

~~removal officer is restricted to a time of day that is appropriate to the circumstances. I commend the legislation to the House.~~

~~Sitting suspended from 6.30 pm to 7.30 pm.~~

~~Debate, on motion of Mr Dempsey, adjourned.~~

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AIRPORT ASSETS (RESTRUCTURING AND DISPOSAL) BILL

First Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer) (7.30 pm): I present a bill for an act to facilitate disposal of particular airport businesses, including by facilitating the restructure or disposal of airport entities, and to make provision about land use planning for, and control of, particular airports after the disposal. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Second Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer) (7.31 pm): I move—

That the bill be now read a second time.

On 15 April 2008 the government announced the proposed divestment of its interests in Cairns and Mackay airports, together with its shareholding in Brisbane Airport. The government intends to apply the funds realised from the divestment of these airports towards new health infrastructure in north Queensland. This is a bill that provides for a new hospital for Mackay, the Cairns Hospital redevelopment and a redeveloped hospital at Mount Isa.

The airport businesses of each of Mackay and Cairns will be moved out of the ports corporations into two subsidiaries—namely, an airport lessor owning the airport land and an airport lessee/operator who takes a 99-year lease over the airport land. The airport leases for Mackay and Cairns airports will be sold. The airport lessors will remain as state owned companies.

Special legislation is required to facilitate the full implementation of the divestment of the government's interest in Cairns and Mackay airports and its shareholding in Brisbane Airport. This bill will enable the state to complete the divestment process by the end of 2008. The bill empowers the Treasurer to facilitate the restructure of the businesses, assets and liabilities of the ports corporations by the use of transfer notices and project directions. This is consistent with the approach adopted in the energy asset sales and the sale of wind farms and the Enertrade gas business under the Energy Assets (Restructuring and Disposal) Act 2006. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

The Bill also adopts other provisions of the EARDA to facilitate due diligence and sale processes, which affect third parties' commercial rights, such as excluding judicial review or obtaining the consent of third parties to the release of confidential information or to the transfer of contracts. Given the State's proposed timeframe and the need for certainty and speed in which things need to be done for this project, any unreasonable delay or legal proceedings could adversely affect the sale process. This is a significant commercial project and the purchasers of the airport entities and their stakeholders require certainty.

Given the need to balance the public interest in appropriate airport development, the strategic interests of the State in the airports, and the interests of bidders in maximizing the use of the airport land, a new planning regime for the airport land is established in the Bill. Key features of that planning scheme are:

- To modify the current position under the Transport Infrastructure Act 1994 (TIA) including the base planning documentation and the land use plans (LUPs) only as much as necessary to ensure suitability for the new ownership of the airports and to use the processes and procedures of the Integrated Planning Act 1997 (IPA) where appropriate;
- The Chief Executive Officer of the Department administering IPA, the Department of Infrastructure and Planning (DIP) is specified to be the assessment manager.
- The initial LUPs (as adapted), will be adopted by gazettal notice by the Treasurer, to commence on completion of the airports transaction.
- The airport land the subject of the LUPs will continue to be exempt from local planning schemes, the same as the current status under the TIA. However, local government will benefit from receiving infrastructure charges in respect of development on airport land together with a new role as an advice agency. Thus, on any development application required to be assessed by the chief executive of DIP, local government will be notified and consulted through the advice agency process under IPA.
- Local government will also have a greater role in the regular replacement or amendment of LUPs as there will be the opportunity for local government to make submissions as part of the consultation process and a mandatory requirement for the State to consider their submissions before any approval is given.

Given the need to control the behaviour of people and the movement of vehicles on airport land, provisions have been adopted to the extent considered necessary to ensure the operation of the airport and safety and security of users. The Bill adopts the current control powers used by Ports Corporations under the TIA. The control powers will be vested in the State owned lessors (which will continue to hold the land) rather than the airport lessees or the ultimate operators of the airport. The relevant airport lessor will have powers of delegation to the airport lessees, to ensure that day to day operations of the airport can be handled by the airport operators and their staff and contractors. But the airport lessor (and through that means, the State) will continue to be able to ensure that the powers that are made available under the Bill are exercised within appropriate guidelines.

The Bill also deals with the land tax and rates position of the airport lessees. Ordinarily the liability for payment of land tax under the Land Tax Act 1915 and the payment of rates under the Local Government Act 1993 is imposed upon the owner of the land. If this principle was adhered to, the government owned lessor companies would be liable to land tax and rates. Airport lessees rather than the lessor companies will be liable for the payment of rates and land tax over commercial areas. Other areas such as land used for runways, taxiways, aprons, road, vacant land, buffer zones and grass verges, land identified in the land use plan for these purposes, land occupied by or Commonwealth or State entity, and land below the high water mark will not be liable for rates and land tax. The Bill largely replicates the current position of the port authorities responsibility to pay these charges, and assists local government in that liability for the payment of rates will now be clearly specified in the Local Government Act itself rather than imposed through a Government guideline.

This Bill is necessary to meet the Government's announced policy of the divestment of its interest in Cairns and Mackay Airports and the Port of Brisbane's Corporation's, shareholding in Brisbane Airport.

Last year, the Government conducted a process for the sale of Government Owned Corporations wind farms and the Enertrade gas business to provide for a Climate Change funding stream. The sale of Stanwell Corporation's half share in the Emu Downs Wind Farm in Western Australia (and another related development project) remains on foot.

The sale of Emu Downs Wind Farm to Transfield Services for \$127 million has not reached financial close because the joint venture partner Griffin Energy has refused to consent to the change in control to facilitate the disposal of Stanwell's interest. The State believes that the consent has been unreasonably withheld and litigation is being vigorously pursued in the Western Australian Supreme Court for an appropriate declaration to permit completion.

The powers of the Treasurer in Part 3 of Energy Assets (Restructuring and Disposal) Act 2006 will be required to be extended for extra time to efficiently attend to completion of the transaction, any necessary restructuring and the repatriation of sale proceeds.

Mr Speaker, I commend the Bill to the House.

Debate, on motion of Mr Johnson, adjourned.

~~LIQUOR AND OTHER ACTS AMENDMENT BILL~~

~~First Reading~~

~~Hon. AP FRASER (Mount Coot tha ALP) (Treasurer) (7.33 pm): I present a bill for an act to amend the Liquor Act 1992 and the Police Powers and Responsibilities Act 2000 for particular purposes, and to make consequential amendments of other acts as stated in schedule 1 for purposes related to those particular purposes. I present the explanatory notes, and I move—~~

~~That the bill be now read a first time.~~

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

~~Motion agreed to.~~

~~Bill read a first time.~~

~~Second Reading~~

~~Hon. AP FRASER (Mount Coot tha ALP) (Treasurer) (7.33 pm): I move—~~

~~That the bill be now read a second time.~~

~~As members of the House are well aware, alcohol is widely available in Queensland and for the most part is responsibly consumed. However, when alcohol is consumed irresponsibly, the financial and social costs on both industry and our community can be very high. Minimising harm from the misuse and abuse of alcohol remains a high priority of the Bligh government.~~

~~On 17 April 2008 the government announced a package of harm minimisation initiatives with regard to liquor that will significantly impact on licensed premises across Queensland. Comments from the public and industry in response to the review have guided the government in developing the resulting liquor reforms. Over 8,400 submissions were received from the public in response to the government's regulatory impact/draft public benefit test that was released in February this year.~~

~~This bill that I am introducing tonight is to amend the Liquor Act 1992 which regulates the sale and supply of alcohol to implement the government's liquor reforms. These reforms will encourage responsible supply and responsible consumption of alcohol while at the same time ensure that industry can continue to develop and innovate. The extensive consultation process conducted during the review of the Liquor Act and feedback from stakeholders has identified that this is what both industry and the community want.~~

~~The Bligh government's liquor reform proposals will see Queensland lead the way with the most significant alcohol reform program in Australia. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.~~