

Steve MINNIKIN MP

Member for **Chatsworth**

27 August 2018

The Hon Curtis Pitt MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

By email: officeofthespeaker@parliament.qld.gov.au

Queensland Legislative Assembly
Number: 5618T/627
16 OCT 2018
MP: Mr Speaker
Clerk's Signature: _____

Tabled
By Leave

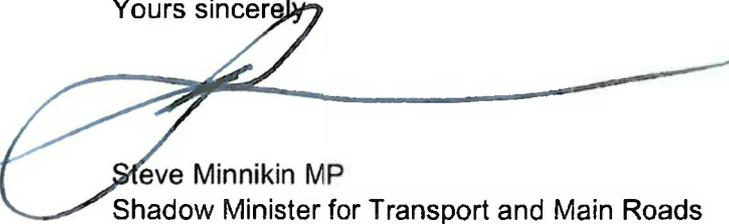
Dear Mr Speaker

I write in relation to a matter of privilege relating to a Contempt of the Legislative Assembly. Please find **attached** submissions in relation to this matter.

I ask that the member for Inala be referred to the Ethics Committee to determine whether she has committed a Contempt of the Assembly by deliberately misleading the House and what punishment should be levied as a result.

I am available to meet with you to discuss this matter should you require further material.

Yours sincerely


Steve Minnikin MP
Shadow Minister for Transport and Main Roads
Member for Chatsworth

Enc.

**SUBMISSIONS IN RELATION TO A MATTER OF PRIVILEGE RELATING TO A
DELIBERATE MISLEADING OF THE HOUSE BY THE MEMBER FOR INALA ON 22
AUGUST 2018**

OUTCOME SOUGHT

1. The member for Inala be referred to the Ethics Committee to determine whether she has committed a Contempt of the Assembly by deliberately misleading the House and what punishment should be levied as a result.

BACKGROUND

2. On 22 August 2018, the Member for Inala made the following statements in the House:¹

They did not spend any money on the M1 when they were in government. They had all the MPs on the Gold Coast, but where was the money? Where was the planning? There was absolutely nothing done.

3. Again later that day, the Member for Inala said in response to a question without notice:²

Ms PALASZCZUK: As I said very clearly, my government is investing in the Gold Coast and fixing up the M1. As I said very clearly, those opposite—and the honourable member who asked the question was a member, and a minister for a considerable short period of time—in the previous government failed to deliver any funding whatsoever to the M1. In stark contrast, we are fixing the M1. We have built the light rail. We have hosted the most successful Commonwealth Games Queensland has ever seen and we will continue to invest in the infrastructure that is needed. We built the Gold Coast Light Rail. In fact, it was those opposite who did not even plan for that as part of the Commonwealth Games. It is my government that is investing in the upgrades along the M1, not those opposite. I find it highly ironic that the member for Mudgeeraba would come in here and ask a question about the M1 when they failed to invest one single dollar when they were in government.

(Emphasis added)

4. The LNP government was between 26 March 2012 and 31 January 2015. Attached to these submissions is evidence showing investment and works on the M1 (Pacific Motorway) over the period, being the Queensland Government's Queensland Transport and Roads Investment Program 2012-13 to 2015-16 (QTRIP). It shows investment over the period on the road, associated infrastructure and planning.
5. In the 2013-14 Department of Transport and Main Roads Service Delivery Statement³ the following is recorded:

\$40 million is provided in 2013-14, for the \$95.5 million widening to six lanes of the Pacific Motorway between Worongary and Mudgeeraba, which is due for completion in April 2015.

6. The 2014 budget also included funding for further widening works⁴ and upgrading the Pacific Motorway interchange at Eight Mile Plains.⁵

¹ Hansard, page 1948.

² Hansard, pages 1956-7

³ Page 21, <http://www.parliament.qld.gov.au/documents/tableOffice/TabledPapers/2013/5413T2809.pdf>

⁴ <http://statements.qld.gov.au/Statement/2014/6/3/strong-plan-delivers-brighter-future-for-gold-coast-region>

⁵ <http://statements.qld.gov.au/Statement/2014/6/3/strong-plan-delivers-brighter-future-for-brisbane-region>

7. It should be noted that funding was not only budgeted by the LNP Government, but works were undertaken and completed, including removal of T2 lanes.⁶

RELEVANT CONSIDERATIONS

8. Section 37 of the *Parliament of Queensland Act 2001* defines the meaning of "Contempt" of the Assembly as:

37 Meaning of contempt of the Assembly

(1) Contempt of the Assembly means a breach or disobedience of the powers, rights or immunities, or a contempt, of the Assembly or its members or committees.

9. Standing Order 266 provides examples of Contempt to include, *inter alia*:

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

10. In order for the allegation of a deliberate misleading of the House to be made out, three elements must be proven:
 - a. the statement must, in fact, have been misleading;
 - b. it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and
 - c. in making it, the member must have intended to mislead the House.
11. In determining whether each element is met, the standard of proof to be met is 'on the balance of probabilities.'

APPLICATION

12. I will deal with each element in turn.

THE FIRST ALLEGATION

THE FIRST ELEMENT – WAS THE MEMBER'S STATEMENT ACTUALLY MISLEADING?

13. The Member for Inala has made a very clear and unambiguous statement that is clearly and demonstrably false given the budget papers and QTRIP. The evidence attached and available in the 2012/13 to 2014/15 budget papers prove the member for Inala's statements are wrong and are misleading.

THE SECOND ELEMENT – WAS THE MEMBER AWARE AT THE TIME OF MAKING THE STATEMENT THAT IT WAS INCORRECT?

14. The Member for Inala is a former Transport Minister. She was a member of the Legislative Assembly for the duration of the LNP government. The budget papers and QTRIP are publicly available. It is impossible the Member for Inala was not aware of the false and misleading nature of the statements. I respectfully submit that the second element of the test is met.

THE THIRD ELEMENT – DID THE MEMBER INTEND TO MISLEAD THE HOUSE?

⁶ <http://statements.qld.gov.au/Statement/2013/7/2/additional-lanes-open-on-pacific-motorway>

15. *McGee*⁷ provides that in order to establish the third limb of the test, reference is to be given to the nature of the basis of knowledge and the formality of the circumstances of the statement.
16. The Member's basis of knowledge is the publicly available budget papers and associated planning documents. The member for Inala made the comments in the context of question time when the scrutiny of government, and by extension, the credibility of the questions asked of the executive, are of significant importance.
17. In conclusion on this point, in light of these two considerations as provided by *McGee*, it must be assumed the member for Inala intended to mislead the house.

CONCLUSION

18. I respectfully submit that this matter warrants the further attention of the house by referral to the Ethics Committee.

⁷ *McGee, David, Parliamentary Privilege in New Zealand, Third Edition, Dunmore Publishing Ltd, Wellington, 2005, p.654.*

ATTACHMENTS

A – 2012/13 QTRIP

National Network

Local government	Project number ⁶¹	Commonwealth number	Project name/Location	Location description	Indicative total cost \$'000	Contributions		Estimated expenditure June 2012 \$'000	Approved		Indicative		Work description
						Australian Government \$'000	Queensland Government \$'000		2012-13 \$'000	2013-14 \$'000	2014-15 to 2015-16 \$'000	Beyond \$'000	
Gold Coast	160/12A/17		Pacific Highway (Pacific Motorway)	Various locations	21,881		21,881	18,881	1,000	2,000			Install, replace or restore road traffic noise treatments
	160/12A/18 ⁶¹	034069-08QLD-NP	Pacific Highway (Pacific Motorway)	Somerset Drive and Reedy Creek Road	86,000	43,000	43,000	71,860	7,140	7,000			Improve interchange/s
	160/12A/302		Pacific Highway (Pacific Motorway)	Tugun - Tweed Heads	66,400		66,400	18,423	6,544	9,433	7,500	24,500	Install, upgrade or replace roadside delineation
	160/12A/9 ⁶¹	034244-09QLD-NP	Pacific Highway (Pacific Motorway)	Nerang - Stewart Road	128,000	64,000	64,000	122,000	1,000	5,000			Widen from four to six lanes
	160/12A/903 ⁶¹	034241-09QLD-NP	Pacific Highway (Pacific Motorway)	Coomera interchange (Foxwell Road)	16,173	8,086	8,086	14,801	1,372				Undertake transport project planning
	230/12A/3 ⁶¹		Pacific Highway (Pacific Motorway)	61.54 - 63.88km	1,108		1,108	358	750				Replace/upgrade guardrail section/s and end/s
	230/12A/406		Pacific Highway (Pacific Motorway)	14.28 - 79.73km (Underwood Road - New South Wales border)	1,294		1,294	603	376	315			Manage contracts to respond to incidents
	230/12A/470 ⁶¹		Pacific Highway (Pacific Motorway)	Gooding Drive - Tallebudgera Creek	6,500		6,500		300	500		5,700	Install, replace or restore road traffic noise treatments
	230/12A/651		Pacific Highway (Pacific Motorway)	77.40 - 77.50km	1,833		1,833	1,117	716				Remediate batter slopes
	230/12A/8 ⁶¹	034244-09QLD-NP	Pacific Highway (Pacific Motorway)	58.90 - 61.90km	95,500	47,750	47,750	7,500	10,000	40,000	38,000		Widen to six lanes
	230/12A/801		Pacific Highway (Pacific Motorway)	Sections : 14.28 - 53.92km	30,380		30,380	380	10,000	20,000			Overlay pavement (175mm)
	230/12A/803		Pacific Highway (Pacific Motorway)	74.50 - 76.00km	6,201		6,201	201	6,000				Overlay asphalt (75mm)
	230/12A/901		Pacific Highway (Pacific Motorway)	Coomera interchange	550		550		550				Undertake transport project planning
Subtotal: Gold Coast									45,748	84,248	45,500		
Logan	240/12A/1 ⁶¹	034246-09-QLD-NP	Pacific Highway (Pacific Motorway)	Fitzgerald Avenue - Aranda Street	35,000	17,500	17,500	2,500	12,800	19,700			Construct additional lane/s
	70/12A/78 ⁶¹	034003-08QLD-NP	Pacific Highway (Pacific Motorway)	Springwood South - Daisy Hill (Section B : 4.3 - 7.9km)	375,731	182,500	193,231	298,859	71,871	5,000			Construct to new sealed six lane standard
	70/12A/79 ⁶¹	034245-09QLD-NP	Pacific Highway (Pacific Motorway)	Daisy Hill - Loganholme (Section C : 7.25 - 14.24km)	51,274	25,000	26,274	49,878	1,396				Construct additional lane/s
Subtotal: Logan									86,067	24,700			
Scenic Rim	207/17B/651		Cunningham Highway (Ipswich - Warwick)	72.45 - 79.66km	57,770		57,770	45,870	11,900				Rehabilitate pavement
	207/17B/652		Cunningham Highway (Ipswich - Warwick)	Sections : 29.48 - 37.56km	5,774		5,774	675	5,099				Remediate batter slopes
	207/17B/653		Cunningham Highway (Ipswich - Warwick)	Sections : 50.10 - 73.40km	43,539		43,539	1,691	41,848				Rehabilitate and overlay (75mm)
Subtotal: Scenic Rim									58,847				
Various local governments	R10/R001/420		State-controlled road network	Various locations	2,443		2,443	1,043	700	700			Manage contracts to respond to incidents
Subtotal: Various local governments									700	700			

National Network

Local government	Project number ^(a)	Commonwealth number	Project name/Location	Location description	Indicative total cost \$'000	Contributions		Estimated expenditure June 2013 \$'000	Approved	Indicative			Work description
						Australian Government \$'000	Queensland Government / Other \$'000		2013-14 \$'000	2014-15 \$'000	2015-16 to 2016-17 \$'000	Beyond \$'000	
Gold Coast	160/12A/17		Pacific Highway (Pacific Motorway)	Various locations	21,881		21,881	19,881	500	1,500			Install, replace or restore road traffic noise treatments
	160/12A/9	034244-09QLD-NP	Pacific Highway (Pacific Motorway)	Netang - Stewart Road	128,000	64,000	64,000	121,561	6,439				Widen from four to six lanes
	160/12A/903	034241-09QLD-NP	Pacific Highway (Pacific Motorway)	Coomera Interchange (Foxwell Road)	16,173	8,086	8,086	14,973	1,200				Undertake transport project planning
	230/12A/65 ⁽¹⁰⁾		Pacific Highway (Pacific Motorway)	77.40 - 77.50km	1,569		1,569	1,499	70				Remediate batter slopes
	230/12A/8	034244-09QLD-NP	Pacific Highway (Pacific Motorway)	Worongary - Mudgeeraba (58.90 - 61.90km)	95,500	47,750	47,750	17,500	40,000	38,000			Widen to six lanes
Subtotal: Gold Coast									48,209	39,500			
Logan	240/12A/1	034246-09QLD-NP	Pacific Highway (Pacific Motorway)	Fitzgerald Avenue - Aranda Street	35,000	17,500	17,500	7,863	27,137				Construct additional lane/s
Subtotal: Logan									27,137				
Scenic Rim	207/17B/485 ⁽⁹⁾	047953-13QLD-BS	Cunningham Highway (Ipswich - Warwick)	73.20 - 74.70km	546	546			546				Install/upgrade audio tactile line marking and rumble strips
	207/17B/652 ⁽⁹⁾		Cunningham Highway (Ipswich - Warwick)	Sections : 29.48 - 37.56km	5,774		5,774	1,336	4,438				Remediate batter slopes
	207/17B/653 ⁽¹¹⁾		Cunningham Highway (Ipswich - Warwick)	Sections : 50.10 - 73.40km	31,000		31,000	19,266	11,734				Rehabilitate and overlay (75mm)
Subtotal: Scenic Rim									16,718				
Other works			Construction Works			18,765	20,161		18,926	20,000			
			Corridor and Minor Safety Enhancements				15,994		8,494	7,500			
			Rehabilitation				50,000		20,000	30,000			
			Traffic Operations				1,015		1,015				
Subtotal: Other works									48,435	57,500			
Total: South Coast National network									140,499	97,000			
Australian Government contributions									49,198	10,000			
Queensland Government contributions									91,301	87,000			
Total : Contributions									140,499	97,000			

National Network

Local government	Project number ⁽¹⁾	Commonwealth number	Project name/Location	Location description	Indicative total cost \$'000	Contributions		Estimated expenditure June 2017 \$'000	Approved			Work description	
						Australian Government \$'000	Queensland Government / Other \$'000		2014-15 \$'000	2015-16 \$'000	2016-17 to 2017-18 \$'000		Beyond \$'000
Gold Coast	160/12A/17	034244-09QLD-NP	Pacific Highway (Pacific Motorway)	Various locations	21,738		21,738	20,238	1,500			Install, replace or restore road traffic noise treatments	
	230/12A/8		Pacific Highway (Pacific Motorway)	58.90 - 61.90km (Worongary - Mudgeeraba)	95,500	47,750	47,750	57,500	38,000			Widen to six lanes	
	230/12A/801		Pacific Highway (Pacific Motorway)	Sections : 14.28 - 53.92km	68,702		68,702	45,202	23,500			Overlay pavement (75mm)	
	230/12A/902		Pacific Highway (Pacific Motorway)	58.80 - 63.70km	1,309		1,309	1,109	200			Undertake transport project planning	
Subtotal: Gold Coast									63,200				
Logan	240/12A/901		Pacific Highway (Pacific Motorway)	Underwood Road - Logan River	1,370		1,370	370	500	500		Undertake transport project planning	
	240/12A/902		Pacific Highway (Pacific Motorway)	Logan River - Daisy Hill	1,200		1,200		600	600		Undertake transport project planning	
Subtotal: Logan									1,100	1,100			
Other works			Construction Works			5,000	5,000		10,000				
			Corridor and Minor Safety Enhancements		103	7,500		7,525	26	52			
			Corridor, Roadway and Structures Management		85			19	22	44			
			Programmed Maintenance		2,653			664	663	1,326			
			Project Initiation				665	135	530				
			Rehabilitation			2,970		720	750	1,500			
			Routine Maintenance			1,582		385	399	798			
	Traffic Operations			1,884			459	475	950				
Subtotal: Other works									19,907	2,865	4,670		
Total: South Coast National network									84,207	3,965	4,670		
Australian Government contributions									7,272	2,335	4,670		
Queensland Government contributions									76,935	1,630			
Total: Contributions									84,207	3,965	4,670		

Endnotes

(1) For other Australian Government funded projects, see Statewide commitments section or the relevant district's National Network, State Network and Local Network tables.



Premier of Queensland
Minister for Trade

12 September 2018

Hon Curtis Pitt MP
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Dear Mr Speaker

A handwritten signature in blue ink that reads 'Curtis'.

Thank you for your letter dated 29 August 2018 forwarding correspondence received from the Member for Chatsworth, Mr Steve Minnikin MP, in which he alleges I deliberately misled the Parliament in relation to a matter on 22 August 2018 and may therefore be in contempt of the Parliament.

Mr Minnikin's allegation relates to a response I provided to a Question without Notice from the Member for Nanango on 12 August 2018. The Member for Chatsworth refers to the following question asked by the Member for Nanango:

Mrs FRECKLINGTON: I refer the Premier to media reports today that more and more South-East Queensland roads are so congested that they barely reach a third of the speed limit. What is the Premier's response to motorists who say that the Palaszczuk government's plan to reduce speed limits on the M1 is an admission of failure?

In response, I replied:

Ms PALASZCZUK: They did not spend any money on the M1 when they were in government. They had all the MPs on the Gold Coast, but where was the money? Where was the planning? There was absolutely nothing done.

The question and my full response are recorded at page 1948 of the official record of proceedings (Hansard).

The Member for Chatsworth then goes on to refer to a further response I provided to a question from the member for Mudgeeraba, who asked:

Ms BATES: My question is to the Premier. It has been revealed today that Queenslanders are stuck on congested South-East Queensland roads, with traffic at a crawl every single day on the M1. Will the Premier say whether this is as a result of the continued lack of confidence by commuters in Queensland Rail after nearly two years of Labor's rail fail with no end in sight?

In response, I replied:

Ms PALASZCZUK: As I said very clearly, those opposite—and the honourable member who asked the question was a member, and a minister for a considerable short period of time—in the previous government failed to deliver any funding whatsoever to the M1. In stark contrast, we are fixing the M1.....

In fact, it was those opposite who did not even plan for that as part of the Commonwealth Games. It is my government that is investing in the upgrades along the M1, not those opposite. I find it highly ironic that the member for Mudgeeraba would come in here and ask a question about the M1 when they failed to invest one single dollar when they were in government.

In summary, the nature of the objection by the Member for Chatsworth is that my two statements were:

- that the LNP did not spend any money on the M1, and
- the second clarified that the LNP failed to deliver any funding for the M1.

There are three elements to be proven in order to establish that a Member has committed the contempt of deliberately misleading the House:

1. The statement must have been misleading;
2. The Member making the statement must have known, at the time the statement was made, that it was incorrect; and
3. In making the statement, the Member intended to mislead the House.

It is my submission, Mr Speaker, that the Member for Chatsworth has failed to make out those elements and in putting my position I will deal with each element in turn.

1. The statement must have been misleading

Mr Minnikin provided information from the Queensland government's Queensland Transport and Roads Investment Program 2012-2013 to 2015-16 (QTRIP), which he alleges is evidence showing investment and works on the M1 (Pacific motorway) over the period.

QTRIP is a document that sets out the rolling four-year investment program in Queensland transport and roads investment. It includes all funded projects over that four-year period, rather than just projects that have received new funding in the most recent budget. Therefore, it is not the appropriate document by which to judge my statements.

The appropriate document to which to refer is the Budget Capital Statement (BP3), as it documents funding decisions taken by Government and, specifically, reflects new funding. Any decisions taken to provide new funding to M1 upgrades under the Newman Government would have been included in BP3 in either the 2012-13, 2013-14 or 2014-15 budgets.

The following links provide the references for M1 funding in each of the relevant BP3 documents for the financial years 2012-13 to 2014-15:

<https://s3.treasury.qld.gov.au/files/bp3-2012-13.pdf> - pages 111-112

<https://s3.treasury.qld.gov.au/files/bp3-2013-14.pdf> - pages 114-115

<https://s3.treasury.qld.gov.au/files/bp3-2014-15.pdf> - pages 102-103

There is only project in any of these budget papers which is specific to M1 funding, which is contained in the 2012-13 budget. This is an upgrade to the Pacific Motorway between Fitzgerald Avenue and Aranda Street.

BP3 properly reflects that funding for this project commenced in the 2011-12 financial year. Further, the attached media statement of 11 March 2012 clearly shows that the decision was taken by the Bligh and Gillard Governments to reinvest savings from other M1 projects into this upgrade: <https://www.projectlink.com.au/news/savings-pave-the-way-for-even-more-m1-upgrades>

I have also attached a letter from the Australian Government's Department of Infrastructure and Transport dated 20 February 2012 which clearly states that the Minister Anthony Albanese had approved a change of project scope to include the upgrade to the Pacific Motorway between Fitzgerald Avenue and Aranda Street. This is prior to the election of the Newman Government on 24 March 2012.

At paragraph 5, the Member for Chatsworth refers to the 2013-14 Service Delivery Statement for the Department of Transport and Main Roads, which references the funding for the widening of the Pacific Motorway to six lanes between Worongary and Mudgeeraba, funding which was reprioritised by the Bligh and Gillard governments from the 2011-12 budget.

Paragraph 6 then refers to two media statements which reference funding for further widening works, and upgrading the Pacific Motorway interchange at Eight Mile Plains, and paragraph 7 refers to a further media statement regarding removal of T2 lanes. These references were to the reprioritised funding mentioned above.

None of the budget documents refer to any new funding provided for any projects on the M1 between 2012-13 and 2014-15.

My statements were therefore accurate and cannot be described as misleading. The Member for Chatsworth has failed to establish that there was anything misleading in the statements I made during my two responses to questions without notice to the Member for Nanango and the Member for Mudgeeraba.

I therefore turn to consideration of the second element.

2. The Member making the statement must have known, at the time the statement was made, that it was incorrect

The answers I provided to the Member for Nanango's question and the Member for Mudgeeraba's question were made off-the-cuff during a heated question time debate. It is quite clear that no new funding was provided in the 2012-13, 2013-14 and 2014-15 Budgets.

The reference to the one Pacific Motorway project in the 2012-13 Budget was money allocated by the previous Bligh Government, and the money that was spent was that allocated funding – Bligh government money.

My response specifically referred to 'they', 'the previous government' and 'those opposite' as having failed to deliver funding - statements which the Member for Chatsworth has failed to illustrate are misleading in any respect.

If preparing a written response to a Question on Notice, or delivering a prepared speech in Parliament, where there is time to carefully consider the exact words to be used in a calm and unhurried environment, it may be that a different response could be given that addressed any ambiguity that might present itself and made it very clear that I was referring to 'new funding'.

However, the cut and thrust of question time does not afford that luxury. Responses are necessarily given in political shorthand and it is difficult to imagine that any person sitting in the chamber, or listening to question time, believed I meant anything other than 'new' or 'additional' funding. It would be a complete nonsense to be giving political credit to a government for spending the money that had been allocated in the budgets of a previous government.

At the time I gave the responses, I believed them to be correct in the context of the question being asked, and I still believe that to be the case.

I honestly believed any statements I had made to be true, and I continue to believe they were true at the time I made them. It was certainly not my intention to provide misleading or incorrect information. I therefore submit that the second element has not been made out. I therefore turn to the third element.

3. In making the statement, the Member intended to mislead the House

It was not my intention to mislead the House in making the statements referred to by the Member for Chatsworth.

In answering a question during question time, it is rare that the language used would be as precise as if it were written after considerable contemplation and opportunity for revision. However, my response was intended to provide the House with the facts, as they related to the question asked.

The Member for Chatsworth, in his response, has referred to McGee, and to his assertion that, in order to establish the third limb of the test, reference is to be given to the nature of the basis of the knowledge and the formality of the circumstances of the statement.

David McGee, the former Clerk of the New Zealand House of Representatives, in his book *Parliamentary Practice in New Zealand*, has noted that

Remarks made off the cuff in debate can rarely fall into this category, nor can matters about which the member can be aware only in an official capacity. But where the member can be assumed to have personal knowledge of the stated facts and made the statement in a

situation of some formality (for example, by way of personal explanation), a presumption of an intention to mislead the House will more readily arise.

This view has been noted by previous Ethics Committees, and was specifically adopted by the Ethics Committee in its Report No. 125, *Matter of privilege referred by the Speaker on 31 July 2012 relating to an alleged deliberate misleading of the House by a Minister* and by the Ethics Committee in its Report No. 168, *Matter of privilege referred by the Agriculture and Environment Committee on 20 April 2016 relating to an alleged unauthorised disclosure of committee proceedings and an alleged deliberate misleading of a committee.*

It is unfortunate that the Member for Chatsworth has misapplied this test. My comments were *'made off the cuff'* and were matters about which I could be aware *'only in an official capacity'*, matters which McGee has expressly noted *'can rarely fall into this category'*. They were made in question time, not in *'a situation of some formality (for example, by way of personal explanation)'*.

It is not sufficient for the Member for Chatsworth to assert that *'it must be assumed the Member for Inala intended to mislead the House'* without providing some evidence to support his assertion.

I therefore submit, Mr Speaker, that the elements of a contempt of the Parliament have not been made out by the Member for Chatsworth, and there is no evidence provided by the Honourable Member that I have made any statement to the House that was misleading, or that was intended to mislead the House.

Thank you for the opportunity to respond to these allegations. Should you require any further information or any clarification of matters contained herein, please do not hesitate to contact me.

Yours sincerely



**ANNASTACIA PALASZCZUK MP
PREMIER OF QUEENSLAND
MINISTER FOR TRADE**

Savings pave the way for even more M1 upgrades

Source: **Queensland Government**

News Date: **11 Mar 2012**

Category: **Roads**

Hon Anthony Albanese MP
Minister for Infrastructure and Transport
Leader of the House

Hon Craig Wallace
Queensland Main Roads Minister

The multimillion dollar upgrade of the Pacific Motorway will come in well under-budget with the savings to be used to deliver a more extensive upgrade than originally planned, including widening the road to six lanes between Worongary and Mudgeeraba.

Federal Infrastructure and Transport Minister Anthony Albanese said savings of nearly \$160 million are expected and every one of those dollars will be reinvested back into the Motorway to make it even better, safer and less congested.

"Together, the Gillard and Bligh Labor governments are delivering above and beyond what we initially promised, news which will no doubt be welcomed by the tens of thousands of motorists and truck drivers who use this road every day," said Mr Albanese.

"It is also a great outcome for the Australian taxpayer and a tribute to the proper planning process undertaken by the Queensland Government as well as the expertise of the contractors and workers involved.

"Only Labor has a plan to keep the South East Corner moving, one which recognises that the task of renewing and expanding the region's transport infrastructure requires a partnership between governments. Already Federal Labor has committed a record \$5.7 billion more than what the former Howard Government spent across the entire State over a similar period of time."

The \$910 million Pacific Motorway Upgrade is being jointly funded by the Gillard and Bligh Labor governments, with four of the original seven projects already completed.

Queensland Main Roads Minister Craig Wallace said the additional projects will further improve driving conditions, ease congestion and improve safety along this vital road connecting Brisbane to the Gold Coast.

"As well as widening yet another section of the Motorway, we will also construct an auxiliary lane between Fitzgerald Avenue and Aranda Street in Springwood to make it easier and safer for motorists to merge," said Mr Wallace.

"And we will use the remaining savings to undertake the land acquisitions and planning work necessary to get the future widening of the road between Daisy Hill and the Logan Motorway 'shovel-ready'."



Australian Government

Department of Infrastructure and Transport

File Reference: 12/1929

Mr Ken Beattie
General Manager Program Development and Management
Queensland Department of Transport and Main Roads
GPO Box 2595
BRISBANE QLD 4001

Dear Mr Beattie

Nation Building Program - Pacific Motorway - Gateway to Logan Section, Queensland

I refer to your letter of 2 September 2011 including the Project Proposal Report (PPR) for the Auxiliary Lane - Fitzgerald Avenue to Aranda Street project seeking scope and funding variations for projects on the Gateway to Logan section of the Pacific Motorway.

I am pleased to advise that the Hon Anthony Albanese MP, Minister for Infrastructure and Transport, has approved the following variations:

- a variation to increase funding on the Gateway Motorway to Springwood South (Section A) project by \$17.5 million, from \$20 million to \$37.5 million, and to vary the scope to include construction of an auxiliary lane from Fitzgerald Avenue to Aranda Street;
- a variation to reduce the approved funding on the Springwood South to Daisy Hill (Section B) project by \$27.5 million, from \$210 million to \$182.5 million to capture cost savings; and
- a variation to increase funding on the Daisy Hill to Logan Motorway (Section C) project by \$10 million, from \$15 million to \$25 million to allow for additional property acquisitions.

The approvals are in accordance with the *Nation Building Program (National Land Transport) Act 2009* (the Act). Enclosed is a copy of the Project Approval Instruments No. QTP34255, QTP34263 and QTP34264.

Projects approved under the Act must comply with the mandatory conditions imposed under the Act and any other State/Territory laws where applicable. This includes the Building and Construction Industry Occupational Health and Safety Accreditation Scheme. The funding conditions, reporting requirements and performance indicators set out in the National Partnership Agreement and Notes on Administration (NoA) apply to this project.

Within six months of the physical completion of the project, the Queensland Department of Transport and Main Roads (Main Roads) is to provide a post completion report (refer Appendix J in the NoA) including performance indicators identified in the PPR for the Auxiliary Lane - Fitzgerald Avenue to Aranda Street project of the extent to which the project has achieved the following:

- reduced travel times;
- improved travel reliability; and
- increased productivity through transport efficiency.

Main Roads is to have arrangements in place for capturing and reporting on project performance to assist in any future joint project evaluation as described in Section 7 of the NoA.

I draw your attention to the requirements of the *Environment Protection and Biodiversity Conservation Act 1999*, and the need for Main Roads to liaise with the relevant environmental agencies to identify any environmental and/or heritage issues that need to be addressed. Any matters of national environmental or heritage significance must be referred to the Australian Government Minister for Sustainability, Environments, Water, Population and Communities.

I would also like to take this opportunity to remind you of the Queensland Government's agreement to adhere to the National Code of Practice for the Construction Industry and the associated Australian Government Implementation Guidelines for all applicable Nation Building Program projects. Main Roads is to ensure that, where applicable, this requirement is met.

Yours sincerely



Roland Pittar
General Manager
North West Roads
Infrastructure Investment Division

20 February 2012

Enclosure: Approval Instrument No. QTP34255, QTP34263 and QTP34264.