appropriate that the commission be designed to encourage and coordinate the co-existence of the onshore gas industry with regional communities and agricultural activities. Notwithstanding that, I do understand the concerns of a number of organisations which drew attention to the aim of co-existence within their submissions. Notably, the Queensland Murray-Darling Basin Committee asserted—

... the Commission should function to ensure the effective management of the industry and not automatically assume co-existence.

The submission went on to state—

... there may well be occasions where the management option should be—to have no development or not allow certain activities or not permit development or activities in certain locations ...

I agree that CSG activities may be inappropriate in certain areas, either for environmental reasons or, as the previous government understood with its strategic cropping policy, for agricultural reasons. But it would be extremely problematic to institute a blanket rule in a particular area. Whether an onshore gas activity is appropriate in a given area should be assessed on a case-by-case basis through environmental impact statements. Any decision to disallow or, for that matter, allow an activity should be made on the basis of rigorous scientific assessment. It should not be left up to the shifting winds of the influential voices, whether they come from the industry, landholders or environmental groups. To make decisions based on whoever shouts the loudest would leave the industry and communities with no certainty. It would seriously hamper an industry which promises to bring great benefits to Queensland.

Further, some of the submissions suggested that a definition of the term ‘sustainable co-existence’ be inserted into the bill. This can be quite difficult given the vast differences between operations and between areas of Queensland. The very idea of sustainable co-existence can mean different things to different people. For some environmentalists it would mean that very few or even no CSG activities would take place. For the industry’s most fervent supporters it would require few, if any, environmental restrictions. That is why the opposition believes that it is important that the GasFields Commission sets out clear guidelines on what sustainable co-existence could mean—to give communities and companies an idea of the goals of the commission.

The bill will also enable the commission to review the effectiveness of the regulatory framework and make recommendations to the minister for its improvement. Further, the commission will have the power to obtain information from government entities and prescribed entities. Prescribed entities would include landholders and onshore gas companies. The commission would also have responsibility to partner with other organisations to conduct research related to the industry and, further, to publish educational material about the industry.

I would now like to turn to a number of issues raised in the committee’s report. The committee process for the bill was thorough and constructive, with members reaching substantial agreement across the political divide. I would like to congratulate the chair, the member for Gympie, David Gibson, on the way he ably conducted the hearings. I would like to thank the other members of the committee for their input as well as the hardworking committee secretariat.

One aspect of the bill about which I held significant concerns was the integrity provisions that would be applied to the chair and part-time commissioners of the GasFields Commission. I suggested that the committee should write to the Integrity Commissioner to seek his views on appropriate measures to be included in the legislation. Dr Solomon provided advice to the committee which has formed the basis of the committee’s recommendations 4 to 8. Recommendation 4 suggests that the penalty provisions which are currently contained in the bill be removed in line with the Integrity Commissioner’s advice that it would be an unusual provision. Indeed, as the commissioner pointed out, there is no similar provision in the Hospital and Health Boards Act, where those boards can direct public resources.

The committee further recommended that a definition of ‘close relative’ be inserted into the bill, again in accordance with the advice from the Integrity Commissioner. I have had the opportunity to look through the amendments the Deputy Premier has circulated, and I am glad that he has listened to the committee’s report on these integrity issues. I might add: I understand that John Cotter, as the already appointed chair of the commission, treats integrity issues with the utmost seriousness. I have

known John for a number of years now. John is of the utmost integrity and I think he will do an excellent job as the foundation commission chair. Indeed, while the committee report suggests that Mr Cotter meet with the Integrity Commissioner after this bill has passed this House, I understand that he is taking a proactive approach and has already had one meeting with Dr Solomon. The commission, under Mr Cotter's leadership, has already developed detailed integrity protocols for commissioners to register their pecuniary interests and any conflicts they may have. It is an indication of the importance Mr Cotter places on integrity that he is developing these protocols before this bill even passes the House.

The bill sets out clear criteria for the qualification of people appointed and mandates that the part-time commissioners must include a commissioner who represents landholders, a commissioner who represents the interests of the community affected by the industry and a commissioner who represents the industry. While these requirements are certainly welcome, I believe, as the committee report recommends, that an extra category for qualification should be included for individuals with a background in environmental science or natural resource management. The onshore gas industry is intensive. In order to protect the environment in which it operates, strong environmental regulations are required. Further, much of the community's concern regarding the industry stems from the potential environmental impacts. I would add that Professor Steven Raine has already been appointed as a commissioner and brings with him a wealth of scientific experience. The inclusion of environmental qualifications for commissioners would be a welcome addition to ensure that in future years the commission includes environmental expertise, as it currently does. I am disappointed that the Deputy Premier has not foreshadowed amendments to give effect to this recommendation of the committee.

Another key recommendation of the committee is that the commission be given the power to refer information to relevant agencies for their follow-up. This is a common-sense suggestion as the commission will be a relatively small body and will not have the resources to follow up on every matter. Nor will it have the power to act on some breaches. Therefore, it stands to reason that when matters come to the attention of the commission that it is unable to investigate further they be referred to the relevant government entity. Having browsed through the proposed amendments the Deputy Premier has circulated and having listened to his second reading speech, it appears that he will not be adopting this recommendation, either. This is a disappointing position taken by the Deputy Premier as it would have strengthened the legislation.

I understand that the GasFields Commission as it already exists has established a community leaders council and is in the process of establishing others around the state. This is a welcome development, particularly given the council is based on the Surat Basin CSG Engagement Group, which has been highly praised. However, it would be beneficial if the GasFields Commission were given a head of power to develop a community leaders council. It does appear that the Deputy Premier will not be supporting this recommendation, either. In the absence of amendments to give effect to this recommendation, I would invite the Deputy Premier to outline in more detail how these councils will operate.

One point on which I would like particular clarification is whether judicial review will be available to people aggrieved by the GasFields Commission. Once again, this is a point of clarification raised in the committee report. The bill is largely silent on this issue. In order for people to have confidence in the GasFields Commission it is imperative that its decisions are able to be appealed by aggrieved parties. It would be unfortunate indeed if the commission had powers above and beyond those of most institutions in Australia and was not subject to normal judicial review.

In conclusion, the opposition is happy to support the general principles behind this bill and we will be listening to the debate closely, particularly the contributions by the Deputy Premier. The onshore gas industry promises great things for Queensland but it is not without risk. The industry needs to co-exist with landholders and communities and also needs to abide by strict environmental standards. We appreciate the sentiments behind this bill and will be offering our qualified support. In relation to amendments to the Commonwealth Aluminium Corporation Pty Limited Agreement Act 1957, I have spoken to the Deputy Premier and look forward to the briefing. On face value, I have no problems with what is proposed with these amendments but look forward to the briefing. I thank the Deputy Premier for arranging that at short notice.



Hon. AP CRIPPS (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (3.59 pm): I rise to support the Gasfields Commission Bill. This bill formally establishes the GasFields Commission as an independent statutory authority and is an important step towards the Newman government's goal of improving the relationship between coal seam gas companies and landholders

across the state. This demonstrates our commitment to getting the best outcomes for two important pillars of our economy—the agricultural sector and the resources sector. There is no doubt that there have been some inherent tensions between landholders and resource companies in recent years. The Newman government is committed to getting the policy settings right to resolve this tension and promote sustainable co-existence.

The CSG industry is vitally important for the economic development of our state, but it is of paramount importance that we strike the right balance between CSG production and agricultural production. The GasFields Commission will play a key role in pursuing that goal. Whilst the commissioners have been appointed and have been working well together for nearly 12 months now, the Gasfields Commission Bill establishes the legislative foundations for the commission, its functions, its roles and its powers. The GasFields Commission will serve a vital role in the effective management of the CSG industry, including its interaction with local communities—something the previous Labor government was unable to do through its policies and regulations-on-the-run approach for industries such as the coal seam gas industry.

The Department of Natural Resources and Mines has played a key role in supporting the Department of State Development, Infrastructure and Planning with the establishment of the GasFields Commission. My department has also made progress in other key areas to achieve more effective management of Queensland's CSG industry. My department has created the DNRM Coal Seam Gas Engagement and Compliance Plan 2013 and established the CSG Compliance Unit to deliver better community engagement, more field inspections and audits, and a firm approach to industry noncompliance in the CSG industry. DNRM has also developed new rules to govern the management of water and brine produced from the CSG industry, ensuring improved environmental outcomes and economic benefits for industry and landholders. We are in the process of overhauling Queensland's land access framework and taking firm action against noncompliance with environmental safety and health regulations in the CSG industry.

In an important move that directly supports the goals of the GasFields Commission, my department has developed a six-point action plan to reform Queensland's land access laws to further strengthen and encourage transparency in the relationship between landholders and resource companies. Coupled with the achievements we have already made, the Gasfields Commission Bill will pursue further improvements in the relationship between the agricultural and resources sectors. I am very pleased with the way in which the commission is working constructively with key stakeholders in both the agricultural and resources sectors and the Newman government is seeking fair and balanced outcomes for the CSG industry, the agricultural sector and local communities.

The chair of the commission, Mr John Cotter, and his fellow commissioners are already playing a key role in facilitating improved relationships between rural landholders, the coal seam gas industry and local communities. The commission has adopted an innovative portfolio approach to tackling co-existence, with the chairman and his excellent group of commissioners progressing the big issues such as groundwater, land access, community development and social licence. John Cotter is ably assisted by an outstanding group of commissioners in each of these portfolios—Ian Hayllor, Don Stiller, Rick Wilkinson, Shane Charles, Ray Brown and Steven Raine. Each of these commissioners brings with them a great deal of knowledge and unique skills and experience in the CSG industry and the agricultural sector.

The bill also proposes a further agreement between the state of Queensland and Rio Tinto Alcan Weipa, also known as RTA Weipa, and Rio Tinto Aluminium Ltd. This agreement will be managed by the Department of Natural Resources and Mines. RTA Weipa is seeking to efficiently facilitate the transportation of the bauxite extracted from the South of Embley mine. The purpose of the amendments is to provide increased certainty to facilitate the investment decision for the South of Embley Project by clarifying the rights to construct, own and operate the proposed Boyd port facilities. These amendments support the government's commitment to grow a four-pillar economy by facilitating a major new mining development in North Queensland.

Importantly, the powers provided for in the bill also allow the commission—that is, the GasFields Commission—to seek advice from government agencies. This means that the GasFields Commission will have the information it needs to properly understand the issues affecting communities and industry and make informed recommendations about how the relationship between the CSG industry and landholders can be improved. In my capacity as the Minister for Natural Resources and Mines I therefore look forward to assisting the commission in its goals to achieve a sustainable and respected CSG industry that provides jobs and opportunities for Queenslanders and Queensland communities.

It would be remiss of me in making a contribution to the debate on this bill not to acknowledge the strong leadership of the Deputy Premier in ensuring that the Gasfields Commission Bill was prepared properly and introduced into the House to facilitate a sustainable pathway for the CSG industry in Queensland. It is a matter of record in this House that no other member can demonstrate a more committed history of advocacy for private property rights than the Deputy Premier. Over many years as a member of this House he has advocated relentlessly for private property rights for landholders, but at the same time the Deputy Premier has also demonstrated an understanding of the importance of an orderly and effective development of Queensland's natural resources for the benefit of the people of Queensland and the communities in it. I think it is a testament to the quality of his leadership that he has been able to deliver an effective mechanism for the orderly development of the CSG industry. In his work to establish a series of statutory regional planning programs across the state, he will provide this state with a suite of legislative and regulatory instruments to ensure that people's private property rights are respected and that our natural resources are developed to benefit the people and communities of the state of Queensland. I take this opportunity to pay tribute to the Deputy Premier for seeing his vision of co-existence delivered for the benefit of this state.

 **Mr GIBSON** (Gympie—LNP) (4.07 pm): I rise to speak in support of the Gasfields Commission Bill. As the chair of the State Development, Infrastructure and Industry Committee, I thank the committee staff for their assistance in enabling us to review the bill. I also thank all committee members. They all contributed and we found ourselves engaging quite positively as we discussed this bill. I particularly want to recognise the deputy chair. As he alluded to in his speech, his experience as a minister enabled the committee to come back and look at some particular issues with regard to how conflict of interest may be managed by the committee. As a result, we engaged with Dr Solomon and were able to put forward recommendations that I am very pleased to see that the government has embraced.

It is unusual for us to be debating a bill in this House for a commission that is already established. As we noted in our report, the GasFields Commission commenced operations on 1 July 2012. That actually meant that as we were conducting the review of this piece of legislation we were able to directly engage with the commissioners and with John Cotter as chair. We were able to identify issues that perhaps would have been missed, and often in this House we are looking at amending legislation because of unintended consequences.

We certainly would not have had identified the concerns about conflict of interest and about the penalty provision had we not had individuals in those roles as commissioners. I think it was one of the great benefits of being able to engage with the existing commissioners, to talk to the chair and to identify the concerns and then be able to look at solutions to put forward.

I commend the Deputy Premier, because I note that, of the recommendations that have gone forward, the government has supported recommendations Nos 1, 4, 5, 7, 10, 12, 15 and 16 in full and it has supported recommendations Nos 6 and 8 in principle. That is not a bad strike rate. As chair, I would like to think that all of our recommendations were worthy of support, but I recognise that, in the government's view, in relation to those recommendations that were not supported the intent was already achieved by the legislation or the issues raised could be addressed operationally without the need for prescriptive legislation. That being the case, we accept that feedback. The committee also sought clarification from the minister with regard to a number of operational issues. I thank the Deputy Premier for his responses to those points of clarification. I believe that from time to time it is important that we as a committee not only make recommendations but also seek clarification as to how things should operate so that they are set out clearly in the second reading speech.

At this point I recognise the leadership of John Cotter as chairman of the GasFields Commission as it is currently established. As we conducted hearings both in Brisbane and in Toowoomba, there was not one bad word spoken about any of the current commissioners. Indeed, the view was that the government had it right in its spread of expertise, the government had it right in its choice of leadership and, can I say, the view was that the government had it right in this piece of legislation in the establishment of a GasFields Commission. As chair of the committee, it was interesting to hear the views put forward from diverse groups, all of them expressing the view that a GasFields Commission was the right step forward. That view was echoed by environmentalists, landholders and by those in the onshore gas industry. Clearly, this government has its policy right. The onshore gas industry is an area that we cannot afford to get wrong. We cannot afford to get it wrong in terms of the environmental impacts, we cannot afford to get it wrong in terms of property rights impacts, and we cannot afford to get it wrong in terms of the industry impacts. Clearly, although there is tension, there is a desire on the part of those involved to work together to achieve an outcome for all, and the GasFields Commission is the mechanism by which we are able to do that.

The powers provided for in the bill will also enable the GasFields Commission to seek advice from government agencies. There was the proposition put forward that the GasFields Commission should duplicate the activity of some of the government agencies, but that was not necessarily supported by the committee. We recognise that the GasFields Commission should be able to direct people to those various government agencies that have the internal expertise and have the necessary legislative power to conduct the appropriate investigations. That means that the GasFields Commission will have the evidence that it needs to properly understand the issues and then make informed recommendations about how co-existence could be improved.

The issue of sustainable co-existence was not without some concern, but, as was quite rightly pointed out, sustainable co-existence is not one phrase that can be applied neatly across the state of Queensland. What is sustainable co-existence in one region may not be sustainable in the other. As such, to have a prescribed definition would impede the ability of the GasFields Commission to perform its duties. I believe that the commission will be able to provide a balanced point of view on the impact of legislation or policies on all stakeholders as the commission, through interaction with its regional communities, gains a valuable understanding of their concerns.

That brings me to the point of the gasfields leadership council. I commend again the leadership of John Cotter in identifying that, whilst the bill only makes reference to a single council, the commissioners identified that they needed additional councils and established a northern council so that they could ensure that the concerns of those members of that community, which are different from the concerns of those in other parts of the state, were able to be recognised and heard. The functions outlined in the bill enable the GasFields Commission to provide an independent and balanced point of view to the government and all stakeholders. For an issue that can be as contentious as coal seam gas and other onshore gas industries, that role is vital.

What we as a committee heard from a broad range of submitters is that the government has it right with its choice of people. The government has ensured that the commission is being established in such a way that all parties have confidence in its ability to fulfil its role. Whether they be landholders, environmentalists, the companies themselves or others, they have the confidence in the commission to ensure that people are able to work together to develop an industry in conjunction while balancing environmental needs and other issues.

The commission has powers to review regulations and the effectiveness of government agencies in implementing these regulatory frameworks and it will provide independent advice to government with recommendations as to where change is required. In an industry such as the onshore gas industry, which is constantly developing—it is established and mature, but, as we know, technology is coming on board that will enable things to be done differently in five years time from what they are today and indeed in two years time—it is important that the commission is able to provide that advice to government and to ensure that changes and recommendations are being put forward for the government's consideration.

I wish to touch on a couple of the recommendations that were made, because I believe that the examination that the committee conducted was worthy of them being noted. One was simply, we believe, a wording issue with regard to the secondment of staff. This matter was raised by one of the councils that has onshore gas activity occurring in its area. The representatives raised the very valid concern that they would not want to see any of their staff being seconded to the commission without the appropriate compensation. In our discussions with all parties, it was never the view that that would be the case. It was simply a matter of clarifying that issue and we commend the government for doing so.

I also wish to touch on a point that comes back to our discussions with the Integrity Commissioner. If this commission is to have a long and vibrant future within Queensland, it must have the confidence of the people of Queensland. One of the points that was raised with the committee was with regard to how people would perceive a conflict of interest or how people would engage in a vote on a matter in which they may have either a direct conflict of interest or an indirect conflict of interest through their family members. That was an issue that the committee took very seriously.

The advice from the Integrity Commissioner enabled the committee to formulate some very robust recommendations to put forward. One of those recommendations that may appear to be counterintuitive is the removal of the penalty provisions, but as the Integrity Commissioner pointed out to us we do not want a situation where people are reluctant to engage because of the fear of an excessive penalty where they have made a genuine mistake. The advice of the Integrity Commissioner, reflecting on other acts that are in place, is that those penalty provisions should be

removed in such a way that would enable the commissioners to undertake their work. I commend the government for listening to that particular recommendation, because it is important that we have that confidence in the GasFields Commission.

In conclusion, I wish to note that this industry bodes well for the future of Queensland, but it is one that must work with landholders and it must ensure that its activities have minimal environmental impact with the maximum benefit for all involved. The GasFields Commission will take on a vital role in engaging with all stakeholders in this area. We are seeing in this bill not only the delivery of a Newman government promise to the people of Queensland but also good policy that will preserve and protect, good policy that will ensure that an industry can develop and good policy that we will look back on in years to come and say, 'On this day, at this time, we set down the framework that got it right for the onshore gas industry.' I commend the bill to the House.

 **Mr HART** (Burleigh—LNP) (4.20 pm): I rise in support of the Gasfields Commission Bill 2012. Can I say when rising to speak on this bill, as a matter of transparency to those members in the House today, that my member's pecuniary interests register shows that I own publicly listed shares in a Gold Coast based CSG company. Having said that, the GasFields Commission has been hard at work since mid last year. It has been managing and improving co-existence between landholders, regional communities and the onshore gas industry. The commission has assisted the government to develop this bill by reviewing the submissions from the public about its proposed powers and functions and developing its own recommendations to present to government.

The bill formally establishes the GasFields Commission as an independent statutory authority and gives the commission the teeth that it needs to do its job. To that extent, this bill was referred to the State Development, Infrastructure and Industry Committee, of which I am a member. I will comment on that process on the way through. As the member for Mackay has said, we had bipartisan discussions in our public meetings—and our private meetings, for that matter—and I commend all of those members involved, including our chairman, the member for Gympie; our deputy chair, the member for Mackay; the member for Pine Rivers; the member for Sandgate; my good friend the member for Keppel; and the member for Mount Isa. I also commend the wonderful staff of the State Development, Infrastructure and Industry Committee: Kathy, our research director, Margaret, Mary and Dianne—and Rhia was with us at that stage as well. There is no doubt in my mind that the staff of every committee in this parliament do a wonderful job. They are under a fair bit of pressure. It is amazing the amount of work they get through.

This government has made a firm commitment to address community disaffection and conflict between the agricultural industry and the resources industry. We all know from reading newspapers over the last couple of years that the CSG industry is one of those industries that people have a real interest in. It has led to numerous protests around the place. The Lock the Gate team in Northern New South Wales have led that protest. They are out there and they want to know how this industry will integrate with people in our regions, with our farmers and with the people in our cities for that matter as well. It is the prime purpose of this particular commission to negotiate that place between our landholders and the industry to get right the process of bringing CSG onto a particular property. It demonstrates this government's commitment to getting the best outcomes from these two very important pillars of the economy that we have put forward—the agricultural and the mining industries.

The bill provides the GasFields Commission with the powers and the functions necessary to achieve its goal of managing and improving co-existence. There is a word that does bring a lot of discussion: co-existence. The functions outlined in this bill are all about the GasFields Commission providing an independent and balanced point of view to the government and, for that matter, all stakeholders. Of course, the main function is, as I have just said, to manage and improve sustainable co-existence between landholders, regional communities and the onshore gas industry.

At our public meetings in both Brisbane and Toowoomba we had a range of interest groups come and talk to us. We had the Queensland Murray-Darling Committee, AgForce, the Wildlife Preservation Society of Queensland, Cotton Australia, Arrow Energy, the Queensland Gas Co., the Queensland Conservation Council, the Australian Petroleum Production and Exploration Association, the Bar Association of Queensland, the Toowoomba Regional Council, the Western Downs Regional Council, the Queensland Resources Council, Property Rights Australia, the Rockhampton Regional Council and the Friends of Felton Inc. As members can imagine, we got quite diverse input from those particular people. As I said before, we had quite a healthy discussion about a number of issues and I will cover some of those issues as I go through.

One of the questions that was put to us continuously at both of our public meetings was around the term 'sustainable co-existence'. This means different things to different people. It is very hard to have a one-size-fits-all definition of those words. We were asked on numerous occasions whether it

would be a good idea to define that particular term. I guess at the end of the day you have to look at what exactly sustainable co-existence means. It is going to mean different things to different people. It could look one way if you are, for instance, just looking for CSG in a paddock somewhere; it could look different if you are actually producing CSG on somebody's farm. Those two things could be at completely different ends of the spectrum. It could be one way if you are way out west on a very sparsely populated farm and different on the outskirts of a city, for instance. It could be completely different if you are cropping on your property or grazing.

Those things need to be taken into account and I think the committee and the government, for that matter, both came to the same conclusion: it is best not to nail that particular term down. We are seeing that come through in quite a few of the other bills that my committee is looking at in relation to that term. It is interesting to see people's reactions to that. In fact, I asked somebody at a public meeting today if they could give me a definition of 'sustainable co-existence' and everybody started scratching their heads. It is best just to leave it up to the person making the decision to look at all the facts about particular circumstances and then come up with some sort of conclusion from that. That is where we ended up with sustainable co-existence at the end of the day.

The commission's powers also include the ability to compel government agencies, landholders and gas companies and contractors to provide information. There was also quite a discussion about that particular matter. We had two sides of that particular issue brought to us. We had in one instance the companies saying that some of the information that the commission might request might be commercially sensitive and therefore could not be put out there in the public arena—and one would have to agree with that. We also then had the environmental side of the discussion suggesting to us that the gas companies might well use that commercially sensitive information to actually withhold that information.

Again, it is vitally important that the GasFields Commission has access to the information that it really needs to make a decision on any particular issue that is brought before it. We need to understand that the GasFields Commission is there as an advisory body; it is not there to regulate the coal seam gas industry, as some people suggested that it should be. We had quite a number of discussions based in Toowoomba and, in fact, in Brisbane as well. Some of the people who gave submissions to us suggested that perhaps the GasFields Commission should be a regulatory body. That is probably taking the GasFields Commission that one step too far. There is quite a bit of other legislation, as we all know, that is applicable to the coal seam gas industry and we have already heard the Deputy Premier and the Minister for Mines tell us about those particular bits of legislation today so I will not cover those again.

The bill provides the GasFields Commission with the right to bring that information out of various subcontractors, gas companies and so on. Originally, it proposed that there be an \$11,000 fine if that information was not forthcoming. The committee thought that was inappropriate. For that reason, the committee put forward recommendation 4, which states—

The committee recommends that clause 17 of the Gasfields Commission Bill 2012 be amended to remove the penalty provision.

I understand that the Deputy Premier and the GasFields Commissioner are looking at that and will possibly move amendments during the consideration in detail stage of this bill. Those powers are necessary to make sure that the commission can do its job of managing and improving co-existence and providing recommendations or advice to the government.

Some of the gas companies and the industry peak bodies were concerned that the definition of 'confidential information' did not go far enough. I have already covered the majority of that subject, so I will move on. Obviously, all stakeholders were concerned about the definition of 'sensitive information' as opposed to 'confidential information'. We managed to convince those having discussions with us that the information should really be released only with the consent of the person or organisation providing the information.

One of the key issues for the GasFields Commission is ensuring transparency and accountability in its advice and recommendations. Of course, the stakeholders need to be assured that the commission is acting in the best interests of all parties and is providing unbiased advice and recommendations to the Queensland government. To that extent, we also had quite a bit of discussion about the level at which the members of the committee and the chairman, in particular, should be releasing their pecuniary interest registers. The suggestion was made that those pecuniary interest registers should be made available to the public. The committee felt that that was going one step too far. We felt that, given that the members of the committee were part of an advisory board,

they really did not need the same level of public scrutiny that members of parliament, for instance, are put under. Instead, the chair and the commissioners should be held to the same standards set for senior executive service officers such as deputy directors-general within government departments.

The committee made various recommendations, including what should be the definition of a 'close relative'. There was quite a bit of discussion between the submitters who said that, unless we actually put out a definition of 'close relative', the situation could arise whereby your second cousin's Great Aunt Flo, who you have not seen for 100 years, takes over the running of a coal seam gas company and you make a decision that impacts on her livelihood and, therefore, you have done something wrong. We thought it was appropriate that that definition be pulled back to immediate families—that is, you know what they are up to in their day-to-day lives—such as sons, daughters, grandparents, parents-in-law and so on.

The committee made a number of other recommendations, one of which revolved around the gasfields community leaders group. Some submitters are concerned that there is only one community leaders group centred around one particular part of the state and maybe there needs to be several more or at least one more. We have already heard from the Deputy Premier today that, in fact, a northern committee is being formed. I commend the Deputy Premier for that. The committee made a recommendation that the Gasfields Commission Bill 2012 be amended to incorporate a head of power for the GasFields Commissioner to establish one of those community leaders councils. As we have heard, that has been partially accepted by the commission and the Deputy Premier, who has already announced that there will be a northern group. That is absolutely fantastic.

I commend the Deputy Premier for the speed with which he has put this commission into place. I commend the processes involved in putting together the legislation to enact this commission. We met with the commissioners themselves in both Brisbane and Toowoomba. I found them to be a very knowledgeable group of people. They are from appropriate areas of the coal seam gas industry and groups, such as landowners, that reflect the area around the coal seam gas industry. In the time that they have been in place, they have managed to smooth over quite a number of issues. I understand that they have a 90 per cent success rate in the negotiations that they have entered into. The GasFields Commission is working well.

The mining industry is one of our four pillars and will make a big impact on this state. There is a lot of money in coal seam gas. Hopefully, a lot of royalties will come to the government which will go towards paying down the massive debt that the last government left us with. That has to be a good thing for Queensland. With those few words, I commend the bill to the House.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (4.37 pm): I rise to support the Gasfields Commission Bill 2012. It is very clear that in any area the establishment of industry, particularly major industry, has a significant impact on the residents who live or operate around the new facilities. The gas companies talk about the footprint on the farms in the area of collection as being small. They will produce a picture of a pump and a well. Geographically, if you have a fairly large property it is a small footprint per gas well. However, when you aggregate those on a property it can have a significant impact. It is important for all Queenslanders to acknowledge that impact and to look towards something like this commission to provide a conduit between the landowners who are being directly affected, the community and the government, recognising that those landowners are paying a price for the prosperity that will flow to all Queenslanders.

This bill particularly addresses those people who live in the Surat area and—from conversation with the minister—landowners whose property the gas pipeline will traverse. It does not benefit anybody who lives in the electorate of Gladstone. Therefore, I believe the commission has an incredibly important role to play. Landowners in the Surat area still have unanswered questions in relation to the security of their water supply, the integrity of their water supply, and the potential impact of contaminated or potentially contaminated water on their health and also on their farm viability.

If we use the current trend phrase for farm viability it is sustainability of farming practices. Without a good water supply a farm is nothing. Amongst other responsibilities that I am sure the GasFields Commission will be required to undertake, it will have a great deal of work to do to answer and respond to the very valid concerns and questions of the landowners who live in proximity to or whose farms are impacted by this gas collection program.

In his closing comments the previous speaker, the member for Burleigh, made a very important comment in relation to the significant royalties that this state will gain from gas. That is a given. I was at a number of public meetings and briefings with the gas companies where the point was made that the gas industry will greatly benefit the state government and, by default, the whole of Queensland.

It would be remiss of me not to put on the record again the concern of those in the electorate of Gladstone that in this whole gas industry process they as a community have not been the net, gross or in any way beneficiaries of the government's assistance in relation to setting up the gas industry operation. It has been stated that the community in Gladstone has received \$500 million from the gas industry in establishing this operation. I have yet to be able to get to the bottom of where that money is supposed to have been derived.

We have had some small amounts—\$10 million—go into the community benefit fund. I believe the council is attempting to access that money currently to be able to establish and invest in community infrastructure so necessary to address the impacts on the community of industrial development. There have been amounts of \$2 million and \$3 million allocated to us. One was allocated to the hospital. Other small amounts have been allocated to developing skills in the region. In the main, the electorate has not been the beneficiary of great investment in terms of the community's ability to respond to the industrial development that it is being asked to cope with on a daily basis.

This commission has been operating since July, and that is welcome. The needs of and demands on the farming community within which the collection of gas is occurring must be addressed and will be addressed. There has been financial assistance given to these communities through the Royalties for the Regions program and other financial assistance that has made been available by this government. But in the main the electorate of Gladstone has missed out completely.

We have had things removed like the dividends paid by the Gladstone Area Water Board that were going to offset the impact of industrial development on the urban community and the urban users of water. We got nothing from the Royalties for the Regions program. There is nothing in this bill to assist the people in the Gladstone region. They are becoming incredibly jaded. They are being asked to cope with a great many of the 15,000 workers who work on a fly-in fly-out basis without much, if any, financial assistance from this government to cope with the impact of that industrial development.

Certainly my hope and that of my community for those who will benefit from the bill, including the communities in Weipa, is that they will benefit from this assistance. It is greatly needed. They are not in a position of either experience or financial ability to deal with many of these large companies. They certainly need the assistance of this commission. But, let me put on the record again, so does my community. I would seek some assistance from the Minister for State Development and the Premier to be able to address the very real concerns of the Gladstone community in relation to gas development.

 **Mrs FRANCE** (Pumicestone—LNP) (4.43 pm): I am pleased today to rise and speak to the Gasfields Commission Bill 2012. The establishment of the GasFields Commission was an election commitment. It was great to be in Toowoomba last April with the Deputy Premier and the surrounding MPs to announce Mr John Cotter as the chair and to be here in parliament today to speak on this bill. This bill provides for the establishment of the GasFields Commission and identifies the commission's membership, objectives, functions and obligations. It also provides the commission with the powers it requires to carry out its functions.

Resources and the agricultural sector are extremely important to the continued progress of Queensland and constitute two of our four pillars of the economy that our government is focused on growing. Initially the focus of the commission was to be on coal seam gas. However the gasfields commissioners recognised that issues affecting landholders and communities were not just CSG and that the commission would be able to consider wider material if its charter was expanded to include the onshore gas industry.

The purpose of the GasFields Commission is to manage and improve sustainable co-existence of landholders, regional communities and the onshore gas industry in Queensland. To achieve its objectives, this bill will establish the GasFields Commission and set out its powers and functions. The commission will work with landholders, regional communities and the onshore gas industry to foster better relationships between all the parties as the industry progresses.

The establishment of the GasFields Commission was a key election commitment that was met in our first 100 days in government. The commission has been functioning for approximately 12 months. However, this legislation is required to formalise the commission as a statutory body and provide it with the powers to meet its obligations. Legislation is the only option that will provide the head of power to appoint the chairperson, commissioners and general manager and provide the required powers which would otherwise delay or prohibit the continuation of the already established GasFields Commission.

This bill is a result of extensive consultation with a wide range of stakeholders which have directly shaped the framework of the bill. Public submissions and hearings confirmed there is general support for establishing the GasFields Commission. Community consultation was conducted in 2012. Some 55 submissions were received on the powers and functions of the commission. These submissions and community consultation were considered when deliberating on the proposed powers and functions.

The peak bodies of AgForce, the Queensland Farmers Federation, the Queensland Resources Council and the Australian Petroleum Production and Exploration Association are all supportive of the establishment of this commission. It is a testament to the work of the chair and the commissioners that there is support for the establishment of the GasFields Commission. I have had the opportunity to interact with the gasfields chairman and the six commissioners over the past 12 months and I am impressed by the group's wide and varied backgrounds.

I would like to acknowledge the chairman and the commissioners who are here with us in the gallery today. The commission includes the chair, John Cotter, a recognised industry leader with more than 30 years' experience in rural advocacy. Mr Cotter was responsible for bringing industry, landholders and government together as chair of the Surat Basin engagement group.

He is joined by Mr Don Stiller, who is the commissioner addressing land access. Don has 23 years' experience in local government, with 11 of those as the mayor of Taroom shire. Don also has a lot of personal experience with the CSG industry and has been dealing with a number of gas companies on his property for some years.

Mr Ian Hayllor is the commissioner addressing water and salt management. He is also recognised as an industry leader in the area of cotton and grain. Mayor Ray Brown is the commissioner addressing local government and infrastructure, which is fitting given his role and experience as mayor of the Western Downs Regional Council. Mr Rick Wilkinson is the commissioner addressing gas industry development and has 34 years experience in the petroleum industry. He also plays a pivotal role in the industry's development as the chief operating officer for the Australian Petroleum Production and Exploration Association.

Professor Steven Raine is the commissioner addressing science and research. He is the Acting Dean for the Faculty of Engineering and Survey at USQ. Mr Shane Charles is the commissioner addressing community and business interests and has a background as a lawyer and business manager.

The chair and the commissioners have made it a priority to consult with and engage landholders, regional communities and the broad gas industry. In their first 12 months the members of the commission have visited a number of communities including Chinchilla, Dalby and Longreach. It is this direct communication with stakeholders, coupled with the experience of the chair and the commissioners, which will help shape the advice and recommendations of the commission.

It is the experience of the commissioners and their focus on engaging with landholders, regional communities and gas companies that will help them to achieve their goal of managing co-existence. It is also great to see our Labor opposition show its support for this bill and the valuable role of the GasFields Commission.

This bill is an outcome of extensive discussions and consultations with a wide range of key stakeholders. I would like to acknowledge the hard work undertaken by the Deputy Premier, Jeff Seeney, and his team at the Department of State Development, Infrastructure and Planning in preparing this bill. This bill will assist the commission to manage and improve co-existence between landholders, regional communities and the onshore gas industry for the long-term advancement of Queensland. I commend this bill to the House.

 **Mr YOUNG** (Keppel—LNP) (4.49 pm): I rise to support the Gasfields Commission Bill 2012. As a member of the State Development, Infrastructure and Industry Committee, I acknowledge the hard work and travel involved in the development of this bill. Sixteen recommendations came out of the public hearings and submissions from a wide and diverse cross-section of the community and industry. At a private hearing we met the GasFields Commissioner and Chairman, Mr John Cotter, formerly the head of AgForce, and three GasFields Commissioners: Mr Don Stiller, Mr Ian Hayllor and Mr Ray Brown. I might mention that Mr Brown is the Mayor of the Western Downs Regional Council. The General Manager of the GasFields Commission, Mr Andrew Brier, also privately briefed the committee.

The purpose of the GasFields Commission is to manage and improve the sustainable co-existence of the landholders, regional communities and the onshore gas industry in Queensland. Historically, under the previous government, mismanagement of this important industry went unchecked, with lack of industry regulation impacting on landholders, local government authorities and the wider community.

This bill will provide the GasFields Commission with powers to develop the necessary mechanisms to have the onshore gas industry reach its full potential to supply the LNG plants being developed at Gladstone. The onshore gas industry and LNG plants being constructed at Gladstone have provided this state with a great economic boost to the construction industry, whether it be the pipeline construction, the wells and associated infrastructure on the Western Downs of Queensland or the massive \$16 billion gas liquefaction plants on Curtis Island. The workforce for this project is being drawn from all over Queensland, and staff are even travelling from Rockhampton and Yeppoon.

The GasFields Commission, as an independent statutory body, will have the powers and functions necessary to achieve the sustainable co-existence by working with government agencies, landholders, gas companies and contractors. The commission will also be able to review regulations and effectiveness of government agencies in implementing these regulatory frameworks and provide independent advice to government with recommendations as to where change is needed.

By partnering with community leaders councils, the commission will act as a conduit with industry and stakeholders, and the commission will investigate and validate all matters brought before it and refer those matters to appropriate agencies. Further community leaders councils will be developed as the footprint of the onshore gas industry expands north to the Bowen Basin and further west into the Galilee Basin.

The GasFields Commission is a statutory body and will have the same level of public scrutiny as ministers and members of parliament due to the powers and responsibility it has. Therefore, the chair and the commissioners will have to prepare an annual statement of their pecuniary interests which will be kept on a register for scrutiny by the Integrity Commissioner.

The bill also includes provisions related to declaring potential conflicts of interest for the commissioners. Having met most of the commissioners and the chair—I had the pleasure of travelling with Dr Steven Raine, who heads up the scientific aspect of the commission—I have absolute confidence in the commission carrying out their roles to provide information and advice to government. I wish to thank the committee chair, Mr David Gibson, and the other members of the committee and the research staff for their hard work in the development of this bill. I commend the bill to the House.

 **Hon. MF McARDLE** (Caloundra—LNP) (Minister for Energy and Water Supply) (4.54 pm): I rise to make a contribution to the bill before the House introduced by the honourable Deputy Premier on 27 November 2012. First, may I start by recognising the commitment and hard work of the honourable Deputy Premier in working with local communities and the resource industry in achieving a real solution that will make a difference to our regions. It is no secret that the prior Labor government had left a legacy of significant issues in the development of this industry. It was only too clear that Queensland landowners and communities were an afterthought to the prior Labor government's relentless pursuit of royalties to cover up their gross financial mismanagement.

Just to remind the House of the extent of this mismanagement, Labor left this great state with a debt of \$64 billion in 2011-12 which was expected to grow to \$92 billion in 2015-16. But it was this poor public policy of Labor which was having the largest impact on Queensland farmers, landowners and our regional communities. It was trading off the success of one pillar of our economy for another. It left valid questions of our communities unanswered, abandoning their concerns about water quality and the environment. It also handicapped the appropriate growth and development of the gas industry.

But what the honourable Deputy Premier has done is correctly recognise the role of both the agriculture and resource industries play in relation to our economy, and I know from my ministerial obligations of energy and water supply the importance of these two pillars to our economy. The agricultural industry is worth about \$12 billion to Queensland's economy annually, and we have planned for it to double by 2040. The gas industry will inject almost \$60 billion into the Queensland economy and provide more than 18,000 jobs.

Of the gas projects under construction, 80 per cent of the 135 contracts awarded are to Australian businesses. What the honourable Deputy Premier has done is deliver on his promise to provide the GasFields Commission with the powers to ensure that the agricultural and resource sectors are able to operate in co-existence. The bill provides the required powers to ensure that the

GasFields Commission can facilitate better relationships between landowners, communities and the resource industry. It ensures that the GasFields Commission is able to work closely with government industries in the development and implementation of good public policy. It also ensures that the GasFields Commission is able to work closely with the resource industry to promote leading practice and management of gas operations. Importantly, the GasFields Commission will be the reputable source of information and data about the gas industry in Queensland.

Before I commend the bill to the House, I would like to highlight the work of the GasFields Commission Chairman, Mr John Cotter. I have known Mr Cotter now for a number of years and can I say you would not find a man more dedicated to the issues of regional Queensland or more committed to regional Queensland necessities and their concerns and aspirations for many years to come. I acknowledge John in the gallery here today. John, congratulations to you. You will be a great commissioner, and in my opinion you will drive the commission to greater heights and help this state achieve what it needs to achieve. Well done to you.

This is a bill that will provide the platform to grow this industry in the long term, and in the year 2013 I make the point that this is the start of a new epoch as far as gas and the gas industry are concerned in Queensland. I commend the bill to the House.

 **Mr HOLSWICH** (Pine Rivers—LNP) (4.58 pm): I rise to offer a brief contribution in support of the Gasfields Commission Bill 2012. The GasFields Commission was established in mid-2012 as an independent statutory authority to manage and improve sustainable co-existence between landholders, regional communities and the onshore gas industry. It is an unusual situation that this statutory authority commenced operations before the legislation was in place to govern its operation. However, as the State Development, Infrastructure and Industry Committee discovered during our public hearings, this possibly gave us a unique opportunity to draw upon the experiences of coming up to 12 months of operation so far to help frame this legislation in a manner that is based on the tangible, on-the-ground work that is already taking place. This bill now provides the GasFields Commission with a legislative framework and the powers and functions required to assist it to achieve its goal of managing and improving sustainable co-existence.

This particular term 'sustainable co-existence' was the subject of much discussion during the committee's briefings and public hearings. While some submitters wanted to see a clearly stated definition of sustainable co-existence, there was a fair degree of agreement that what is sustainable in one region may not necessarily be sustainable in another region and that it was best to not lock in a one-size-fits-all definition of this particular term.

This bill does not debate the merits of, the safety of, or the need for the coal seam gas industry in Queensland. What this bill does is acknowledge that the industry is in place, that the industry is growing and that it needs to be managed in a sustainable manner. For the sake of our regional communities, our agricultural sector and our environment, we need to ensure that we get this right the first time and that is part of what this bill is seeking to achieve.

This bill also places an obligation on Queensland government agencies to consult with the commission when developing policies and legislation that impact on the onshore gas industry. This obligation is important and will help to ensure that all stakeholder viewpoints and potential impacts on stakeholders are considered in the development of future policy and legislation relating to coal seam gas.

The establishment of the commission is a practical demonstration of the Newman government's commitment to address conflicts that have arisen and that could potentially arise in the future between communities, the agricultural sector and the mining industry during the life cycle of the coal seam gas industry. The establishment of the commission is also a practical demonstration of our government's overall commitment to the sustainable growth of both the agricultural and resources sectors as two essential pillars of Queensland's four-pillared economy.

During the public hearings it was good to have the opportunity to engage with the current commissioners about the work they have undertaken since the commencement of the commission. In its first months, the commission placed a strong emphasis on building positive working relationships with key stakeholders, particularly through the establishment of the Gasfields Community Leaders Council. The council consists of 22 leaders from local government, agricultural groups, the onshore gas industry and state government departments. This leaders council has a pivotal role to play as a conduit to the wider community and as part of the communications loop. The commission has also been engaging with regional business communities, particularly through engagement with chambers of commerce across the state.

The coal seam gas industry is an important industry for Queensland's economic future. However, it is important that we ensure this industry does not grow uncontrollably at the expense of our agricultural sector, nor at the expense of the long-term health and sustainability of local regional communities. The establishment of the GasFields Commission is part of a series of important checks and balances that are needed to ensure the sustainable development of this very important industry in Queensland. This legislation provides a robust framework for the operation of the commission, and I am very pleased to commend the bill to the House.

 **Ms MILLARD** (Sandgate—LNP) (5.02 pm): I rise today in support of the Gasfields Commission Bill and I commend the Deputy Premier and his team for making this vision a reality. I also thank the secretariat, those involved in the consultation process and the guidance of the committee chair, Mr David Gibson MP, member for Gympie, and the rest of the State Development, Infrastructure and Industry Committee team for their attention and their scrutiny of this important bill.

This bill is a key step in restoring the confidence of Queenslanders in the development of the gas industry as it enables the formal establishment of the GasFields Commission as an independent statutory authority with some teeth, to be both the ears and the voice of the key stakeholders in the development of this very important industry for Queensland.

Queensland has been experiencing exponential growth in the onshore gas industry. Today domestic gas provides about 90 per cent of our domestic gas supply and is also one of Queensland's major exports. In stating how important our gas sector is, may I also make comment of how important our agricultural sector is to the government as it constitutes one of the vital four pillars of our economy. Clearly the question for us is not what we choose but, rather, how do we go forward in a way that is safe and enables sustainable development, co-existence and economic sustainability?

We have seen the images of or have experienced the lock the gate rallies. Even in my own electorate of Sandgate I have been the destination of one march petitioning against coal seam gas mining. May I say to this passionate group that this government has not been, nor intends to be, naive, unconcerned or ignorant about the challenges we face now and into the future as we delve into a world of potential in the development of the gas industry.

The Gasfields Commission Bill is part of a forward-looking approach to ensure that we have an independent body with significant powers to compel government agencies, landholders, gas companies and contractors to provide information on activities; to seek advice from government agencies and other research, industry or community bodies; to make informed recommendations about how co-existence between key stakeholders can be achieved; and to undertake research and recommend best practice in gas exploration and development activities.

This bill is about protecting all of our resources and ensuring our gas industry realises its potential as one of the jewels in the crown of our great state without the massive costs that some would fear. This bill is also, importantly, yet another promise that this government has delivered, with the mandate of the voting public at the 2012 state election.

Mr Deputy Speaker and colleagues, I have already given you a mind picture during this speech, but let me leave with you another picture in mind. It is a picture of a Queensland that is richer in cleaner energy sources including coal seam gas, which produces around half the emissions compared to coal. It is also a picture of an industry that can generate around 18,000 jobs and can provide over \$850 million annually to our royalty revenues. This is what I want to see for Queenslanders, and this is why I commend the Gasfields Commission Bill to the House.

 **Mr KATTER** (Mount Isa—KAP) (5.06 pm): I rise to speak to the Gasfields Commission Bill. It behoves me to acknowledge the efforts of the committee. I know that very extensive consultation was undertaken on this bill. I was pleased to get very informative feedback from all proponents on all aspects of this legislation. I understand that some 90 per cent of Queensland gas comes from the coal seam gas industry and that it currently plays a very important role in our economy. I understand that the construction of LNG plants in Queensland have generated within a very short period of time a very strong demand for the volume of gas needed to make these plants viable. That has driven the development of this industry very fast throughout Queensland. Some Queenslanders have struggled to meet the timing of this development and it has been a big social shift for them. I appreciate the efforts of this government in forming the commission, but it is my assertion that this is not going far enough and that there are some cases where it will fail.

This imperative for the gas industry has inadvertently driven some animosity between existing landholders and some industry groups. I believe a lot of that was created by some improper behaviour in early developments by participants in the industry not performing best practice. That came out from some of the submitters. This has caused a lot of anxiety to the many landholders who have the imperative of maintaining the status quo. There are many reservations about the industry. I

note the intention of the government is to quell the alarm people feel about the industry by setting up a conduit between the GasFields Commission and the government. What I do question—and this was spoken about earlier—is the premise that the bill is based on sustainable co-existence and the definition of sustainable co-existence. It is my contention—and I agree with some of the submitters—that that is not possible in some cases. I believe there is an understanding by the public that this was a solution for people who have great reservations about the impact of this industry in their area. They had a lot of hope that this commission would allay a lot of their fears, and I feel that for a sector of the community it will fall short despite the best efforts of the members of the commission. It does not have the regulatory powers required to be able to meet those expectations. I will go through those in a bit more detail shortly.

The most important area of concern in the report for us is that in some cases the competing interests of the onshore gas industry and those of the community are irreconcilable. The existing bill is based on the premise that there is always a position of sustainable co-existence. This ensures that throughout the balance of the bill there is inadequate authority of the commission to protect interests and, more specifically, those of the community.

It was heard in the submissions that not enough detail has been released on other protective mechanisms in the industry such as regional plans. One of the important points brought out is that some of those regional plans have not been released yet—and still have not to the best of my knowledge. If people are hoping to be protected by those regional plans, they would not know where they sit yet. The GasFields Commission relies on those regional plans to protect people and there is no recourse for those people if this rolls out in an adverse way. If the GasFields Commission is accepted and the regional plan comes out and adversely affects people, they will have no recourse and there could be some adverse outcomes. Under the existing bill I believe the authority of the commission is inadequate.

Based on this rationale, we also believe there is scope for the commission's roles to be expanded. This includes the requirement to investigate and report on issues of concern that will impact on the social and economic integrity of certain areas. This is already acknowledged by the commission, but I believe it needs to be a bit more intrusive and to go further. Currently, there is not a requirement to report on these. Because the commission plays such a critical role in the interface between the community and government, the onus should be on it to report on these matters at all costs. This is backed up by the point that not all the regional plans have been finalised. So no security currently exists for those people going forward.

Many of the submissions highlighted the requirement for access to information and the imbalance between industry and the community in either negotiations or disputes. A lot of good ideas were thrust forward. The proposed bill requires the necessary instrument to ensure information is made available to bring about the most equitable outcome for both parties. That is a very important point and I think that is going to help going forward. I am of the view that more information is better; it helps the process be more transparent. Drawing on my own experience in valuations, it was always easier to provide the best and most accurate advice on compensation for people when you knew the impact and the historical precedents of other compensation matters. From my point of view, more information is better.

Many of the submissions also identified merit in ensuring that at least certain levels of information are made available from both industry and community/landholder interests to achieve the best workable outcome. Many corporate interests would be very averse to releasing information; they would say it is commercial in confidence. Again, I think more is better. If the commission used its independence to access that and acted as a safeguard for a lot of these often underresourced landholders, that would be of some benefit and would go some way to helping them achieve a better outcome in the rollout of this bill.

I acknowledge the work of the commission and the intention to have someone looking over the community aspects of the gas industry. Again, I draw on my own experience with mining activities in my area. Whilst there can be some very positive outcomes from mining—and I acknowledge there are positive benefits from the coal seam gas industry—there can also be some very great, heavy social impacts on the towns, and the cost is very difficult to quantify. The town of Cloncurry is booming, but shops are closing down and schools are going backwards. It is very important for this commission to keep a close eye on that. I know that is its intention, but it is a very important aspect of this industry which is not going to be there in 20 or 30 years. Once the social fabric of those towns is destroyed and they no longer have the people in the towns to work the butchers or the grocery stores, it is a slippery slope downwards. That is a very big risk and a critical component of the GasFields Commission.

To return to where I started, there are a lot of good aspects of the GasFields Commission and there is a lot of good work that it can do. But in essence it relies on the fact that there is going to be sustainable co-existence in all cases. That is an assertion and a position that we disagree with and it is a point on this bill that we can never agree with. We do acknowledge that this commission provides people with some level of interface with the government on this very difficult issue involving an industry that, in Queensland's mining history, is unprecedented in terms of the speed and increasing size with which it is being rolled out and the impact it will have. That is the major point that we have difficulty supporting in terms of this bill. We believe that the other intentions of the bill are good.

 **Mr WATTS** (Toowoomba North—LNP) (5.15 pm): I rise today to support the Gasfields Commission Bill 2012. I think the Deputy Premier should be commended for bringing this bill to the House and ensuring that Queensland, a great state with great opportunity, has an organisation such as the GasFields Commission. We have some wonderful industries here in Queensland, but two pillars that we are very dependent on are resources and agriculture. When these two sectors, these two pillars of our community, might be drawn into conflict, we need sensible resolutions, cool heads and an organisation that can advise government independently without fear or favour to make sure that good decisions are made. That is the GasFields Commission's role, and I support that.

In and around the downs we have some opportunity for great development with the gas industry. Toowoomba, my home town, is booming with employment. Many people are involved in TAFE and university studies, all looking to get jobs and employment in the resource sector and in particular in the gas industry.

Mr Costigan: Great opportunities.

Mr WATTS: There are great opportunities. A lot of people studying in those institutions are interested in an agricultural future. So ensuring both these pillars are able to be successful is critical. That then becomes key to ensuring that we have the right policy. I believe the Gasfields Commission Bill is the right policy. I believe we have the right leadership. I think John Cotter will make a fine leader of this commission. They need to have the right people and the right balance of people on that commission. People such as Shane Charles, who knows the industry very well and is very well known in Toowoomba, can certainly bring advice to the minister and to the government departments through his role in the GasFields Commission.

I also want to talk about Steve Raine, whom I have known for a number of years, from the University of Southern Queensland. He is an expert in underground water. I really feel that this is the main area on which we need to focus our attention when we start looking at the development of the gas industry in Queensland. A lot of the noise that we hear is about underground water—how much is it going to take, how is it going to affect the irrigators, what is it going to do to the environment and various other aspects. We have to get the right balance. We have to get the balance right between these two key pillars of our economy, the resource sector and the agricultural sector. However, we also need to get the right balance for our economies and for the environment. Underground water is the key area of potential conflict.

I believe that we should be resourcing the University of Southern Queensland from federal money, universities being a federal responsibility. We should be resourcing that area and making sure that this research is being done and it is being done independently at a university from the region that has people who live there, drink the water of the Great Artesian Basin and have family members employed in both the agricultural industry and the resource sector. I cannot think of a better place to do the research. I cannot think of a better university to do the research. It is such a shame to have a federal government that would shamelessly rip funding away from a university like that and spend it in another area in order to fulfil an election promise with its Gonski. I really would recommend that we go back and look seriously at research for the underground water. I certainly believe that Steve Raine, one of the GasFields Commission members, is someone who would be able to help us in achieving that goal.

I return to the bill. I think it is very important to ensure we engage the key stakeholders. I think industry has been out there trying to do that—I believe that the government has been trying to do that—but always from a certain perspective. Everybody, I feel, has now started to see the GasFields Commission as an independent body. It is great to see an independent body with the teeth required to do its job. This bill gives it the teeth. The powers include the ability to compel government agencies, gas companies and landholders to provide information so that the commission has the evidence it needs to fully understand the issues, make informed recommendations and provide an independent, balanced point of view on the industry. That is the critical part. This bill gives the commission the power to access all of that information and process it in a balanced and sensible way to make

recommendations with a full understanding of various key stakeholders' interests. It really is the only body that will be capable of doing that. I think it is great that it will have the teeth to do that. Certainly the Deputy Premier should be commended for ensuring that is contained in the bill.

Queenslanders certainly want the benefits that come with the gas industry. They certainly want the revenue that the Queensland government will receive from the gas industry. They certainly want the jobs that will be provided by the development of the gas industry. So it becomes very important that they have confidence that decisions are being made in the favour of all Queenslanders. Therefore we need an independent body—'independent' is the key word in this—that can go out there and ask the hard questions and compel people to provide information to ensure its advice is independent, fair and balanced, based on a full knowledge of all the facts. I think Queenslanders deserve that. Certainly they need to have confidence in the body that is doing that. I believe that the GasFields Commission is able to do that.

There are several issues that need to be addressed as this industry develops across Queensland. We need to ensure the groundwater issues I have spoken about are solved. I personally believe that the University of Southern Queensland is the place that can facilitate solving some of those problems and reducing some of those tensions by developing the knowledge base so we can make good decisions. But we also need a social licence. The companies need to be out there working hard to ensure they develop a social licence with the communities and with the landholders.

Certainly we need to understand the land access issues. I have been out to Cecil Plains and I have spoken to several of the landholders out there. There are certainly some landholders out there who hold grave fears for what might happen with the development of this industry. I think it is critically important that those landholders have a place where their fears can be heard in a sensible way. Certainly the GasFields Commission can hear those fears and make recommendations, but ultimately it will be up to the government and the companies to ensure the development in very sensitive areas is done incredibly carefully. I would caution everybody when they look at Cecil Plains to hesitate for a moment and consider the value of the agricultural resource and the value of the resource under the ground and make sure the right balance is struck and is well managed. I believe that the GasFields Commission will be able to contribute greatly to ensuring that happens in an effective way.

I think it is also important that we have sustainable and orderly development. As this industry exploded on the scene in Queensland it was poorly legislated for and protected by the previous government. Some of the things it did have put communities under great pressure. I commend the Deputy Premier on the statutory regional planning process. It will put in place clear guidelines to ensure we have sustainable and orderly development as this industry rolls out for the benefit of all Queenslanders.

I think the key things here are, as I have mentioned, the right policy—and I believe that we have that right—the right leadership—and I believe we have that with the GasFields Commission, with John Cotter—and the right people helping as part of that team. I cannot think of anybody better than Steve Raine to be looking out for our underground water resource for everybody in Queensland. If you have the right people, the right policy and the right leadership then you will develop the right processes. Government will have good advice given to it about how to act and we will be able to develop the two critical pillars of our economy—agriculture and resources—in harmony because a government made the hard decisions to ensure that this great state of Queensland and the great opportunities presented to it are managed in an effective way so that we can all get the benefits. I commend the bill to the House.

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (5.25 pm): I, too, rise to speak in support of the Gasfields Commission Bill 2012. As colleagues who have spoken before me have said, this bill formally establishes the GasFields Commission as an independent statutory authority and gives the commission the teeth to do its job.

Queensland is a state rich in energy and resources, as the member for Toowoomba North just explained, but a prosperous and well-managed resources sector is therefore critical to the economic wellbeing and the future of our great state. As the environment minister and as a father, it is important to me that our resources are developed in a way that contributes to our economic prosperity but that it is done in a way that achieves balance in protecting our environment and in protecting other industries, particularly our agricultural industry.

The bill provides the GasFields Commission with the powers and functions necessary to achieve its goals of managing and improving co-existence. The commission's powers include the ability to compel government agencies, landholders, gas companies and contractors to provide

information. This means that the GasFields Commission will have the evidence it needs to properly understand the issues affecting communities and industry and make informed recommendations about how co-existence can be improved.

I can honestly say that since April last year the GasFields Commission has been very hard at work. One of the first interactions I and my department had with the commission was through its assistance in the review of the CSG water management policy. At the outset I acknowledge John Cotter and Andrew, one of his staff who in particular spent many hours working with my department but more so with landholders, with the agricultural associations and with the industry groups themselves. Appropriate management of CSG water is important to make sure that impacts on the environment are managed and to ensure the water is used in a way that reflects its value as a resource. The commission provided strategic input and, as I said, worked with peak bodies from both the agricultural and the resources sectors to achieve what I would say is more than a 90 per cent consensus from industry and irrigator groups alike.

The end result was a CSG water management policy that provides certainty for landowners and for the wider community as well as the resource companies themselves. It encourages industry to use CSG water in a way that protects the environment and maximises its productive use as a valuable resource. CSG companies are urged to re-use water in a way that is beneficial to local landholders, water-dependent industry and the environment. And after all feasible beneficial use options have been considered, CSG water must then be treated and disposed of in a way that minimises impacts on the environment. I thank the commission for its work in this space as well as for its ongoing advice—the ongoing advice that it provides to me and to the Environment and Heritage Protection portfolio—particularly on how to better communicate its role as a regulator in managing groundwater issues under chapter 3 of the Water Act. I know that this bill will ensure that the excellent work the commission has done will continue into the future. I commend the bill to the House.

 **Hon. JJ McVEIGH** (Toowoomba South—LNP) (Minister for Agriculture, Fisheries and Forestry) (5.29 pm): I, too, rise to speak in support of the Gasfields Commission Bill. I am particularly proud to do so as both Minister for Agriculture, Fisheries and Forestry in our great state of Queensland and as the member for Toowoomba South. In rising to speak in support of this bill, I will endorse some of the comments made by my colleague the member for Toowoomba North, Trevor Watts, and I do so obviously following on from the Minister for Environment and Heritage Protection. I was very conscious of the words said in this House in support of this bill earlier this afternoon by the Minister for Natural Resources and Mines. I think that we three—the Minister for Environment, the Minister for Natural Resources and Mines and, in my case, the Minister for Agriculture—do have a lot to contribute in supporting the Deputy Premier in the introduction of this bill. As the Minister for Environment and Heritage Protection just said, the bill does certainly formally establish the GasFields Commission as an independent statutory authority and provides it with the wherewithal to get on with its job. We have heard from other speakers that the commission is focused very much on the powers and the functions necessary to achieve that goal of managing and improving co-existence between mining—in this case, coal seam gas mining—and agriculture, and the commission, as outlined in the bill, will very much be able to provide a balanced point of view for that particular interplay to all members of the community, to all stakeholders and of course to policymakers such as ourselves in this House.

In my own capacity prior to coming into politics, just over six years ago I personally worked in my local area on the Darling Downs with a group of irrigators in the Nandi region south-east of Dalby when they were dealing with the arrival of one of the coal seam gas companies through its exploration tenement in their part of the world. Given the confusion, the lack of coordination and the lack of direction that existed at that point in time with the encroachment of this new industry, that group of irrigators took it upon themselves to work with that particular CSG company to develop their own code of conduct—the first that I am told the industry saw. They worked as well side by side with that company to look at options for beneficial use of coal seam gas water. Whilst their challenges were great and their work has evolved into what is now conducted by many others, it is clear that a GasFields Commission back in those days with the sorts of powers that are outlined in this particular bill would have provided so much direction to them.

With that in mind, I reflect upon the members of the GasFields Commission who have been appointed, and I have been very pleased to endorse those appointed to this role by the Deputy Premier. I acknowledge that some of them are in the gallery here this afternoon. Much has been said by both sides of this House about the ability, the background, the professionalism and the expertise of Mr John Cotter. I, too, share in those views given my experience with John. There are others on the commission that I am fortunate to know as well such as Mr Don Stiller and Mr Ian Hayllor, whom I

have worked with on various irrigation projects in the Darling Downs in years past. Other members include Mayor Ray Brown from the Western Downs Regional Council, the centre of an area that is dealing with the co-existence challenge and a man who brings a great deal of common sense and a practical approach to those particular debates, and Mr Rick Wilkinson, who quite rightly is able to pass on the interests of the industry in this interplay. My colleague Trevor Watts, the member for Toowoomba North, has already spoken about Professor Steve Raine, whom I, like Trevor, know quite well and have for many years through activities such as the Cooperative Research Centre for Irrigation Futures and the work he has done with the National Centre for Engineering in Agriculture and of course, as my colleague Mr Watts outlined, his work and expertise particularly in underground water. There is then of course my good friend Shane Charles, who brings to the commission a real appreciation of business across Toowoomba and the Darling Downs and across the whole Surat Basin. He in his own professional role as head of the Toowoomba and Surat Basin Enterprise group provides tremendous input and a real appreciation of not only the energy sector but agriculture, education and the other industries that make up southern inland Queensland that comprises much of the Surat Basin where the CSG industry is starting to establish itself.

I, along with many others, will certainly call on the commissioners—given all of their experience such as the local government experience through Councillor Ray Brown and Mr Don Stiller given his extensive experience right across the community—to provide coordination between gas companies as they deal with shared challenges and opportunities and solutions that I suggest might be available such as beneficial use of water; the code of conduct, in my words, that must be continued to be developed between all; and, whilst I will not mention his name to create too much fame—he knows who he is—the good commissioner who shared the term with me that farmers need to ‘unlock the gate, open the gate and communicate’.

Mrs Frecklington interjected.

Mr McVEIGH: I take that interjection from the member for Nanango. Other speakers have certainly addressed the consultation requirements of the commission—the accountability expected of the commission and the commissioners in carrying out that role—and I certainly endorse those comments. I guess it comes down to, in the interests of the whole community and all opportunities for industry development—be it agriculture, be it in the energy sector—that we take emotion out wherever possible; that we recognise that there are those, first and foremost myself as Minister for Agriculture, who support our primary industries very strongly. But as Minister for Agriculture and as member for Toowoomba South, I support very strongly what the CSG industry has brought to our part of the world and what it will continue to bring to our part of the world in the future. It is therefore essential that co-existence be pursued and it is therefore essential that this Gasfields Commission Bill be supported and the GasFields Commission get on with its job. I therefore congratulate all parties in working together with the GasFields Commission and its commissioners to date to resolve these sorts of issues.

I reflect finally on my own experience as a boy from the Darling Downs—one who grew up on prime agricultural cropping land on the central Darling Downs—making the smartest decision I have ever made in my life some 26 years ago almost to the day when I married a girl from the mining town of Charters Towers, the same home town as the member for Mount Isa.

A government member: From the world, isn't it?

Mr McVEIGH: The world; I think that is what they called it. I refer to the member for Mount Isa's home town, and if we can co-exist anyone can. The bill will ensure that this excellent work that the commissioners have started continues, and that is essential in this great state with great opportunity. I therefore commend the bill to the House.

 **Mr KNUTH** (Dalrymple—KAP) (5.37 pm): The Gasfields Commission Bill 2012 prescribes the commission's membership, objectives, functions, powers and obligations when resolving issues that arise between landowners, the agricultural industry, environmental interests and the gas industry. A commission to address issues with water and land contamination and social infrastructure impacts surrounding the mining of gas should have been established from the outset and it is a failure of the previous government that this commission was not set up prior to the development of the coal seam gas industry. The former government's failure to establish a commission to oversee the development of coal seam gas is not an excuse for this government to avoid making a hard decision to protect fertile agricultural land and vital cattle properties that are threatened by this industry by imposing a moratorium. However, a lot of the controversy could be laid to rest if the state government imposed a 12-month moratorium on this industry to enable the commission to conduct an inquiry into the environmental and social impact of the industry and to develop a considered, well-researched and world's best practice approach for the future development of the industry.

Coal seam gas has proven to be a highly contentious issue in Queensland, in other states and overseas. There has been a lot of contradictory and emotional arguments both for and against its continuation in Queensland. At the moment the industry is waging an expensive media campaign to silence its opposition. However, until science rules out contamination of the Great Artesian Basin by chemical use and coal seam gas extraction, then proceeding with the development of the industry is irresponsible and reckless. An industry with the potential to destroy our environment and decimate our agricultural industry in such a devastating, permanent way must have appropriate regulations and extensive research into how and where development should occur.

The purpose of the commission as it is prescribed in this bill demonstrates an assumption that the gas industry and the agricultural communities are always able to find a way to co-exist but, as it was pointed out in a submission by Property Rights Australia to the committee on this bill, co-existence is not always possible. Without balance in the commission's purpose, the assumption that co-existence is possible in all circumstances immediately puts landowners in a compromised and vulnerable position where they know that, no matter what, eventually they will be forced to allow coal seam gas wells on their properties. Property Rights Australia provides an example of that balance by extending the scope of the commission's purpose to include facilitating the management of long-term sustainability and the protection of soil and water. The issue is balancing the demands of the gas industry with adequate protection for the agricultural industry and returning the rights of landowners to refuse development on their property.

It is not too stimulating for a business owner to endure the interruptions and loss of production resulting from trucks and mining equipment being driven over the land they depend on for their livelihood day in, day out. Landowners, whose families have owned properties for generations, have had to deal with the resources boom with little or no protection from government and they have watched their property rights gradually erode over the decades. They have watched their livelihoods and their idyllic way of life shattered by an exploration permit that gives multinational companies the right to dig wells, build roads and mine infrastructure with minimal compensation. Most regulations seem to favour the mining companies, with the farmers not given the same rights to refuse development as are animal species that are classified as endangered, with a focus on development of the resource sector rather than the preservation of the agricultural sector. Although I support the intent of this bill, this fundamental imbalance has not been addressed.

Another example of the inherent inequality in the consideration of mining interests versus agricultural interests is highlighted in Cotton Australia's submission on the confidentiality provisions in the bill. Clause 24(3)(e) gives resource companies a loophole to restrict the commission's access to information that the entity may deem detrimental to the entity's commercial or other interests.

As I was saying, I fully believe that a 12-month moratorium should have been in place right from the beginning—not when this government came to power but two years before this industry was put in place. As I was saying, it is not stimulating to have all of these vehicles driving day in, day out, building roads, tracks and seeing the quality of life of these farmers ruined. This government has talked about promoting the \$14 billion agricultural industry, which is important to this state. I believe that it was the agricultural industry that got us out of the global economic crisis. But when you see millions and millions of megalitres pumped day in, day out of our underground watertables obviously there is going to be some impact on the irrigation aquifers in those regions. I am very concerned about co-existence.

 **Mr COSTIGAN** (Whitsunday—LNP) (5.44 pm): I rise in the House this evening to make a short contribution in support of the Gasfields Commission Bill 2012. Unlike the previous Labor administration, whereby coal seam gas was developed with a bull-at-the-gate approach by a cash strapped state government desperate for money, the Newman government wants to see a strong, viable and world-class CSG industry that operates safely and in harmony with our primary producers, the environment and, of course, local communities.

The appointment of John Cotter as chairman has been welcomed by many people, including a number of members in the House this evening, including the Minister for Environment and Heritage Protection and the Minister for Agriculture, Fisheries and Forestry. I join them in congratulating Mr Cotter on his elevation to this most important position of watching over this emerging industry that has the potential to deliver enormous benefits to Queensland, in particular the regional communities of this state.

In my own backyard, Bowen Basin is world famous for its coal deposits and coalmining operations, but I also understand that the Bowen Basin happens to be home to around a quarter of the CSG fields in Australia. Given the importance of the coal industry to our state's economy, that is something that perhaps has not been noted by very many people.

I had the good fortune to meet Mr Cotter back in 2006 as I recall when I worked for Senator Ian Macdonald who, I might add, is rather busy this week as he travels around the good country of Central Queensland as part of the LNP's Senate team calling on various communities and also supporting our hardworking LNP candidate for Capricornia, Michelle Landry, who I might add will make a wonderful MP in the House of Representatives. I wish her every success on 14 September. Back in 2006, Mr Cotter would be regularly in the corridors of Parliament House in Canberra in his then role with AgForce lobbying for better outcomes for the man on the land. Tonight, it has been wonderful to see Mr Cotter at Parliament House, Brisbane, no doubt watching this debate unfolding with great interest. Anyone who knows Mr Cotter would surely know that he loves the land and he loves the bush. I am sure I am not the only one in this place who has developed that opinion of him in recent years, if not beforehand, and now in his role as chairman of the GasFields Commission, which has an important role to play in overseeing the development and operation of an industry that in time will play a very, very significant role in Queensland's future economic development. If anyone has concern for the bush, concern for aquifers, concern for farmers, concern for local communities, concern for mums and dads in the great state of Queensland west of the Great Divide, it is John Cotter, a respected man whose history would suggest that we are in very safe hands. In fact, the Deputy Leader of the Opposition and member for Mackay has in this debate already described Mr Cotter as someone of the utmost integrity. Needless to say, it is pleasing to see such bipartisan support for Mr Cotter's appointment.

As noted by the Deputy Premier and Minister for State Development, Infrastructure and Planning, the GasFields Commission was a promise that we made to the people of Queensland well before last year's election. Last year's birth of the GasFields Commission, an independent statutory body, made sense. It was the result of good public policy. As the Deputy Premier mentioned earlier, there were some 55 submissions from individuals and various organisations about what this new body should look like, what powers it should have and how it might operate. In a very short time since its birth in April last year, the GasFields Commission has made some giant strides towards a key objective in managing and improving co-existence between landholders, regional communities and the onshore gas industry. The commission has been concentrating on establishing and forging relationships by setting up the Gasfields Community Leaders Council. This group is made up of more than 20 leaders from local government, the agricultural sector, the onshore gas industry itself and various government departments. As a number of members would recall, late last year in Dalby they came together for the first time. This council will have an important role to play in providing community, government and industry viewpoints on the gas industry to the GasFields Commission. The chair and commissioners have also ventured to places such as Dalby, Chinchilla and Longreach in their travels as they engage with local residents, workers and regional communities to hear about their experiences with this burgeoning industry.

I commend the commission itself on also engaging with the business sector, specifically some 30 chambers of commerce within or adjacent to CSG development areas, inviting them to provide feedback on issues pertaining to the growth of this industry. Being a member of chambers of commerce in both Proserpine and Mackay, I am sure this has been well received by those chambers that have been engaged in the west. These responses have allowed the commission to prioritise activities and reflect local business concerns to government and industry stakeholders.

The GasFields Commission is already achieving improvements in co-existence through engagement with stakeholders and managing any issues that are raised. A good example is the commission being tipped off very early in the piece about some delays in gas pipeline construction and the level of annoyance and concern that this was causing landholders. Typical of Mr Cotter, the chair took up the fight. He took up the issue directly with senior executives within the gas companies and as a result pipeline construction was sped up very noticeably. Affected landholders have since been in discussions, as I understand, to negotiate disturbance payments. On the back of that gas companies are now providing regular updates on a monthly basis, I am led to believe, on gas pipeline construction to the commission.

In conclusion, I salute the Deputy Premier and Minister for State Development, Infrastructure and Planning on his work in delivering another pre-election commitment and I wish Mr Cotter and his team of commissioners every success into the future. I commend the bill to the House.



Dr DOUGLAS (Gaven—Ind) (5.51 pm): The idea of a GasFields Commission is a good one. The chairman John Cotter is a good man and has a long history of representation of farmers in AgForce. There are six commissioners. They are equally good people and they will get on with their

job. The commission started on 1 July. The government has stated that everything seems terrific and we will all get the benefit, but will we? Will some benefit more than others and will there be some sacrifices along the way?

Gas is crucial to our economic future. Recently some very confronting issues were raised about the speed of how this was expedited, largely about issues that were confronting the former government and how it expedited it at the time. Fortunately the major oil and gas companies very promptly secured long-term massive contracts for the LNG to largely Japanese and Chinese companies on long-term supply contracts. In part these contracts were in advance of security of gas supply to those customers. Four groups pursued those willing customers. There was possibly only room for three and maybe two ultimately. This has been dealt with in previous speeches. Shell, the second biggest oil and gas company, was in fourth place. It is unlikely, as a major player of that size, to stay in that position for too long. Similarly, it was obvious that Origin would do a deal with someone, and it has. That has occurred with it doing a deal beyond its partner ConocoPhillips, selling 365 petajoules of gas to the Gladstone LNG project operated by the Santos group. BG—that is the parent of the Queensland Gas Company—are the other major player in the two train Gladstone LNG project. The big concern is that with the most recent delay in the Browse development that was to go to James Price Point, the delay in the Pluto project, which is the Woodside project, and some concern about one of the Amadeus Basin projects that would ship to onshore in the Northern Territory, we are now looking to the onshore east coast gas suppliers for extra product and exporting that product to the partial exclusion of our long-term and both our short-term and medium-term onshore supplies. There is a very real risk that the onshore supply of gas may be compromised by the pressure applied by export demand of signed contracts by the majors.

A variety of oil and gas analysts Australia wide, including David Knox, have recently suggested a variety of scenarios, including a major significant rise in the price of long-term domestic gas—long-term, not short-term or medium-term. This will have a very real impact on the cost of living of average Australians and Queenslanders. Too many are already reeling from the electricity price rises and too few have the advantage of solar and the ability to afford the basic set-up costs. Many of these do have gas. They could be facing sharp spot gas price rises initially with long-term cost rises due to the pressure of the export gas largely from Queensland.

It has been too widely read that onshore US shale gas and its export potential will be a natural buffer to this possible potential of a domestic gas spike coming that may last. In other words, the price of domestic gas being spiked up irrespective of what is going on with US shale gas both domestically and exported. Even if the US exports only a little, our contracts are locked in. Queensland will be starting off as a \$70 billion operator progressing to a \$150 billion operator. Some are even speculating an end price of about \$300 billion to \$450 billion at the current rate. These are significant ramp ups. What that means is that gas allocated for domestic use is being exported. In other words, we give up our onshore domestic gas supply security—our probably short- to medium-term and possibly our long-term security of gas supply. In other words, it comes at the cost of domestic east coast onshore supply security. The New South Wales and Victorian governments are actually discussing quarantining new onshore gas fields discoveries to the local market only. It has been widely discussed in the market and to some extent we have to consider these things.

This is well before we consider the effect on underground aquifers and the volumes of groundwater that are shifted to the surface when CSG is extracted from it. It is not just the \$70 billion we are talking about, it is when we massively ramp up what is going on. In other words, the GasFields Commission is coming in strategically when we are actually ramping up our export at a time when we might need to secure onshore domestic supply at least for the medium term. I think what we all need to do is confront the issue that the GasFields Commission has a long-term role and both a short- and medium-term role in addressing this particular problem. The minister might consider addressing this point in his final reply. The reality is that if we do not do something about this as we reach for the export potential of this project and think of the dollars that come with it and we do not actually secure our onshore supply it could be to the peril of people who can ill-afford it. I would say that one of the major roles of the GasFields Commission, particularly in the next 12 to 24 months, must be addressing this issue. It may be that the government feels that in relation to those things market forces should be allowed to prevail. But unfortunately what may well happen is the coalescence of the majors as they actually shrink towards possibly only two major suppliers. Remember that these oil and gas companies are massive. This is not to say that they behave in unethical ways, but how they operate is they look to secure large term contracts, and we may well see the major player Shell coming back in the market.

I think we need to secure onshore supply. We in Queensland need to do it for our own consumers. We do not need to leave it up to New South Wales, Victoria and South Australia. We need to appreciate that there are other things going on in Australia with regard to market forces, particularly the major projects in the north and north-west of Australia being suddenly delayed and they might well not otherwise have been. It is a mixture of all sorts of pricing and that sort of thing. I would say that the GasFields Commission needs to rapidly consider this as a major project. There is some merit in, in fact, investigating how they should approach this. Thanks, Mr Deputy Speaker.

 **Mr BENNETT** (Burnett—LNP) (5.58 pm): I rise to support the GasFields Commission Bill 2012 and the approved amendments recommended by the State Development, Infrastructure and Industry Committee in its Report No. 20. Our government made firm commitments to address the concerns of interest groups and communities. After many years of neglect under the previous government, we needed to address the issue of co-existence between the agricultural and resources sectors. Many times during this debate we have heard about the issues associated with co-existence. It is critical that we have strong leadership and legislation to assist all stakeholders in developing an industry that is critical to the economic development of our state. In negotiations, the GasFields Commission was able to achieve a 90 per cent consensus from industry and irrigator groups.

This legislation allows the establishment of the GasFields Commission as an independent statutory authority and will allow the commission to perform its duties for the benefit of all Queenslanders. In supporting the government's policy on being open and accountable, the commission has engaged with local businesses and regional chambers of commerce within or adjacent to coal seam gas development areas, inviting feedback on any issues associated with the industry. The GasFields Commission requires the powers and functions necessary to achieve its goal of managing and improving the issue of co-existence.

The key issue for the GasFields Commission is ensuring transparency and accountability in its advice and recommendations. Stakeholders need to be assured that the commission is acting in the best interests of all parties and is providing unbiased advice and recommendations to the Queensland government. The GasFields Commission's powers include the ability to work with relevant government agencies, landholders, gas companies and contractors to provide information. We all need the GasFields Commission to have the evidence it needs to properly understand the issues affecting communities and industry and to make informed recommendations about how co-existence can be improved. The bill provides powers for the GasFields Commission to compel information from landholders, gas companies and sub-contractors for gas companies relating to the commission's purpose and functions. If the landholders, gas companies or sub-contractors do not comply, they face substantial fines. Those powers are required to make sure the GasFields Commission can do its job of managing and improving co-existence and providing recommendations and advice to the government.

An important initiative in the legislation requires Queensland government agencies to consult with the GasFields Commission on the development of future legislation or policies. This means that the commission will be able to provide a balanced point of view on the impact of legislation or policies on all stakeholders as the commission, through its interaction with regional communities, has gained an invaluable understanding of their concerns. This important industry for Queensland has not been without issues, which is why I am happy to support this bill as it provides that the functions outlined in the bill are also about the GasFields Commission providing an independent, balanced point of view. Common issues raised with me about water and land contamination relating to the industry are addressed through the fulfilment of our election commitment to establish the GasFields Commission.

A key function of the commission is to provide advice on the ability of landholders, regional communities and the onshore gas industry to co-exist in identified areas. The commission will be able to facilitate communication with landholders, members of communities and the gas industry to resolve issues around the industry. It will be able to collaborate with organisations to undertake research where an identified need exists, making the commission an exemplary conduit for providing unbiased information to regional communities, landholders and the gas industry.

The important creation of community leaders councils will provide more information on concerns or emerging issues to the commission. This demonstrates our commitment to getting the best outcomes for two important pillars of our economy: agriculture and mining. The purpose of the GasFields Commission is to manage and improve sustainable co-existence between landholders, regional communities and the onshore gas industry. This is because sustainable co-existence means different things to different communities. There cannot be a one-size-fits-all approach and we need to manage the issues between agriculture and mining. What sustainable co-existence looks like will vary significantly depending on the location, the project's proximity to regional communities and potential

impacts on the infrastructure and services of those communities. For this reason, the broad definition of 'sustainable co-existence' can be read as an intention to keep both industries progressing forward in such a way that they can operate effectively at the same time.

The GasFields Commission was formed in June last year, fulfilling an election commitment by the LNP to balance the CSG industry's development with the interests of landholders, communities and the environment. This industry is very important and generates a lot of interest and investment. Examples of the importance of the CSG industry include the fact that there were 82 nominations to fill the six commissioners' roles, 55 submissions on the commission's proposed powers and 17 submissions from the public on the bill now being debated in the House tonight.

It is clear that the commission has already proven effective. It is already facilitating negotiations between gas companies and landowners, has had input into government policy on coal seam gas water management and land access arrangements, has collated scientific research into groundwater impacts and has held lengthy public consultation processes across Queensland. In fact, the Commissioner, John Cotter, has attended almost 300 meetings and travelled almost 17,000 kilometres on commission business in less than one year.

Mrs France interjected.

Mr BENNETT: Absolutely; I take the interjection. This important industry has a real and tangible effect on my electorate with opportunities and employment. I remind the House that we do need to share the opportunities with the regions that generate the wealth. I take this opportunity to mention the Royalties for the Regions initiative as it relates to the Gladstone Regional Council and its important work with flood mitigation on the Fingerboard and Essendean roads. Those major roads provide the only access for many employees supporting the CSG industry. I congratulate the Deputy Premier, the parliamentary committee and Commissioner John Cotter. I commend the bill to the House.

 **Mr JOHNSON** (Gregory—LNP) (6.04 pm): In the few minutes I have available to me, I want to pay tribute to a very good friend of mine who trained one of the greatest racehorses of all time, Black Caviar. It has just been brought to my attention that today the great mare retired. I congratulate Peter Moody. I am sure that the late Frank Kavanagh and the late Tony Facey, who were instrumental in making that young man great, as well as his mother, Jan, would be fiercely proud of him. He has done a great thing, not only for Queenslanders and but also for Australians.

When passed, the Gasfields Commission Bill 2012 will take a lot of the fear, the anxiety and the unknowns out of the gas industry in this country. I say 'this country' deliberately, because Queensland is a leader in this field. In recent years we have heard so much negativity about what is happening in the gas fields of Queensland. There is always one fear, which is the unknown. I thank God that we have the Deputy Premier, Jeff Seeney, who is a bloke with the grit, guts and determination to stand up and be counted in relation to which way we should go.

When the commission was established, we discovered that it was made up of people of the calibre of those I have mentioned tonight. I know John Cotter quite well. He is an upstanding man of integrity and decency. He is a farmer. I believe that the members of the commission have the experience, the knowledge and the wisdom to know which way we should be going with the gas industry in Queensland. Ray Brown, the mayor of the Western Downs Regional Council, is another bloke who can do it and does it well. We have seen the proof of that through his stewardship of his shire over the past few years, especially considering some of the difficulties that it has been subjected to through flooding and other natural disasters.

The reckless policies of the former Labor government and its grab for cash were why, on 24 March last year, we saw that government thrown out of power. One of the reasons for that was it did not have the mix right on anything. It did not have the mix right on the coal seam gas industry. It did not have the mix right on strategic cropping land. We needed someone to fix the problem and put some sort of process in place that would give it credibility and outcome. The Newman LNP government is doing precisely that. As I said earlier, there are a lot of unknowns. The rural producers have been very fearful of how their farming land would be treated, what would happen with the underground water seam and, at the same time, what the viability of that land would be.

I come from one of the harshest and toughest environments in Queensland. I was born and bred into that environment. For all of my life I have known of the importance of underground water. When we talk about underground water, we talk about the Great Artesian Basin. There is nothing more sacred to this state and this nation than the underground Great Artesian Basin. The Great Artesian Basin has given us sustenance for a long period. A lot of rural communities live off the Great Artesian Basin. For the past 150 years a lot of livestock have watered off it. It has been an integral part of the growth and stability of inland Australia and, more importantly, Queensland as a whole.

The GasFields Commission is a body of people with vision, responsibility and integrity. The government has put in place this commission and, as a result, we will see industry working with the gas companies and the exploration companies to get the science right. I have every confidence that the commission will take away the fear of the unknown. That is exactly why we have this commission. There are still a lot of people out there—and I have had a few anxious moments myself—wondering whether we have the science right. We have all the negative innuendo and people saying that we are going to lose our underground water, we are going to lose strategic cropping land and we are going to lose something else. But I assure people tonight that the LNP government in Queensland is more responsible than that. This government cares about all facets of industry, whether it is the farming industry, the mining industry or the coal seam gas industry. But, more importantly, this is about us concreting the future and making absolutely certain that we stabilise the foundations of this state for future generations of Queenslanders. The future generations of Queenslanders are the kids out there now who will take this great state forward.

The land access review has been a very controversial issue. I believe that the GasFields Commission will address that issue. That is one of the areas where we have had a lot of misunderstanding between people on the land and people, I suppose we could say, who do not know about this issue.

The commission is an independent body. It is not an arm of government. It is not an arm of the gas companies. It is an independent statutory body that will do the right thing by the people of Queensland—not only the government of Queensland but all Queenslanders. I believe John Cotter and his commissioners will do an exemplary job in bringing recommendations to industry, private individuals, farming bodies and government and we will get the outcomes we need. The commission will review regulations and identify where the legislation needs to be changed. That is another very good thing.

I have sat in this place for nearly 24 years—and for a lot of that time under a Labor administration—and we never had this type of consultation. There is no such thing as consultation under them. They ride roughshod over people. We know what happens with roughshod type policies. It creates an environment where things are done in haste and things go wrong. That is exactly what has happened. Look at the economy of this state. We are trying to build the economy of this state with our four-pillar approach—agriculture, tourism, mining and construction. The hard jobs have been done in the last 12 months and there has been some pain, but now there is going to be some gain. This bill is about us making absolutely certain for the security of not only our farming land but our underground water that we have in place an insurance policy, if we want to call it that, or a monitor who will say, 'No, that is the wrong way to do it' or 'Yes, that is the right way to do it.'

It is with much pleasure that I support the GasFields Commission Bill 2012 tonight. I say to John Cotter and his team to go fair and wide in their hearings and investigations because there is a lot of uncertainty out there. I know these people understand about decency. They know how to do exhaustive consultation. That is actually what this commission has been set up to do.

 **Hon. JW SEENEY** (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (6.13 pm), in reply: At the outset, I thank all honourable members who have made a contribution to the debate tonight. As a number of members reflected, the coal seam gas industry has provided significant challenges for a whole range of people within the Queensland community. It has provided significant challenges for those of us who represent rural and regional areas for a whole of range of reasons, some of which the member for Gregory most recently touched on but also were touched on by a range of other speakers.

The CSG industry brought with it a change to rural communities and rural landholders, the likes of which I do not think have ever been seen before—a change that happened with a rapidity and almost inevitableness that many landholders found very confronting and many rural communities found very confronting. It was a challenge for all of us who were involved in representing those communities and those people to ensure that their property rights were respected, their communities were respected and that the disaffection that they were feeling was communicated to the government at the time and that the government responded appropriately. I think what we see here tonight is a step in that appropriate response. It is but one step in an appropriate response to that change that was forced upon rural communities and rural landholders at a rate that they found understandably very difficult to deal with.

As has been reflected upon by a range of speakers in this debate tonight, the coal seam gas industry has made an enormous contribution to the economy of Queensland—an enormous contribution to an economy that has been traditionally dependent upon the resources industry. I think anyone who has seen the construction work that is happening at Gladstone, at the LNG plants, at the

pipelines or even the upstream construction that is happening in the Surat Basin and south-west Queensland, cannot help but understand that the CSG industry in Queensland is a world-class energy resource that has an enormous potential for Queensland's future.

As we consider this legislation tonight, which is but one piece of the legislation that I believe is necessary to put in place in the regulatory environment to ensure that the industry can grow and develop in Queensland, we should consider the difference between what is happening in Queensland and what is happening in New South Wales. In New South Wales the industry has stalled. In Queensland I believe it is developing in a manner that is increasingly achieving the social licence to operate that the industry needs, that is increasingly getting the acceptance of the people who are affected by that industry. But it was overdue.

I agree with some of the comments that were made by speakers in the debate that mistakes were made in the early days of the industry's development. Mistakes were made by the government of the time in not ensuring that the regulatory environment was right. But mistakes were also made by the CSG companies. Mistakes were made by companies that did not understand what it was like to operate in a rural environment, to operate on rural properties, who had no experience of the type of interaction that was necessary to properly respect private property owners' rights.

Our government has made a much better fist of addressing the regulatory environment and addressing the government's role. But also in the last two or three years the CSG companies have made a much better fist of addressing their responsibilities. But they should never let their game slip. I say to the CSG companies tonight publicly, as I have said to them privately, that a necessary part of operating within that rural environment is to maintain the social licence to operate, to maintain the support of the communities with whom they must by necessity co-exist.

The important part of maintaining that community relationship will be the GasFields Commission. We identified that very early in the development of the industry. It is a shame that it has taken this long to get the GasFields Commission in place. But now that it is in place I think that it has already proven its worth. That too has been reflected on by a number of members in the debate tonight.

A very significant part of the success of the GasFields Commission to date has been because of the calibre of the people who have been prepared to come forward and take those positions. It was not an easy decision I would say to members. It is easy to forget the degree of pressure or the degree of community angst that existed at the time when we set out to appoint the GasFields Commission.

I pay tribute, as many other members have done, to John Cotter for having the courage to take that position on because it was not a desirable position. There were many people who predicted all sorts of disastrous outcomes. Those outcomes would have been disastrous not just for the commission but they would have been disastrous for rural communities and they would have been disastrous for the Queensland economy, but they have not come to pass. They have not come to pass because of the calibre of John Cotter and the other people who put their hands up to take on those roles as commissioners, and I congratulate all of them. I congratulate John, as many members have done previously.

I congratulate Don Stiller, who I have known for many years and who has enormous experience in dealing with landholders; Ian Hayllor, who I have come to know as well as a man of great integrity; Ray Brown, who represents local government; Rick Wilkinson, who represents the industry; Professor Steve Raine, from the University of Southern Queensland, who brings his obvious intellectual capacity; and Shane Charles, who represents the Toowoomba and Surat Basin Enterprise. These people were selected from a big field of candidates. I believe they have the diversity to properly represent the community as a whole. What they have done over the last six months, I think, has proven the worth of the commission and has proven the worth of the idea.

The challenge for them now is to carry that task forward. I have always said to John Cotter from our very earliest meeting that it is critically important that the GasFields Commission is an independent entity, that it is at arms-length from government, and I repeat that again tonight. I want the GasFields Commission to determine its own destiny, to make its own decisions, to put in place its own governance arrangements, to put in place its own processes to make sure that it can fulfil the functions that have been outlined here in this debate tonight and that are set out in the legislation. I certainly wish them well in that endeavour.

There were a number of issues that were raised in the debate which were not within the scope of the legislation, but I think most of the main issues have already been covered in the discussion tonight. I just finish by saying that the GasFields Commission is just one part of a legislative framework that I believe is necessary to make sure that the CSG industry can co-exist with

agriculture, that it can continue to make the enormous economic contribution that it has already started to make to the state of Queensland, that it can start to provide a real economy for so many of our rural and regional towns and so many job opportunities for so many of our young people.

Finally, I want to thank my staff. I want to thank Matt Adams, who has done an enormous job and has worked closely to ensure that this bill is the success that it is. I thank the departmental staff who have done a great job writing this legislation from scratch as we developed the concept of the GasFields Commission from an idea to a reality. We see a lot of legislation go through this parliament but it is very special, I think, to have a piece of legislation tonight that makes a reality out of an idea that was stimulated by a problem. That is what we see tonight. We are passing in this House a piece of legislation that was all about addressing a problem that we recognised and we recognised something needed to be done about it. I commend this legislation 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

Clauses 1 to 44—



Mr SEENEY (6.24 pm): I seek leave to move my amendments as circulated en bloc, and I table the explanatory notes for those amendments.

Tabled paper: Gasfields Commission Bill 2012, explanatory notes for Hon. Jeff Seeney's amendments [2444].

Leave granted.

Mr SEENEY: I move the following amendments—

1 After clause 1

Page 4, after line 4—

insert—

'1A Commencement

'This Act commences on 1 July 2013.'

2 Clause 17 (Disclosure of interests)

Page 9, lines 21 to 31 and page 10, lines 1 to 6—

omit, insert—

'17 Register of interests

'(1) The commission must keep a register of each commissioner's pecuniary interests.

'(2) The person appointed as chairperson must give the Minister and integrity commissioner—

(a) as soon as practicable after the person's appointment—a written summary of the person's pecuniary interests at the time of the person's appointment; and

(b) within 30 days after any substantial change in the person's pecuniary interests—notice of the change and an updated written summary of the person's pecuniary interests.

'(3) Each person appointed as a part-time commissioner must give the chairperson—

(a) as soon as practicable after the person's appointment—a written summary of the person's pecuniary interests at the time of the person's appointment; and

(b) within 30 days after any substantial change in the person's pecuniary interests—notice of the change and an updated written summary of the person's pecuniary interests.

'(4) The register kept under subsection (1) must be updated at least once during each 12 month period of a commissioner's term of office.

'(5) In this section—

integrity commissioner means the Queensland Integrity Commissioner appointed under the *Integrity Act 2009*, section 6.

'17A Disclosure of interests at commission board meetings

'(1) This section applies to a commissioner if—

(a) the commissioner or a close relative of the commissioner has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, at a commission board meeting; and

(b) the interest could conflict with the proper performance of the commissioner's functions for the matter.

'(2) As soon as practicable after the relevant facts come to the commissioner's knowledge, the commissioner must disclose the nature of the interest to the other commissioners at the meeting.

'(3) The commissioner may further participate in the meeting only if a majority of the other commissioners at the meeting vote in favour of the commissioner's further participation in the meeting.

'(4) However, the commissioner can not participate in any vote on the matter at the meeting.

'(5) A disclosure under subsection (2) must be recorded in the meeting's minutes.

'(6) A failure to make a disclosure under subsection (2) does not, of itself, invalidate a commission decision.

'(7) In this section—

close relative, of a commissioner, means the commissioner's—

- (a) spouse; or
- (b) parent or grandparent; or
- (c) brother or sister; or
- (d) child or grandchild.'

3 Clause 21 (Power to require particular information from government entities)

Page 12, lines 1 to 4—

omit, insert—

'(4) If an exemption under subsection (3) applies to a request made of a government entity under subsection (1), the entity must inform the chairperson in writing that the exemption applies in relation to the request.'

4 Clause 22 (Power to require advice)

Page 12, after line 21—

insert—

'(3) If an exemption under subsection (2) applies to a request made of a chief executive under subsection (1), the chief executive must inform the chairperson in writing that the exemption applies in relation to the request.'

5 Clause 24 (Power to require particular information from prescribed entities)

Page 14, after line 4—

insert—

'(4) If an exemption under subsection (3) applies to a requirement made of a prescribed entity under subsection (1), the entity must inform the chairperson in writing that the exemption applies in relation to the requirement.'

6 Clause 28 (General manager)

Page 15, lines 13 to 27 and page 16, line 1—

omit, insert—

'(5) The chairperson may direct the general manager about helping the commissioners perform the commission's functions.

'(6) The chairperson may appoint a person, other than a'.

7 Clause 30 (Alternative staffing arrangements)

Page 16, lines 14 to 16—

omit, insert—

'(1) The commission may, with the agreement of the chief executive of a department, a local government, a government entity or a government owned corporation, arrange for the services of officers or'.

8 Clause 30 (Alternative staffing arrangements)

Page 16, after line 30—

insert—

'(3) Nothing in subsection (1) requires a chief executive to enter into an arrangement with the commission for the services of officers or employees.'

9 Clause 32 (Annual budgets)

Page 17, lines 6 to 31 and page 18, lines 1 to 8—

omit, insert—

'32 Annual budgets and financial management policies

'(1) Before each 31 March—

- (a) the commission must prepare a budget—
 - (i) of estimated costs of the commission for the next financial year; and
 - (ii) consistent with the strategic priorities of the commission; and
- (b) the commissioners must approve giving the budget and the commission's financial management policies to the Minister; and
- (c) the commission must give the approved budget and financial management policies to the Minister.

'(2) The Minister must approve, or refuse to approve, the budget and financial management policies by each 30 April.

'(3) However, a failure by the Minister to act under subsection (2) does not prevent the Minister approving, or refusing to approve, a budget or financial management policy at a later time.

'(4) A budget or financial management policy has no effect until it has been approved by the Minister.

'(5) During a financial year the commission may prepare amendments to the budget for that year.

'(6) An amendment of a budget has no effect until it has been approved by—

- (a) for a minor amendment—the chairperson in consultation with the part-time commissioners; or
- (b) otherwise—the Minister on the recommendation of the chairperson in consultation with the part-time commissioners.

'(7) If the chairperson and the part-time commissioners differ about what should be recommended to the Minister for an approval under this section, the Minister may still give the approval.

'(8) In this section—

financial management policies means the policies to be observed in financial and performance management by the commission.

Note—

Under the *Financial Accountability Act 2009*, section 57 the commission must comply with a provision of a financial and performance standard that applies to the commission as a statutory body.

minor amendment, of an annual budget, means an amendment of a minor nature that does not change the total of the estimated costs mentioned in the budget.'

10 Clause 33 (Annual report)

Page 18, lines 10 and 20, 'general manager'—

omit, insert—

'commission'.

11 Clause 34 (Delegation)

Page 19, line 6—

omit, insert—

'(2) The commission may delegate any function of the commission to the general manager or other staff of the commission.

'(3) In this section—'

I will quickly run through them because they are collectively amendments that are about giving effect to the recommendations of the committee, and most of those issues have been discussed in the second reading debate.

Amendment No. 1 seeks to provide for the commencement of the bill on 1 July 2013. Amendment No. 2 amends clause 17 of the bill to give effect to the committee's recommendation No. 4. The purpose of the recommendation was to remove the penalty provisions from clause 17 for the disclosure of interests by commissioners, and that was dealt with in the second reading debate by a couple of speakers.

Amendments Nos 3, 4 and 5 amend clauses 21, 22 and 24 to give effect to the committee's recommendation No. 10. The clauses, as amended, will provide the commission with the power to require particular information from government entities. The government entity will, after these amendments are passed, need to comply with a request from the GasFields Commission unless it falls within one of the exemptions specified in the relevant clause. Amended clauses 21, 22 and 24 state that the entity must inform the commission in writing that that exemption applies.

Amendments Nos 9, 10 and 11 amend clause 28 of the bill. The purpose of these amendments is to ensure that greater responsibility is attributed to the GasFields Commission rather than attributed solely to a general manager. To give effect to these amendments, existing subclauses 28(5) and 28(6)(a) of the bill, regarding the roles of the general manager, have been removed. This followed discussion that we had following the introduction of the legislation about the model and the roles of the commission and the commissioners as opposed to and in relation to their appointed staff. It clarifies that the responsibility rests with the chairman of the commission and the commissioners more so than with the elected staff. I think that very clearly reflects the original intent that we had—that the commission had to be not just an independent entity but a powerful entity that was able to have the confidence of the community that they had the power to act. Those clauses, I think, clarify that—that the power rests with the commissioners and with the chairman of the commission in particular rather than with appointed staff. It very much reinforces that concept of independence and being able to exercise the powers in the bill. I commend those amendments to the House.

Amendments agreed to.

Clauses 1 to 44, as amended, agreed to.

Insertion of new clauses—



Mr SEENEY (6.28 pm): I move the following amendment—

Mr DEPUTY SPEAKER (Mr Krause): Order! Deputy Premier, would you be seeking leave to move an amendment outside the long title of the bill?

Mr SEENEY: If I need to I certainly will.

Mr Mulherin: We'll remember this one!

Mr SEENEY: Mr Deputy Speaker, I seek leave to move an amendment outside the long title of the bill.

Mr Mulherin interjected.

Mr SEENEY: Yes, I did. Thank you for reminding me, member for Mackay. It shows you how your attitude changes from opposition to government and vice versa.

Leave granted.

Mr SEENEY: I move the following amendment—

12 After clause 44

Page 22, after line 11—
insert—

'Part 7 Amendment of Acts

'Division 1 Amendment of this Act

'45 Act amended

'This division amends this Act.

'46 Amendment of long title

'Long title, from 'and to'—
omit.

'Division 2 Amendments of Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957

'47 Act amended

'This division amends the *Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957*.

'48 Insertion of new s 4D

'Before section 5—
insert—

'4D Authorisation of variation by further agreement

'The agreement may be varied by further agreement corresponding to the proposed further agreement set out in schedule 4.'

'49 Insertion of new sch 4

'After schedule 3—
insert—

'Schedule 4 Proposed further agreement

section 4D

THIS AGREEMENT is made

BETWEEN: **STATE OF QUEENSLAND**, acting through the Department of Natural Resources and Mines

(**'the State'**)

AND: **RTA WEIPA PTY LTD** ACN 137 266 285, Level 2, 443 Queen Street, Brisbane in the State of Queensland

(**'RTA Weipa'**)

AND: **RIO TINTO ALUMINIUM LIMITED** ACN 009 679 127, Level 2, 443 Queen Street, Brisbane in the State of Queensland

(**'RTAL'**)

BACKGROUND

- A. Under section 2 of the Act, the State and RTAL entered into the Principal Agreement.
- B. The State, RTA Weipa and RTAL have agreed to amend the Principal Agreement in accordance with the Act to include specific provisions about RTA Weipa constructing a new port in the vicinity of Boyd Point.

AGREED TERMS

1. DEFINITIONS & INTERPRETATION

1.1 In this Agreement the following definitions apply:

'**Act**' means the *Commonwealth Aluminium Corporation Pty Limited Agreement Act 1957*; and

'**Principal Agreement**' means the agreement entered into between the State and RTAL dated 16 December 1957, as set out in Schedule 1 to the Act, which agreement has been amended from time to time.

2. AMENDMENT OF PRINCIPAL AGREEMENT

2.1 The Principal Agreement is amended as follows:

New definitions

(a) The following definitions are inserted into clause 1 of the Principal Agreement:

'**Ancillary Services**' means services ancillary to the provision of Port Services, including services appropriate for complementing or enhancing the provision of Port Services;

'Boyd Area' means the area bounded by the lines joining Points 1 – 2 – 3 – 4 – 1, the coordinates of which are:

Point	Easting	Northing
1	558826.250	8577068.082
2	571446.778	8570357.629
3	569333.359	8566382.866
4	558939.896	8571909.169

which coordinates are on the MGA 94 map projection Zone 54 based on the GDA 94 geodetic reference framework, as defined in Section 13 of the *Survey and Mapping Infrastructure Regulation 2004*.

'Boyd Port' means a port in the Boyd Area;

'Boyd Port Facilities' means the facilities relating to the Boyd Port or used or occupied or which may at any time be used or occupied in connection with the Boyd Port, including the following:

- (a) wharf and port marine operational areas and shipping channels within the Boyd Area;
- (b) marine and port structures;
- (c) berths and berth pockets;
- (d) ship building facilities and dry docks;
- (e) offshore structures used for shipping purposes;
- (f) wharf protection devices;
- (g) hydraulic structures;
- (h) bulk loading and unloading facilities;
- (i) boat harbours and boat ramps;
- (j) oil and liquid product terminals and other terminals within the Boyd Area;
- (k) access roads and rail corridors;
- (l) conveyors;
- (m) pipelines;
- (n) weighbridges;
- (o) monitoring facilities;
- (p) security facilities;
- (q) communication facilities;
- (r) material handling and disposal areas;
- (s) vehicle parking facilities;
- (t) public, community and visitor facilities;
- (u) beacons and navigation aids;
- (v) tug berths; and
- (w) partially completed port facilities;

'Marine Safety Act' means the provisions of the *Transport Operations (Marine Safety) Act 1994*;

'Marine Pollution Act' means the provisions of the *Transport Operations (Marine Pollution) Act 1995*;

'Port Services' means:

- (a) services relating to the establishment, operation or administration of Boyd Port;
- (b) dredging services;
- (c) monitoring and management of the movement of vessels, vehicles, goods and people in the Boyd Area;
- (d) security services and security monitoring services in the Boyd Area;
- (e) traffic control services; and
- (f) emergency services; and

'TIA' means the *Transport Infrastructure Act 1994* (Qld).

New clause 37A

(b) A new clause 37A is inserted as follows:

- 37A.** (1) The rights conferred on the Company under this Agreement include the rights to:
- (a) survey, construct, maintain, manage, operate, use and regulate the use of the Boyd Port and the Boyd Port Facilities; and
 - (b) use and occupy such part of the bauxite field or Special Bauxite Mining Lease, designated ML7024, or of the foreshore, or of any tidal land or tidal water, or the unallocated State land or any other land or waters within the Boyd Area as may be necessary for the purposes of subclause 37A(1)(a) above.

- (2) Without limiting the Company's rights under clause 37A(1), the Company may do any of the following in respect of Boyd Port and the Boyd Port Facilities:
- (a) establish, manage, and operate effective and efficient Boyd Port Facilities and services in Boyd Port;
 - (b) provide or arrange for the provision of Ancillary Services or works necessary or convenient for the effective and efficient operations of Boyd Port and the Boyd Port Facilities;
 - (c) keep appropriate levels of safety and security in the provision and operation of the Boyd Port Facilities and Boyd Port;
 - (d) control and manage activities and conduct by ships relating to the Boyd Port, including the commercial scheduling of the movement of ships within Boyd Port or at the Boyd Port Facilities;
 - (e) provide other services incidental to the performance of its other functions or likely to enhance the Company's usage of Boyd Port and the Boyd Port Facilities;
 - (f) provide Port Services and Ancillary Services;
 - (g) dredge or otherwise maintain and improve navigational channels in the Boyd Area;
 - (h) reduce or remove a shoal, bank or accumulation in the Boyd Area that, in the Company's opinion, impedes navigation in Boyd Port;
 - (i) impose charges for the use of the Boyd Port and the Boyd Port Facilities, by reference to, for example:
 - (i) a ship using Boyd Port; or
 - (ii) goods or passengers loaded, unloaded or transhipped to or from a ship using Boyd Port;
 - (j) impose charges in relation to Port Services and the Boyd Port Facilities, including in relation to:
 - (i) the acquisition, establishment, construction, improvement, operation and maintenance of the Boyd Port Facilities; or
 - (ii) works relating to the Boyd Port Facilities, including dredging and the disposal of dredged material;
 - (k) determine the time within which a charge must be paid and the default interest rate if the charge is not paid before it is due;
 - (l) recover the reasonable cost of moving, or taking steps to move, a ship, a vehicle or goods within Boyd Port;
 - (m) recover the reasonable costs of rectifying damage to the Boyd Port Facilities caused by:
 - (i) a ship; or
 - (ii) floating or submerged material (if the damage happened because of the intentional, reckless or negligent act of the owner of the material);
 - (n) decide the amount of, and require a person to give, a security deposit as security for a liability or debt incurred in relation to:
 - (i) the payment of a charge; or
 - (ii) damage caused, or that may be caused, to the Boyd Port Facilities;
 - (o) appropriate or partly appropriate a security deposit to meet a liability or debt owed to the Company in relation to:
 - (i) the payment of a charge; or
 - (ii) damage caused, or that may be caused, to the Boyd Port Facilities;
 - (p) issue port notices for the Boyd Area to control activities and conduct including, for example:
 - (i) the movement or mooring of ships at the Boyd Port Facilities;
 - (ii) the movement or mooring of ships if the movement or mooring may affect the operation of Boyd Port;
 - (iii) activities by ships moored at the Boyd Port Facilities if the activities may affect the operation of Boyd Port;
 - (iv) the movement, handling or storage of goods loaded, unloaded or transhipped to or from ships at the Boyd Port Facilities; or
 - (v) the movement of persons at the Boyd Port Facilities;
 - (q) display or publish notices requiring the production of information relevant to:
 - (i) the provision or use of Port Services;
 - (ii) the calculation of charges;
 - (iii) the provision, use or preservation of the Boyd Port Facilities;
 - (iv) the management, operation, safety and efficiency of Boyd Port; or
 - (v) information requested by a Commonwealth or State entity; and
 - (r) deal with, including disposing of, abandoned property.
- (3) The Company's rights under clause 37A(1) apply despite Chapter 8 of the TIA.

- (4) A port authority will not be established under Chapter 8 of the TIA in relation to the Boyd Port.
- (5) The rights of the Company in relation to the Boyd Port must be exercised subject to the powers of:
- (a) the general manager under part 14A of the Marine Safety Act and under the Marine Pollution Act; and
 - (b) a harbour master under the Marine Safety Act about marine safety and navigation within the Boyd Port.
- (6) Before any powers are exercised under the Marine Safety Act or Marine Pollution Act within the Boyd Area that may affect the rights of the Company, the person entitled to exercise the power will consult with the Company to the extent reasonably practicable. Failure to comply with this clause 37A(6) does not affect the validity of the exercise of the power.
- (7) Pilotage areas and compulsory pilotage areas covering, wholly or in part, the Boyd Area or any offshore area described in subclause 37A(1)(b) above, may be declared under the Marine Safety Act.
- (8) Following a declaration referred to in clause 37A(7) above, the provisions in the Marine Safety Act and associated regulations relating to pilotage areas or compulsory pilotage areas will apply.
- (9) A harbour master may be appointed over the Boyd Area.
- (10) Port procedures or information for shipping manuals (or the like) relating to any pilotage area or compulsory pilotage area covering, wholly or in part, the Boyd Area or any offshore area described in subclause 37A(1)(b) above and issued pursuant to the powers of direction under the Marine Safety Act must be issued on the basis that the control and management of the commercial scheduling of the movement of ships using the Boyd Port or the Boyd Port Facilities remains the responsibility of the Company.
- (11) Notwithstanding section 102A of the Marine Safety Act, the Company may provide and use the pilotage services of persons licensed under a regulation as pilots and employed or contracted or authorised by the Company or a contractor of the Company in any pilotage area or compulsory pilotage area declared in connection with the Boyd Area or any offshore area described in subclause 37A(1)(b) above, and to that extent:
- (a) such persons are deemed to be pilots for the purposes of the Marine Safety Act; and
 - (b) the Company and its contractor (as applicable) are deemed to be the general employer of such persons for the purposes of section 101 of the Marine Safety Act.
- (12) The Company may exercise its rights under clauses 37A(1) at any time during the term of the Special Bauxite Mining Lease, designated ML7024, including any extension or renewal of it.
- (13) The Company must provide quarterly tonnage details of each commodity type shipped through the Boyd Port (both inwards or as imports and outwards or as exports) as follows:
- (a) publish in a format or manner as agreed with the State the above details for each financial quarter within the month following the publication by the Company of its quarterly operations report for the relevant financial quarter; and
 - (b) submit to the State the above details aggregated for each financial year, by 31 August of each year.
- (14) In exercising the rights under clause 37A(1), the Company will not be required to obtain a lease under the *Land Act 1994* for land within the Boyd Area but not within the area of the Special Bauxite Mining Lease, designated ML7024.
- (15) The Company will not be liable to pay royalties or similar charges for extractive material removed for the purposes of exercising the Company rights under clause 37A(2)(g) or (h) if the extractive material is:
- (a) disposed of in the Boyd Area or another area approved by the Minister;
 - (b) disposed of under relevant statutory environmental controls; and
 - (c) not sold by the Company to a third party for commercial benefit.
- (16) Clauses 37 and 39 to 42B do not apply to the Boyd Port or the Boyd Port Facilities established pursuant to the Company's rights under clause 37A(1).
- (17) Without limiting the rights conferred by clause 37(a) of this Agreement, the Company may sublease an area within the boundary of the Special Bauxite Mining Lease, designated ML 7024, as agreed between the Company and the State, for the purposes of the construction and operation of a port and port facilities, in addition to Boyd Port, for the shipment of bauxite, provided that nothing in this clause 37A(17) is to be construed as:
- (a) the State approving or agreeing to the basis on which the sublessee will be permitted to construct, manage or operate the port or port facilities; and
 - (b) limiting or affecting any obligation or requirement for the Company to seek or obtain approval or consent to the grant of the sublease, including under section 300 of the *Mineral Resources Act 1989* or as constituting any such approval or consent.

3. EFFECTIVE DATE

- 3.1 This Agreement comes into effect on and from the date notified by the Minister (being the Minister for the State of Queensland responsible for the administration of the Act) in the Government Gazette or, if no date is specified, on the date of the gazettal.

4. GENERAL

- 4.1 **Costs:** Each party will bear its own legal costs in relation to the preparation, execution and performance of this Agreement.
- 4.2 **No Variation:** This Agreement will only be varied by written agreement signed by both parties.
- 4.3 **Compliance with laws:** In performing their respective obligations and exercising their respective rights, the parties will comply with all applicable laws and regulations.
- 4.4 **Further assistance:** Each party will do all things reasonably required or requested by the other party to give effect to this Agreement and to enable that other party to enjoy the rights and benefits conferred on it by this Agreement.
- 4.5 **Governing law:** This Agreement is governed by the laws of Queensland and the parties submit to the jurisdiction of the courts of Queensland.
- 4.6 **Counterparts:** This Agreement may be executed in one or more counterparts, and any such counterparts taken together form one instrument. Execution by fax counterparts is acceptable.

EXECUTED AS AN AGREEMENT

SIGNED for and on behalf of the **STATE OF**)
QUEENSLAND, acting through the)
Department of Natural Resources and Mines) (*signature*)
by (*name*)
..... (*title*),
a duly authorised person, in the presence of:) / / 2013
(*date*)

.....
(*signature of witness*)
.....
(*full name of witness*)

SIGNED for and on behalf of **RTA WEIPA**)
PTY LTD ACN 137 266 285) (*director*)
in accordance with s 127 of the *Corporations*)
Act 2001 (Cth) by)
..... (*name*)
and (*name*) (*director/secretary*)
..... / / 2013
(*date*)

SIGNED for and on behalf of **RIO TINTO**)
ALUMINIUM PTY LTD ACN 009 679 127) (*director*)
in accordance with s 127 of the *Corporations*)
Act 2001 (Cth) by)
..... (*name*)
and (*name*) (*director/secretary*)
in the presence of:)
..... / / 2013
(*date*)¹.

Amendment No. 12 inserts a new part 7 under clause 44 in the bill. The purpose of the amendment is to provide Rio Tinto Alcan Weipa with the increased certainty it is seeking to facilitate its investment decision for the South of Embley Project by clarifying the company's rights to construct, own and operate the proposed Boyd Port facilities. This amendment is to clarify the situation as we

believed it existed when there was doubt cast upon the situation existing in the way that it was commonly believed to be. We believed that it was appropriate to use this opportunity to introduce this amendment to clarify that situation for the benefit of advancing the project, which I think everybody supports. So I commend that amendment to the House.

Amendment agreed to.

Schedule—

Mr SEENEY (6.31 pm): I move the following amendments—

13 Schedule 1 (Dictionary)

Page 23, line 7, '19'—

omit, insert—

'18'.

14 Schedule 1 (Dictionary)

Page 23, line 24, '29'—

omit, insert—

'28'.

Amendments agreed to.

Schedule, as amended, agreed to.

Third Reading

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (6.31 pm): I move—

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

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

Resolved in the affirmative under standing order 108.

Bill read a third time.

Long Title

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (6.36 pm): I move the following amendment—

15 Long title

Long title, after 'Commission'—

insert—

'and to amend this and another Act for particular purposes'.

Amendment agreed to.

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

Motion agreed to.

Sitting suspended from 6.37 pm to 7.37 pm.

TRANSPORT (RAIL SAFETY) AMENDMENT REGULATION (NO. 3)

Disallowance of Statutory Instrument



Ms TRAD (South Brisbane—ALP) (7.37 pm): I move—

That the Transport (Rail Safety) Amendment Regulation (No. 3) 2012, subordinate legislation No. 205 of 2012, tabled in the House on 27 November 2012, be disallowed.

This regulation made in 2012 repeals the prescribed hours of work and rest for train drivers that were created by the Transport (Rail Safety) Amendment Regulation No. 1 2012 under the authority of the Transport (Rail Safety) Act 2010. Those prescribed hours of work and rest were due to come into effect this year in January 2013.

Safety on our rail network has been catapulted once again into the spotlight in recent weeks by an incident on the Citytrain network at Cleveland station on 31 January 2013. As the House will be aware, on that day a Queensland Rail passenger train failed to stop at the Cleveland station and crashed into the station building at the end of the line. The train destroyed a toilet block and part of the station building. Thankfully, nobody was seriously injured in that incident.

I raise the incident in Cleveland simply to illustrate the importance of rail safety. The cause of the incident has now been revealed in a preliminary report by the Australian Transport Safety Bureau, the ATSB. The ATSB found that a combination of wet weather and leaf litter on the tracks combined to create a unique situation in which the train's brakes did not function properly and it was unable to stop. This incident was not caused or contributed to by driver error or fatigue. Notwithstanding this, the Minister for Transport and Main Roads pre-empted the ATSB's investigation and ruled out mechanical error, inferring at the same time that the driver was to blame.

The Cleveland incident—and, while I am on my feet, the Banyo level crossing incident in September 2012, for which the promised investigation from the rail safety regulator has not yet been published—put rail safety into the spotlight and shows us why it is so important. Whatever the cause of incidents like this on our rail network, there is always the potential for there to be serious injuries and, in some cases, devastating fatalities. Modern freight and passenger trains are large, heavy and fast—much like many of the honourable members who came running into the chamber for the last division. Operating such complex machines safely would be difficult enough in isolation, but throw into the mix the fact that—

Mr HART: I rise to a point of order. I find the member for South Brisbane personally offensive and I ask her to withdraw.

Mr DEPUTY SPEAKER (Mr Watts): Order! That is not a point of order.

Ms TRAD: But throw into the mix the fact that the rail network does not and cannot exist in isolation and the task becomes even more difficult. There are the train's passengers and crew to consider as well as other trains, level crossings and the vehicles and pedestrians that cross them.

Weather conditions can also affect the operation of railways in different ways. In extreme heat, tracks can buckle, heavy rain can cause landslides that block or undermine sections of track and strong winds can bring down trees and branches disrupting overhead powerlines. I am sure members can, therefore, understand the importance of safely operating such large pieces of equipment as trains. Keeping this in mind, it is incumbent on us as legislators to create an environment in which railways can operate safely and efficiently. But the Minister for Transport and Main Roads in his tenure has made some worrying decisions which do not put safety on the rail network first. In his answer to question on notice No. 92, the minister listed the positions that had been cut from Queensland Rail under his watch. I table that list for the benefit of the House.

Tabled paper: Question on notice and answer No. 92 of 2013 [2445].

It is a long list of more than 400 positions. Sadly, there have been more than 30 safety or maintenance workers sacked by the LNP government including safety investigators, track maintenance workers and workplace health and safety officers. At the same time an RTI request revealed that the minister has sacked 11 staff from the office of the rail safety regulator in his department. I also table that list for the benefit of the House.

Tabled paper: Table detailing rail safety staff [2446].

The minister's safety legacy will be that he has sacked staff responsible for safety in Queensland Rail and he has sacked staff in the office of the rail safety regulator in his department who were responsible for monitoring rail safety. The minister has put rail safety second behind cost cutting. Rail safety should be paramount and we should rightly require high standards of safety and fatigue management so train drivers are well rested, alert and able to safely deal with any scenario that might occur. Put simply, forcing drivers to work long hours without breaks or to come back to work after inadequate breaks can risk lives. Fatigue increases reaction times. In situations where, after applying the brakes it already takes hundreds of metres to come to a complete stop, every split second counts. We cannot afford situations where tired drivers act a split second too late. That is why appropriate fatigue management is critically important.

The minister already acknowledges the danger of fatigue in Queensland's road safety campaigns. In many respects it is an even more important issue in rail safety. In February 2012 the former government made the Transport (Rail Safety) Amendment Regulation No. 1 of 2012. That regulation included prescribed hours of work and rest for train drivers and was due to come into effect in January this year. I want to talk about what the regulation would have done and what impact it would have had on the management of fatigue in the rail industry.

The regulation set out the following minimum standards. In the case of a two-driver operation including where the second person is a qualified train driver who is learning the route or undergoing an assessment, the maximum shift length to be worked is 12 hours. In the case of a one-driver

operation, the maximum shift length to be worked is nine hours. In the case of suburban passenger rail operations, the maximum time at the driving controls is eight hours. There is to be a break of at least 12 continuous hours between each shift where the driver ends a shift at the home depot and there is to be a break of at least eight continuous hours between each shift where the driver ends the shift at an away depot. A maximum number of 12 shifts and a maximum 132 hours are to be worked in any 14-day period.

The prescribed hours of work and rest established best practice for industry. There was latitude under those provisions for a rail operator to work outside these hours if it applied to the rail safety regulator and demonstrated that it had adequate fatigue management processes in place to mitigate the risk of operating outside these hours. Therefore, the regulations would have given operators the flexibility to manage fatigue outside the prescribed hours so long as they had done the work to demonstrate that their fatigue management systems adequately mitigated the risk of fatigue.

But the importance of the prescribed hours of work and rest were that they set a minimum standard for fatigue management and sent a message to industry about the appropriate way to manage train driver fatigue. In the absence of articulated minimum standards it appears fatigue management in Queensland will be governed by fatigue management plans that are developed by operators as a requirement under the Transport (Rail Safety) Act 2010. Labor's prescribed hours of work and rest in the February 2012 regulations were quite similar to the fatigue management regime that currently operates in New South Wales, which has some of the most stringent fatigue management laws in the country. It is also important to consider Queensland's fatigue management regime for train drivers in light of the national rail safety reform that is currently underway and the establishment of the National Rail Safety Regulator.

The National Rail Safety Regulator commenced operation in January 2013, albeit without the participation of all states and territories. In particular, Queensland has not signed up to the National Rail Safety Regulator and the national law as yet. I mention this because a significant amount of work was undertaken in 2012 to determine whether rail fatigue management would be incorporated into the national law to be administered by the National Rail Safety Regulator. The National Transport Commission put out four options for public comment and consultation in its *Rail safety national law: fatigue risk management—hours of work and rest draft regulatory impact statement*. The four options were: option 1, no prescribed hours of work and rest are included in the national law option; option 2, New South Wales arrangements are included in the national law and applied nationally; option 3, simplified risk based approach to limiting hours of work and rest; and option 4 is a risk based approach to limiting hours of work and rest with consequence based categorisation of rail safety workers. I note that the Queensland government did not make a submission to this process as submissions closed on 21 March 2012 which was during the caretaker period before the last election. Queensland Rail did not make a submission to the RIS process and suggested that fatigue laws and hours of work and rest should not be dealt with under the national law. I note that the Standing Council on Transport and Infrastructure—SCOTI—decided in May 2012 that fatigue management would not be covered by the national law and would therefore remain a matter for individual states to regulate. Notwithstanding that, the Queensland government was unable to make a submission to the RIS process in early 2012 because of the timing of the election. We have had to infer the government's position on fatigue management from the decision at SCOTI and the decision to make this regulation repealing the prescribed hours of work and rest. We can infer that the minister agreed that fatigue management should not be covered by the national law and we can obviously conclude that he does not believe in prescribed hours of work and rest as a minimum standard.

The opposition believes the prescribed work hours provide clear direction to the industry and set up a detailed framework for fatigue management. We do also acknowledge that if appropriate safeguards are put in place then an advanced fatigue management regime that is rigorously assessed by the rail safety regulator—a well-staffed rail safety regulator—can appropriately manage train driver fatigue. However, given that the minister has taken the decision to remove prescribed hours of work and the National Rail Safety Regulator will not have a fatigue management system for at least three years, it is incumbent on the minister to detail his fatigue management framework. It is important that this minister outline what the minimum standards for fatigue management will now be in Queensland. Could he please clarify for the benefit of the House whether there are any parameters within which rail operators will be allowed to operate, in particular, for those operators who may not yet have a fully developed and mature approach to fatigue management? What safeguards will be put in place to ensure that train drivers are not unnecessarily fatigued when at work?

Fatigue management regulations for train drivers cannot be glibly or facetiously dismissed as 'red tape'. We do acknowledge that in some cases rail operators will be able to safely operate outside the prescribed hours of work and rest. That option would have been afforded to operators under the old regulations. However, we do think that there ought to be a strong safety net in place to ensure that there are minimum standards of fatigue management. This is particularly so where some operators have a less rigorous approach to fatigue management for drivers. There is no room to cut corners when it comes to safety on the rail network. I commend the motion to the House.

Mr DEPUTY SPEAKER (Mr Watts): Order! Before calling the next speaker, I acknowledge the presence in the gallery of members of the Valley Chamber of Commerce. Welcome. I call the member for Warrego.

 **Mr HOBBS** (Warrego—LNP) (7.49 pm): I rise to speak against the disallowance motion moved by the member for South Brisbane. Clearly, members of the ALP have not read the regulation in detail. They have taken the old political tack of rallying around the old union flag. They are trying to stir up the workers. That is all this is. In fact, the ALP has not represented the so-called workers for many years. The ALP has done more to destroy long-term jobs and the finances of this state than any other political party in recent Queensland history, yet tonight the member for South Brisbane is trying to lecture us. The member did not present an argument about fatigue. She talked about Cleveland, about wet weather, about leaves on the track and so forth. When we consider her contribution we realise that nothing the member for South Brisbane said made the argument that what the government has done does not look after the rail operators and other workers.

Mrs Frecklington: Had to find something to talk about.

Mr HOBBS: That is correct: they had to think of something to talk about. There was no evidence of driver error or particularly of fatigue in that particular event. If the member had looked at the regulation she would have seen that a new rail safety national law is being developed. This regulation is only preparing for that reform to come. The member also mentioned SCOTI.

Transport and Main Roads only removed that part of the regulation which mandated actual hours. The other provisions relating to the requirement for a fatigue management system and what it must contain remain in the regulation. If the member had read the regulation she would know that all rail transport operators must comply with a number of different acts and industrial instruments. It is not the case that there is no fatigue management in the current rail safety law. I repeat: it is not the case that there is no fatigue management in the current rail safety law. The rail safety regulator, as part of its ongoing audit and inspection program, monitors operators' compliance with the requirement to look at work hours and their impact on worker fatigue.

The committee of which I am chair examined the regulation and was satisfied that adequate measures for fatigue management in the rail safety law will remain in force following the removal of these provisions of the regulation. So nobody will be disadvantaged by this regulation. The forthcoming national law may in fact provide strengthened provisions for rail transport operators. If those in the ALP had taken the time to read the regulation they would have seen that the amendments aim to improve efficiency and remove red tape from the rail industry by removing prescriptive hours of work and rest periods for train drivers and align the fatigue management provisions required with those contained in the rail safety national law. The amendments in fact ensure rail transport operators must have a fatigue management program. It is a duty of any government to ensure their employees operate in a safe working environment.

The honourable member for South Brisbane talked about a safety net. That safety net is there under the regulation. No-one would be allowed to operate without that. I understand why the ALP has moved this disallowance motion. As I said earlier, they are trying to rally around the old flag. This parliament should realise that what they are trying to do is stir up the workers, but it will not work.

 **Mr MINNIKIN** (Chatsworth—LNP) (7.53 pm): I rise to briefly talk about the Transport (Rail Safety) Amendment Regulation (No. 3) of 2012. I will frame my discussion with a little background information. On 2 February 2012 the Governor in Council officially endorsed amendments to the Transport (Rail Safety) Regulation 2010, which introduced prescriptive hours of work and rest for train drivers. The amendments were in response to concerns raised with Queensland's rail safety regulator in respect of new operators being accredited to operate in Queensland with non-union industrial agreements; fatigue issues resulting from poor rostering or excessive shift lengths; and some operators not complying with relevant industrial provisions within agreements.

At the time of the amendments the fatigue risk management framework to be applied under the rail safety national law was not yet known. As such, the Department of Transport and Main Roads considered that prescribed maximum hours of work and minimum rest periods for train drivers was

the best approach. After undertaking extensive research and public consultation, the members of the Standing Council on Transport and Infrastructure unanimously voted that, with the exception of New South Wales, the rail safety national law should not contain prescribed hours of work and rest for train drivers. A decision was made that further regulation of train driver hours of work and rest was unnecessary red tape and a burden on industry.

Consistent with Queensland's requirements, the rail safety national law already contains a number of requirements to manage fatigue including a general duty for rail transport operators to ensure that rail workers do not carry out work while impaired by fatigue; a mandatory requirement for operators to include a fatigue risk management program as an element of their overall safety management system; detailed requirements for the fatigue risk management program including a requirement for operators to determine safe hours of work and rest for rail workers; and considering commuting time and the impact of work scheduling practices on social, psychological and physiological factors that may affect rail workers, amongst other matters.

Protection for the hours of work and rest for train drivers is considered to be adequately provided for under industrial agreements and workplace health and safety legislation. Essentially, the Transport (Rail Safety) Amendment Regulation (No. 3) of 2012 removed the prescriptive hours of work and rest periods for train drivers. The amendment occurred before the regulation came into effect, meaning that Queensland has never had prescribed hours of work and rest for train drivers.

It is important to note that this approach aligns with the rail safety national law, which is being implemented throughout the country, and means rail transport operators will continue to comply with fatigue management requirements that have operated successfully since the introduction of the Transport (Rail Safety) Act 2010. These requirements enable the rail safety regulator and the rail industry to work together to manage fatigue risks. I also point out that the decision to remove the prescriptive hours of work and rest was supported by the *Rail safety national law: fatigue risk management—hours of work and rest draft regulatory impact statement* and strongly supported by the rail industry.

Since coming to office, taking up my role as Assistant Minister for Public Transport nearly a year ago and reading past policy and decision material, I have been astounded by the lack of common sense and business acumen shown by past Labor transport ministers, and the disallowance motion moved by the member for South Brisbane is evidence that this tyro management style is continuing. Given her impeccable union pedigree at the Peel Street politburo, the genesis behind the member for South Brisbane's disallowance motion has the fingerprints of some grubby union deal all over it. Let us not forget that the member owes so much to her comrades in Peel Street for her election win last April, in addition to getting across the line courtesy of Greens preferences and holding on by approximately 575 votes. Members should never confuse the verbal gusto of those opposite with intellectual substance.

This regulation is consistent with the Newman government's policy to cut red tape and regulation and ensure there is change in the culture of government to one that actively reduces unnecessary burdens on the industry. Consistent with our approach, the Transport (Rail Safety) Amendment Regulation (No. 3) of 2012 reduces red tape by removing prescriptive requirements that do not reflect the complexity of fatigue and the diversity of risks faced by industry.

In our first 12 months in office the Newman government has overseen a 10 per cent reduction in category A rail incidents compared to Labor's final year in government. Category A incidents range from serious passenger slips and falls to major incidents such as derailments. The member for South Brisbane obviously did not get the memo that there were 38 category A safety incidents in January-March 2012 compared to 20 in the same period this year. As Minister Emerson stated recently—

The last three months under former Transport Minister and now Opposition Leader Anastacia Palaszczuk were the worst transport safety figures since July-September 2009.

Ms PALASZCZUK: Mr Deputy Speaker, I find those comments offensive and I ask him to withdraw.

Mr DEPUTY SPEAKER (Mr Watts): I ask the member to withdraw the comments.

Mr MINNIKIN: I withdraw. The hypocrisy of those opposite never fails to surprise me. The member for Bundamba likes to jump up and down and wave her arms around with her so-called one woman crusade to 'take you Tories down' as though we are champagne-swilling capitalists. How does she explain—

Mrs MILLER: I rise to a point of order. I find the member's words offensive and I ask him to withdraw.

Mr MINNIKIN: I withdraw. How does she explain that her gang of democratic socialists had staff numbers in corporate areas such as marketing, corporate services and finance increase between 60 per cent and 120 per cent over the last four years of Captain Bligh's stewardship? Labor could not even keep its trackside vegetation management practices under control, let alone run an efficient passenger network. In the dying days of the Bligh Labor government, who could forget the chaos for hundreds of thousands of passengers due to network failures under the incompetent watch of the now opposition leader? On any measured scorecard—whether it be rail safety or fare increases—the Labor Party best stick to Hornby train sets! Is it any wonder the people of Queensland had enough of its sheer incompetence with every facet of public administration? To be frank, if anyone wants a reminder of what will happen if the ALP recycles past failed members, whether they be ex federal or state comrades, I would merely invite them to bring friends and guests to the public gallery and observe firsthand the paucity of democratic socialist talent across the chamber. The Treasurer was right when he stated that they are the most overresourced opposition in history. At least they are consistent in that even as an opposition they show very little for the return on investment as they did when in government.

By way of positive contrast, we are strengthening confidence in the co-regulatory approach to fatigue risk management by allowing industry to work with the regulator to adopt appropriate fatigue risk management practices tailored to meet their individual needs. Whilst it is true that rail is considered to be one of the safest modes of transport, the effectiveness and efficiency of the rail system can be impacted by inconsistencies. We are maintaining efficiencies for interstate operators by only requiring them to comply with a national fatigue risk management plan. Unlike those seven incompetent economic tyros opposite, the Newman government makes evidence based decisions that have proven outcomes. We are not a government that acts before it thinks, looking for the next 30-second media grab or producing coffee table quality books and brochures with glossy pictures with no hope of projects ever being developed.

Very simply, this is about getting government off the back of industry in an area that is already being well managed. It is about continuing to work together to ensure the safety of industry employees, our passengers and our railways. A difficult concept for the seven geniuses opposite to fathom is that government needs to get back to playing the role of central court umpire and not trying to swing the racket of each player's shot so that both players win the trophy in some left-wing utopia. Labor wants to control—I repeat, Labor wants to control—whereas we want to empower. Its mantra is to overregulate it, tax it, control it or paste over it. Queensland has a mature rail industry that continues to innovate and meet best practice safety standards. I am very proud of the efforts of Minister Emerson in making public transport more frequent, affordable and reliable. His No. 1 priority will always be the safety of passengers and crews, regardless of the mode of transport. In finalising my contribution to this debate, the Newman government is focused on getting Queensland back on track and working alongside industry for the benefit of all Queenslanders.

 **Ms PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (8.03 pm): Tonight I am so glad that we have heard from the Assistant Minister for Public Transport—the man who was charged with helping the minister with the most recent TransLink bus review. How evidence based was that, members? Not very much, was it, because we know what happened to that bus review? It got passed over to the Brisbane City Council. Here we have the assistant minister talking about the success of the government when he could not even handle the most simple basic community consultation in terms of a bus review. He has no credibility when it comes to public transport—absolutely none at all.

Mrs FRECKLINGTON: I rise to a point of order.

Ms PALASZCZUK: I now turn to the disallowance motion at hand.

Mr DEPUTY SPEAKER (Mr Watts): Order! The Leader of the Opposition will take her seat.

Ms PALASZCZUK: I now turn—

Mr DEPUTY SPEAKER: The Leader of the Opposition will take her seat. What is your point of order?

Mrs FRECKLINGTON: It was relevance.

Ms PALASZCZUK: Absolutely relevant.

Mr DEPUTY SPEAKER: There is no point of order.

Ms PALASZCZUK: I now turn to the issue at hand in relation to the disallowance motion moved by the member for South Brisbane. Tonight in this debate we have heard how the Newman government is about reducing red tape. Well, what it is doing with the disallowance of this regulation is one clear thing: it is reducing safety. It is reducing the safety of our train drivers in this state. I was very pleased when I was transport minister to introduce—

Government members interjected.

Ms PALASZCZUK: No, you can listen to it. This is about putting workers first—putting workers first. You can all sit here in this chamber when 14,000 jobs—

Government members interjected.

Mr DEPUTY SPEAKER: Order! The House will come to order. I will hear the speaker on their feet.

Ms PALASZCZUK: Thank you, Mr Deputy Speaker. During the last budget we heard that some 14,000 jobs would be lost by this government, and how many in Queensland Rail? Over 400 jobs were taken out of Queensland Rail—ripped out of Queensland Rail—and my understanding is that over 30 of those were rail safety jobs. If those opposite are talking about safety, be consistent. They are sacking people who are charged with looking after the safety of our passengers on our passenger network, and it is a disgrace that these mandated train hours would now be ripped out by this heartless government.

I want to put some facts on the table about our passenger rail network in South-East Queensland. In the Citytrain network operated by Queensland Rail, there is 300 kilometres of track, 144 stations and 200 three-car trains ranging from electric multiple units which have been in service since 1979 to the latest suburban multiple units, the last of which rolled off the production line in 2011. There is an average of more than 800 train services each weekday. The network services approximately 180,000 passengers a day and there are more than 50 million passenger journeys a year. Ensuring a network of that size is operated safely should be this government's No. 1 priority, and it is not. Instead, the Minister for Transport has spent the past week grandstanding about Labor's record on rail safety. This is the typical behaviour from this minister, who is always looking backwards at who is to blame and never forward to the consequences of the decisions he makes. In fact, it is this minister who cut positions in the office of the rail safety regulator in his department. If the minister wants to try to pretend that the removal of those 11 positions will have no impact, then he is fooling nobody but himself. It is this minister who has already overseen hundreds of jobs cut in Queensland Rail. This is the same minister who said that he directed Queensland Rail not to sacrifice front-line service delivery. What could be more front line than the safety of workers and passengers? The minister pretends that all of the job cuts in Queensland Rail were back office staff who served no purpose, but we now know that that is simply not the case.

People working in safety positions right across the state in Queensland Rail have been made redundant. I was in Townsville last week and members there are very concerned about the number of rail safety positions that have been cut in the regions. There is a large amount of rail freight travelling from Mount Isa to Townsville going through the city. There is nothing more important than ensuring that these workers have the most adequate rest periods. When the union came to see me about this issue, what was it concerned about? It was concerned about workers' safety. It was concerned that if workers were made to work longer hours than necessary they would be fatigued, and that could cause huge issues on our rail network which could result in derailments or deaths. This is a very serious issue and it is one that—

Mr Cox: They keep telling me you guys never fixed the railway.

Ms PALASZCZUK: We are talking about the safety of people's lives and you want to make a joke of it. If you want to make a joke of it why do you not stand up—

Mr Choat interjected.

Ms PALASZCZUK: No, member for Ipswich West, why do you not stand up and speak in this debate—

Mr Choat: I will.

Ms PALASZCZUK: Good. I hope you will—

Mr Choat: I will.

Ms PALASZCZUK: You are a disgrace—

Mr DEPUTY SPEAKER (Mr Watts): Order! Leader of the Opposition, I will ask you to take your seat. You will direct your comments in this debate through the chair.

Ms PALASZCZUK: In conclusion, I just want to say one thing. Tonight, if members vote to not keep these mandated hours, they are going to be putting at risk the lives and the safety of not only the train drivers but also passengers and the freight that they carry to and from the port. Queensland is a very large state and these drivers need to have these rest breaks. That is why we put in place this regulation in the first place.

I cannot understand a minister who would compromise safety. I cannot understand a minister who would take away rail safety positions right throughout this state. It is a very sad day in this parliament when members get up in this House and talk about cutting red tape when what they are doing is putting at risk people's lives. I ask members to think very long and hard before they make their final decision in relation to this matter because lives could be lost. I am not going to vote for something that will compromise the safety of one's life.

 **Mr SHORTEN** (Algera—LNP) (8.11 pm): I rise to speak against this disallowance motion. The Transport (Rail Safety) Amendment Regulation (No. 3) maintains high safety standards in Queensland. Every member in this House would agree that rail is essential to Queensland, both economically through moving vast amounts of coal and cattle to the market to providing a unique experience for national and international tourists. Tens of thousands of commuters catch trains to and from their workplaces every day. So by using rail, hundreds of cars and trucks are taken off our streets and highways.

Recently I was in Longreach and was invited to visit the stockyards to witness firsthand the loading of cattle onto our cattle train network. Seventeen wagons were loaded, each with, on average, about 22 beasts based on their size. Seventeen train wagons equates to about seven heavy vehicles fully loaded not having to be on our roads. For the farmer, it is cheaper to put cattle on a train than to send them on the road. It is a smooth operation out there at Longreach. The cattle are mustered in the yards in blocks of about 20 or 22—again based on the size of the beast. The gate to the wagon is opened, the cattle are forced up the run, the gate is closed and locked and the train moves forward to the next wagon. The operation is run absolutely fantastically and it is smooth. I am informed that the cattle are less stressed and less bruised by using the train, which results in better prices for the grower.

I will come back to the intent of this regulation, which is to remove unnecessary red tape. As a government, we campaigned on removing red tape, freeing up businesses to get on with what they are good at, business—something the members of the Labor Party would know nothing about because they have never run a business. They have never been responsible for the balance sheet. The Labor motto should be, 'It's always easier to spend other people's money,' because that is what they know best: tax and spend, tax and spend.

We will get rid of the red tape and maintain high safety standards. In real terms, that means that rail operators have to develop a fatigue management program to identify and assess risks associated with work arrangements for all rail workers. Operators have to consider things such as work schedules, shiftwork arrangements, overtime, callout work and the types of work that rail safety workers will do during their shift. I have told the House what fatigue management means in real terms. What it does not mean is that rail operators can make drivers work for as many hours as they want without considering how the rail worker would be affected by fatigue.

As a member of the transport committee, which has just completed inquiries into the heavy vehicle national law, I can say that questions around fatigue and fatigue management played a large part in our considerations. Every member in this House knows when they are feeling tired or fatigued. As a sales representative on the road, I knew when I was fatigued and needed a break. Individuals know their own bodies and are the best judge of their circumstances. There are many factors that can impact on whether a person is fatigued. Is the person healthy? How much sleep and what quality of sleep have they had? What else is going on in their lives, in their families—those sorts of circumstances.

This regulation is about acknowledging that fatigue is a complex issue. A one-size-fits-all approach is no solution to addressing the complexities of fatigue. The current requirements on railway operators are about identifying, assessing and managing the risks of particular railways. We have heard the minister speak about the requirements placed upon railway operators in managing the risks around fatigue. This regulation is about flexibility, about addressing individual circumstances and risks as opposed to following a simple rule, having a one-size-fits-all approach.

But, of course, we would expect the Labor Party to support the status quo because the individual does not exist in its philosophy. For example, the stresses and fatigue experienced by, say, a Citytrain or even a freight train operator are completely different from that experienced by an operator on a short, isolated tourist line with no other conflicting trains.

This regulation has the support of key industry stakeholders and I will tell the House why they support it. It continues the management of fatigue in a flexible, coregulatory way that allows the industry to work with the regulator to adopt appropriate fatigue risk management tailored to meet their individual needs. The safety of our railways, the people who work on them and the people who use them are paramount to this government. We have a strong, proven track record in relation to safety on Australian railways under coregulation and we will continue to work with the industry to ensure that this record is not only continued but also improved.

In our first 12 months in office, the Newman government has overseen a 10 per cent reduction in category rail incidents compared to Labor's final year in government. It is worth reminding the House who was the minister for transport at that time. It was none other than the now Leader of the Opposition, Anastacia Palaszczuk. In fact, under the responsibility of the member for Inala, the last three months of the Bligh government had the worst transport safety figures since July to September 2009. I speak against this disallowance motion.



Mrs FRECKLINGTON (Nanango—LNP) (8.16 pm): I rise to strongly oppose this disallowance motion that has been moved in this House tonight. I believe that the opposition does not get the point. The amendment to the Transport (Rail Safety) Amendment Regulation (No. 3) will continue to ensure that a rail transport operator must have and implement a fatigue management program that provides for—

Identifying and assessing risks to the safety of persons arising, or potentially arising, from the operator's railway operations that may be caused, wholly or partly, by rail safety workers carrying out work on or in relation to the operator's rail infrastructure or rolling stock whilst fatigued.

What I have just read out is common sense. We treat the train drivers like human beings and allow them to show common sense.

Ms Trad interjected.

Mrs FRECKLINGTON: The member for South Brisbane might laugh. Obviously, she may not respect that train drivers have common sense.

We have spoken about how the Newman government is working towards the reduction of red tape. In 2012 the Queensland Office of Best Practice Regulation assessed the national rail safety reform. So we have already done this within our first 12 months in office. As part of that assessment, the OBPR noted the following points in relation to the potential impacts of fatigue management. In 2011, the National Transport Commission released a regulatory impact statement for the national rail safety reform. In a submission made in response to that RIS, QR National noted that mandating maximum hours of work and rest in the national legislation would increase costs and potentially compromise safety by reverting to a fatigue management system that does not effectively address the causes of fatigue.

The Leader of the Opposition spoke about how she was in Townsville quite recently. She talked about rail freight rolling through Townsville. I would like to touch on the point that we are, as a government, doing everything we can to get more freight onto the rail lines. In conversation with the member for Thuringowa it was interesting to note that during the election campaign he, along with the candidates around Townsville, spoke to several train drivers who had been train drivers for between 10 and 15 years, which is a long period of time. What they discussed with these now good members for electorates around Townsville was that due to the lack of management under the Labor government to go by train to Cairns was now eight hours when it should be six. Two hours was added.

Ms Trad interjected.

Mrs FRECKLINGTON: If your government was planning to force them to drive longer without breaks.

Mr Cox: Because of the quality of the track.

Mrs FRECKLINGTON: Thank you. I will take the interjection. The quality of the track was that bad that they had to—

Mr Cox: Slow down.

Mrs FRECKLINGTON: Thank you for that interjection. I believe that is a very good point to make for the Leader of the Opposition. If I could just get back on track, the Transport (Rail Safety) Amendment Regulation introduced prescriptive hours of work and rest for train drivers. At the time of these amendments there was considerable uncertainty nationally on how to best manage fatigue risks related to train drivers. The Transport, Housing and Local Government Committee, ably chaired by the member for Warrego, Mr Howard Hobbs, had the opportunity to review this regulation. It is important to note that advice was sought from the Department of Transport and Main Roads on the fatigue management systems and requirements that would be in place between the removal of the requirements from the regulation and the enactment of the national law. I note the words that were said in this House by the member for Warrego.

In closing I will touch on something that the member for Chatsworth noted and that is how we were able to give these train drivers some commonsense in their work life and also to remind the opposition that they are bound by their industrial agreements and their workplace health and safety agreements. Obviously these drivers would have fatigue management plans around the hours of their work. I congratulate the minister for all the hard work and effort that he has put in to safety on our trains. He is doing absolutely wonderful work. I reiterate that I strongly oppose this disallowance motion.

 **Mr BYRNE** (Rockhampton—ALP) (8.23 pm): I rise to speak in support of the disallowance motion for the Transport (Rail Safety) Amendment Regulation (No. 3) 2012. Rail safety has certainly been in the headlines lately and it is timely that we should reflect on the importance of this issue given the importance of the industry to Queensland. The rail network in Queensland is vast, with approximately 9,550 kilometres of track servicing all corners of the state from Cairns to Mount Isa to Brisbane. In the 2008-09 financial year, 239 million tonnes of freight were moved by rail in Queensland which represented 28 per cent of the total freight task. With that much freight being moved across the state it is critical that the rail industry is safe and well regulated. We saw recently on the Mount Isa to Townsville line at Mingela the derailment of a train carrying zinc concentrate. In addition to the significant cost of the actual derailment, the flow-on economic costs of having that vital freight route, which supports approximately 100 trains a week, out of service for more than a week would highlight the importance of rail safety—or at least it should. The former Queensland government's Rail Network Strategy document, published in 2009, reiterated the importance of safety in the rail industry with the following comment—

The rail network in Queensland must be safe for operators, users and the public. Legislation, together with appropriate accountability mechanisms, must require and provide for safe practices on and near the state's rail network. Safety is to be paramount in all aspects of network management and future network planning and individual rail projects.

The last sentence of the paragraph stands out and distinguishes the belief that is held by the previous government and the Labor Party today that safety needs to be the No. 1 priority of the rail network. Unfortunately, the LNP's Transport (Rail Safety) Amendment Regulation (No. 3) 2012 appears to rank the safe operation of the rail network as a secondary consideration to the stated aims of the regulation which are to—not safety I might add—remove red tape for the rail industry. It is a sad indictment on today's LNP government that it views regulations that are designed with a scientific basis, not on a mere whim or fanciful notion, to ensure the safe operation of railways as red tape.

Earlier we heard about a lack of evidence. A report published in March 2012 titled *Evidence based review of shift work risk factors for fatigue and accident/injury risk in the rail industry*, prepared by academics from the University of Sydney and Monash University—hardly frothy and bubbly sorts of organisations—concluded that there was an established link between fatigue and reduced performance and elevated risk of injury. It went on to say that there was a 30.4 per cent increased risk of occupational accident during the night shift and a clear exponential increase in accident risk beyond the eighth or ninth hour on shift. The evidence based review recommended restricting consecutive night and early morning shifts, allowing adequate time off between shifts and establishing limits for maximum shift durations. That is precisely what the former government's regulation did. It established shift limits and minimum hours of rest.

For the benefit of the House I will reiterate some of those limits: in the case of a two-driver operation, including where the second person is a qualified train driver who is learning the route or undergoing an assessment, the maximum shift length to be worked was 12 hours. In the case of a one-driver operation the maximum shift length to be worked was nine hours. In the case of a suburban passenger rail operation the maximum time for driving at the controls was eight hours. There is to be a break of at least 12 continuous hours between each shift where the driver ends a shift at his home depot, that home depot being the work location to which the employee is appointed. There is to be a break of at least eight continuous hours between each shift where the driver ends a

shift at an away depot. Members will note that the maximum shift length for a sole driver would have been eight or nine hours depending on whether the train was a freight train or a suburban passenger train. It was beyond that length of shift, eight or nine hours, the evidence based review found an exponential increase in accident risk.

The regulations proposed by the former government were based on validated evidence and designed to limit the risk of accidents in the rail network. They were not simply red tape—an amorphous shape-shifting concept that the LNP government employs as a slogan whenever it looks for a purpose to cut corners.

I conclude by saying that when I was in the Army one thing was put forward to me always: put your people first. If I wanted to know about a machine gun, I would go and talk to a machine gunner. If I wanted to know about a piece of artillery, I would talk to a gunner. If I wanted to learn how to drive a tank, I would talk to a tank driver, not the general commander. This mob seems to think that train drivers, truck drivers, nurses, teachers—anyone who might be actually in a union or be collectively represented—belong to some sort of evil empire. That is complete nonsense. The whole thing needs to be run and influenced by the very people we expect to deliver something. This regulation simply lays out an opportunity to do damage to individual workers. I commend the motion to the House.

Mr DEPUTY SPEAKER (Mr Watts): Order! Again I remind members that if they are having private conversations, please take them outside the chamber while a member has the call.

Mr CHOAT (Ipswich West—LNP) (8.30 pm): Members in their offices listening to this debate and people at home watching the live stream could be forgiven for thinking they were watching an episode of *Supernatural* and looking at shape shifters. I have never heard such nonsense from the opposition as I have heard tonight. Certainly I have some knowledge of the Transport (Rail Safety) Act 2010 as I was working in the railway in 2006 when the Commonwealth first introduced its national legislation to promote consistency in the rail sector nationally to ensure safety, regardless of the jurisdiction in which rail work is undertaken.

Ms Millard: That would have been the Howard government.

Mr CHOAT: I take the interjection. It was the Howard government that had the foresight to ensure the protection of rail workers wherever they are in this country. The national laws require each state and territory to implement its own rail safety legislation and in Queensland that is the Transport (Rail Safety) Act and regulations. The Transport (Rail Safety) Amendment Regulation (No. 3) 2012, which we are talking about tonight, will improve efficiency and do away with red tape and inconsistency by removing the prescriptive hours of work and rest periods for train drivers and providing sound fatigue management requirements aligned to national rail safety law, promoting a consistent system for Australian rail safety.

In this place there would be very few members who do not know about my history with the railway and my passion for it and the great men and women of the railway, many of whom I am very proud to call my friends. I have had contact with some of them this evening and they are very interested in what is being discussed here tonight. Initially, my time in the railway was a plan B for me. I started with QR the Monday after the 2006 state election which, of course, was my first campaign for the seat of Ipswich West. I am very proud to say that there are many residents in my electorate who are proud former railway workers and current railway workers. They are very good people with whom I deal regularly.

My work in the railway continued until I was elected to this place and included QR, of course, QR National and, after I became one of Labor's privatisation statistics, the Centre for Excellence in Rail Training until my election to this place. Many members will recall the tribute I made to my rail co-workers in my maiden speech. As skilled professionals, together we did so much to improve the training skills and knowledge of rail safety workers across this state and, indeed, the country.

In my time with QR, I was privileged to have been a member of the Transport and Logistics Industry National Rail Skills Advisory Committee. While on the committee, I worked with some very skilled and experienced rail professionals from across Australia. In that role, it became apparent we desperately needed more national consistency in railway regulations as it is truly a national industry. There had been years of difficulty just getting all states and territories to agree on a national entry level qualification for locomotive drivers and other rail safety workers. I look back with fond memories of those times. I must say that the people I worked with in learning and development, Sue Banks and George Thompson in particular, did great work in the depots across Queensland. Of course, back in those days QR Ltd was a national rail company owned by the people of Queensland. We all know what the Labor Party did to that. It sold off everything that brought in the revenue we needed to maintain the system and it sold workers out in the process.

Back in 2010 I had much success in meeting the obligations of the Queensland Transport (Rail Safety) Act and regulations and those of New South Wales on behalf of QR National. My team developed two very successful fatigue management training programs, at both AQF levels 2 and 3, wherein workers gained nationally recognised qualifications in fatigue management units under the transport and logistics industry training package. My friends in Queensland Rail and now Aurizon tell me that those courses are still used today. I had much pleasure in participating in courses in Townsville. The workers really got a lot of out of it. That was a testament to the skills of the people delivering the training and the passion they had for the railway.

The amendment to regulation No. 3 follows the common-sense approach of national consistency, and guess what? The Australian quality training framework under which all national qualifications are delivered are all about national consistency, no matter where you are. If you are a rail driver working in Queensland and you cross into New South Wales or even go across the country into Western Australia, guess what? Your fatigue management qualifications are recognised. Of course, they are a requirement under the rail safety legislation.

Being in the railway under the last government gave me great insight into its hypocrisy and incompetence, which I have already alluded to in this speech. I remember my friends and colleagues referred to the ministers of the day as 'Rachel the Rail Wrecker' and 'Minister Pala-train-wreck'. We always look back at that and laugh. Friends of mine in the railway always look forward to hearing my interjections in that regard.

Mr Costigan: Colourful appraisals.

Mr CHOAT: Certainly they are colourful appraisals. With the implementation of Labor's own rail safety legislation, there was no driver in QR to meet the act's requirements for rail safety workers to hold national qualifications. In fact, when I left in early 2011, still QR drivers had not been provided with appropriate recognition of their existing skills and no headway had been made by the beginning of 2012. That means that every man, woman and child—that is, every passenger—on a Queensland Rail train at that time did not have a driver with a nationally recognised qualification.

I believe at that time the management of QR under the Labor regime was more concerned with things such as how to refer to passengers: 'Do we call them customers, because it might be politically incorrect to refer to them as passengers?' They were worried about the colour of their logo and all of the nonsense that they inherited from the people from Flight Centre who came in to run the company. I believe that the head was actually the husband of the then Premier's chief of staff. Isn't that an interesting observation? I go back a little further to 2003-04. At that stage, QR was halfway through qualifying all drivers on its passenger fleets with nationally recognised train qualifications at a certificate III level when, guess what? The Labor Party decided, 'No, we can't have that', and stopped it part way through. It had absolutely no concern for the good men and women of the railway who had done so much to study to gain qualifications. It scrapped it just as it threw all the workers onto the scrap heap when it sold the company.

This week and in the past month we have heard some fantastic announcements from this government that prove how much it values the railway and, in particular, the railway workers. As all members know, I am very proud that a facility at Wulkuraka will host the maintenance for the new generation train sets that are coming on board as a result of this government being serious about quality train travel. That will bring home to Ipswich's rail workers something that they have not seen for a very long time. This week the minister announced that we are bringing Queensland Rail home. We are bringing them back into the fold, because we value them. This government is serious about rail safety and about quality passenger services being available to people in this state. I believe we recognise that through this act of confidence in that organisation. We are saying, 'We want you to be a core part of our business.' I look forward to seeing those things come to fruition. In the lead-up to my coming to this place, I spoke to many of my colleagues in QR and QR National. I said to them, 'I promise you I will do whatever it takes to make sure that Queensland Rail stays in public hands.' I am so proud that this week that has become a reality. I have received calls and emails from people, thanking me for sticking to my word. I thank the minister for that.

In summing-up, the Labor Party has absolutely no credibility with regard to railways. I am very proud to send their disallowance motion to exactly where it belongs.

 **Mr PUCCI** (Logan—LNP) (8.40 pm): I rise to speak against the disallowance motion moved by the opposition. The Transport (Rail Safety) Amendment Regulation (No. 3) 2012 is essential to maintaining the high standards and practices with regard to safety in workplaces throughout Queensland. Fatigue in the work environment can be the most deadly threat to any employee.

I have many years of experience in making sure people work in a safe workplace. In the marines I would be on rifle ranges and had to make sure my marines completed the training safely. I had to make sure my marines went through physical training safely. I had to manage fatigue in physical training, obstacle courses and combat training. I had to make sure marines travelled across nations safely. I took marines into combat and had to bring them home safely. As an executive manager and workplace health and safety officer in a private business with 200 employees, I had to manage fatigue management policies on mine sites, in sugar mills, in prisons, in universities and in power stations. Safety was paramount in all of these places and managing fatigue was a major part of it.

Operators of rail transport have to develop a fatigue management program to identify and assess the potential hazards and risks associated with the working environment. This will encompass all aspects of rail operations. Every facet must have a sound plan so the path can be covered and rail employees are looked after. This regulation is about removing the red tape that fails to address and does nothing but strangle this complex issue but also continues to focus on the management of the safety of rail infrastructure which extends the management of fatigue, through non-regulatory frameworks, to address the unique and individual risks of operators in Queensland.

The Queensland rail industry is a vital network that keeps our great state moving along. It faces enough trials and tribulations without having to face regulatory impediments when trying to enact the most efficient and, more importantly, safest practices that employees can have.

We cannot let the bureaucratic entanglement that currently exists to continue. We cannot let figures such as those contained in the worst transport safety record of the former government—that is, from July to September 2009—continue. Such statistics that became ever so detrimental to the morale and efficiency of the industry are a record that the former Labor government should be ashamed of. Such figures and disregard for employee welfare make me really wonder if the former government that harped on about being the workers' party actually cared about the workers. They have to remember that there is more to an industry than just a union.

The fact that in today's world where employees' welfare on the job is first and foremost for any employer and we are still battling to make legislative amendments to get safety operations for our rail industry back on track shows how misguided and off track the former government and their union cohorts have become. We should not be debating this disallowance motion. This issue should have been rectified years ago. Once again, it takes this LNP government to make the right decisions to benefit Queenslanders.

We are making industry and our communities a priority—not fake Tahitian princes, not buses without seats, not introducing payroll systems that do not work, not dams that do not connect to pipes or pipes that do not connect to dams, not union mates; the list is endless. We can no longer allow such a failure to continue, not when it comes to employees' safety.

In our first 12 months this LNP government has reduced category A rail incidents by 10 per cent. This is a great achievement compared to Labor's disgraceful record in its final year of government. We have evidence of a strong safety record in the Australian rail environment under co-regulation. We will continue to work alongside industry to ensure the safety of our railways, the people who work on them and the people who utilise them.

In February and March 2012 hundreds of thousands of passengers were disrupted over several days due to network failures under Labor's watch. We have managed to return rail reliability from a three-year low in January to March 2012 to an eight-year high. This government is making transportation reliable, affordable and more frequent.

The fact is that whenever our great state takes steps to better itself at every turn the socialist bastion of ineptitude continues to oppose any real reform that will provide great benefits to this great state. I say again, I am against this disallowance motion.

 **Mrs MILLER** (Bundamba—ALP) (8.45 pm): I rise in support of the disallowance motion moved by my colleague the member for South Brisbane. Rail safety is of critical importance in a geographically vast state with an extensive rail network. The huge distances regularly travelled by trains often requires train drivers to work for long periods of time. By way of example, the *Sunlander* takes more than a day to travel between Brisbane and Cairns. Nobody would seriously expect a train driver to work a shift of more than 30 hours.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Watts): Order! Members will cease interjecting. The member for Bundamba has the call.

Mrs MILLER: Thank you, Mr Deputy Speaker. I enjoyed their interjections, to be quite honest. Nobody would seriously expect a train driver to work a shift of more than 30 hours. That would be a real risk to the safety of passengers, the train crew as well as the general public. Therefore the management of fatigue for train drivers becomes a very important safety issue—important not only for the train drivers but important for the passengers and important for the RTBU.

Section 85 of the Transport (Rail Safety) Act 2010 currently requires all rail operators to have a fatigue management program which complies with matters as set out by regulation. In February 2012, after a period of consultation with key stakeholders, such as industry members and the trade unions—the RTBU—the former government decided to set out a regime of prescribed hours of work and rest for train drivers in the Transport (Rail Safety) Amendment Regulation (No. 1) 2012.

These prescribed hours of work and rest, due to come into effect in January 2013, were designed to give guidance to industry about appropriate shift lengths and rest periods for train crew. The member for South Brisbane has already spoken in some detail to this House about those prescribed hours. There was provision in those regulations for train operators to operate outside those prescribed work hours and rest if they developed a fatigue management program that was approved by the rail safety regulator.

The process for the rail safety regulator to assess an alternative fatigue management program was in fact rigorous and required the operator to complete a number of tasks to the satisfaction of the regulator, including identification and assessment of the major fatigue related safety risks associated with the operations, including any risks associated with any proposed operating standards; identification and implementation of adequate controls to manage the risks, including operating standards to manage risks associated with working outside the prescribed working hours; consultation with rail safety workers, their workplace health and safety and union representatives who were affected; and implementation of a system to monitor and report on the operation of the controls to manage the risks.

It is worth noting that the suggested prescribed hours of work and rest were similar to those that currently exist in New South Wales. But the LNP's repeal of the Transport (Rail Safety) Amendment Regulation (No. 1) 2012 by way of regulation prevented the prescribed hours of work and rest coming into effect. I say to every member opposite: shame on each and every one of you! As a result, the fatigue management system for train drivers in Queensland fell back on to section 85 of the Transport (Rail Safety) Act 2010, which requires all rail operators to have a fatigue management program but it is not explicit as to what those programs should contain.

Rail safety is not something that should be taken lightly. On this side of the House, on the Labor side, we care about safety in the workplace and we care about workers. It is clear that this minister and the LNP do not. Just last Friday in Ipswich we outlined the 21 Queensland Rail jobs that had been axed in the Ipswich area, and that comes on top of the jobs lost in the office of the rail safety regulator. And the minister's decision to bring Queensland Rail employees back under the Queensland industrial relations system will make it easier to make further cuts to staff wages and in fact sack workers, making the organisation more attractive to private buyers. That is what this is all about—flogging it off, flogging off the rest of it, flogging off passenger transport.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Watts): Order!

Mrs MILLER: Thank you for your protection, Mr Deputy Speaker. I call on the minister to rule out any further cuts to Queensland Rail jobs in the Ipswich area, particularly in the areas of safety and maintenance.

Attempts to dismiss the former government's proposed prescribed hours of work and rest for the rail industry as nothing more than what the LNP calls 'red tape'—red tape!—should be seen for exactly what it is, and that is an attempt to sidestep the real policy issues and reduce the debate about rail safety to throwaway lines and slogans, which is all they are capable of. Most rail operators do the right thing, but not all fatigue management programs are created equal. It is not unreasonable to say that there should be some minimum safe standards for operators to work within. And, as we know, the regulations that have been superseded allowed—if there was good reason and it could be demonstrated that the proposed operations were safe—for rail operators to conduct their operations outside of these prescribed hours.

We think this is a balanced approach on our side of the House and one that sets out strong standards but also provides industry with flexibility without compromising safety. I do not think many members opposite would have actually met a train driver. I bet a lot of members opposite have never met a train driver. I bet they have sacked more train drivers than they have actually met.

Government members interjected.

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

Mr DEPUTY SPEAKER: Order!

Mrs MILLER: That is what they have done. They sack them; they don't know them.

Government members interjected.

Mr DEPUTY SPEAKER: Order! The House will come to order. The member for Bundamba has the call.

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

Mrs MILLER: Oh, he's being petulant.

Mr DEPUTY SPEAKER: What is your point of order?

Mr HART: I am not sure that the member for Bundamba knows what a train looks like, so I have drawn her a picture.

Mr DEPUTY SPEAKER: There is no point of order. You will take your seat. I call the member for Bundamba.

Mrs MILLER: Thank you for your protection, Mr Deputy Speaker. As I understand it, the strike rate for the member for Burleigh for points of order is zero.

As I was saying before, they just love sacking train drivers. But there are plenty of train drivers who actually live in my electorate and one of my very favourite train drivers is a fellow called 'Big Dave'. 'Big Dave' is the most wonderful former train driver. He has retired recently. He worked as a train driver on Queensland Rail for many, many decades. He loved the trains and he loved driving the trains. I would also like to congratulate and place on record my thanks to Owen Doogan and Peter Allen of the RTBU and all of the union officials who stand up for train drivers in this state because they do an absolutely wonderful job, and it is those people who keep our train services safe on the rail lines.

I would also like to say that in relation to the member for Ipswich West—and where is the member for Ipswich tonight? 'Lord Lamington' himself—where is he tonight? Member for Ipswich West, you were talking about the rail legislation and how you worked in the rail. Can I just say to you—

Mr SHUTTLEWORTH: Mr Deputy Speaker—

Mrs MILLER:—do you really know what electorate you live in because—

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

Mrs MILLER:—I would have thought you said that you lived in Manhattan.

Mr DEPUTY SPEAKER: Member for Bundamba, please take your seat. What is your point of order?

Mr SHUTTLEWORTH: A reference to the presence of people in the House.

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

Mrs MILLER: Your strike rate is zero as well, I understand. In relation to this regulation, I support the motion moved by my colleague the member for South Brisbane because, as I say, train safety has to be our No. 1 priority. With regard to people from Ipswich, they love their trains and they require a safe train service.

Mr DEPUTY SPEAKER: I call the member for Morayfield.

Government members: Hear, hear!

A government member: Some common sense.

 **Mr GRIMWADE** (Morayfield—LNP) (8.55 pm): I rise to speak against this disallowance motion. I take the interjections from many in the House that we will finally get some common sense. It is always interesting speaking after the member for Bundamba has been in here flapping her arms around the place. I have listened to all the speakers in this debate here tonight over the last couple of

hours and, being a member of the committee that was responsible for tabling the report on this subordinate legislation, I feel that I need to correct the record and address some of the Labor Party's sensationalism of this issue.

The mind boggles really as to when the last time any member of the Labor Party actually took a ride on a train, especially a long distance passenger train. We have heard a few of them, including the Leader of the Opposition, talking about long distance trains from Longreach—

Mrs Miller: Have you used your gold pass?

Mr GRIMWADE: I take the interjection from the member for Bundamba.

Mrs Miller interjected.

Mr GRIMWADE: I take that interjection as well. No, I have not used my gold pass but I will tell you this: last week I paid full fare and travelled to Longreach all the way from Charleville.

Mrs Miller interjected.

Mr GRIMWADE: No.

Mr DEPUTY SPEAKER: I remind the member to direct his comments through the chair.

Mr GRIMWADE: Thank you, Mr Deputy Speaker.

Mrs Miller interjected.

Mr GRIMWADE: I will take that interjection because it is interesting to note that they are throwing daggers at us when we have been out there consulting people. The member for Bundamba asked the question of when was the last time anybody here actually spoke to a train driver. The answer to that, my friend, was about four days ago when I sat on the train and spoke to three of them. So there you go!

Mr DEPUTY SPEAKER: Order! I remind the member for Morayfield to direct his comments through the chair again.

Mr GRIMWADE: Thank you for your direction, Mr Deputy Speaker.

Mr BERRY: I rise to a point of order. I have two matters to raise with you, Mr Deputy Speaker. I listened to the broadcast. No. 1: it is a valid objection by the honourable member that there cannot be reference to the absence of a member. That is No. 1.

Mr DEPUTY SPEAKER: Member for Ipswich—

Mr BERRY: No. 2—

Mr DEPUTY SPEAKER: No. Member for Ipswich, I did not hear the comment, so I cannot rule.

Mr BERRY: Okay. Well, did you hear the comment 'Lord Lamington', Mr Deputy Speaker? Did you or did you not?

Mr DEPUTY SPEAKER: Member, just take your seat.

Mr BERRY: It is absolutely embarrassing to hear this nonsense.

Mrs Miller interjected.

Mr BERRY: You're an embarrassment!

Mr DEPUTY SPEAKER: Member for Ipswich, there is no point of order. There are too many interjections for me to hear the comments. Therefore, I will not take the point of order. Please take your seat. The member for Bundamba has the call.

Mr Berry: Well, almost everybody in Queensland heard the comment.

Mr DEPUTY SPEAKER: Sorry, the member for Morayfield has the call.

Mr GRIMWADE: Thank you, Mr Deputy Speaker. It is wrong to say that the whole regulation has been removed and that this will mean that train drivers will be subjected to unsafe conditions. In fact, to be perfectly honest, that is just one more example of the nonsense that comes out of the mouths of Labor Party members in this place. Only part of the regulation will be removed and the part being removed is the provision that mandates actual hours. The other provisions relating to the requirements to have a fatigue management system and what it must contain will remain in place.

This regulation is about acknowledging that fatigue is a complex issue. A simple rule in a piece of legislation as a one-size-fits-all solution does not address the complexities of fatigue. There are many factors that can impact on whether a person is fatigued. These include things such as how healthy the person is, how much sleep they have had, personal circumstances and family situations. This is about addressing individual circumstances and risk as opposed to following a simple rule.

An important note to make is that the rail industry is supportive of this regulation as it continues the management of fatigue in a flexible, co-regulatory way that allows the industry to work with the regulator to adopt appropriate fatigue risk management approaches tailored to meet their individual needs. All rail transport operators must comply with a number of different acts and industrial instruments in this regard. I make the point that it is not the case that there is no fatigue management in the current rail safety law; there is. The rail safety regulator as part of its ongoing audit and inspection program monitors operator compliance with the requirement of work hours and their impact on worker fatigue.

The hypocrisy of the Labor Party in this place never ceases to amaze me. On the one hand, it wants to convince the good people of Queensland that industrial instruments should all be handled under a single industrial relations system or national law. An example of this was the move to modern awards federally by the federal Labor government under the Fair Work banner in 2010. But, on the other hand, it wants to stand in this place and say, 'We don't want everything moved under a federal banner. We think this should be handled under a state regulation.'

The inflexibility of the modern awards process and the impact that this has had on industry and, more importantly, the impact that it has had on employees in Queensland is well documented. These modern awards highlight what happens when you regulate too tightly the requirements of industry with regard to hours of work without having any flexibility.

It does not benefit the industry, and I can provide many examples where it certainly does not benefit the very people Labor pretend they represent—the worker. It does not surprise me, though, that members of the Labor Party in this place have a vague look on their face. In fact, as I am speaking now on this very important piece of legislation they are cackling, laughing and joking around and not listening to the debate. It does not surprise me that they have a vague look on their faces because they do not understand what I am talking about. If we look at the experience of those in the Labor Party in business, quite frankly, they have no idea. The member for South Brisbane, the person who moved this disallowance motion tonight, is listed as the shadow minister for small business. The shadow minister for small business over there is walking around pretending that she knows something about business.

An honourable member interjected.

Mr GRIMWADE: I will take the interjection of 'we know how to create small business'. Under the Labor Party they certainly do. They start with a large one, put it under a Labor government for five years and it becomes very small.

In satisfying ourselves as committee members that there would be suitable conditions covering train drivers in relation to fatigue measures, we were actually advised on issues and we asked some questions. I will advise the House what we were advised, as it is very important. It should be noted that the fatigue provisions contained in the Rail Safety National Law—and, pending approval, the Queensland law when enacted—provide for strengthened regulation and are more likely to improve safety outcomes when compared to the practice of prescribed hours. Some of the comprehensive requirements relating to fatigue risk management in the Rail Safety National Law include a general duty for rail transport operators to manage so far as is reasonably practicable the safety of railway operations and to ensure that rail safety workers do not carry out work while impaired by fatigue or if they may become so impaired. They include a mandatory requirement for operators to include a fatigue risk management program as an element of their overall safety management system; detailed requirements for the fatigue risk management program including a requirement for operators to determine safe hours of work and rest for rail safety workers; and the consideration of commuting time and the impact of work scheduling practices on social, psychological and physiological factors that may affect rail safety workers. They also include a high degree of regulatory oversight beyond that normally offered to areas of the safety management systems including new notification requirements. Safety management systems are developed in consultation with affected persons—this is very important—including persons who carry out these railway operations, and health and safety and union representatives of those persons. Rail transport operators must also comply with various other legislation including work, health and safety laws and industrial relations legislation. These requirements enable the rail safety regulator and the rail industry to work together to manage fatigue related risks.

We have evidence of a strong safety record in the Australian rail environment under co-regulation, and we will continue to work alongside industry to ensure the safety of our railways, the people who work on them and the people who use them. In our first 12 months, this government has

overseen a 10 per cent reduction in category A rail incidents compared to Labor's final year in government. The Newman government is committed to the safety of our rail workers, its passengers and our railways. I oppose this disallowance motion tonight.

 **Mr PITT** (Mulgrave—ALP) (9.06 pm): I rise to make a very brief contribution in support of this disallowance motion.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Watts): Order! Can the House please respect the person on their feet who has the call?

Mr PITT: Obviously the bar has not opened yet or something.

Mr DEPUTY SPEAKER: Order! If you have private conversations that you wish to continue, please take them outside.

Mr PITT: I rise to make a very brief contribution in support of the disallowance motion for the Transport (Rail Safety) Amendment Regulation (No. 3) 2012. When the former Labor government made the Transport (Rail Safety) Amendment Regulation (No. 1) 2012, which set out the prescribed hours of work and rest that have been repealed by the LNP's regulation, it was done on the basis of firm scientific evidence and consultation with the rail industry and unions including the Rail, Tram and Bus Union. I want to read a paragraph from the explanatory notes from the Labor government's regulation in early 2012. It states—

The Department of Transport and Main Roads consulted relevant stakeholders, including rail industry, unions, and key agencies on mandated train driver hours in November 2010. Unions have been supportive of standard work hours and rest periods for drivers.

Unfortunately, that level of consideration and care does not appear to have been followed by the LNP in formulating the regulation that repeals the prescribed hours of work and rest. By way of contrast, the explanatory notes from the LNP government's regulation with respect to consultation, which they clearly know nothing about, state—

Key industry stakeholders have been consulted and support the amendments.

The difference here is stark.

Mr Seeney interjected.

Mr PITT: Obviously we are getting under the Deputy Premier's skin because he cannot help himself. The difference here is stark. If you only ask to hear one side of the argument, as the LNP government appears to have done, is it any wonder that the response you get back is unanimous? Unfortunately, if you do not consult properly—again, form for this LNP government—you might be misled into thinking there is strong support for your proposed actions. Of course, I am giving the minister the benefit of the doubt here by thinking he would have wanted to hold a proper consultation process about the proposed repeal of the prescribed hours of work and rest. In fact, it is more likely that he did not want to know what the unions and train drivers thought about fatigue management and prescribed hours of work and rest. The fact is that they support prescribed hours of work and rest because they protect drivers and the public. I will say that again: they protect drivers and the public. That is what Labor governments are all about. That is what the union movement and the broader labour movement are all about. Perhaps the real reason the LNP is getting rid of prescribed hours of work and rest is that they are supported by unions. The question is: does the LNP have such a pathological dislike of unions that it would be willing to dismiss out of hand anything that the unions remotely supported? The fact that we are here tonight debating this disallowance motion and we had to move it in the first place means that the answer is surely yes.

Labor strongly believes that no worker should ever be forced to do something at work that puts their safety and the safety of others at risk. The research clearly shows that operating a train whilst fatigued increases the crash risk, particularly after eight or nine hours at the controls. Forcing a driver to operate a train when they are fatigued puts the life of the driver and the lives of others at risk.

Prescribing hours of work and rest for train drivers provides a safety net to ensure that no driver is forced to work when they are fatigued. It is as simple as that. I said that my contribution was going to be brief because, to be honest, I am not sure how many other ways we can possibly say that this is an absolutely ridiculous reason for us to move a disallowance motion. This is the sort of thing we have come to expect from this LNP government. It is driven by ideology. It has forced Queenslanders into making a decision at the last election. They thought they were getting one thing and they got a hell of a surprise when they got something else. Queenslanders are bitterly disappointed in this

government. Anyone who has anything to do with safety and the rights of workers in this state is absolutely disgusted in this LNP government, and so they should be. That is the sort of thing we have come to expect from it and I do not imagine this will be the last time we will have to have this debate here in the House. I commend to the House the motion moved by the shadow minister for transport.

Mr JOHNSON (Gregory—LNP) (9.10 pm): I rise tonight to oppose this disallowance motion moved by the Labor Party. It never ceases to amaze me just how the Labor Party really thinks. We are talking about safety. We just heard the Manager of Opposition Business say that this side of the House is opposed to unions having a say. What absolute rubbish! When I was minister for transport in this state we did nothing but negotiate with the unions, and we had a very good working relationship. What those on that side of the House should know is that we are the party for the working people, not that side. They have got it wrong again.

The explanatory notes to the amendment regulation state—

The amendments aim to improve efficiency and remove red tape for the rail industry, by removing the prescriptive hours of work and rest periods for train drivers and align the fatigue management requirements with those contained in the Rail Safety National Law.

Do members opposite disagree with that? Queensland has one of the best narrow-gauge railway systems in the world, modelled on the Burlington Northern model in the States. We have a very complex system. I heard the member for Rockhampton talking tonight about the tonnages of freight that we carry on our rail. We do a damn good job at that, considering that in the last five or six years the crowd on the other side let the operation and the infrastructure in the state run down. We used to have 10,500 kilometres of track. Now we have 8,300 kilometres of track because you sold off 2,200 kilometres. While you were selling it off you let the rest of the track run down—

Mr DEPUTY SPEAKER (Mr Watts): Order! I remind the member for Gregory to direct his comments through the chair.

Mr JOHNSON: I am, Mr Deputy Speaker. I am looking at you, Mr Deputy Speaker. The point I want to make is that they let the track run down.

Opposition members interjected.

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

Mr JOHNSON: You sit back, sister, and cop the truth. The truth is that, when in government, those opposite let the other 8,200 kilometres run down. We have not been able to get freight or cattle on those lines. We have had bridges shut down in Western Queensland. Why? Because they spent all the money on the coal and mineral lines so they could get a price to sell off QR National.

Opposition members interjected.

Mr JOHNSON: Yes, you are a cunning lot of thieves. There is no doubt about it. But at the end of the day that is exactly what—

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! The member for Gregory will take his seat. Order in the House, please. The member for Gregory is entitled to be heard when he is on his feet.

Mr JOHNSON: There is one thing I know a little bit about and that is Queensland Rail. In this state our train drivers are subjected to some of the best safety checks of all time. We have the Ishihara colourblindness check. We have the flag and lantern colourblindness check.

Ms Trad interjected.

Mr JOHNSON: Yes, it is a laughing matter! You are the one laughing, sister. I have to tell you that your union mates—

Mr DEPUTY SPEAKER: The member for Gregory will direct his comments through the chair and refer to people by their title in the House.

Mr JOHNSON: I tell you what, Mr Deputy Speaker: I would like to buy her at my price and sell her at hers; I would make some money. The fact of the matter is that a lot of those old AFULE blokes would be turning in their graves tonight if they could hear the codswallop from this crowd. For people who think they stand up for the working man and the working woman, they are opposed to decency and safety. We know what happened at Ipswich, where the railways were constituted in this state. It was people on our side of the House in 1996, 1997 and 1998 who saved Queensland Rail from absolute denigration. That was the Borbidge-Sheldon government. Now it will be the Newman government that makes Queensland Rail great once again. I know that this minister and the Minister

for Agriculture are going about that business now so we can get agricultural and other products on the line. It is not only about passenger trains here in Brisbane. We pay \$140 million a year to QR National and QR to subsidise those western routes. What is happening? There is \$120 million of it going into the freight division. What is happening? QR is putting it on the back of trucks! What is this minister trying to do? He will get it back on rail. You talk about safety? You would not have a clue. You would not know which way is up.

Mr DEPUTY SPEAKER: Order! I remind the member for Gregory to direct his comments through the chair.

Mr JOHNSON: I am looking at you, Mr Deputy Speaker, for God's sake.

Mr DEPUTY SPEAKER: Please refer to people by their title in this House.

Mr JOHNSON: The member for Rockhampton made reference to that northern line from Mount Isa to Townsville, and don't I want to tell a little story about that. The member for Rockhampton should have heard the mayor of Richmond shire talking the other day about what is happening to the passing lanes on that line. We are trying to develop the north-west minerals province and there is the old Labor Party trick—yes, so we can get some more revenue out of the royalties from the mining industry. Do you know what speed those trains travel at? They travel at about 40 to 50 kilometres an hour because the damn line is not safe. Do honourable members know why it is not safe? It is because this crew over here did not spend a bent razoo on those tracks when they were in government. Every other thing they touched they ran down. That is why we have this miserable, deplorable situation now in Queensland of infrastructure that is run down; our roads and rail infrastructure is run down. We have mining companies that want to make a dollar. We have a federal government that wants to milk the guts out of the mining companies and we have a former state government that supported everything they wanted to do. I will thank the Lord when September comes this year so we can be rid of your evil mob in Canberra and we can see some sanity prevail in Queensland.

Mr DEPUTY SPEAKER: Order! Under sessional orders I call the minister.

 **Hon. SA EMERSON** (Indooroopilly—LNP) (Minister for Transport and Main Roads) (9.17 pm): In the weeks leading up to the 2012 election the former Labor government rushed to introduce amendments to the Transport (Rail Safety) Regulation 2010 which created additional red tape by prescribing limits on the hours of work and rest for train drivers. This change will directly affect the rail industry and the way they run their business. The LNP government made the sensible decision under the Transport (Rail Safety) Amendment Regulation (No. 3) 2012 to remove the prescriptive hours of work and rest periods for train drivers before they came into effect. The decision to remove prescriptive hours of work and rest has been widely supported by the rail industry as it slashes excessive red tape and avoids rules that might not suit operating requirements. Organisations such as the Australasian Railway Association and SCT Logistics have voiced their strong support for the decision to me personally.

Rail safety in Queensland is a co-regulatory system that provides for adaptability, responsiveness and flexibility to support operators in aligning their risk management with the scope, the nature of their operations and their risk profile. Fatigue is not simply a question of determining hours of work and periods of rest. Factors such as health and wellbeing, nutrition, family and social circumstances, and commuting time all need to be considered when managing fatigue. Fatigue management should include a holistic approach which includes lifestyle programs, individual fatigue programs, education programs and review mechanisms. Fatigue is not measured just by how long someone is working and how long their breaks are. What those opposite proposed was too simplistic and would not address the complexities of fatigue.

I have heard the concerns raised that removing the prescribed limits on the hours of work and rest for train drivers would jeopardise the safety of the rail industry in Queensland. Let me remind the House that the amendments were removed before they came into effect. Queensland has never implemented such prescriptive measures. As under the previous government, the Transport (Rail Safety) Act 2010 will still include: a general duty for rail transport operators to ensure that rail workers do not carry out work while impaired by fatigue or if they may become fatigued; a requirement for operators to have a safety management system which includes a fatigue risk management program; and a requirement that safety management systems, including the fatigue management plan, are developed in consultation with people who are affected—that is, staff, health and safety reps and unions. We require that fatigue is managed for all rail workers including train drivers and workers involved with signalling, communications and the maintenance and repair of trains and infrastructure.

Rail transport operators must also comply with other legislation including workplace health and safety laws and industrial relations legislation. Further, rail transport operators are required to comply with the National Standard for Health Assessment of Rail Safety Workers. This standard provides for the medical assessment of all rail workers and incorporates the identification of a number of sleep disorders including sleep apnoea, narcolepsy, sleep deprivation and the influence of sedative medication.

The Newman government takes the management of rail worker fatigue very seriously. In our first 12 months in office there was a 10 per cent drop in category A safety incidents compared to the previous government—a 10 per cent drop. Category A incidents range from serious passenger slips and falls to major incidents such as derailments. In the final year under Labor there were 126 safety incidents compared to 114 in the first year of the Newman government. I repeat: there were 126 safety incidents compared to 114 in the first year of the Newman government.

Ms Trad interjected.

Mr EMERSON: I take the interjection from the member for South Brisbane. In fact, the last three months under the former transport minister and now opposition leader, Annastacia Palaszczuk, saw the worst transport safety figures since July-September 2009. In terms of misleading this House, the member for South Brisbane should have known that she was not including in those figures the first three months of 2012, when Labor was still in charge. She did not want to include those last three months. Maybe she knew that was the case but she wanted to embarrass her leader again so we would have to highlight—

Opposition members interjected.

Mr DEPUTY SPEAKER (Mr Watts): Order! Those on my left will cease interjecting and the minister will refer to people by their proper title.

Mr EMERSON: As I said, the member for South Brisbane must have known that putting forward those figures would only highlight the failure of the opposition leader when she was transport minister. She must have known that. Again I quote the figures that the member for South Brisbane must have known about and wanted to make sure we highlighted here today. In the final year of Labor in government there were 126 safety incidents compared to 114 in the first year of the Newman government. The last three months under former transport minister Annastacia Palaszczuk, now the opposition leader, were the worst transport safety figures since July-September 2009.

The Newman government will never stop working to improve the safety of our rail network. The department's rail safety regulator is maintaining five investigators—the same number as under the previous Labor government. However, we are not interested in creating additional red tape, which adds cost to rail operators with no proven safety benefit.

Labor proposed amendments that were made on a whim. Unlike Labor, the Newman government listened to the extensive consultation which occurred when the National Transport Commission released the *Rail safety national law: fatigue risk management—hours of work and rest draft regulatory impact statement* for public consultation in March 2012. Rail operators, union representatives and workers in the rail industry in Queensland all participated by putting forward their views on this important issue. Aurizon, Queensland Rail, ARTC, Asciano and Pacific National all responded to the regulatory impact statement.

I note that submissions from those that supported prescribed hours did not provide evidence that they had an effect on fatigue related risks in New South Wales since they were introduced in 2002. New South Wales is currently the only jurisdiction that prescribes hours of work and rest for train drivers. All other jurisdictions in Australia rely on a risk management approach to managing fatigue. New South Wales will review their prescribed hours of work and rest for train drivers in three years with the intention of working towards national consistency.

The rail industry is supportive of the Newman government's amendment to the Transport (Rail Safety) Regulation 2010 as it maintains greater flexibility in managing fatigue. The proposed amendments to the Transport (Rail Safety) Regulation 2010 will allow industry to work with the regulator to adopt appropriate fatigue risk management approaches tailored to meet individual business needs; maintain efficiencies for interstate operators by requiring them to comply with a national fatigue risk management plan; and remove unnecessary layers of red tape, as protections for the hours of work and rest for train drivers are adequately provided for under industrial agreements and workplace health and safety legislation.

The prescriptive hours provisions that were created in the Transport (Rail Safety) Regulation 2010 included the ability for a rail transport operator to operate under alternative hours of work and rest. This was on the basis that they had identified and assessed the major fatigue related safety risks associated with the operations and developed controls which managed these risks, on approval of the regulator. These requirements already exist for rail transport operators. They relate to managing risks associated with rail operations, not just fatigue.

They were really adding administrative burdens on both operators and the regulator. There were significant costs for industry relating to retraining rail workers and re-rostering staff. The prescriptive requirements also removed some of the work-life balance for rail workers, including the types of shifts and the number of consecutive days they could work. Under a risk management framework, which currently operates in Queensland, hours of work that suit staff and suit the operators can be individually assessed and the risks can be effectively managed. There is no evidence to suggest that fatigue related risks are not effectively managed by railway operators. This government is not interested in creating an additional burden for industry where no evidence exists that it will be of benefit. The Newman government is committed to evidence based action.

It was also identified that by prescribing hours of work and rest alternative risks might arise. For example, under the regulatory impact statement prepared by the National Transport Commission it was identified that drivers might undertake behaviours such as speeding and braking practices to offset the hours they are able to work. Another unintended consequence of having prescribed hours is that there will be a shift from managing risks to simply complying with targets. We do not have evidence that prescribed hours of work and rest are safe. We do not want industry to think that we have sanctioned these prescribed hours when we cannot guarantee that they are appropriate for all rail operations in Queensland. Not all operators have the same risks, and we need to ensure our law continues to acknowledge that.

The regulatory impact statement also stated that internationally there is a general trend to move away from prescriptive work-time approaches towards a more risk based approach. That is what we have in Queensland. We have a proven, risk based approach to managing risks to rail safety including managing risks related to fatigue. We have a well-informed, engaged and skilled regulator in Queensland. It continues to work with industry to ensure our safety record in Queensland will continue to improve. If industry needs support to manage risks related to fatigue, our rail safety regulator has the ability to intervene and work with industry to resolve any issues. This can range from education, support and voluntary undertakings through to compliance activity.

In no way was rail safety performance in Queensland affected by this government's efforts to reform my department. These were important reforms after the former transport minister and now opposition leader spent \$96 million providing 816 redundancies and then hired 916 additional people—\$96 million in redundancies paid out and the department grew by 100 people.

The Department of Transport and Main Roads has maintained capacity of the regulator to ensure rail safety issues are addressed. The rail safety work program has increased following the reform process by utilising more efficient methods to conduct safety inspections. Rail safety officers have conducted 60 compliance activities including audits, inspections and investigations in the past six months. By comparison, during the same period in 2011-12, 58 compliance activities were conducted. The target for the current year is 100 compliance activities. It is clear that Queensland's rail safety regulatory staff are focused on delivering rail safety in Queensland in conjunction with industry. Rail safety activities are prioritised and staffed appropriately, particularly to meet all regulatory functions.

This disallowance motion ignores that fatigue management needs to be scaled to fit each operator's unique operating environment. We cannot rely on a one-size-fits-all approach to managing risk in such a diverse industry. As opposed to Labor, the Newman government assesses each individual situation. This motion disregards that fatigue risks apply to all rail workers, not just train drivers. It is just one small component of the overall safety management system—a small component which needs to be managed in a risk based approach.

This motion does not acknowledge the excessive costs associated with prescriptive requirements. It would be a cost to industry for no proven benefit. If an operator is not complying with their responsibilities to manage safety, there are actions the Queensland regulator will take. The regulator has broader enforcement powers. For example, a breach might result in education and working with the operator, investigations of the operator's activities, an audit and possibly a direction to amend the operator's safety management systems, all the way through to prosecution. There are

penalties of up to three years imprisonment. The Queensland regulator has also established a confidential reporting system where rail workers can help make the Queensland rail industry safer by reporting unsafe railway and train operations, unsafe work practices, breaches of legislation and other matters they believe impact on rail safety. The inclusion of prescribed hours would not add anything to our ability to take action. It only takes away flexibility from the rail industry. This government continues to have a real commitment to rail safety in a way that ensures the safety of the railways, passengers and rail workers while balancing industry needs. This is a system that has worked in Queensland and will continue to work for Queensland.

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

AYES, 10—Byrne, Douglas, Judge, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

NOES, 71—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, T Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Rickuss, Robinson, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Wellington, Young. Tellers: Kaye, Menkens

Resolved in the negative.

ADJOURNMENT

Mr STEVENS (Mermaid Beach—LNP) (Manager of Government Business) (9.39 pm): I move—

That the House do now adjourn.

Mackay Electorate



Mr MULHERIN (Mackay—ALP) (Deputy Leader of the Opposition) (9.39 pm): I rise to speak about the latest industrial developments in the Mackay region. I was pleased to attend two openings of important industrial facilities in the Mackay region over the past month. On Wednesday, 27 March I attended the opening of the Mackay Sugar co-generation plant at Racecourse Mill. The co-generation plant is a \$120 million project and is expected to generate 38 megawatts of energy. The generation of energy from the co-generation plant will easily supply the energy needs of the mill and the excess energy will be sold to Ergon through a 66-kilowatt connection to the Ergon Energy grid. This excess energy will supply enough electricity to serve 30 per cent of the Mackay region's annual needs.

This co-generation plant was made possible with assistance from the previous Labor government through the Queensland Renewable Energy Fund, with a \$9 million investment, and also through assistance from the federal Labor government. The co-generation plant uses the by-product of sugar milling, crushed sugarcane stalks, commonly known as bagasse, as a biofuel to boil water, producing steam to generate electricity. The co-generation plant consists of a steam turbine generator and a new high-pressure boiler which replaces a traditional cane mill boiler. The new high-pressure boiler maximises the steam generation from the bagasse, allowing for maximum power generation.

While the energy generated by the co-generation plant will provide a reduction of Queensland's greenhouse emissions by 200,000 tonnes equivalent of carbon dioxide, Mackay Sugar is also diversifying its business activities. The generation of an income stream from the sale of electricity—

Madam SPEAKER: I apologise for interrupting the speaker. However, the noise in the chamber is unacceptable. Members, please show courtesy to the person with the call.

Mr MULHERIN: That will supplement the company's income streams from sugar and molasses. Innovation and diversification keep agricultural and industrial businesses not just surviving but thriving. This creates more jobs and economic benefits in the Mackay region.

Another Mackay industry success story was evident when I had the honour of opening the new MEM Group facility in the Paget industrial estate on Friday, 22 March. MEM Group is a leading mechanical, fabrication and electrical service provider to the Central Queensland region, providing services to the mineral resources and processing industries. MEM Group was formed from a merger of Mackay based DPSA Engineering and Rockhampton based Mining Equipment Maintenance. The group has four fields of operation: mining equipment repairs and rebuilds; fabrication and design; light- and medium-vehicle maintenance; and field service. These services are crucial to our mining industry in Mackay and in the Bowen Basin.

The MEM Group was in need of a new facility as it had outgrown its old facility owing to the high demand for maintenance of mining equipment. The new 6,600-square-metre facility contains a 126-tonne single-lift internal crane, the largest in Mackay. This new crane will allow MEM to repair mining's big-ticket items. Best of all, the new facility will also accommodate an additional 30 permanent staff, providing more employment for the Mackay region.

These examples of Mackay Sugar and MEM Group show that, where industry can value-add—
(*Time expired*)

Kingaroy Rugby League Club; South Burnett PCYC

 **Mrs FRECKLINGTON** (Nanango—LNP) (9.43 pm): Tonight, I rise in this House to let the House know about the Kingaroy Rugby League Club, better known as the Red Ants. Recently, I met with Dubbo—

A government member interjected.

Mrs FRECKLINGTON: The Kingaroy Red Ants. Recently, I met with Dubbo, the club president—Mr Mick Dugdell—and we discussed the club's plan to bring high-level rugby league games to the South Burnett. This progressive club has been busily improving its facilities, successfully receiving grants to upgrade its lighting, fields and visitors dressing rooms and install a boundary fence. With these improvements in place the club is actively pursuing opportunities to host some big matches.

I am really keen to help out this club to get one of the intra super cups to Kingaroy so that we can have one of these wonderful games in the South Burnett. Recently, the club has been successful in securing an A-grade representative game through Queensland Rugby League. An Eastern Central United team will play a South Queensland border districts team as a pathway to selection for the Queensland Rangers. The club understands that bringing such a game will only help to encourage youngsters—like my nephew Angus Allery—to become involved in rugby league or, indeed, sport in general. It will create a positive atmosphere within the community and also provide an economic boost for the Kingaroy township.

The Red Ants are also involved in a tour by NRL Community Engagement ambassador, Petero Civoniceva, who is touring the South Burnett region on 16 and 17 May.

Mr Johnson: A great man.

Mrs FRECKLINGTON: He is a great man. I would like to congratulate the NRL on this initiative, which aims to tackle bullying. Petero will be visiting the South Burnett junior rugby league clubs, including the Nanango, Murgon, Wondai and Blackbutt clubs and some of the high schools in the area. The visit recognises that, although we may be a diverse nation, rugby league can play a pivotal role in developing tolerant and cohesive communities. The South Burnett junior rugby league committee has recognised that bullying can be a major problem in our region and that this type of visit from a great man such as Petro will help my community stop bullying.

Whilst I have some time, I thought it would be good if I could tell the House about how I was privileged to be involved in the Doing Time4Kids fundraiser for the PCYC. Whilst being locked in a cage dressed in jail stripes, I got to learn more about the programs that are offered by the South Burnett PCYC and to raise money. I would like to congratulate Sergeant Michael Eadie of the South Burnett PCYC who coordinated this event.

Mr Springborg interjected.

Mrs FRECKLINGTON: I take that interjection from the Hon. Lawrence Springborg. I was lucky enough to be able to raise—

A government member interjected.

Mrs FRECKLINGTON: That is right.

(*Time expired*)

Griffith University Institute for Glycomics

 **Mr JOHNSON** (Gregory—LNP) (9.46 pm): Recently, I was honoured by the board of the Griffith University Institute for Glycomics to be their patron for their research of melanoma project, which is part of its study program. This program was established in 2000 at the Gold Coast campus of the Griffith University. Research at the Institute for Glycomics involves the study of the glycans and glycan-binding proteins in various biological systems and the design of novel drugs and vaccines.

This approach presents an exciting therapeutic platform for the control of a wide range of medical conditions such as cancer, diabetes, infectious diseases, inflammation and immune disorders. The institute is the only one of its kind in Australia and only one of six in the world. It seeks to collaborate with leading scientists around the world to build a critical mass around carbohydrate based research. Global collaboration, together with a multidisciplinary approach to research, are essential to achieving its vision to bring forward novel medicines and vaccines to the community.

The honourable Rob Borbidge, the former Premier of Queensland, is the chairman of this board. Along with his board members, I have accepted a position offered by them to be patron of this research into melanoma and to support this institute. Melanoma, excluding other skin cancers, is in the top four of the most common cancers in Australia and causes the majority of skin cancer related deaths. Both Australia and New Zealand have the world's highest incidence rate for melanoma. Each year, over 150,000 new cases of melanoma are diagnosed worldwide and over 45,000 individuals lose their battle with the disease per annum. Melanoma is indiscriminate and afflicts those in their 20s and 30s as much as those in their later years. Depending on the stage of the melanoma, a number of treatments are available and if the cancer is identified early enough the progression of the disease can be significantly slowed, if not completely halted. These people are making great breakthroughs.

The Institute for Glycomics has a major research program that is entirely focused on advancing knowledge on how specific carbohydrates associated with the cancer cells surface and enables the cancer cell to spread throughout the body; what key and essential carbohydrate-recognising proteins are required for promoting cancer progression; and the discovery of new drugs that will block these carbohydrate-recognising proteins, consequently preventing the cancer spreading and killing the cancer cell.

This research team is led by Professor Mark von Itzstein. The team focuses on an anti-cancer drug discovery program and seeks to develop new clinically useful drugs to treat melanoma. The institute is seeking further financial support to expedite its drug discovery in this very important unmet clinical need.

(Time expired)

Wilkie, Mr D

 **Mrs SCOTT** (Woodridge—ALP) (9.49 pm): Don Wilkie was many things to many people and his passing has left a void in many hearts—his family members, friends, many in the ALP where he was granted life membership and many in the Logan multicultural community, particularly the Cambodian and Spanish-speaking communities.

Don grew up in Grafton where his enterprise began with a paper run on his trusty pushbike. His family later moved to Sydney where he worked as an assistant accountant before moving to Logan City in 1980. It was here in 1984 that I first met him when I commenced work in the office of the then member for Woodridge. He was one of those community members who became involved in many activities and many organisations quite apart from his paid job. He was always active, usually helping others and added his wry sense of humour and sometimes the odd practical joke to spice up the situation at hand. At times you found it hard to tell when he was indeed being serious or just having you on.

When Don's dad passed away in 1993 he moved back to his family home in Springwood to take care of his mum. His family of three brothers and younger sister Kay were special to him and particularly Kay's daughters, Lisa and Kylie, who were like his own daughters. His activities, both paid and voluntary, were vast, including as a credit manager, cost clerk, projects coordinator, Keystone where he worked with people with disabilities, manager/nominee for the Spanish Centre, JP/Commissioner for Declarations, marriage celebrant, and studies in hospitality and gaming machine licences which equipped him to obtain a liquor and poker machine manager's licence. Some of his community work was accomplished through the Spanish Club, the Rochedale-Springwood Lions Club, Families in Action against Drug Abuse and many of the ethnic organisations. The Cambodian community particularly sought Mr Don's advice and assistance on many diverse matters including as a marriage celebrant. He would often assist in gaining incorporation for newly formed organisations and guide them in applications for funding.

During the last 11 years he worked for the Hon. Craig Emerson and many of our migrants and refugees looked to him for guidance and assistance. We gathered at the chapel at Great Southern Gardens at Mt Cotton to celebrate Don's all too short life of only 68 years, but a life that was lived to the full, leaving his family and friends to grieve, but with many who will live a happier and more fulfilled life for having him pass their way. Rest peacefully, my friend.

Coomera State School, Remembrance Day 2012

 **Mr CRANDON** (Coomera—LNP) (9.52 pm): As Anzac Day 2013 is just eight days away, I want to bring to the attention of members a very special Remembrance Day 2012 event in the state electorate of Coomera. Coomera State School, in its 140th year, unveiled a plaque to remember those who made the ultimate sacrifice. The pine trees at Coomera State School were planted in commemoration of these young men who were schooled in the Coomera area. The names of these men who gave their lives in the First World War were JWB Barr, E Beattie, G Beattie, SK Bignell, C Bourne, C Connor, F Curtis, R Howard, E Jenyns, S Lane, SJ Lane, W Lergessner, A Rathbone, G Shirley, EJ Thacker, A Tighe and FN Wilson. Those in the Second World War who made the ultimate sacrifice were SR Bignell, W Bignell, JJ Fletcher, HF Friske, V Heuston, AJ Kronledge, A Lane, RC McLean, WD Osbourne, RR Trotter, A West, and CB Young. The inscription on the plaque reads ‘Lest we forget. With deep respect and appreciation. Students and staff of Coomera State School. Plaque laid on Remembrance Day 2012. Trees planted on an Arbor Day after World War I. Supported by the North Gold Coast RSL sub branch’—of which I am a proud member—‘and the Department of Veterans Affairs. Saluting their service.’ Those who are remembered are past students of 70 to 100 years ago. With your permission, Madam Speaker, I would like to recite the ode—

They shall grow not old, as we that are left grow old;

Age shall not weary them, nor the years condemn.

At the going down of the sun and in the morning

We will remember them.

Ipswich Region Community Church

 **Mr BERRY** (Ipswich—LNP) (9.54 pm): The Ipswich Region Community Church located at Ripley within Ipswich is an organisation that honours politicians and emergency workers. For 12 years the church, under the stewardship of Pastor Mark Edwards, has held a day to honour emergency workers such as police, firefighters and ambulance officers. Also included are volunteers such as the SES and rural firefighters. This day came about because Mark was the son of a politician and he knew firsthand the toll of public life and the cost of public scrutiny on his father, who is Sir Llew Edwards. Sir Llew reflected for the moment by saying that he could count on his hand the number of times on which he had received any encouraging note from the community. It is a life which is under a fair amount of pressure that takes its toll. This day has been going on for 12 years and it just happened that the first occasion on which I attended the ceremony was on Remembrance Day in 2012.

This day of honour includes all councillors and state and federal members. The member for Lockyer, Mr Rickuss, and Mr Sean Choat, representing Ipswich West, also attended. On arriving there was certainly an overpowering display of warmth and respect. It is something that I will not easily forget. As I said, we were joined by representatives from the Ambulance Service as well as the rural fire brigades. Interestingly enough, not only did we receive a certificate framed in black silk but also both volunteer organisations, the SES and the rural fire brigades, received from the church \$500.

One of the things that Pastor Mark Edwards said was that he really wanted to make sure that the day was not publicised. He thought it was a special day and that the church ought not to share in any particular accolades itself but simply pay homage to those who do something which perhaps the public ordinarily do not know or do not do. I do not know of any other circumstance in Australia—or perhaps the world—where an organisation such as a church holds a day of honour as this one does. It was certainly a warm experience for me and I do thank Pastor Mark Edwards and his wife, Gayle. I have known Mark and Gayle for a long period of time, both in law as well as in his church, and I thank them for their thoughts, their prayers and their friendship. On behalf of all those who were honoured that day I thank the congregation of the Ipswich Region Community Church for their heartfelt thanks. It is indeed, as I said, an experience that I will remember.

Vincent

 **Hon. DF CRISAFULLI** (Mundingburra—LNP) (Minister for Local Government, Community Recovery and Resilience) (9.57 pm): In the heart of my electorate of Mundingburra is a suburb called Vincent. Members here have heard me speak about Vincent on many occasions.

Mr Costigan: I used to shop there.

Mr CRISAFULLI: The member for Whitsunday used to shop there. There is a reason to speak about it, I guess. The suburb of Vincent is home to literally hundreds of families. Members may recall that a little more than 12 months ago it was subjected to a tornado that swept through and caused considerable damage. It is a suburb that gets a bad rap from time to time but it is, in my mind, a suburb that is shaking off the underdog tag.

I want to talk tonight about an opportunity for the suburb of Vincent. There is a seven-hectare site on Palmerstone Street—a very large site—a former nursing home owned by the state, which is being offered for sale in the community. During my time as a councillor in Townsville it was often the site of many complaints because of antisocial behaviour and long grass. It was just a general drain on an area that I believe is coming of age. It is prime land with a golden opportunity. I believe that golden opportunity is for residential development to take the suburb of Vincent to the next level.

I am not talking about what we often associate with lower socioeconomic areas and usually we only ever talk about opportunities for social housing. I am talking about an opportunity to create a subdivision in that great suburb that can be the benchmark for Townsville. The suburb of Vincent is literally only a couple of kilometres down the road from one of Townsville's best shopping centres, Stockland. It is a couple of kilometres down the road from the Army's Lavarack Barracks. It is a couple of kilometres from the hospital and the university. It is a suburb of great opportunity. I see this seven-hectare site as an opportunity to create a first-class development that our entire community can be proud of.

Tonight I put out a call to arms to anyone who is as proud of Townsville as I am and to anyone who is as proud of Vincent as I am to look at this opportunity to really take development in one of Townsville's older suburbs to the next level. Those of us who have local government experience will know that when you do in-field development and you do it right, it can save the community a lot of money. It can stop a lot of the troubles that come with too much expansion to the fringes. I conclude by saying that, like this great state, Vincent's best days lie ahead.

Gold Coast Rapid Transit

 **Dr DOUGLAS** (Gaven—Ind) (10.01 pm): At present, most Gold Coast residents are aware that a light rail system is being built at great cost in the city. In Surfers Paradise, Southport and Broadbeach, many businesses along the designated transport corridor are suffering terribly. Employees are being increasingly casualized and retrenched, and employers themselves are being consigned to the unemployment lines. Those living in units along the route are seeing their property values plummet, especially in Surfers Paradise. Many of those people are unable to move, even if they could. I am being contacted by a variety of those people who are fearful of what is to come. Most will never use the light rail and are bewildered by its intrusion into their idyllic lifestyles. Many are retirees living on pensions or fixed self-funded incomes.

The current pain is being exacerbated by the delay of the contractor, GoldLinQ McConnell Dowell, as it battles the state government over the problems that will follow building a new bridge west of the existing Sundale Bridge at Paradise Waters. Upstream flooding is a potential likely outcome of that construction, due to the effectual damming of the Nerang River by the piers. Upstream, Nerang River residents and canal-front homeowners are already fearful of the major flood implications of the proposed dredging of the Broadwater for a major cruise ship terminal on the western side of the Spit.

We need urgent circuit-breakers. Firstly, the new light rail bridge should be placed on the eastern side of the existing Sundale Bridge. Secondly, the cruise ships need to dock off-shore. A hotel or casino complex could be built next to Versace; do not even bother touching the Broadwater. In court, class actions from homeowners along the 700 kilometres of waterway will prevent any perceived gains. The state government could make this solution happen and it should. It is common sense.

The Gold Coast mayor has publicly stated he will join the class action against the light rail bridge building contractor and GoldLinQ. The reason is that he is a resident of Paradise Waters, where residents will see high tides rising 0.5 metres above their current heights after what will be done on the bridge alone. Their homes could become inundated on the flood tides alone. It will be disastrous when storm tidal surges occur with flooding rains simultaneously.

To make the light rail work into the medium term, it also makes sense to link to the heavier metropolitan rail at Parkwood. The distance is much shorter than the proposed stage 2 unfunded link to Harbour Town on Brisbane Road, Labrador. Informally, the contractor is sounding out whether the

state may consider lengthening its operating contract to 28 years from the proposed 15 years, and it would fund the link from Parklands to Parkwood. That is a distance of 4.5 kilometres following the Smith Street route from Parklands. The state will need to commit to the cost of a new Parkwood Railway Station and the construction of a large park-and-ride facility, not unlike that at Ferny Grove. Some road relocations and modifications will be required to Smith Street. The costs are relatively low and the benefit huge; it will enable the light rail to succeed. In its present construct, it will most likely fail. It is a 13-kilometre connection to nowhere. I congratulate the *Gold Coast Bulletin* journalist Lucy Arden for her diligence in addressing this item, which affects those who need public transport along the Gold Coast route.

Queensland Plan, Ferny Grove Electorate

 **Mr SHUTTLEWORTH** (Ferny Grove—LNP) (10.04 pm): This evening I rise to update the House on the progress of the Queensland Plan in my electorate of Ferny Grove. The Our Community, Your Voice forum will be held on Saturday 20 April at 12 till 2 pm in the Ferny Grove State High School's Ralph Took Auditorium. The key objective will be the overview of the survey responses we have received and to introduce our three delegates for the Mackay summit in May. In my attempt to provide a cross-section of my community, I chose my delegates by selecting individuals with significant and current knowledge of the public sector, the environment, the community and the private sector.

The delegates selected include Anne Tennock, the cofounder of Transition the Grove, a group that develops community engagement in areas such as energy and food security, climate change and future sustainability. Anne is a member of a number of community groups and is the 'community voice' of groups such as the Medicare Local Metro North Community Consultation group. Anne is also involved actively as a volunteer at local tuckshops, a community radio station, a Catholic social welfare group in the St Williams Parish and many other areas. Anne is an ex-public servant, with vast experience in statistics and census data.

Brett Shackleton is the current school principal of the Ferny Grove State School and is a past executive member of a local cricket association. He is married to a teacher and, through his community, has a very wide-reaching involvement in the local area. Brett has also had teaching experience at Indigenous areas throughout Queensland.

Michael Hawkins is my third delegate. He is a company director with diverse commercial experience. His roles include Executive Director of the National Association of Cinema Operators Australasia, Chair of the Australian International Movie Convention and Director of the Intellectual Property Awareness Foundation Ltd. He was formerly CEO of Australian Multiplex Cinemas Ltd and served for many years as an Executive Councillor of the Australian Entertainment Industry Association. He is a lawyer by training and a Fellow of the Australian Institute of Company Directors. I look forward to providing the House with regular updates on the progression of the Queensland Plan initiative and the engagement with my local community within the Ferny Grove electorate.

In closing, while we are actively planning for our future and with Anzac Day commemorations next week, I would like to pay respect to the Anzacs and all defence personnel who, since that time, continue to ensure that our great democracy has a past worthy of remembrance and a future worth fighting for. Lest we forget.

Great Sandy Straits Coast Guard

 **Mrs MADDERN** (Maryborough—LNP) (10.07 pm): Boaties in the Great Sandy Strait can be reassured that on land located in a building at Boonooroo there are a team of people at the coastguard looking out for them. Those people are all volunteers, such as Rita Stephensen and Len Scheikowski, who have served for 26 years, and David Dixon, who has served for 16 years. On 16 March 2013, those three people were recognised for their work with the awarding of the Governor-General's National Medal for volunteer service. It was my great privilege to represent the Governor-General and to present those awards to Rita, Len and David at a ceremony and afternoon tea, in front of all their volunteer colleagues at the coastguard base.

Flotilla Commander Jukka Manttari gave me a tour of the base, but most importantly talked me through the processes that are undertaken each day to ensure the safety of the boaties. Like the rest of our community, QF21 Coast Guard Sandy Strait suffered from the floods. Some volunteers were unable to reach the base, there was no power and, consequently, no phones. A communication link was set up with one volunteer using a two-way radio to connect to base and then standing in a very

small section of his kitchen where there was mobile phone coverage, so he could relay messages to the outside. That is indicative of the innovation and dedication that takes place in volunteer organisations such as the Coast Guard Sandy Strait.

The flood further impacted in that the engines on the rescue vessel the *Spirit of Maryborough* had to be replaced as a consequence of damage from flood water debris in the Sandy Strait. That has cost the group \$45,000. As the Flotilla Commander pointed out, that is a huge amount of raffle tickets. Sadly, there has been no change to the level of funding received since 1997, so the vast majority of funding required to replace motors and vessels and to support the running of the coastguard comes from fundraising by the volunteers. As they say, that is a lot of raffle tickets.

One of the goals of the coastguard is to purchase a diesel generator. If a generator had been available during the last floods, the coastguard would have been fully operational. Not only that, they would have had the capability of being the emergency centre for all of the small beachside settlements of Maaroom, Boonoroo and Poonaa. All of those centres were cut off from Maryborough and all were without electricity and emergency services for significant periods.

I am very pleased to say that in recent days the coastguard has been given a grant and will be able to buy a generator. I highly commend the work of the volunteers of QF21 Coast Guard Sandy Strait and the support that is provided to it from our community. I will work with our government to seek to provide additional funding to this very worthy organisation.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.10 pm.

ATTENDANCE

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