

Queensland Health, Employment Contracts

Mr KNUTH: Madam Speaker, my question without notice is to the Premier. Yesterday the Premier stated that the doctors he had spoken to regarding contracts were indeed happy. Can the Premier advise us whether he has spoken to each and every one of the 100-plus senior medical officers who have contacted the Premier's office, and how many of them are now happy to sign these contracts as they stand?

Mr NEWMAN: Firstly, I have a rhetorical question: how does the honourable member know that 100 doctors have contacted my office?

Mr Judge: Because they have been cc'ed!

Mr NEWMAN: I will take the interjection from the member for Yeerongpilly. The answer was it has been cc'ed to the opposition parties, if I can put it that way, Madam Speaker. When people do that, you have to wonder what is going on. If you want a result, you deal faithfully with people; if you want to play politics, you play politics. Let me just say again—

Madam SPEAKER: Premier, I will just ask you to pause the clock. There are too many interjections. I call the Premier.

Mr NEWMAN: Let me just say again, the government and I totally respect the great work of doctors. We think they are terrific, highly trained and professional people who care about their patients, and we value their skills. They are well remunerated, and these contracts keep their pay at the same level. In fact their conditions actually improve, as I have been demonstrating. The contracts give them the same amount of money and allow them to get on and practise what they love, which is to look after and care for people. There are some great benefits to these new contracts.

The contracts will also be required by the Auditor-General. This afternoon I was asked whether I would be a party to 'Pineapple Agreement 2', and I clearly said, 'No, the government will not', because the last time it cost \$800 million and saw the Auditor-General commenting very unfavourably. I am afraid there were some rorts that had to be sorted out, and the Auditor-General—

Ms Palaszczuk: So you are criticising the doctors now! Talking down our doctors!

Mr NEWMAN: Madam Speaker, that interjection is offensive and I think it should be withdrawn. It is not personally offensive, but it is certainly offensive because I did not say anything of the type.

Madam SPEAKER: Premier, the comment has to be a personal comment.

Mr NEWMAN: If the comment gets into *Hansard*, I reject it right now. It is typical Labor party verballing. I have made my position on doctors very clear. What I am saying, though, is what the Auditor-General has said. I suggest that the honourable members opposite need to look at the report and read it. I know they are fiscally irresponsible. I know they cannot manage money. But the least they could do is accept what an independent public official says about the need for proper contracts to be put in place and proper performance standards for the administration of health in Queensland. That is what the Auditor-General has said—not us; not me. I would urge the opposition to have a look at that. I would also urge honourable members on the crossbenches to look at that as well, because that is one of the important reasons why this is happening.

Finally, I say again that the public health system that we are committed to is the best free system in the nation. Over the last two years we have turned the wreck of the *Titanic* around. We have not hit the iceberg; we are steaming onwards to New York and a great system for Queenslanders.

Waiting List, Social Housing

Mr PUCCI: My question without notice is to the Minister for Housing and Public Works. Will the minister please update the House on his efforts to reduce the social housing waiting list, including how those efforts are faring in my region?

Mr MANDER: I thank the honourable member for his question. May I say that you are looking resplendent today in your Queensland themed shirt and tie—well done!

Madam Speaker, the government promised to revitalise front-line services, and it does not get more front line than providing housing for people. Under the former government, tens of thousands of Queenslanders languished on the public housing waiting list. Under Labor, both the waiting list and the maintenance budget had blown out to record levels. The state of the housing system when we

took office is symptomatic of the sort of mismanagement that left this state with \$80 billion of Labor debt. It is worth remembering that that situation did not just occur overnight; it had taken years of neglect to get to that situation.

So what have we done about it? When the 'can-do' Newman government took office, there were more than 30,000 householders on the waiting list. Over the past two years we have reduced that number to less than 20,000 households. That is a 33 per cent reduction and the lowest level in more than five years. We are moving people into houses. This is a fantastic result and can be attributed to a combination of better waitlist management, additional new dwellings and greater use of alternative products like RentConnect and Bond Loans. In the last year alone, 5,500 households were moved off the waiting list and into a social housing property. Since coming to office we have provided over 42,000 interest-free bond loans to help people enter into the private market. Over the same period RentConnect officers have provided 18,000 households with leads into the private rental market.

Answering the member's question more directly, in the Logan Housing Service Centre area the waiting list has dropped by almost 50 per cent from 2,572 to 1,312. We have seen similarly impressive figures right across the state: Bundaberg, a 46 per cent reduction; Redcliffe, a 44 per cent reduction; Toowoomba, a 55 per cent reduction and—the Leader of the Opposition will be happy to know—in Inala there has been a 45 per cent reduction in the public housing waiting list. We have built new social and affording dwellings for Queenslanders in need, with more than 4,500 new dwellings delivered under the National Rental Affordability Scheme since we have been in government. Contrast this to fewer than 2,000 delivered under Labor under the first four years of the program. As well as delivering a fantastic social outcome, NRAS is boosting construction activity throughout the state and creating jobs in the building sector. Unlike the ALP, this government has a plan to house those most in need and the discipline and the competence to implement it. This is a great state with great opportunity.

Agriculture Industry, Assistance

Mr KATTER: My question without notice is to the Premier. Is the Premier aware that most western councils and businesses are confronting serious long-term viability issues due to the current rural crisis? However, there is currently no assistance available to them. What does the Premier plan to do to address this situation?

Mr NEWMAN: I thank the honourable member for his question. I would say to him that I was quite pleased early on today to preside at the Rural Woman of the Year Award and at that event I spoke about the drought and conveyed my very significant concerns about the situation—which has not been alleviated significantly, even though we have had patchy rain events around the state. I acknowledge that in the honourable member's electorate there has probably been more rain than in other places, particularly on the Barclay Tablelands and to the south-west of Mount Isa. My point is that I am watching this very closely. As I told people today, indeed I am a BOM weather radar aficionado, and I am watching because I want to see where the rain is falling in Queensland. I know the members for Gregory and Warrego are very concerned about this as well, and I am watching what is happening in their electorates.

Having said that, we are doing a lot more than watching, and that is why we have put unprecedented levels of assistance on the table for people on the land who are what those entire communities are built around. That is what we have been doing. I speak of the \$30 million or so that we announced at Longreach on the Coxons' property back a month or so ago.

Madam Speaker, is there more that we can do? I made the offer on that occasion and I made it again today here in parliament at the event I was mentioning about other things that we can do. But at the end of the day a terrible drought is a terrible drought. I know that people on the land in western, north-western and south-western Queensland are tough and resilient people. We are there for them in spirit. We are there with them in the way that I have described previously and in the way that Minister McVeigh has described. They will get through this, I am confident of that, because these things have happened before. They will survive, and they will be tougher for it. I know they will improve their farm practices and take advantage of some of the money that is on the table to improve the infrastructure on their properties. I know that the counselling services that we and the federal government put funding on the table for will help people get through this as well.

The overall message that I have for them is that we care about agriculture. We will see the tonnage of food produced in this state double over 30 years. These might be bleak times now, but it will happen—I am confident of that—because we believe in agriculture. Our message to young

people particularly is that you can have no greater profession than to be on the land serving your community by growing fantastic food for Queensland, Australia and the world. We are 100 per cent behind in you that mission.

Road Safety

Mr SORENSEN: My question without notice is to the Minister for Transport and Main Roads. Can the minister please advise how the government's Road Safety Action Plan is delivering benefits for Queenslanders?

Mr EMERSON: I thank the honourable member for the question. I know that he is a great advocate for road safety and it is great to see flashing school lights being installed at one of his local schools next week—one of 200 that we have put in place across Queensland. Flashing school lights were something that the Labor government promised year after year after year, government after government after government but could not deliver. Given that 200 are being installed, we are on track for our promise. With regard to road safety, there is some good news on road safety—often an area which normally has tragic news. Any death on our roads is one death too many, but in February—last month—we saw 12 deaths on our roads. That is a record equal low for any month in Queensland's history. That is great news. Twelve deaths is too many, but that equals the low in 1999 and in 2004 in the month of February as well.

This year has also seen a great start. At the beginning of this week, there have been 24 fewer deaths than at the same time last year. Our efforts on road safety are coming to fruition. Last year in the budget the Treasurer announced a \$350 million, two-year record Road Safety Action Plan for things such as road safety treatments, community grants, cycling treatments, black spots and a whole series of initiatives that would make our roads safer. Also last year we announced our innovative Australian first joint Join the Drive campaign—the first time that kind of campaign has been tried in Australia. When we announced that campaign, our road toll was above where it was at the same time the previous year. By the end of the year, we were below the previous year and, as I said, at the beginning of this week there have been 24 fewer deaths than the same last year.

I congratulate my friend and colleague the police minister. More than 600 additional police are on the beat, and that also helps in terms of our initiatives on road safety. We keep working together. I also want to congratulate Queensland motorists for their efforts. It is a collective effort. We are obviously heading towards the Easter campaign which will focus on speeding, but I also make this point: one of the growing concerns is distraction, and I know the police minister announced the extension of the Fatal 4 to the Fatal 5, with distraction being added, particularly the use of mobile phones and texting. That is a growing issue and we are very much aware of it. I do ask motorists to be aware of the Fatal 5, but I also congratulate them for that record low February road toll—the lowest toll for a month in Queensland history. In terms of road safety, the work is never ended.

Ashgrove Electorate, Member for Ashgrove

Mr HOPPER: My question is to the Premier. Will the Premier guarantee the voters of Ashgrove that he will stand for the seat of Ashgrove at the next state election?

Honourable members interjected.

Speaker's Ruling, Question Out of Order

Madam SPEAKER: Order, members! That question is out of order because it is not to do with the Premier's portfolio.

Turtle Protection

Mr TROUT: My question without notice is to the Minister for National Parks, Recreation, Sport and Racing, and what an important question this is: can the minister provide an update on how the can-do government is delivering key environmental outcomes through direct action to safeguard Queensland's iconic turtle nesting sites from pig predation?

Mr DICKSON: I thank the member for Barron River for the question because I know every member on this side of the House cares so much about the environment and we want to make such a big difference—unlike the previous Labor government, which just kept buying land and took absolutely no notice of the pests and feral infestations in this great state. The Newman government is about partnerships and we have gone into partnership with the federal government and put together

\$7 million so that we can eradicate feral pigs and minimise the impact on the turtle population up and down the east coast and in the gulf area. Members may not be aware that up to 90 per cent of turtle hatchling eggs are being taken out by feral pigs. In this country there are roughly 24½ million wild feral pigs and in the state of Queensland there are roughly 4.5 million.

In this joint venture between our government and the federal government, 95 per cent of that money will be used for the eradication and minimisation of this terrible pest that is not only destroying the turtle population but also destroying so many other species and destroying so many wonderful areas within our national parks and forests right throughout this great state. By putting these measures in place we are protecting tourism now and into the future, because people come from all over the world to see our olive ridley turtles, our flatback turtles, our loggerhead turtles, our green turtles and our hawksbill turtles, because without taking these measures these turtles may not be here for future generations to see.

I had the great pleasure of going to Mon Repos with Minister Greg Hunt, the federal Minister for the Environment. To be there and to see baby turtles coming out of the ground is something that I will never forget. I would advise anybody throughout this country to go to Mon Repos just outside of Bundaberg, because Bundaberg is rising like a phoenix out of the ashes and delivering great outcomes, delivering prosperity and delivering tourism opportunities. This will deliver great opportunities in a great state leading into the future.

The Newman government acts. It does not talk, unlike the opposition. What the opposition has given the people of Queensland is up to an \$80 billion debt with people in this state paying \$450,000 an hour. Our side of politics is doing something about it. I thank Minister Jann Stuckey, the Minister for Tourism, who is creating prosperity in places like Mon Repos. People are coming from throughout the world to look at this area and I know that the minister personally has been there and seen two lots of hatchling turtles come out of the ground. What a great thing that was. I advise everybody: go and have a look. We have a great state with great opportunities, and tourism is just the tip of the iceberg. Wait and watch this space—2014 is a great year.

Madam SPEAKER: Before I call the next member, I would ask members in the House to please take their conversations outside or keep the noise down. There is too much noise in the chamber.

Public Transport Fare Structure

Ms TRAD: My question without notice is to the Premier. I refer to the Premier's comments that 2014 is the year 'that it all comes together' and I refer also to the LNP's election commitment to review the public transport fare structure in South-East Queensland, and I ask: is the Premier aware that the transport minister has unilaterally ruled out a change to the fare structure, saying he had no intention of reviewing it? Isn't this just another broken LNP promise?

Mr NEWMAN: I thank the honourable member for her question, and clearly those opposite are noticing that 2014 is the year when it all comes together for Queensland. I am glad we got their attention. We have the attention of those opposite about what a great year it is going to be for Queensland, whether it be the economy or public services. Now we just have to get the rest of Queensland thinking about the same thing and involved in that conversation, because if they are talking about it, that is great. That is great, because we are on the way to letting people know the great things that are happening in Queensland. So I thank the opposition for observing and listening as much as we will be doing this year—that is, observing and listening to what we are saying.

In relation to public transport fares, there were two commitments that we made in relation to fare structures. What were they? Firstly, there was the issue of the former transport minister's 15 per cent, 15 per cent, 15 per cent, 15 per cent, 15 per cent fare increases and what we have seen under Labor is a 15 per cent, 15 per cent, I think 15 per cent increase and under this government 7½ per cent and 7½ per cent. So that is the first thing we said we would do, and we have done it.

What was second thing we said we would do? We said that, after people had taken nine journeys in a week, all remaining journeys in the week would be free on the go card. I ask members rhetorically: have we delivered on that promise?

Government members: Yes.

Mr NEWMAN: Yes, we have indeed. I thank the honourable members for confirming that important commitment.


repay the offence is impaired by the average cost of living et cetera, then they do not pay it. Increasingly, there is a trend—and not just locally—to impose fines, penalties and definitely sentences that are not reflective of any of these things. The VLAD laws are but one mandatory offence that will have little effect on outcome and, at a lower level, fiduciary penalties for a select few are nothing and for many mean deferring to SPER for a life of slow repayments, if at all. Today we add this annual percentage increase that will undoubtedly maximise the final result of what we have already got, which is a massive debt that we will have to write off, so it sits on our books.

If this is the outcome of the legislation, then it is poor legislation because it guarantees a poor outcome. If poor legislation gives a poor outcome, we shall not support it. Many on the government benches will say that this is nothing but acquiescing to the apologists. It is nothing of the sort; it is being realistic for a start. It is a pragmatic approach to the broader problem.

In the *Australian*, Adam Creighton wrote an article about the taxpayers of Australia. He states, 'The overwhelming bulk of Australians pay no net tax at all.' I repeat: 'The overwhelming bulk of Australians pay no net tax at all.' Effectively, those earning \$200,000, are currently the only net income tax payers into the ATO of Australia. Twenty per cent pay net tax, so 80 per cent do not pay tax. The bottom 6.9 million get more cash welfare and services than they pay in. There are many reasons for that number of 6.9 million. To reduce that to a Queensland scenario, only roughly 300,000 have surplus cash to pay such penalties in Queensland. What is the population? It is 12 times that! The rest are deemed by the ATO to be welfare dependent or living on a subsistence income or wage.

Knowing that the majority of offenders and those fined are often of humble means or by evidence claim such, by passing legislation such as this are we merely attempting to appease the media and the minority who support such legislatively vacant window-dressing? Should this review really have been more angled at getting something back by way of volunteering, a default of some goods or any number of alternatives? That should have been more widely discussed. The evidence is increasing that the majority of income earners whether wage or salary, welfare dependents, superannuants and other benefit recipients have completely pre-committed income to their last dollar. No doubt that is why Coles is advertising that today \$100 will buy an average selection of items that cost \$114 in 2010. That has been advertised in multiple papers—for example, it appeared in the *Australian* on 2 March. That reflects the true decline in the purchasing power of the dollar and also the relative scarcity of funds by way of increased income in four years.

It follows that where we have a rising SPER debt—and basically the inflow of that debt is rising at a much faster rate than the reduction of the debt—we are adding an increment to it that is only compounding the error of making that debt pile grow greater. If the indexation compounds the debt, we would have fulfilled our own definition of insanity. Therefore, why is the Campbell Newman government proposing it? I support the amendments to the legislation that have been submitted by the opposition, because on the basis of evidence it appears that they take a balanced approach, in this case using CPI as a guide because it is more a relative measure of the value of money associated with the penalty, whatever penalty that is. This recognises that money itself depreciates annually in terms of its relative purchasing power. There is no compelling case that has been submitted for a fixed charge in terms of a percentage. Therefore, the bill must be denied support.

 **Mr CHOAT** (Ipswich West—LNP) (3.55 pm): I rise to contribute to the debate on the Penalties and Sentences (Indexation) Amendment Bill 2013. As a member of the Legal Affairs and Community Safety Committee, I have been able to consider the elements of the bill in detail which has also assisted me to gain a good understanding of the application of the legislation and its role as part of the government's broader reform agenda. Of course, the main objective of the implementation of this bill is that it provides a mechanism for the indexation of the penalty unit value. A penalty unit is a representation or measure for a fine or penalty under the State Penalties Enforcement Act 1999. Where an offence is created by a piece of legislation, a penalty relating to the offence is also prescribed and this is often in the form of a fine. The monetary penalty is prescribed as a multiple of a penalty unit. The use of a standard penalty unit across legislation in Queensland means that there is no need to change multiple pieces of legislation every time there is a need to adjust the value of a fine or penalty under an infringement notice. The corresponding value of a penalty unit is prescribed by the Penalties and Sentences Act 1992 under section 5. Currently under section 5 of the act, one penalty unit has the value of \$110.

It was interesting to hear some discussion earlier about whether or not these things are a deterrent, issues of fairness and the like. I want to share something with honourable members. The other day I was talking to a young lady who has undertaken tertiary studies. She has earned herself a university degree. She is a lovely young lady. Good on her for investing in her future, because now

she has incurred a HECS debt of some \$35,000. She knows—and she knew going into it—that she will have to pay that back once she has the earning capacity to do so in the future. She is quite happy to stand up to her responsibilities and repay that, and good on her.

We have heard some discussion along the lines that it is unfair, it is weighing down on people et cetera. If they do not want to get a fine, people should be careful. Quite a number of people come into my electorate office to talk about speeding fines. They are embarrassed that they have one, I guess because they are good people and they have broken the law. Some of them feel that they need to come to me perhaps because they believe I know about the matter, although I do not because that is a private matter between that person and the department of transport, the police and so on. They tell me that their biggest concern is the cost of those fines. If you exceed the speed limit by over 10 kilometres, the fine is about \$220. That is a big fine. That fine is the most motivating aspect of the penalty. That is serious money, so the fine acts as a deterrent.

A penalty for a specific offence is established under legislation to reflect the seriousness or nature of the offence and serves to provide a deterrent or punishment. Over time, as with all values of a monetary kind, the value of the set penalty diminishes and thus reduces the level of severity of the deterrent or punishment. This is a very interesting point. If we compare a fine that someone incurred some time back with the same fine incurred by someone now, the person who incurred the later fine is slugged less.

To address this, Queensland periodically is required to review and increase the value of a standard penalty to ensure that the intended impact of the penalty remains consistent over time—in other words, to ensure there is a bit of equity and balance. In both 2009 and 2012 the value of a penalty unit was increased twice to ensure consistency was maintained in terms of the deterrent and punishment value in consideration of the offence committed.

This bill will provide for that consistency and ensure fairness with regard to the penalties imposed without the need for continuous amendments of legislation, which can be onerous and take significant time. Under the bill, new section 5A(2) of the Penalties and Sentences Act allows the Queensland Treasurer to determine a percentage change by which the penalty unit value will be adjusted and to gazette the penalty change by 31 March. If no percentage change is gazetted, then the bill provides a standard change of 3.5 per cent.


In addition, the new penalty unit value will be prescribed in a regulation which, in accordance with section 50 of the Statutory Instruments Act 1992, may be subject to a disallowance motion by the parliament. Through these mechanisms the bill maintains transparency and accountability and therefore has sufficient regard to the institution of parliament and ultimately is done so with a significant level of public scrutiny.

On 27 November 2013, as part of its consideration of the bill, the Legal Affairs and Community Safety Committee wrote to the Department of Justice and Attorney-General seeking advice on the bill and invited stakeholders and subscribers to lodge written submissions. The committee received written advice from the department and received just five submissions. The committee determined the contents of the bill and the nature of those submissions did not require a public hearing to be undertaken. So the information from submissions formed an important aspect of the committee's deliberations. I read through these in detail.

Interestingly, the Local Government Association of Queensland fully supported the policy intent of the bill and described it as a simple way to adjust penalties without needing to constantly amend all manner of legislation. They certainly did provide a very good submission and should be congratulated for it and for taking an interest. The LGAQ went on to state that it seems a logical next step that the government implement an indexation system to further streamline the process of setting the penalty unit. As such, the LGAQ supports the policy positions articulated within the bill.

This is very important because local governments right across the state are dealing with a lot of this. They see the sense in it. We have heard it said many times in this chamber that it is the level of government closest to those on the ground. It is interesting that they had a strong position on this. They should be congratulated for taking that initiative.

These reforms are simple and I believe common sense. They will ensure Queensland's system of penalties is consistent and fair as well as keeping pace with community expectations. It is going to save a hell of a lot of time in this place when we are not debating these things in the future. We can then focus on things that are of significant concern and importance to members of our community. I certainly support the bill. I support the work done by the Attorney-General and his department. I certainly look forward to seeing the bill passed.


 **Mrs CUNNINGHAM** (Gladstone—Ind) (4.04 pm): I rise to speak to the Penalties and Sentences (Indexation) Amendment Bill 2013. I understand the purpose of the penalty unit. It is an intelligent way of being able to extrapolate across quite a number of pieces of legislation with diverse application the penalties that will apply simply by using a penalty unit ratio.

What I am concerned about is the power that this piece of legislation gives the Treasurer—and this comment is not directed at the current Treasurer but generically—to increase the size of that penalty unit. It is currently \$100. It is going up in this legislation to \$110. There are pieces of legislation that have penalties of 300, 400 and more penalty units. We are getting up to a significant cost, albeit recognising that some of the activities and actions ascribed penalty units are, of themselves, very serious.

I do agree with other speakers that the amendment to be moved by the member for Mulgrave that recalculates the penalty unit by CPI has great value. Unless there is an explanation given between now and when we vote on the bill, I will support the amendment that the penalty unit increase by CPI each year. It would keep their real dollar value and take the politics out of the increase in penalty unit.

There is another issue that I wanted to raise. We are dealing with penalties that very often, other than local government penalties, are administered by the State Penalties Enforcement Act and the SPER organisation. I again place on the record my belief that those fines should be sent out by registered mail to avoid what is currently happening where people are unaware that mail has been sent. I understand the implication of that is that people could refuse to sign for registered mail and by default deem that they have not received it. I believe there are ways around that. Many people who are, by nature, law-abiding citizens have been disadvantaged by the mere requirement that their mail is posted to an address that is on the records. I do believe registered mail—that is, where a person has to sign for the mail—is better. The cost could be added to the fine. I have done it recently. It is around \$10. It is not an exorbitant cost.

In relation to the penalty unit matter, I believe CPI increases, as a way of indexing the penalty unit and keeping abreast of the real dollar value, is a transparent and accountable way to do it. I support the amendment to be moved.

 **Mr DILLAWAY** (Bulimba—LNP) (4.07 pm): I rise today to contribute to the debate on the Penalties and Sentences (Indexation) Amendment Bill 2013. I congratulate the Attorney-General and Minister for Justice on the introduction of this bill. I also acknowledge the excellent work of my colleagues on the Legal Affairs and Community Safety Committee and the research team during the committee process of reporting on the bill. I also thank all the submitters who provided written submissions to the committee whilst we undertook the examination of the bill.

The sole objective of this bill is to introduce a scheme that provides for the annual increase in the penalty unit under the State Penalties Enforcement Act 1999. Currently, as we have heard, the system in Queensland has been to increase the penalty unit value on an ad hoc basis. Consequently, the value of the penalty unit has only increased on two occasions in the 14 years since its introduction. Originally, the value was \$60 when the penalty unit was first introduced in 1992. Then in 1999 the value of the penalty unit jumped to \$75, where it remained for an entire decade until 2009 when it suddenly changed to \$100 and in 2012 to \$110, where it remains today.

There is no logic or pattern in this approach. There is no transparency. I strongly believe that a change in the system is necessary. I argue that without an indexation mechanism penalties ultimately reduce relatively and therefore do not adequately reflect the severity of an offence. There is no better example of this than when, for a whole decade, the value of a penalty unit remained the same. In 2009, as a result of the ad hoc approach used by the former Queensland Labor government, the value of the penalty unit jumped 33 per cent from \$75 to \$100. Of course this increase was needed to reflect relative measures in inflation such as the consumer price index that had occurred over the previous 10 years during which the penalty unit value had not changed at all.

It is clear to see that when over a period of time the value of a penalty unit is not tied to a mechanism to increase it, like that proposed here in this bill, the value of an offence changes dramatically. For example, if an offence was committed in 1999 and carried an arbitrary penalty unit value of 40, the penalty would have been \$3,000. If, however, in 2005 the same offence were committed, the penalty would still have been only \$3,000 if the penalty unit was not changed. However, using the Australian Bureau of Statistics CPI inflation calculator, the value of \$75 in 1999 terms is actually \$91 in 2005 terms. This means that the value of the penalty should have been \$3,640, not \$3,000. That is a difference of over \$600, or over 20 per cent. Therefore, one could argue


that the infringement or charge was in fact 20 per cent less severe. By using this example it clearly shows that one could conclude that it leads to a reduced level of punishment. Using the same method of analysis, in 2008 the value of the punishment should have been \$4,000, as it was when the penalty unit was finally adjusted in 2009. As mentioned earlier, that is a 33 per cent increase, or an additional \$1,000. You could also imagine the unpleasant surprise if you happened to receive a parking ticket the day after that change came into effect. You would certainly feel that you were on the wrong end of the stick.

Even though some may argue that an indexation system is not appropriate, this is not an Australian first to have such an indexation system. Tasmania, Northern Territory and, most importantly, Victoria all have legislatively provided for the indexation of the penalty unit value. Furthermore, the approach outlined in this bill is very consistent with that utilised in Victoria. One of the main concerns of the submitters was the ability for the Treasurer to set and publish in the gazette the increase for each financial year. The Victorian act, which has been in existence since 2004—and I would like to state was introduced by the Bracks Labor government—in fact undertook that same opportunity. I note that the Leader of Opposition Business raised his concerns and proposes to offer an amendment to tie it to the CPI. All I can say to that is that Labor had 20 years—yes, 20 years—to undertake that approach, instead they showed no transparency and continued the ad hoc approach.

I think it is also important to see, as we stand today and as we look to the future, the comparison of the penalty unit values of other jurisdictions. They were stated in the report, but I thought it was interesting for us to highlight them in the debate today. Of course we know that our penalty unit value here in Queensland is currently \$110. In the ACT it is \$140 per penalty unit; in the Commonwealth it is \$170; in New South Wales it is \$110; in Tasmania it is \$130; and in Victoria it is \$144.36. Therefore, I believe that this decision to implement an indexation system is yet another logical decision of the Newman government and is certainly in line with other jurisdictions. It is a simple and effective method that will streamline the process of setting and adjusting penalty unit values and will ensure that monetary penalties continue to have an appropriate level of punitive effect.

In response to concerns surrounding the default annual rate increase of 3.5 per cent, it is important to note that this rate has been used as it is consistent with the current indexation amount for fees and charges currently used by the government. It was also noted by the committee in its report that this amount is relatively reflective of the rates of increase in penalty unit values since the introduction of the concept in 1992. This process of penalty unit value indexation will provide a degree of legislative certainty for both the community and the government. The more gradual approach that will result from the indexation of the penalty unit value is more appropriate to avoid significant increases after a significant period of time, such as we saw between 1999 and the 2009 amendments.

In conclusion, I strongly support the introduction of the indexation of the penalty unit value in Queensland. It will streamline the process, it will increase efficiency and it will guarantee that the level of deterrence of penalty infringement notices remains. I also note, as the committee did and as mentioned by the member for Ipswich West, that local governments will certainly greatly benefit from this change. I commend the Attorney-General and Minister for Justice once again for this bill's introduction. I support the bill before the House.

 **Mr WATTS** (Toowoomba North—LNP) (4.14 pm): I rise to make a brief contribution to the Penalties and Sentences (Indexation) Amendment Bill 2013. First, let me say I support the bill and I would like to thank the committee and the chair, your good self, Mr Deputy Speaker Berry, for the work that was done on the bill, and obviously I thank the minister and the department.

The bill proposes to introduce a mechanism to provide for the indexation of a penalty unit value. We need to look at exactly what that means, as this is at the heart of it. Over a period of 20 years we have had penalty units in Queensland. The people who were in charge of government over that period of time have had an ad hoc approach to how a penalty unit is worked out. Effectively, if you committed a crime in 1992 that had a punishment punishable by a penalty unit fine and if you applied Labor's methodology of dealing with their \$80 billion worth of debt and just have some patience and wait, in fact your fine would reduce in real terms. You could actually put it off, just wait out the time and your bill would reduce because CPI of course will keep increasing and obviously other things will increase. The question is: how much is it going to increase by? Obviously for people who plan and are organised and are trying to prepare their finances for the future, what they would like is some certainty. So what has been introduced in this bill is some certainty and a mechanism for dealing with that certainty.

The legislative mechanism that allows for an annual increase in the value of the penalty unit ensures that the deterrent and punishment effect of fines and penalty infringement notices is maintained, and provides a certain level of certainty in relation to those potential changes. So someone who commits an offence will actually end up paying what the judge felt was the appropriate amount at the time. I do not see what is wrong with that at all. Not only that; it is also predictable so they can work out over a period of time what it might go up by, when it will go up and how that will eventuate. Let us have a look at what a penalty unit is. I have some experience with this in running my own business when people were caught causing malicious damage.

Mr Costigan: Was it a pub?

Mr WATTS: Yes, it certainly was a pub, member for Whitsunday. In fact, they smashed my ATM. They were given a fine. A certain number of penalty units were applied and they were busy paying that off to me at around \$8 a fortnight. Certainly if they applied Labor's methodology their fine would have become very cheap because the overall cost of the fine was close to \$1,000. At \$8 a fortnight they would get a fair discount on their fine with the ad hoc approach to the government's finances that applied previous to having an organised, structured and regulated increase each year that is predictable. So we have someone like me who asks the police to press charges and follow up that criminal, yet a system that is ad hoc and poorly planned such as Labor applied over a number of years would mean that the offender gets a discount if he just applied some patience and waits.

I would prefer that the appropriate punishment that was prescribed at the time was in fact known and clearly outlined, such as the 3.5 per cent annual increase, and therefore there will be no discount if you try to pay it off over a very long and painful period of time. I think it is good that the penalty units exist. I think it is good that there is some consistency in those penalty units. There is going to be some debate as to whether the penalty unit value should go up by CPI or whether it should be prescribed or whether it can be set. Let me just say that CPI is one methodology. It is easy to suggest that it go up by CPI at the moment when CPI might not be rocketing out of control. But if CPI were rocketing out of control, people who are genuinely trying to pay these fines off over a period of time may find that their finances will get into trouble if they do not know what the amount is going to be. So having a prescribed amount gives everybody some certainty and some ability to plan and organise both their finances and their commitment to paying back a fine that may have been imposed on them, as well as making sure that that fine is as it was prescribed at the time it was given as the appropriate amount and it stays consistent with that amount.

I might just add that the role of the Treasurer under this bill is consistent with the approach taken in Victoria. Further provisions allow the Treasurer to determine the percentage change that is considered appropriate, noting the intended policy is to maintain consistency with the indexation rate for fees and charges across the whole of government. There is a bit of wriggle room for the Treasurer to be able to make adjustments if fees and charges and our fine structure become out of kilter.

What we need to look at is what happened in the past and what we are proposing going forward. In the past there was a \$60 fine brought in on 27 November 1992. If you were fined on 28 November 1992 and you paid your fine over an extended period of time, you got a fair discount in real terms because there was no increase for seven years. So for seven years there was no increase and for seven years you got a discount on what the judge felt was the appropriate number of penalty units at the time as prescribed. That is the Labor way—no organisation, no planning, no ability for someone to have any certainty and ultimately give a discount over what the judiciary and/or the act may have prescribed.


Then all of a sudden if you committed the offence on 8 December 1999 you got a 25 per cent increase. On 6 December you get a discount; on 7 December you get a 25 per cent increase. That obviously makes it difficult for people to manage their finances depending on what fine they have been charged with. Then what happens? Ten years pass under a Labor government. As 10 years pass, on 1 January 2009 an increase is put through. A 33 per cent increase occurs after just over nine years. Again, if you committed the offence and were fined just prior to New Year's Eve in 2008, you get a discount. Commit an offence on New Year's Day and all of a sudden there is a 33 per cent increase. It is ad hoc, irresponsible management, poor planning and difficult to understand what is going on.

What have we done? We have said that it will be a 3.5 per cent annual rate increase, which if you take all the increases over the period of time since it was introduced works out to be pretty close to where you would be. It gives people some consistency. It gives people an ability to plan their finances. It gives government an ability to keep parity with other charges. That is really what this

piece of legislation is all about. It is all about giving some consistency, some ability to plan both for the individual who may have incurred the penalty and for the government as it is going forward keeping track of other fees and charges that may be going up in government.

That is the LNP way—to plan and organise finances over an extended period so that people can take responsibility and pay for their obligations in a known manner—versus Labor's way, which is ad hoc, irresponsible, out of control, nobody knows what is going on, unfair, get a discount for a while and pay a penalty after a while. That is the Labor way when it comes to finances. The state of Queensland's finances that we inherited, with Labor's \$80 billion worth of debt and Labor's \$450,000 interest bills coming our way per hour, shows exactly how they managed finances.

I think the minister has done a good job in preparing this bill. It is a fair and equitable way forward for everyone that is far superior to the ad hoc methodology applied to penalty units thus far. I thank him for the bill.

 **Mr HOPPER** (Condamine—KAP) (4.24 pm): In rising to speak to the Penalties and Sentences (Indexation) Amendment Bill 2013, I congratulate the Attorney-General and Treasurer for developing the fifth-pillar economy of the can-do LNP economic blueprint for Queensland which can be recognised as a can-do LNP penalties and sentencing strategy. I never thought I would see the day where penalties and sentencing fees would become a market commodity. The government should feel very proud of its success in finding yet another way to increase the cost-of-living pressures on the Queensland public.

In the explanatory notes the Attorney-General has introduced a so-called market mechanism which will be based on indexation which has no relevance or connection to any existing system. It appears the Treasurer and Attorney have got together over a couple of drinks and put their heads together to find a way to increase government revenue. I can imagine the Attorney-General saying, 'What figure will we put as a fixed price?' and the Treasurer replying, 'I don't know, how about 3.5 per cent per annum?' That is where they would have pulled this from—out of the sky. Just like that, the government has set a fixed price at 3.5 per cent per annum. However, there is a catch to this so-called market indexation. The Treasurer has stipulated that he retains the right to increase the percentage above the fixed 3.5 per cent if the Treasurer feels the need. There lies the hidden clause. I would love to know how the Attorney-General and the Treasurer came to the fixed index price of 3.5 per cent. If they can provide an explanation to us, I can then let the Queensland Law and Justice Institute know, because it has stated in its submission that there is neither evidence nor economics which support the provision of the bill.

The irony of this bill is that the present penalty unit is already fixed in Queensland. What concerns me is that the bill does not show any means by which the penalty unit increase is to be calculated. Moreover, the Treasurer is the only one who makes a decision to increase the penalty unit which must be published before 31 March of the relevant year. Our concerns are also shared by the Queensland Law Society and the Queensland Law and Justice Institute. The Queensland Law Society stated that they have concerns about the lack of or any such criteria determining the percentage change by which the penalty unit value will be increased, which has been acknowledged in the explanatory notes. The Law Society also stated that it is important the bill contains some guidance as to how a percentage change may occur year by year. So how did the Treasurer and Attorney-General come to the figure and by which criteria?

What is interesting about this bill is there seems to be a link to the news article which was published by the *Courier-Mail* on 3 January 2014 titled 'Queensland police to keep scorecards as Commissioner vows to cut crime by 10 per cent'. The article stated—

POLICE Commissioner Ian Stewart—

whom I personally have a lot of faith in—

has vowed to cut crime by 10 per cent as the service rolls out scorecards for cops across the state.

Declaring police had enough resources to dramatically reduce the crime rate, Mr Stewart said squads would be measured against the scorecards.

The average number of traffic fines, RBTs, street checks and calls for service per officer will all be assessed on the scorecards along with budgets and overtime.


To reach the ambitious 10 per cent target a mobile army of officers will for the first time work out of 'hubs' instead of traditional police stations, so they spend all their time on the beat.

Wow, a 10 per cent target. Finally, we have turned our police force into an aggressive sales force which would put an overseas telemarketer to shame. Will the Treasurer and Attorney-General be giving police officers bonuses at the end of each financial year for those officers who happen to

reach this 10 per cent margin? This is how the Treasurer and Attorney-General intend to produce positive economic growth from this bill. Well done, fellas; you have just made a laughing stock out of our highly commended police force.

I am not the only one who has made this connection. The Queensland Law and Justice Institute has also raised its concerns in relation to this matter, stating the previous article initially presented grounds for its concerns about this bill. There are alternatives to this bill which include staying the course with the present system which is comparable to the legislation for the Commonwealth and New South Wales.

Other suggestions were put forward by the Law Society and the Law and Justice Institute which seem to have fallen on deaf ears. I have to laugh when the Attorney-General and Treasurer use the word 'indexation'. If they were serious about implementing a penalties and sentences indexation, they would tie it to the CPI as the Tasmanian government did in 2007, which provided for the periodic indexation of the dollar value of a penalty unit, therefore providing that the value of a penalty unit is adjusted in \$10 increments based on consumer price index movements in the previous year. It does not increase every year but only when the CPI pushes it over each \$10 barrier. This means that any increase in penalty units is guided by the prevailing market and it does not increase annually as a matter of course—unlike the 3.5 per cent annual increase which this bill has endorsed. I ask the Attorney-General and the Treasurer to publicly recognise that this bill is designed to act as the fifth pillar of the can-do economy, instead of acting as an external threat to curb people's behaviour. I suppose someone has to pay the \$640 million for the polities palace next door.

 **Miss BARTON** (Broadwater—LNP) (4.30 pm): I rise to contribute to the debate on the Penalties and Sentences (Indexation) Amendment Bill. At the outset, I thank my colleagues on the Legal Affairs and Community Safety Committee led very ably by yourself as chair, Mr Deputy Speaker Berry. I would like to particularly thank the committee secretariat for the great work they do day in, day out to support the legal affairs committee. I would also like to thank those who took the time to make submissions on this particular bill.

It gives me great pleasure to follow the member for Condamine in this debate, and at this time I acknowledge and congratulate Pat Weir on his endorsement as the LNP candidate for the seat of Condamine. I look forward to working with him in the next term of this can-do government because I know that Mr Weir will stand up for the people of Queensland, unlike the current member for Condamine, and he will represent the people of Condamine. I very much look forward to working with him to make sure that our communities are safer and that community expectations are met because clearly that is not something the current member for Condamine seems to understand.


Ultimately, that is what this bill is about. This bill is about meeting community expectations. One of the things that both the member for Bulimba and the member for Ipswich West have touched on is the importance of deterrence and the importance of making sure that these fines are balanced and fair. We have spoken many, many times in this House about how important it is that we make sure that deterrence is an important part of the criminal justice system, and I am sure that you would agree with me, Mr Deputy Speaker. There has been a very unclear methodology in terms of the increase in penalty unit fines, and it strikes me that that does not really make the deterrence factor consistent or fair, and it certainly does not meet community expectations. I think the member for Toowoomba North used some very good examples when he illustrated what the impact would be when there was a significant delay in increasing the fine. Ultimately, if you do not index penalty units, it says to people when they perpetrate the same offence years later that we do not consider it as heinous or as abhorrent an act as we once did. That is why it is particularly important that we look at indexation, and that is why it is important that this piece of legislation has come before the House.

The Queensland government consulted very widely on this issue both before the introduction of this amendment bill and after it. I note that the Department of Justice and Attorney-General consulted with the Local Government Association, the Queensland Law Society and the Queensland Bar Association—all three of whom took the opportunity to contribute submissions during the Legal Affairs and Community Safety Committee's inquiry. There were also submissions from the Youth Advocacy Centre and the Law and Justice Institute of Queensland.

As I am sure you are well aware, Mr Deputy Speaker, on the Legal Affairs and Community Safety Committee we certainly value the contributions made by interested parties in our community and stakeholders. I would like to thank them for the time and effort they have put in—many of them time and time again—to contribute to the development of legislation in this state. As I said, this is all about deterrence and that is why it is so important that we do index penalty units. Queensland will not be the only jurisdiction that will legislatively provide for the indexation of penalty units. I note that

Victoria, Tasmania and the Northern Territory are the other Australian jurisdictions which have done so. Ultimately, as a government and as members of parliament, it is our duty to uphold community expectations of the government and it is our duty to uphold community expectations when it comes to punishment and law and order matters. I have had so many people express deep frustration with me that we have not had indexation for a number of years, that penalty units have not been increasing and that it just does not seem consistent or fair.

I would like to commend the Attorney-General for introducing this bill to the House. Unlike other members of this House, I have complete faith in both the Attorney-General and the Treasurer as they navigate through this. The member for Nicklin had concerns in his dissenting report about the Treasurer's involvement, and it seems as though the member for Condamine also had concerns about the Treasurer's involvement. I would like to place on the record that I have no such concerns. The Treasurer is doing a fantastic job in leading Queensland's economic growth. He is doing a fantastic job generally in terms of making sure that we talk to the people of Queensland about what Queenslanders want out of our future. I very much look forward to supporting the Attorney-General as this bill goes through its second reading stage. I commend the bill to the House.

 **Mr PUCCI** (Logan—LNP) (4.36 pm): I am pleased to contribute to the debate in favour of the Penalties and Sentences (Indexation) Amendment Bill 2013. The amendment bill continues our government's strong stance on tackling crime head on. Being tough on offenders requires more than tough sentences; it requires the same approach to administrative mechanisms behind offences in order to make a significant impact on the offender so as to deter any future offence. The Logan district has seen 134 new police officers deployed to our streets. Having boots on the beat is only part of the battle; having strict and appropriate punishments for offenders is a must if we are to continue to work towards a safer community.

Many antisocial crimes attract minor infringements that do little to deter any future repetition of the offence. This is why we must index the monetary value of these offences so we can send a strong signal to the community that if you break the law you will pay for it. This bill is about holding those who commit an offence—regardless of how small—accountable for their actions. Apathy towards minor offences will not be tolerated by our government. It was permitted to fester for 20 years under an incompetent and indifferent Labor government that took the soft approach towards our safety. However, those days have come to an end.


In community consultation committee meetings, Neighbourhood Watch meetings, safe city meetings, P&C meetings and the like that I attend, the questions are often the same—'What are you doing about minor offences and people re-offending?' Our government's record of tackling the major criminal issues within Queensland is second to none. We have come out hard against anyone who seeks to disrupt our communities, destroy our livelihoods or promote their ill-gotten ways on our streets. Now we are getting tougher on those who think small offences are insignificant. To them I say how wrong you are. I am proud to be able to stand here and respond to my constituents that this LNP government is taking action and is making a difference as we work together to make our community a safer place.

In past years, the Queensland value for penalties enforcement was not indexed. Without regular increases being applied, the value of the penalty unit reduces over time relative to the changes in the consumer price index, or the CPI, and this effectively reduces the level of punishment and deterrence of monetary penalties. In other words, a \$100 fine today does not carry the same weight as a \$100 fine 10 years ago. Periodically increasing the penalty unit value ensures that monetary penalties across the statute book maintain the intended deterrent or punishment effect.

The bill proposes a legislative mechanism to increase the penalty unit value applicable to most state laws, laws of local governments that are not listed in schedule 2 of the Penalties and Sentences Regulation 2009, or PSR, and penalty infringement notices, or PINs, issued under most state laws and the laws of local governments not listed in schedule 2 of the PSR. Under this amendment bill, the penalty unit value may be increased by 3½ per cent per annum or other rates as determined by the Treasurer and published in the gazette by 31 March each year. This allows the Treasurer to determine the percentage change that best reflects the growth of the Queensland economy. In accordance with the bill, the penalty unit amount with percentage change applied will be rounded down to the nearest coinable amount, that is, 5c and prescribed in a regulation. Further, the bill provides that when the prescribed penalty unit value is applied to determine the dollar amount of a fine enforced through the issuing of a ticket, the amount of the ticket will be rounded down to the nearest whole dollar.

The bill specifically provides that a regulation may only prescribe a value for a penalty unit once for a financial year. However, the bill does not require that the penalty unit value must be increased annually. While annual indexation is the policy intent, by not including the requirement that penalty units must be increased annually, government has the discretion to determine each year whether an increase will be applied.

I commend the Legal Affairs and Community Safety Committee for their role as they work towards making Queensland a safer community and upholding the integrity of the Queensland justice system. I also commend the efforts of the honourable the Attorney-General and Minister for Justice and his ministerial and departmental staff for their work in providing Queenslanders with a level of justice that reflects the opinions and expectations of the community. This bill will ensure that communities like Logan remain a safe and prosperous environment in which residents can live, work and raise a family. By working with our community organisations, we will ensure that together we will keep Logan charging. I support the passage of this bill through the House.

 **Mr SHUTTLEWORTH** (Ferny Grove—LNP) (4.41 pm): I rise this afternoon to speak briefly to the Penalties and Sentences (Indexation) Amendment Bill. I am obviously in support of this bill and there are a number of objectives worthy of my support, the reasons for which I will outline over the next few minutes.

As we have heard several times throughout the debate this afternoon, the objective of this bill is primarily to introduce a mechanism to provide indexation of our penalty units. The primary objective is to ensure that the value of the deterrent remains appropriate. I compared with interest over a considerable period the deterrent value of my very first speeding ticket issued some 30 years ago. I remember the details quite well as it was one of only four that I have received during my driving history. I was at home in Mackay on leave from the Royal Australian Navy where I was undertaking my apprenticeship. At the time I earned around \$350 per fortnight. I was witnessed driving at a speed that meant I was fined two penalty units, which at the time was \$50 each, or equating all up to \$100—clearly a huge chunk of my fortnightly income.

I recall how at the time that meant I needed to significantly adjust my spending whilst on leave. With fuel prices at the time of around 42c a litre, I had just been fined more than I had budgeted in fuel for my entire holiday including the trip to and from Sydney. The fine equated to about 238 litres of fuel. This was an early lesson that speeding was not only unsafe but also extremely expensive.


If I were to play out this scenario today, which of course I have no intention of doing, the fine would be \$220. Whilst I would be equally as annoyed at having received the fine as I did 30 years ago, the impact and therefore the deterrent value has significantly diminished. Today, fuel is around \$1.61 per litre and, therefore, the fine amounts to just 136 litres, or two tanks of fuel. Simply talking of my driving record makes me feel as if I am tempting fate. While I am continually leaning on wood, I feel the need to go on. I have employed the assistance of the Library and have discovered that in 1985, under section 9 of the Penalty Units Act 1985, the value of the unit was \$50. In 1988 it was increased to \$60 and remained at that value through to 1995. In that year the penalty unit increased to \$75 where it remained until 2008, when it increased to \$100 and, finally, to \$110 last year. This bill will ensure that in the future the prescribed amount of the fine will be both current and will provide a desired level of deterrent value.

During a couple of submissions in this debate I heard some members talking of the difficulty in paying these increased fines. There are those who feel that this is simply revenue raising. The member for Condamine suggests that this is a cost-of-living pressure. I am interested to hear how one would go about budgeting this within a family. What would the line item be—allowance for breaking the law? Would one allow the line item to be decremented by all members of the family? How would it be apportioned? Would it be first in, best dressed, or would it be by age, gender or perhaps the volume capacity of a car's engine. It makes no sense at all to try to put forward an argument that a fine for breaking the law is, in fact, a cost-of-living pressure. As was also mentioned previously, indexation is not being considered just in our state; consideration is also underway in Victoria, Tasmania and the Northern Territory. It is simply a prudent measure to ensure that we do not need to continually re-address the facts of deterrent value in our fine systems.

I would like to use another example, because it seems to be something that is reasonably prevalent around most electorates and certainly around the electorate of Ferny Grove in recent times. That would be one of graffiti. Let us say in 1995 someone—I would assume they would be a youthful character—undertook some graffiti art along a wall of a local shopping centre. To repair that, of course, we would need paint, labour, time—probably the time of police and other people who would need to try to apprehend the offender—fuel for the council trucks and everyone else who is going

around undertaking these repairs. The fine may have been a deterrent had they caught the person back then. It may well have been a reasonable deterrent. However, with so few incremental changes over that period, is it any wonder that people today, whilst undertaking graffiti activity, certainly do not have forefront in their mind the deterrent value of the fine they may or may not receive. Wages are up; fuel is up; paint is up—all of these things that contribute to the fact that we as a society must amend and repair the activities that that criminal has undertaken—all of those things have gone up. It makes absolutely no sense at all that we would not also consider an incremental increase of our fine structure to ensure that not only the deterrent value but also the cost to society to repair instances of graffiti and so forth remain current as well.

In conclusion, I would like to offer my support for this bill's passage through the House. I commend the minister for his efforts.

 **Mr GULLEY** (Murrumba—LNP) (4.48 pm): I rise to make a very short contribution in support of the Penalties and Sentences (Indexation) Amendment Bill 2013. This bill provides the legislative mechanisms for the indexation of penalty units. This will improve systems consistency and help maintain the deterrent and punishment effect that the penalty system sets out to achieve. Furthermore, this bill increases the predictability of Queensland's penalty system and allows for greater certainty. I stress those two concepts: it is predictable and it is certain.

Turning to the clauses, clause 5 outlines that this amendment bill inserts proposed subsection 5A into the Penalties and Sentences Act 1992. The explanatory notes state—

New subsection 5A(1) provides the legislative authority for a regulation to prescribe the penalty unit value.


Notably, section 5A(2) outlines the method for increasing the penalty unit value, setting a penalty unit of 3.5 per cent per annum unless otherwise announced by the Treasurer.

Importantly, this penalty unit value prescribed in the regulation must not be greater than the previous penalty unit value increased by the percentage change published by the Treasurer. Importantly, section 5A(5) will only facilitate one increase of the penalty unit's value per year, ensuring that the penalty unit is not changed too frequently or ambiguously. I note that 31 March is the key date in each year, and I go back to the concept that it is predictable and it is certain.

Speaking on behalf of the community of Murrumba, constituents will benefit from small predictable annual indexations as opposed to larger periodic amendments or increases of anything from 10 to even 33 per cent which have been applied in the past. Now, for example, the current infringement notice amount for exceeding the speed limit by up to 13 kilometres an hour is one and one third penalty units. Currently, this would equate to a \$146 speeding fine. If and when the bill is passed by the House, the speeding fine will increase by slightly over \$5 per year unless the Treasurer elects otherwise. This in my opinion is a fairer system than the larger periodic unpredictable penalty unit increases that some potential offenders might not have been aware of.

Increasing the monetary value of penalty units through this legislative mechanism is one of the more important measures that the Newman government is implementing to make sure that offences are dealt with not only in a tough manner but predictably and fairly. At this point I would like to thank David Crisafulli, the Minister for Local Government, Community Recovery and Resilience, for his consultation with local government authorities as we go forward and implement this bill.

I would certainly like to thank the Acting Speaker for his generosity in allowing me to speak on behalf of Murrumba. I note that Murrumba is the Aboriginal word for 'good place', and Murrumba is certainly within a great state with great opportunities. I commend the bill to the House.

 **Mr WELLINGTON** (Nicklin—Ind) (4.51 pm): It gives me a great deal of pleasure to rise to participate in the debate on the Penalty and Sentences (Indexation) Amendment Bill 2013. I refer members to my dissenting report and also to the comments made by the members for Gaven and Condamine. I do not intend to repeat those, but I would simply say that my view has not changed after listening to the submissions made to date by various members in the debate.


I refer members to the highlighted submission from the Queensland Council for Civil Liberties. It is not often that I quote from the submissions of the Queensland Council for Civil Liberties, but they have made their opinion very clear. On page 10 of the committee's report to the House they say—

The Council questions the need for the automatic indexation of penalty units (PU) at all.

Nothing in the Explanatory notes attempts to demonstrate that the current system of periodic review and amendment of the Penalties and Sentences Act 1992 has led to any lack of effective deterrence.

Not a single judicial authority is mentioned where the judicial officer has found the value of the PU penalty unit and the maximum for the offence has caused there to be insufficient 'headroom' in the sentencing options.

I note that many government members have said that this is all about deterrence. I am certainly not of that view. My view is that it is more about another income stream for the Treasurer and for the government. They need the income stream to meet the cost of the significant number of inquiries that this government has held. I think they have broken a record on the number of inquiries that they have conducted. The amount that has been spent on them just blows me away. When you compare the cost of the inquiries to the outcomes, sometimes you have to wonder if we are getting value for money. To fund these massive, expensive inquiries for taxpayers there certainly has to be a new income stream, and I have no doubt that this is all about creating a new income stream. The involvement of the Treasurer clearly flags that to all Queenslanders, and I would say to Queenslanders: remember this when you go to the next state election!

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (4.53 pm), in reply: I thank all honourable members for their contributions to the debate today. Can I start where we just stopped—with the member for Nicklin—while the insanity is fresh in any mind. The member for Nicklin talks about money that could be saved and that this is some sort of grab for money. It is as simple as this, Mr Deputy Speaker: the fees and charges of the government increased by the CPI over a year. The government had a whole-of-government approach to the CPI, saying it was going to be at 3.5 per cent. The government took the decision that rather than just fees and charges, these other items—including penalty rates—would be increased by 3.5 per cent or as determined by the Treasurer. There is no connection with what the member for Nicklin talks about with respect to funding inquiries. Would the member for Nicklin not have had us conduct the payroll inquiry into the issues of the government of the day not paying nurses and government—a government that he stood up for on every occasion and supported? The member for Nicklin was the one who did not support the payment of doctors and nurses in this state—

Mr WELLINGTON: I rise to a point of order. I find those comments offensive and I ask that they be withdrawn.

Mr BLEIJIE: I withdraw. The member for Nicklin stood up on every occasion in the last few years and—

Mr WELLINGTON: I rise to a point of order. I find those comments offensive and I ask that they be withdrawn.

Mr BLEIJIE: I said, 'The member for Nicklin stood up'.

Mr DEPUTY SPEAKER (Mr Berry): Order! Member for Nicklin, I do not accept that.

Mr BLEIJIE: The member for Nicklin, being a member of parliament, stood up in this place—I am being very cautious not to offend the member for Nicklin—and supported the Labor Party all the way, a Labor Party that did not pay nurses and doctors—

Mr WELLINGTON: I rise to a point of order. I find those comments offensive and I ask that they be withdrawn.

Mr BLEIJIE: I withdraw.

Mr WELLINGTON: Mr Deputy Speaker, the honourable minister is being repetitive. He is not listening to the submissions in relation to—

Mr DEPUTY SPEAKER (Mr Berry): Order! Member for Nicklin, he has withdrawn.

Mr WELLINGTON: Mr Deputy Speaker, could I first ask how many times is it necessary for a member to rise on a point of order and ask for withdrawal by a minister?

Mr STEVENS: I rise to a point of order. This is no opportunity for the member to get up in government business and just have a little question time.

Mr DEPUTY SPEAKER (Mr Berry): Order! Member for Nicklin, I do not intend to answer that question. The Attorney-General has the floor.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. The member for Nicklin raises issues in his contribution and then does not want to hear the answers. The whole point of the ministerial response is so that the minister can respond to the issues raised during the members' contributions. The member for Nicklin raised issues about inquiries. I raised the Health inquiry. Now, just because I am saying something the member for Nicklin does not want to hear does not mean he should be offended.

Mr Wellington interjected.

Mr BLEIJIE: I take interjection from the member for Nicklin. We did set up the Health payroll inquiry because we wanted to get to the bottom of how the Labor government that he supported so enthusiastically in this place could get into the situation of having a broken health system which could not pay nurses or doctors and has cost the Queensland taxpayers some \$800 million to try and fix. They are the issues we are raising. I ask the member for Nicklin: if he did not want to us conduct an inquiry—

Mr DEPUTY SPEAKER (Mr Berry): Order! Attorney-General, you really need to refer that through the Speaker.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. If the member for Nicklin does not want to us to conduct inquiries, is he saying that we should not have held a Health payroll inquiry with Commissioner Chesterman to try to get to the bottom of it? Is the member for Nicklin saying we should not have conducted the child protection inquiry with Commissioner Carmody, setting out a road map for protecting children in the state? Is the member for Nicklin saying that we should not have held a racing inquiry to try to let in some light and disinfectant into the racing industry? I note my good colleague the Minister for Sport is here. I think the results of some of these inquiries have been very interesting; for example, Mr Bentley and Co, Mr Ludwig and the adverse findings against those individuals—

Mr Pitt interjected.

Mr DEPUTY SPEAKER (Mr Berry): Order! Honourable members! The Attorney has the floor.

Mr BLEIJIE: Mr Deputy Speaker, on behalf of the Leader of the House, thank you for the protection from the Manager of Opposition Business over there. We have a situation here where the member for Nicklin wants to ask these questions but does not want to hear the answers because they are not quite what he wanted.

The point is that we had those commissions of inquiry because they were serious issues. One developed a road map for child protection in this state, because we want Queensland to be the safest place to raise a child. The way we could do that was to ensure that we had the child protection inquiry. I have to say that the inquiry made some fantastic recommendations which the government has of course endorsed. The racing inquiry now lets the Minister for Sport proceed on the basis of a great future for racing in Queensland and get rid of those in the industry who ran it as their personal empire, like Mr Bentley did. Of course, we then had the Health payroll inquiry. Since that inquiry the health minister and the department actually pay nurses. They actually pay them on time. They pay them the correct amount. If the member for Nicklin wants to go back in time and not set a road map for child protection, not have racing as a good industry in Queensland and not have doctors and nurses being paid, then it is the member for Nicklin's right to have that view and I think his constituents would find that particularly interesting.

Mr Wellington: Bring on the election!

Mr BLEIJIE: We will have a lot more to say about the member for Nicklin in the lead-up to the election in terms of the member for Nicklin's performance in this place and some of his policy positions in the last six months particularly.

The point is that this bill is about making sure there is a structure in place so that the penalty unit value increases over time, particularly at the moment with the 3.5 per cent with Treasury having the ability to do that. This is not some money grab from the government. The easiest way, of course, for people not to have to worry about that 3.5 per cent is to not commit the crimes in the first place. If they do not get the tickets and they do not get the fines, then 3.5 per cent will not be applicable because the penalty units will not be applicable because there will be no penalty. So the best advice that anyone could give and the best advice that the member for Nicklin can give his constituents is that if they do not want to pay the 3.5 per cent—if they do not want to be worried about the 3.5 per cent—do not commit the crimes in the first place and then they do not have to worry about any of this. Just like those who complain about having to pay an offender levy, they would not have to complain if they did not commit any offences. I thank all government members for their contributions to the debate this afternoon and look forward to the consideration in detail.

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

AYES, 74:

LNP, 65—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Cox, Crandon, Cripps, Crisafulli, Davies, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kaye, King, Krause, Langbroek, Latter, Maddern, Malone, McArdle, McVeigh, Menkens, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Seeney, Shorten, Shuttleworth, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young.

ALP, 8—Byrne, D'Ath, Miller, Mulherin, Palaszczuk, Pitt, Scott, Trad.

INDEPENDENTS, 1—Cunningham.

NOES, 5:

KAP, 2—Hopper, Knuth.

PUP, 2—Douglas, Judge.

INDEPENDENTS, 1—Wellington.

Resolved in the affirmative.

Bill read a second time.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4—



Mr PITT (5.10 pm): I move the following amendment—

1 Clause 4 (Amendment of s 5 (Meaning of penalty unit))

Page 4, lines 18 and 20, and page 5 lines 3, 5, 13, 15 and 23, 'prescribed'—

omit, insert—

published

I table the explanatory notes. This amendment is a consequential amendment that reflects the fact that the value of the penalty unit after it has been calculated each year will be gazetted by the minister rather than prescribed by regulation.

Tabled paper: Penalties and Sentences (Indexation) Amendment Bill 2014, explanatory notes to Mr Curtis Pitt's amendments [[4593](#)].

Division: Question put—That Mr Pitt's amendment No. 1 be agreed to.

AYES, 13:

ALP, 8—Byrne, D'Ath, Miller, Mulherin, Palaszczuk, Pitt, Scott, Trad.

KAP, 1—Hopper.

PUP, 2—Douglas, Judge.

INDEPENDENTS, 2—Cunningham, Wellington.

NOES, 66:

LNP, 66—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kaye, Kempton, Krause, Langbroek, Latter, Maddern, Malone, McArdle, McVeigh, Menkens, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Seeney, Shorten, Shuttleworth, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young.

Resolved in the negative.

Clause 4, as read, agreed to.

Clause 5—



Mr PITT (5.17 pm): I move the following amendment—

2 Clause 5 (Insertion of new s 5A)

Page 6, lines 7 to 33 and page 7, lines 1 to 5—

omit, insert—

5A Calculation, publication and review of value of penalty unit

- (1) The value of a penalty unit is calculated as follows—
- (a) for the financial year ending 30 June 2015—\$110 increased by the CPI for Brisbane for the financial year ending 30 June 2014; and
 - (b) for each subsequent financial year—the amount published under subsection (3) for the immediately preceding financial year increased by any CPI percentage increase for the immediately preceding financial year.
- (2) The value of a penalty unit calculated under subsection (1) has no effect until the amount is published under subsection (3).
- (3) On or before the end of each financial year, other than the financial year ending 30 June 2014, the Minister must publish in the gazette the value of a penalty unit calculated under subsection (1).
- (4) The Minister must review the value of a penalty unit at least once every 3 years after the commencement of this section.
- (5) In this section—
- CPI for Brisbane** means the all groups consumer price index for Brisbane published by the Australian Statistician.
- CPI percentage increase**, for a financial year, means the percentage increase between—
- (a) the CPI for Brisbane published for the quarter ending immediately before the start of the financial year; and
 - (b) the CPI for Brisbane published for the quarter immediately before the end of the financial year.

This clause replaces the existing clause 5, which inserts a new section 5A into the act. This section provides for the annual increase of a penalty unit by CPI. Each year the penalty unit is calculated by increasing the penalty unit for the previous year by the CPI for the previous year. The minister is then required to publish in the gazette the value of the penalty unit that has been calculated under the section and the new penalty unit that takes effect upon gazettal. The section then requires that the minister conduct a review of the penalty unit every three years just to make sure that the penalty unit retains an appropriate penalty for the offences to which they apply.

As I said during my contribution, we have no objection to the penalty unit being increased each year by the CPI. If that is what the government proposes to do, then why not enshrine it in legislation. We challenge the government again to show Queenslanders once and for all that it has no intention of increasing the penalty unit by more than the CPI by accepting the opposition's amendments.

Division: Question put—That Mr Pitt's amendment No. 2 be agreed to.

AYES, 13:

ALP, 8—Byrne, D'Ath, Miller, Mulherin, Palaszczuk, Pitt, Scott, Trad.

KAP, 1—Hopper.

PUP, 2—Douglas, Judge.

INDEPENDENTS, 2—Cunningham, Wellington.

NOES, 66:

LNP, 66—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kaye, Kempton, Krause, Langbroek, Latter, Maddern, Malone, McArdle, McVeigh, Menkens, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Seeney, Shorten, Shuttleworth, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Woodforth, Young.

Resolved in the negative.

Clause 5, as read, agreed to.

Third Reading

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (5.21 pm): I move—

That the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (5.22 pm): I move—

That the long title of the bill be agreed to.


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

Motion agreed to.

BIOSECURITY BILL

Resumed from 19 November 2013 (see p. 3910)

Second Reading

 **Hon. JJ McVEIGH** (Toowoomba South—LNP) (Minister for Agriculture, Fisheries and Forestry) (5.23 pm): I move—

That the bill be now read a second time.

I would like to thank the Agriculture, Resources and Environment Committee for its report tabled on 24 February 2014 regarding the Biosecurity Bill 2013. The committee noted that overall the submissions showed that there was generally strong support for a consolidated legislative approach to biosecurity in Queensland. It therefore recommended that the bill be passed subject to amendments to clauses 115, 239 and schedules 2 and 5. The government accepts these recommendations and I will be moving these amendments during the consideration in detail.

The committee made two other key recommendations and requested clarification on a number of issues, which I will now address. The report recommended that implementation of the bill be reviewed by the 55th Parliament—that is, within approximately three years. Clause 501 of the bill provides that the minister for this portfolio review the efficacy and efficiency of the act within five years after its commencement. However, it is preferable that any problems and issues are identified and resolved early. It is therefore proposed that the clause be amended to require the review to be completed within three years of the act's commencement.

The second recommendation in the report was to conduct a review of arrangements for managing rabbits in Queensland. This review has been recommended to determine whether the current funding model is fair and equitable or whether a different approach to operational matters between the state government, local governments and the Darling Downs-Moreton Rabbit Board would result in greater efficiencies and a better use of limited available resources. The rabbit board receives approximately \$1.4 million from eight local governments based on the area of each local government suitable for rabbit infestation and the value of agricultural production that is at risk. Since the last assessment there have been changes in these areas in terms of land use, so it is certainly timely to undertake the recommended review.

The report also sought clarifications and assurances on a number of issues including communication strategies, time lines and consultation processes, compensation, resourcing and operational policies and procedures. I will provide an overview on each of these. Biosecurity legislation is complex and affects different stakeholders in different ways. As such, our communication and education strategy for the bill is being tailored to stakeholder needs. The strategy will take into consideration the interests of the audience, the nature of the issue, the information requirements, the required level of participation from our stakeholders and the most effective communication channels that are available. In terms of raising general awareness of the new legislation, information will be available through channels including the departmental website, specialist media publications and issue-specific fact sheets. Ongoing engagement will also be undertaken through online communiques and similar communication tools. More structured engagement with those directly affected by changes will also be undertaken. For example, I am advised the department will provide information to potential applicants on the availability of statutory compensation, the application processes and the time limits that will apply. Obviously, there is an extensive body of work that needs to be undertaken in developing the full suite of regulations, codes of practice, guidelines, operating procedures and policies that sit underneath the bill. These are all important instruments that will allow the new legislation to be used to its full potential. As an example,

operating procedures will address the use of powers by authorised officers and be used in training programs before the induction or appointment of inspectors and other authorised persons ensuring consistent standards right across the state.

I am conscious that all of these documents must address industry-specific biosecurity needs. Therefore, engagement directly with affected industries and stakeholders will be essential in this process. As such, the department will consult with stakeholders in developing best practice policy or procedures using a range of engagement methods, including face-to-face meetings, seminars, webinars and online surveys. A major part of the consultation process will be the release of the regulatory impact statement, or RIS, on the proposed regulations which will be prepared in accordance with the Office of Best Practice guidelines. It is proposed that the RIS will be released for broad consultation in the third quarter of 2014.

Following the government's consideration of feedback received through the RIS consultation, drafting of the regulation will be completed by the Office of the Queensland Parliamentary Counsel and, of course, I look forward to the Treasurer's contribution in that RIS process. The suite of subordinate legislation must be finalised before 1 July 2016 as the act must commence by that day. Subject to successful broad engagement with industry and other stakeholders on the RIS and subordinate legislation, the aim is to have this completed by the third quarter of 2015.

The Biosecurity Regulations Reference Group will play a major role in this process. This group comprises members from peak industry bodies, production industries, natural resource management groups and, of course, local government. To ensure high levels of industry participation and influence in designing and delivering programs and services, the department will also collaborate with key industry representative bodies such as the Biosecurity Queensland Ministerial Advisory Council, Cattle Tick Management Queensland, the Horticulture Reference Group, the Invasive Plant and Animal Committee, natural resource management groups, as I have said, and, of course, targeted interest groups. The department will also continue its partnership approach with local government to review local government contributions to the Land Protection Fund and the same approach will be applied to the review of the Darling Downs-Moreton Rabbit Board funding model and rabbit operations.

This shared decision making in policy and service delivery is critical given local government's key role in managing local biosecurity issues under the act. Relevant Queensland government departments will also be consulted on policy and regulatory issues. Consultation with stakeholders will continue even after the regulations are approved. The bill requires consultation with industry whenever a code of practice or guideline is made, prior to making a biosecurity program that requires joint involvement and before finalising local government plans. Any interested party who has not been involved to date is certainly encouraged to contact the department and register their interest.

The committee report also requested that I assure the House that staffing and other resourcing for biosecurity surveillance and other functions are adequate, including high-risk areas such as North Queensland. The department is committed to maintaining services across the state and protecting Queensland's economy and environment from pest and disease threats. I have been advised that staffing and other resourcing for biosecurity surveillance and other functions are considered to be adequate, especially in the high-risk areas such as North Queensland, which I mentioned before. Biosecurity Queensland uses a flexible staffing model where contract and permanent personnel can be deployed to emerging high-priority areas as needed. As promised by the government, 15 new biosecurity front-line positions were recruited to increase the responsiveness to industry needs, especially around wild dogs, cattle ticks, weeds and pests. The banana industry and the dry tropics region of North Queensland have also benefited from the placement of a new weed and pest officer, who is working closely with existing staff, local governments and landholders at locations such as Mareeba, South Johnstone and Charters Towers.

In terms of our response capabilities, the Queensland government is continuing to invest in this area. We have recently invested in a foot-and-mouth disease preparedness program that is deliberately targeted to make Queensland the most FMD prepared state in Australia. FMD is widely regarded as the most significant biosecurity threat to Australia, with the capacity to wipe out a large part of Queensland agricultural activities and, of course, poses risks interstate and in neighbouring countries as well. Biosecurity Queensland will work with industry to reduce the risk of FMD entering our state and ensure we are ready to respond swiftly and effectively if this disease ever rears its head in Queensland. The FMD preparedness program will mitigate and improve preparedness to respond to an outbreak of FMD. Work on this particular project is well and truly underway.

Compensation was another matter raised by the committee in relation to the bill. The committee sought clarification as to whether compensation for consequential loss will be available under scheme compensation and reflected in terms of the agreement that underpins the compensation scheme. I have been advised that there are three agreements to which Queensland is a signatory with direct relevance to the issue of compensation: the Emergency Animal Disease Response Agreement, the Emergency Plant Pest Response Deed and the National Environmental Biosecurity Response Agreement.

Where the Emergency Animal Disease Response Agreement applies, compensation is payable under subclause 10.2(b) and part 3 of schedule 6 as follows: compensation is to be paid for livestock or property that is destroyed to eradicate or prevent the spread of an emergency animal disease. Compensation is also payable for livestock that has died of a proclaimed disease where there has been no unreasonable delay in reporting the death and the livestock would have been compulsorily slaughtered if they had not died. A second payment may be due where the costs of restocking are higher at a later date on which the property becomes eligible to be restocked. The second payment is the difference between the higher value and the initial amount paid. Compensation for loss of profit, loss occasioned by breach of contract, loss of production or any other consequential loss is explicitly excluded.

The Emergency Plant Pest Response Deed applies compensation where that is the case under clause 9.2.2, and part 4 of schedule 6 does apply. Owners may be eligible for direct eradication costs incurred; costs above normal operating costs as a result of the response plan, such as additional pest control measures; the value of the crops destroyed; and the costs and losses resulting where property is ordered to lie fallow for a specific period. In general, compensation is not payable for the difference in the value between the owner's preferred crop and an alternative crop or agricultural use as a result of action taken under a response or for the actual cost of replanting the crop.

The National Environmental Biosecurity Response Agreement, NEBRA, is a non-binding agreement between the states and the Australian government. Schedule 5 item 3.4 of NEBRA makes provision for compensating owners for loss or damage. Costs for which compensation is payable could include direct eradication costs arising from actions undertaken as part of a national response to a pest or disease; direct costs arising from actions to prevent the spread of a pest or disease where the resulting impacts are predominantly relating to the environment; the costs of property that has been destroyed as a result of actions undertaken as part of a response to an outbreak of a pest or disease that predominantly affects the environment; and costs arising from actions undertaken as part of a response, for example, additional pest control measures, special cleaning of machinery or equipment, or slipway costs. Certain direct costs arising in relation to a native species that is directly threatened by the pest or the disease to which the response relates or the action is taken as part of the response is another example. NEBRA also contains a number of exclusions. In particular, compensation for consequential loss is expressly excluded. Also, an owner is not eligible to claim compensation if they receive a significant private benefit from the response or if they are in default of any contribution required for the national response.

Aerial spraying or baiting was another matter raised through the inquiry process. The committee sought assurances that authorised officers will only conduct aerial spraying or baiting of lands without prior notification of landholders just in exceptional circumstances. Aerial spraying and baiting undertaken by my department is currently only routinely conducted for fire ants and locusts. Current policy requires aerial baiting of land for fire ants and for locusts to be conducted according to strict procedures. Under those procedures, aerial treatment will not be undertaken without the property owner's consent. Where consent cannot be gained, other treatment methods are used.

The committee also requested clarification on whether aerial baiting or spraying by authorised officers could compromise the status of farms that hold organic certifications for their produce. Application of most chemicals for pest or disease control to a property certified by one of the federal Department of Agriculture organic approved certifying organisations would result in a loss of their status. This would mean that the landholder would have to begin the process from the start in order to become recertified, which, depending on the situation, could be as long as three years.

While the department makes every effort to explore alternatives in accordance with its policies and procedures so that certification is not lost, there may be exceptional occasions where chemical treatment of a pest or disease is the only option—for example, in cases where a lack of chemical treatment would compromise the eradication of a pest or disease. I have been advised that the department will meet the committee's request to ensure that explanatory notes for future bills identify the clauses to which fundamental legislative principle issues refer.

I want to assure members that the Queensland government is committed to ensuring this great state has a competitive and growing agricultural sector. However, due to our geographic location, our tropical climate and numerous sea ports, Queensland is at the front line of biosecurity pest and disease concerns for Australia, and some of our neighbouring countries, I would suggest. We are committed to doubling food production in Queensland by 2040, but, in delivering this, we understand that addressing the challenges Queensland faces from new and re-emerging pests and diseases is vital to our success.

Confidence in our biosecurity systems is one of our most significant advantages in accessing global markets and developing the unprecedented new opportunities we see for our world-class, disease-free products. We will only maintain this enviable biosecurity status if all stakeholders share the responsibility for prevention, management and responses across the diverse range of risks threatening industries, the environment, human health and social amenity.


This new legislation will provide comprehensive regulatory powers and tools that can be tailored to allow us to address the unique nature and tactical challenges presented by individual biosecurity threats. It will enhance flexibility for front-line staff and ensure that Queensland continues to innovate and lead the nation in the prevention of risks in relation to pests and diseases and responses and recovery from such pests and diseases.

I thank the committee for its valuable contribution to the bill. I table the government's response to its report and an erratum for the explanatory notes to include additional information as requested by the committee and to correct editorial errors on pages 72 and 93.

Tabled paper: Agriculture, Resources and Environment Committee: Report No. 35—Biosecurity Bill 2013, government response [4594].

Tabled paper: Biosecurity Bill 2013, erratum to explanatory notes [4595].

I would also like to acknowledge the significant contribution that many agriculture peak bodies, local government, natural resource management groups and other stakeholders have made over quite some years in the development and discussion around this particular bill. I encourage them to play an equally active role during the development of the subordinate legislation. I, therefore, commend the bill to the House.

 **Hon. TS MULHERIN** (Mackay—ALP) (Deputy Leader of the Opposition) (5.42 pm): It has taken a long time to get here. The genesis of this bill was the creation of Biosecurity Queensland in 2007. This is the culmination of seven years of work which has spanned two governments, two ministers, countless staff and stakeholders. I believe we have got it right.

Through extensive engagement with industry stakeholders such as AgForce and QFF and with NRM groups, the veterinary profession, scientific experts, the Department of Agriculture, Forestry and Fisheries, as it is now known, and Biosecurity Queensland I think this is probably one of the first times that we have created legislation through a cooperative approach. There were a lot of issues and policies that were discussed in the formation of this bill. Given that Biosecurity Queensland was formed seven years ago this week, the passage of this bill will be a fitting birthday present for the organisation. I believe that Biosecurity Queensland is at the forefront of best practice in Australia. I would like to commend the staff of Biosecurity Queensland for the excellent work they do in responding to biosecurity threats.

Australia is in a fortunate position when it comes to biosecurity. As an island continent we are more able to guard against the introduction of pests, weeds and viruses. It has been a great benefit to Australia that when other parts of the world's agriculture sector were affected by foot and mouth or mad cow disease we were not affected and were able to go on selling our products to export markets. We benefit from the fact that we are an island. But this would not count for much without effective biosecurity legislation.

The federal government has contributed by creating a strong customs framework. But it is not enough to rely on the Commonwealth and our stringent customs regime. The state must also play its role.

Queensland is the front-line state for biosecurity risks, as the minister has indicated. We deal with more biosecurity risks than any other Australian state. During the committee's hearing on this bill Dr Jim Thompson, chief biosecurity officer with Biosecurity Queensland, provided this rundown. He stated—

During 2012-13 alone we responded to 11 new significant animal incidents, four significant plant biosecurity incidents and a number of invasive plants and animals. Other threats included the ongoing Bovine Johne's disease case, which is still underway, the Australian bat lyssavirus case in the Southern Downs, red witchweed detection near Mackay and confirmed cases of avian influenza near in Toowoomba in poultry, confirmed cases of potato spindle tuber viroid in Toowoomba, exotic fruit fly detections and obviously, as I said before, the ongoing hendra case.

These incursions are of national significance. They affect not only the agriculture sector but, in the case of bat lyssavirus and hendra virus, are serious risks for human health. Experts also expect biosecurity risks to increase in the future for a number of reasons, including: Queensland's diverse environment; our long coastline; our proximity to our Asian and Pacific neighbours; climate change; the increased global trade in goods; and increased international tourism. Therefore, it is imperative that Queensland has a world-class biosecurity framework. This bill is intended to deliver that framework.

The incident which convinced me we needed a significant restructure of our biosecurity system was the death of native birds in a Wynnum waterway in early 2006. The Brisbane City Council approached the state government to collect and test these dead birds. At the time it was the responsibility of the Environmental Protection Agency to test the birds as they were native species. Unfortunately, the EPA was not able to respond in a timely fashion and the department of primary industries took over.

The birds tested positive for H1N1 or avian influenza which would have been a significant biosecurity incident and a threat to human health. Thankfully, when further testing was conducted by the animal health laboratory in Geelong it turned out to be a false positive. However, the incident showed me that the biosecurity functions of the Queensland government needed a significant overhaul and there was a need for a single agency and a single point of accountability.

The first step along the path was the consolidation of government biosecurity tasks into one agency which could properly coordinate biosecurity responses. The new agency brought together land protection capabilities, plant, animal and marine biosecurity, chemical use, safety and animal welfare. The agency immediately got to work on developing a new biosecurity strategy. In 2008 I released a detailed discussion paper and I then released the Biosecurity Strategy 2009 to 2014.

The strategy called for a new legislative framework which would simplify the existing regulations. The strategy specifically called for the new framework to be designed to make decisions and take actions based on risk analysis; reduce the administrative burden, enhance efficiency and reduce overall costs of biosecurity to government and stakeholders; streamline processes and mitigate uncertainties for business and individuals; remove regulations that are no longer necessary and where applicable replace them with more efficient regulatory tools; enhance capability by making laws that are easier to administer, can be consistently applied to a range of biosecurity risks and enable stakeholders to share the responsibilities; provide for greater use of co-management approaches to enable industry and community groups to more readily take an active role; provide a range of flexible legal instruments to facilitate appropriate action while holding decision makers accountable; and improve biosecurity governance and accountability and clarify roles and responsibilities for stakeholders.

In late 2011 I introduced the Biosecurity Bill 2011, which unfortunately lapsed as a result of the 2012 election. It is not lost on me that the biosecurity strategy expires this year, so we are really just sneaking this legislation in under the wire.

So now that I have provided a brief background on the history behind this very important bill, I will turn my attention to what the bill actually does. It replaces the legislative framework which has been developed in an ad hoc fashion over the last century with a single bill based on best practice. Our current framework is haphazard and spans across too many pieces of legislation to be easily understood and followed. It includes eight separate acts and 11 subordinate instruments. It is in many ways outdated. In some cases it has not been updated to reflect best practice or scientific advances in pest, weed and disease management. It is in the interests of government and industry to improve this state of affairs to reduce complexity and provide for best practice biosecurity management.

The bill repeals six separate pieces of legislation and significantly amends three more. It is based on the principles of creating a shared responsibility for biosecurity with stakeholders and it sets out the obligations of the state government, local governments and primary producers and landholders.

While the government needs to have a leading role in biosecurity, it requires the assistance of an active and informed agricultural sector. The bill also gives Biosecurity Queensland the ability to act according to risk, where currently it must wait to receive tests during a biosecurity incident. For example, under the current system if a significant number of banana trees died suddenly Biosecurity would not be able to declare an incident until tests were completed. This could result in days dragging by with Biosecurity Queensland unable to take any appropriate action. Under this legislation, action will be able to be taken as soon as a risk becomes apparent. If you have a large number of dead or

diseased banana trees, it stands to reason that you would want to act quickly to stop the disease spreading further, even if you do not know the exact problem. The bill enshrines that position and gives Biosecurity Queensland the ability to act as soon as a risk becomes apparent.


Whilst this bill is a climax of years of hard work, it is not in itself an end point. There is still a way to go to make sure the new framework delivers the best biosecurity outcomes possible. Firstly, the regulations that will underpin this legislation have yet to be made. In order for these regulations to work properly, the government will need to work cooperatively with industry to ensure they are simple and direct. I trust the minister will undertake a similar process to the one used to develop this legislation to write the regulations.

I was always acutely conscious of the need to bring industry along with us when we overhauled biosecurity in this state. That is why I created an advisory council chaired by the late Peter Kenny. That is why I released a discussion paper before the Biosecurity Strategy and then spent a substantial period of time drafting the legislation. That is why I released an exposure draft of the legislation before introducing the bill in 2011, to make sure industry was on board with us and we got it right. The same strategy must be used in developing the regulations. In listening to the minister here this evening, he gives me confidence that he will go down that path. I think the proof of the pudding will be how the regulations and the associated policies that go with that will come out through that engagement with industry.

Secondly, this new framework must be adequately resourced. Scientific research and technological advancement is integral to addressing biosecurity issues which require government investment. It required government investment to respond to recent biosecurity incidents. It took heavy investment to produce a vaccine for the hendra virus. It has taken investment to develop new monitoring and detection technologies to respond to fire ant infestations. And it took government investment for Biosecurity Queensland to deal with the equine influenza. In 2008 Queensland was declared free of this disease. We were the first place anywhere in the world to be declared free of this disease.

I would like to thank everyone involved in the creation of this legislation. It has taken a long time to reach this point and many, many people have contributed since 2007. In particular, I would like to place on record my gratitude to Ms Kareena Arthy, the former managing director of Biosecurity Queensland; Dr Ron Glanville, the former chief biosecurity officer; and Dr Jim Thompson, the current chief biosecurity officer. I would also like to thank Mr Grant Telford, Mr Larry Clark and Ms Sandra Golding for the work they did in developing this single piece of legislation. I would also like to pay tribute to the late Peter Kenny for his advocacy and support for a single government agency to deal with biosecurity.

I appreciate the collaborative efforts between Biosecurity Queensland and the large number of stakeholders such as AgForce, QFF, NRM collectively, environmental groups and scientific experts. It is a testament to the good work of hundreds of people that the passage of this legislation is going so smoothly. If stakeholders had not engaged with the department early and the department had not listened to them, I am sure there would have needed to be significant amendments to this bill after the committee process. As it is, the minister is only making some minor changes during consideration in detail, and I fully support those amendments. I would also like to commend the Agriculture, Resources and Environment Committee, the members of parliament and staff, for the work they did in the examination of the bill. I thank the minister for reintroducing a biosecurity bill. I look forward to its passage.

 **Mr RICKUSS** (Lockyer—LNP) (5.57 pm): I rise to make a contribution to the second reading debate on the Biosecurity Bill 2013. The Biosecurity Bill 2013 was introduced by the Hon. John McVeigh in November 2013. It was referred to the Agriculture, Resources and Environment Committee for inquiry and report. For our inquiry, the committee called for public submissions, received expert briefings from government agencies and tested evidence presented at a public hearing. I thank my colleagues on the committee for their hard work. I also thank the submitters who assisted in the work. I will say more about the submissions later in my speech.

The Biosecurity Bill is the result of many years of hard work by officers of the Department of Agriculture, Fisheries and Forestry. On behalf of the committee, I would like to congratulate them for what they have achieved. The bill of course had its origins in work started back in 2007 by the previous government, and I acknowledge the member for Mackay and his staff for their work on the previous bill.

Until now, Biosecurity Queensland has managed biosecurity risks with an unwieldy package of legislation that evolved in an almost ad hoc fashion. A review of the system was well overdue. As noted by the Auditor-General's report in 2008—

... the provisions of the Acts for which Biosecurity Queensland is now responsible are not always consistent nor do they reflect current operational best practice. Having to administer multiple Acts addressing similar issues can lead to delays and inconsistent practices across biosecurity programs.

Through good consultation processes with stakeholders, the Department of Agriculture, Fisheries and Forestry has finetuned the legislation to produce a modern and comprehensive framework for the management of biosecurity before us now, with the introduction of a general biosecurity obligation at its core.

This legislation will provide the critical tools needed to secure and manage biosecurity risks to Queensland well into the future. Biosecurity is an issue for all Queenslanders and all Australians. It is an increasingly complex issue which, if poorly managed, has implications across-the-board for individuals and industry alike. Biosecurity is everybody's business. I think that is an important issue. The government is not going to solve the biosecurity issues. Everybody in the community—every farmer, every landholder—has to be involved in biosecurity.

Effective biosecurity management is essential if we want to protect our valuable agricultural industries and our way of life. I would like to mention two current biosecurity issues which we face in this state. The recent discovery of fire ants at an industrial site in Yarwun, near Gladstone, is an example of the need for constant vigilance. Fire ants were first discovered there in 2006 and successfully eradicated. Their rediscovery is a timely reminder that we can never truly relax when it comes to biosecurity threats.

The same applies for the hendra virus. Between 1994 and 2012 there were 77 sporadic confirmed cases of hendra virus infection in horses. Most were the result of spillover infection from flying foxes, which are the natural hosts of this virus. These cases have all occurred in Queensland and north-east New South Wales. Transmission of the virus from an infected horse to one or more companion horses sometimes occurs, usually through very close contact. People have sometimes been infected with the virus from sick horses. Tragically, four of the seven people infected during the period between 1994 and 2012 have died and one reportedly has serious ongoing health problems. Five of the seven were either veterinarians or assisting veterinarians. I was disappointed to read about a recent survey of horse owners in Queensland and New South Wales which showed that many people are still failing to take basic precautions to protect themselves, or their horses, from potential infection. We need to get behind this new legislation and accept that we all have a part to play in protecting our great state from biosecurity risks.

Eighteen submissions that the committee received on the Biosecurity Bill were supportive of the new legislation. Stakeholders generally supported the concept of a general biosecurity obligation and welcomed the consolidation of provisions from a number of acts into one comprehensive, modern act. The committee also noted significant savings in regulatory requirements that the bill promises to achieve. As noted by the minister in his introductory speech, the bill represents more than a 20 per cent saving in pages of legislation compared to the current provisions it replaces. This makes it easier for people to understand. This is a major win for people and businesses who work with this legislation daily.

Public education will be a key part of the implementation of the provisions in this bill. This was stressed by the Queensland Farmers Federation and others in their evidence at our public hearing. The committee agreed wholeheartedly that implementation of the new legislation will be a significant task for local government, farmers and other stakeholders. This was the basis for the committee requesting that the minister make clear to the House the communication and eradication strategies his department will undertake to explain the new biosecurity responsibilities.

The committee's report made nine sensible recommendations. I was very pleased to see that the government's response to these recommendations has been very positive. I thank the minister for that. As I said before, the committee staff worked extremely hard on these recommendations. They did not just pluck them out of the air. With regard to the rabbit fence, it is great to see that the management of rabbits in Queensland by the Darling Downs-Moreton Rabbit Board will be reviewed. That is an important issue. Rod Towner, who used to be a councillor on the Laidley Shire Council, is one of the older and more experienced members of the board. We should call him Rod 'Terrier' Towner. He takes rabbit board fence issues very seriously. Councillor Ross Bartley, Councillor Ann Glasheen, Councillor Duncan McInnes, who is a constituent of mine from Harrisville, Councillor Greg

Olm and Councillor Glenn Tozer are doing a great job assisting the community with this rabbit board fence. It is important that we take these views on board. This helps the rest of the Queensland community, because that fence needs to be maintained. It is protecting most of Queensland. It is important. The rabbit board fence has been around since 1893. It is something that has stood the test of time and needs to be there for a long time to come.


Another issue concerned the saleyard. This issue was brought to our attention by the Australian Livestock and Property Agents Association. I think that is a common-sense approach to the saleyard position. This legislation is bringing it all together and making biosecurity simpler for the Queensland public to understand. That is really what this legislation aims to do. The committee examined the legislation. As I said earlier in a private conversation with the minister, when you bring so many bills together and you shake the tree as hard as we have there will always be a few issues that need to be clarified and amended. I am glad that the minister has undertaken to review the act in three years time. I imagine it will come back as an omnibus bill and we will tidy up any minor errors that come out of it.

As the minister is fully aware, when you get up to the Torres Strait islands and you can virtually walk across to Papua New Guinea, it is very important to manage biosecurity extremely well with our near neighbours. Could the minister explain whether that was a trial foot-and-mouth program where there was a pretend case of foot-and-mouth disease and the reaction was put in place? The minister might like to explain that in his reply speech when he mentioned that some planning was done. As highlighted by some recent disasters, if you fail to plan you are planning to fail. It is good to see that the department is planning for those issues. I think the member for Mackay mentioned a disease found in cane.

An opposition member: Witchweed.

Mr RICKUSS: Witchweed in cane. We have to be aware of these issues. I think cane smut is another disease. The banana industry is always very cautious about what biosecurity issues are brought in from some of the Pacific islands because they have a fairly clean and responsible industry up there at the moment. I see the environment minister in the chamber. I am sure that eucalyptus rust issues will be quite devastating for our natural environment and the management of these biosecurity issues needs to be ongoing. We need to have the right things in place to manage these issues in the long term.

I think we have taken a big step forward here. I congratulate the previous minister and the current minister. I also congratulate departmental staff and the committee staff involved in this. This is a great step forward in biosecurity. It will be held up as an example of reducing red tape and bringing the bills together and a good common-sense approach to biosecurity.

 **Mr HOPPER** (Condamine—KAP) (6.08 pm): In speaking to the Biosecurity Bill 2013, I, too, acknowledge the work which must have gone into developing this bill. It is very comprehensive and very wide ranging. No-one would have the time to touch on every area which biosecurity handles in a speech tonight. Biosecurity is a very serious issue and needs to be handled with due diligence. The bill repeals five acts in full and amends parts of three other acts, therefore crafting a bill which governs the protection of the economy, environment, social amenity and human health from the negative impacts associated with entry, establishment or spread of animal and plant pest and disease and other matter including contaminants.

At first reading, the bill appears very laden with extra regulatory burden which seems in contradiction to the government's mantra to reduce red tape. The cost to implement this bill is also one thing I do question the minister on in relation to the significant costs to local government to enact the legislation. We have to be very careful that we do not put imposts on local councils to have to put legislation in place that has been brought forward by the government. As the minister can understand, many local governments, especially in the north-west region, are experiencing a terrible reduction in revenue due to the severity of this drought and the reduction of government funding in those regions.

On the whole, we are very supportive of this bill. However, I would like to draw to the minister's attention some issues which relate to the bill. We received submissions from Clark McGhie from Australian Wild Country Adventures—and I know Clark personally and I really do believe in the integrity of this man—Neil Digweed from Research Into Deer Genetics and Environment, and Glenda Pickersgill, and they all raised concerns about how this bill will impact on their economic and personal interest in hunting, farming and breeding deer within Queensland. The latter submitters suggested that the bill creates confusion about whether or not parts of the dead animal are biosecurity matter;

therefore, there is no clear provision for parts of a category 3 dead animal to be distributed or disposed of. Can the minister clarify if it will be legal for a hunter to take the meat, skin, antlers or tusks from the property on which it was humanely euthanased? The reason I ask the minister this question is that this is of fundamental importance to hunters in this industry. There is the potential to destroy completely the taxidermy business. I know there is a taxidermist at Kilcoy who makes a living from doing up deer, feral pigs and dingos that are brought to him. There is an industry out there and we have to be careful about it. I am asking these questions, Minister, but I do agree with the bill. The taxidermy business is reliant on present hunting activities; moreover, this uncertainty may also impact on present and future game meat industries.

I would like to tell the minister that I had a very interesting and informative discussion with Mr McGhie about the bill and its relation to wild deer within Queensland. Mr McGhie explained to me that wild deer were introduced to this country as a gift from the Queen in the 1800s with the full permission of the government of the time. They were regarded as introduced fauna game or stock, but unfortunately a lot of pressure has been applied by various governments over the years to reduce the wild deer status and for them to be recognised as a pest. I honestly do not believe they are a pest. I believe deer are a resource and they are a resource that has to be managed properly. We have to tap into people like Clark McGhie, who has made a living out of deer. He has farmed deer and he knows the industry inside out. They are the sort of people we need to get advice from. I ask the minister to seriously consider putting a market value on wild deer in Queensland and to remove wild deer from the category of pest in relation to this bill. I seriously do not think they are a pest. I would be willing to organise a meeting between Mr McGhie and the minister to discuss the possible establishment of a regulated deer industry which could become a viable—

Mr Rickuss interjected.

Mr HOPPER: Mr Deputy Speaker, I ask for respect in this House.

Mr DEPUTY SPEAKER (Mr Ruthenberg): The member for Condamine has the call. Please continue.

Mr HOPPER: I will just go on with the speech. I would be willing to organise a meeting between Mr McGhie and the minister to discuss the possible establishment of a regulated deer industry which could become a viable domestic and export industry for the Queensland economy. I encourage the minister and his office to take the time to research the economic history of the deer farming industry, which was progressing into a vibrant and viable rural industry during the early 1990s. If the government allowed this industry to restart, they would turn a so-called pest back into a market commodity.

The other concern I want to raise is the use of GM crops—and I know this is probably close to the minister's heart with his background and his family—and the implications the bill will have on them in relation to wording like 'what is a carrier' and 'what is a contaminant'. The minister may be aware of recent events in Western Australia where Steve Marsh, who is an organic certified canola farmer, is suing his former friend, Michael Baxter, who is a genetically modified canola farmer, because he allegedly contaminated Mr Marsh's organic canola farm causing a significant economic loss of an estimated \$85,000 in earnings. This is the sort of thing that can happen. The news article and the ongoing court case have a major relevance to this Biosecurity Bill because the minister and the government may have to ask themselves a very difficult question should there be an inquiry into whether genetically modified crops are recognised as a biosecurity risk to non-genetically modified natural crops. I believe there is a very dark area here that must be seriously considered.

This question can be validated by the Australian Centre for Intellectual Property in Agriculture's research paper titled *Farmer's liability and GM crops*. Under the heading of 'Planting and harvesting', the paper stated—

Liability may occur in a number of situations, the most likely being the spread of GM seed and pollen from a GM farmer's land to a non-GM farmer's land. This may lead to civil actions on several fronts.

Under the heading of 'Negligence', the paper stated—

If the unintended presence of GM seed or pollen causes loss to another party, a GM farmer may face negligence actions if all of the following are met:

- failure to observe a duty of care to manage activities to avoid reasonably foreseeable damage to another person, and
- a breach of duty by the GM farmer, and
- damage sustained as a result of that breach.


The one issue which should concern the minister in relation to the bill as a possible biosecurity risk outcome is under the heading of 'Intellectual Property (IP) rights'. The research paper stated—

Pollen and seed drift may lead to GM crop spread on a neighbour's land. If the GM crop is patented (and many are) this may result in the neighbour being held liable for patent infringement. This is most likely in cases where the neighbour has taken active steps to encourage the growth of 'volunteer' plants. However, with patent infringement not generally dependent on proof of knowledge, the concern arises that even a completely innocent neighbour could be held liable for patent infringement.

We saw this happen in Canada where a farmer was found liable. It continued—

The Supreme Court of Canada indicated that courts should be slow to impose liability on farmers unaware of the presence of GM varieties.

These concerns which I have raised in reference to GM crops are in direct line with the questions put forward in the AgForce submission. They asked questions about the definition of a carrier. They also asked whether water—that is, rainwater, groundwater and watercourses—and wind were within the definition of a carrier capable of moving biosecurity matter. They also raised the issue of uncertainty in the event of an outbreak of a prohibited biosecurity matter which also affects or has alternate native hosts—whether plant or animal—as to what act has precedence. Who has the power to enact control measures for a biosecurity obligation versus requirements for preserving native plants and animals under the Nature Conservation Act? These are the questions that the minister and government must ask themselves when contemplating if GM crops might be seen as a biosecurity risk to non-GM crops.

 **Mr COX** (Thuringowa—LNP) (6.17 pm): I rise to talk about the Biosecurity Bill. I would firstly like to commend the minister for getting back to the committee on a lot of the recommendations. I point out for the previous speaker's knowledge that the government supports the recommendation as it clarifies that the restrictions only apply to feral rusa deer, not all rusa deer. I just want to point that out.

The Biosecurity Bill represents a new era in biosecurity risk management in Queensland. Queensland is unquestionably the front line for biosecurity in Australia, and this new legislation will provide a consolidated and efficient framework for the management of this critically important issue. The bill represents a consistent, transparent and accountable biosecurity risk management approach—something that is long overdue in what I would say is one of the most important roles of any government in maintaining food and health security for this state and the whole nation.

Queensland's current biosecurity legislation relies heavily on biosecurity threats being listed. Generally, action can only be taken or required in relation to listed pests and diseases. In contrast, the bill is risk based legislation. Many powers will be able to be exercised and obligations will apply regardless of whether the risk is listed. Risk based decisions and obligations mean flexible and proportional action can be taken in response to any risk. The bill includes a number of accountability measures for risk based decisions. These accountability measures aim to ensure that people's rights and liberties are not unnecessarily infringed upon.

The bill will ensure that Queensland has the flexibility to respond to evolving biosecurity risks, including where serious or irreversible damage is plausible but the scientific knowledge is incomplete. The government will be able to respond quickly, taking a preventative, rather than reactive, approach to managing potential threats. Australia enjoys relative safety from many of the pests and diseases that are prevalent in other countries, partly because of remoteness and partly through vigilance by quarantine and import agencies. Despite measures that are in place to prevent the entry of biosecurity hazards, and as the global movement of goods and people increases, pests and disease may still enter through a number of pathways such as wind, water, migratory birds, illegal smuggling or accidental cargo. Minister McVeigh noted in his introductory speech for the bill—

Pest and disease threats to Queensland are expected to become more frequent and diverse due to: increases in tourism and business travel; expansion in the trade of animals and animal products; an increased volume, range and geographic distribution of plant species traded; as well as entry of pests and diseases through natural routes. At the same time, analytical methods are constantly becoming more sophisticated, and overseas markets are demanding improved quality and timeliness of information to prove freedom from pests, diseases and contaminants.

Good biosecurity management is particularly important to Queensland given the state's extensive agricultural industries, vast coastline and the proximity of North Queensland to our nearest neighbouring country, Papua New Guinea. Despite the state's particular susceptibility to biosecurity risks, Queensland's biosecurity systems for the management of biosecurity hazards have, in the past, been found wanting. Problems with the management of biosecurity hazards by Biosecurity Queensland were highlighted in a performance management system audit by the Auditor-General in 2008. The report from that audit noted, in particular, problems with the state's biosecurity legislation.

The audit noted that the provisions of the acts for which Biosecurity Queensland is now responsible are not always consistent nor do they reflect current operational best practice. Having to administer multiple acts addressing similar issues can lead to delays and inconsistent practices across biosecurity programs. Biosecurity Queensland officers noted in their briefing to the committee—

The bill will provide the most comprehensive and complete approach to biosecurity legislation in Australia and is currently being copied in a lot of other places in Australia. A lot of other states are picking up some of the major elements of the bill.

This bill consolidates, modernises and expands existing provisions used by the department to manage and contain biosecurity risks. The bill achieves this by: defining biosecurity matter; imposing universal biosecurity obligations; establishing obligations in relation to 'prohibited matter' and categories of 'restricted matter'; generally continuing to prohibit feeding animal matter to certain animals as this can spread disease such as mad cow disease; providing for swift but time-limited action to manage emergency biosecurity events; allowing the chief executive to issue a biosecurity emergency order; allowing the chief executive to make a movement control order—just to name a few.

It is important at this point that I note some key differences between this bill and the lapsed 2011 bill. Chapters have been restructured to make it easier for stakeholders to navigate the bill. It does this by bringing together chapters on local government responsibilities and bringing together chapters on private sector accreditation, certification, auditing and compliance agreement. Many of the extensive saving and transitional provisions have been compiled in a new schedule. A simplified outline of the bill has been included in chapter 1.

Red-tape reduction and better regulatory flexibility have been a big part of this bill through things like clarifying the main biosecurity functions of local governments and reducing red tape relating to the development of local governments' biosecurity plans. Red tape for the approval of beekeeper registration, which did not apply to any other animal, has been removed. A large number of invasive plants and animals were listed in the 2011 bill as both category 3 and category 7 restricted matter. These two categories have been consolidated into one. Matters relating to barrier fence management have been addressed through this bill. Listing of prohibited matter and restricted matter, as I have already said, has also been addressed through this bill.

The consultation carried out regarding this bill is important. As this bill was in the workings for a long time, there has been extensive public and stakeholder consultation during the development of the Queensland Biosecurity Strategy 2009-14. There were some key issues raised in the committee process through both written submissions and public hearings. One of those was general biosecurity obligation and education. In both written submissions and in comments made by submitters at the public hearing, there was generally strong support for the change to a general biosecurity obligation that will be enacted by this bill. The Local Government Association of Queensland submitted the following—

All council employees with a land management or operational role that requires them to work outdoors in any capacity including for example, parking and water meter inspectors, will need to be made aware of their general obligations and what minimum reasonable and practical measures they must take.

This presents a resource and training cost to all local governments in Queensland.

They continued—

The LGAQ requests that Biosecurity Queensland prepare information materials that can be used by councils to allow them to easily meet this requirement.

Such materials will probably also be needed for state employees. During the public hearing, we heard from AgForce's Mrs Marie Vitelli, and Queensland Farmers Federation Chief Executive Officer, Mr Dan Galligan, raised the issue as well. Mrs Vitelli stated—

There needs to be an ongoing state budget commitment to resource state and local government when it comes to implementing this bill and the associated compliance. Significant resourcing is also required to increase community awareness of each person's general biosecurity obligation and requirement to report prohibited matter.

I know that the minister has taken on board these comments. The department responded specifically to the LGAQ's comments by stating—

The department recognises that implementation of the proposed legislation will be a significant task. The department will consult with local government before finalising an implementation plan for the proposed legislation if the Legislative Assembly passes the bill.

Local governments, like other persons, will be obliged under the proposed legislation to take all reasonable and practical steps to minimise biosecurity risks posed by their activities.

I would like to relay to all here today the views expressed by Dr Jim Thompson, Chief Biosecurity Officer with Biosecurity Queensland. He stated—

The bill represents a new approach to biosecurity in Queensland. Many of the submissions expressed some concern regarding the role of various parties in maintaining biosecurity. I would like to begin by explaining one facet of this new approach and that is the shared responsibility for biosecurity, which will provide context for the specific issues later.

The committee noted the concerns of submitters and asked the minister to inform the House of the communication and education strategies planned by his department to assist local governments, other organisations and individuals to understand and meet their biosecurity obligations. Again, I appreciate the minister's actions in taking on board these concerns.

This bill will go a long way to protecting market access, which is vital to agriculture—one of the four pillars of our state's economy. Australian and Queensland farmers have put a lot of hard work and expertise into becoming world leaders in clean, green food production. Maintaining market access and developing new markets for our world-class disease-free status on many of our agricultural products is vital to our pro-growth aspirations and the competitiveness of our agricultural industries. The Biosecurity Bill 2013 will provide the confidence that market access requirements, particularly for Queensland's large beef industry, are met through an effective tracing system. The bill will also regulate the safety and quality of animal feed, fertilisers and other agricultural inputs and manage risks of biological, chemical and physical contaminants in carriers.

One of the most important changes to biosecurity that this bill will bring about is that of shared responsibility. The Biosecurity Bill 2013 formalises the notion that biosecurity is everybody's business through the general biosecurity obligation. Everyone—those who create or exacerbate risk and those who benefit from risk minimisation activities—should bear their proportionate share of responsibility for the mitigation of biosecurity risks and share the cost of biosecurity responses. The bill recognises intergovernmental agreements, government and industry agreements and compliance agreements that provide for the role of various parties. It clarifies the particular role of local governments in weed and pest management.

Finally, I would like to thank the honourable minister for addressing some of the recommendations put forward by the committee and addressing them through proposed amendments. I know that this bill is very important for the future of agriculture not just in this state but also in all of Australia. I thank the minister for finalising this bill. Now both local and export markets can once again have full confidence in Biosecurity Queensland, and the people of Queensland, Australia and the world can have confidence in our ability to feed us all. I thank the minister for picking up this bill and making it a priority to introduce it to the House and seeing it progress through the committee process in his role. I am sure the whole of the agriculture industry of Queensland appreciate this. As I think the chairman has mentioned, it is something we will have to come back to and review in time, which the minister says is quite possibly during the next parliament. I would like to take this opportunity to thank the members of the committee and the research team. I support the bill.

Debate, on motion of Mr Cox, adjourned.

Sitting suspended from 6.30 pm to 7.30 pm

MILK PRICING (FAIR MILK MARK) BILL

Second Reading

Resumed from 12 February 2014 (see p. 201), on motion of Mr Knuth—

That the bill be now read a second time.




Mr GIBSON (Gympie—LNP) (7.30 pm) continuing: It is good to return to this speech on the Milk Pricing (Fair Milk Mark) Bill. As I was saying during the last sitting week, my electorate has had a very long and strong history with the dairy industry. We have seen the highs when Gympie had the production records for butter within the Southern Hemisphere through to the periods after deregulation and the difficulties that the industry is now facing, where we see the major supermarkets selling milk at a retail price of \$1 a litre. As I was saying in my speech in the last sitting week, it is clearly evident that, when you are in supermarkets in the major shopping centres and watching ordinary Queenslanders making purchases, many of them are unfortunately buying the 'no brand' supermarket milk at \$1 a litre.

It is very concerning that we as consumers do not value our dairy industry and we do not, as Queenslanders and Australians, recognise what dairy farmers are contributing to our economy. When we see consumers who are prepared to pay more for a bottle of drink than a litre of milk—a staple of the diet—that is very worrying. The challenge for this bill is that it is trying to address a complex issue, and unfortunately this bill falls short.

I commend the minister for the dairy forum that he called last year. I had the opportunity to attend that along with some local dairy farmers. It was very evident at that meeting that there is no silver bullet. There is no simple solution to the challenges that the dairy industry faces. Indeed, I also had the opportunity last year to travel to Inner Mongolia in China to attend the world dairy conference, and it was amazing to see the scale of dairy production in China and the interest of the Chinese in what we produce here in Queensland. They have identified our product as being of a very superior quality, both in its standard of production and the environmental standards under which it is produced. I know that Chinese interests are looking to the Mary Valley, as they are other parts of Australia, as places from which to import products. I have to be frank and say that if they will value that product more than Coles and Woolworths then perhaps that is a good outcome for our farmers. If they are willing to pay a fair price at the farm gate, perhaps that will force the major supermarkets to reconsider this aggressive discounting regime that we have seen.

The local dairy industry in Gympie is not all bad news. We have seen a new dairy being established at a time when most of the stories are about dairies being closed. The fact that a new dairy has been established within the Mary Valley and is providing milk to a Kenilworth milk processor highlights the opportunities that do exist for dairy farmers who are willing to think outside the box and look at those niche markets where they are not supplying their product to the major processors. For some time in my electorate we have very successfully run Cooloola Milk. Often, and particularly during floods, that is the only milk that you can access. Many people comment about the high fat content in Cooloola Milk which is responsible for its unique taste, and it is enjoyed by many people.

As we note, this bill does not compel processors, and a voluntary milk mark could already be introduced if the industry wanted it without the need for legislation. It is on that basis that I will be opposing the bill.

 **Mr WELLINGTON** (Nicklin—Ind) (7.35 pm): It gives me a great deal of pleasure to rise to participate in the debate on the Milk Pricing (Fair Milk Mark) Bill 2013. At the outset I congratulate the member for Dalrymple, a member of the Katter party, for having the strength of character to have a go. We have heard scathing and critical comments—not from this minister but from other ministers of the Newman government—ridiculing members of the Katter party, other minor parties and the Independents for some of the positions they have taken.

I say that it takes courage to have a go and introduce a private member's bill which puts this matter on the agenda so that every member of the parliament is able to contribute and be involved in debating something that is very important. I think this is a very important matter, because its object is about trying to provide leverage to farmers when negotiating contracts with processors and increasing consumer and customer engagement in the economy of dairy production in Queensland. In the member's explanatory notes he says—

In 2000 there were 1545 dairy farms in Queensland. In 2010, there were 610. The number has dropped below 540 and will likely be below 500 by the end of 2013.

I have just been informed by the member for Dalrymple that the advice he has received this afternoon from the Queensland Dairyfarmers Organisation is that there are now in the vicinity of 496 dairy farmers left in Queensland.

We have heard some government members say, 'There is no silver bullet.' 'We cannot fix it.' 'It is a big problem.' 'We're doing the best we can.' I say quite frankly that when the government saw a few bikies running amok on the Gold Coast, state and federal governments and state and federal police got together to discuss the situation and we saw an immediate response. Whilst debating this bill, numerous members have spoken about the power and influence of the Coles and Woolworths industry in Queensland and Australia.

An honourable member: What about Aldi!

Mr WELLINGTON: And Aldi as well—put them in there. The power and influence of these major companies is amazing, yet neither the federal government nor the state government want to find a solution. They simply say, 'There is no silver bullet.' We have a federal constitution and a state


constitution; we have a federal parliament and state parliaments and territory governments all around Australia. If there is enough will from those elected members, I have no doubt that a way will be found to deal with the influence and pressure of Coles and Woolworths and the monopoly influence that they have over governments, be it this government or the federal government. I say that I do not agree that there is no silver bullet. I believe that, if the will is strong enough, a way will be found.

I can remember going to school in Kenilworth in Queensland when I was only so high, and the government at the time provided free milk. I can remember that the crates would come up and we had our free milk. At that time the state government got behind the dairy industry in Queensland. I remember we used to have the glass bottles, and then the school leaders had to organise and distribute them. More than a few years ago, free milk was a part and parcel of life in Queensland. We saw a state government then that was prepared to get behind the dairy industry.

It was not that long ago when the Premier of this state was talking about buying local, and we saw all of the publicity and all of the spin about that issue and then there was dead silence. Given this bill, my challenge to the Newman government is to buy local, to get behind our dairy industry and to support our dairy industry in Queensland. Both this government and the federal government want to have all of the spin and want to find all of the reasons why they cannot do anything. They want to criticise the bill, yet the member for Dalrymple proposes to introduce amendments aimed directly at responding to the committee's report. Again I say to the member for Dalrymple and his Katter colleagues: thanks for having the courage to stand up for Queenslanders. Thanks for having the courage to stand up for the people that the Newman government does not want to hear about.

This minister is a little bit different to some of the other ministers; at least this minister is prepared to listen. I thank the minister for agreeing to meet with me and some primary producers from the Sunshine Coast tomorrow so that we can talk about the effect of the drought conditions on the Sunshine Coast and in South-East Queensland. I understand that there is significant concern about the local drought committee, but I am not going to go into that publicly. I thank the minister for agreeing to meet with dairy farmers, representatives and me tomorrow here at Parliament House. We are keen to have a frank discussion behind closed doors, and hopefully some other advisers might be able to assist with some of the questions that I have no doubt will be put, because quite frankly Mother Nature has a direct impact on the future of many of our dairy farmers.

There is a milk processing plant right in the heart of Nambour, only a few minutes away from my electorate office. I regularly see those tankers coming in and going out and I regularly see the milk tankers going down the highway delivering milk to elsewhere. My challenge is this: let us get behind the dairy industry. Let us look at how this state government can actually better support it instead of saying that it is all too hard. By crikey, if the government wants to find a way, we have a Liberal-National government in Canberra and we have a Liberal-National government in Queensland. If it wants to find a way, I believe it can find a way to support them.


 **Mrs CUNNINGHAM** (Gladstone—Ind) (7.41 pm): I rise to support the Milk Pricing (Fair Milk Mark) Bill 2013. I have a great belief in our local producers. I have a great belief in our local rural producers and believe that, with support and with acknowledgement, they can succeed. I have had a look at this bill and the milk pricing fair milk mark reminds me very much of the Fairtrade mark that is on so many products across the world. If you go to Oxfam in the Myer Centre, you will find that there are Fairtrade products that you can choose to buy. Indeed, if you go into some of the supermarkets you can buy a product that has a mark that is 'fair trade' which indicates that the producers—the workers—are given a fair price not only for the product that they produce but for the work that they invest into that product. I have three daughters and each of those have an investment in the Fairtrade mark. They actively look for products—whether it is coffee or whether it is other products like chocolate; everybody loves a chocolate—that have a Fairtrade mark on them.

I can see that the fair milk mark would be no less successful. If people were given the opportunity to purchase a product where the primary producer in Queensland was paid a fair price, people would flock to the opportunity. I am very conscious that many families in Queensland are struggling financially. There would be those who would not be able to pay a slightly increased price for something that would ensure that our dairy farmers got a fair price for the product that they produce. But I believe that overwhelmingly Queenslanders would welcome an opportunity to ensure that our primary producers received a fair price for the commodity that they produce—in this instance, milk. As an individual, my husband and I choose to buy Baffle milk, which is produced very close to where we live. There is another producer on the Tablelands called Mungalli and it produces a very good quality product as well and we choose to buy Mungalli products through our organic supplier. In South Australia there is a producer called Paris Creek and we choose also to buy certain products

from it, but we choose because we know that in making that choice those producers get a fair price. I know that 100 per cent of people in Queensland would want to see our rural producers sell a product at an acceptable price wherever they possibly could do that.

I acknowledge in standing here that there are families, as I said earlier, who would find it difficult to pay a slightly inflated price for a local product. But I also know that there are a huge number of people—a huge number of families—who would pay a small price increase for a product where they knew that the producer got a fair whack. I know that. I have talked to people. They want to see milk that is bought locally. They want to see the dairy farmer paid for the work that they do. They want to see orange growers at Gayndah paid for the product that they produce, so I support 100 per cent the fair milk mark price. We have now only one dairy farmer in the Boyne Valley. We had a number of dairy producers, and the reason that our last dairy farming family, the Paishes, are going out of business is that in the floods they did not receive support to allow them to get their product out and also after the floods to be able to re-establish their infrastructure. So this young family is probably going to go out of the milk-producing industry. Whilst it is a huge loss to them as a family, it is an incredible loss to us as a community that we lose the ability to have that local product available to us.

I support this legislation because I believe the majority in my community, if they were given the opportunity, would support it 100 per cent as well. As Queenslanders we need to recognise the great sacrifice that rural and primary producers make to give us products that are of quality, that are reliable and that are available. I read in the paper that it will not be too far in the future that we as Queenslanders will only be able to buy packet UHT milk or powdered milk, and I find that incredibly offensive—offensive that we have dairy farmers who have worked their hearts and souls out to provide a good product and we have not protected them. I find it offensive that our kids will not know what it is to buy a product that is locally grown, locally produced and locally manufactured. So do I support the Milk Pricing (Fair Milk Mark) Bill 2013? Absolutely! Why do I support it? Not because the members of a minor party have brought the bill forward. I support it because our farmers deserve it, I support it because our families deserve it, and I support it because our state deserves it.

 **Mr HOPPER** (Condamine—KAP) (7.47 pm): I congratulate the member for Dalrymple, as the member for Nicklin said, for his intestinal fortitude to bring this bill before the House—a bill that will cost this Liberal government nothing, not one cent. If we pass this bill tonight, there will be no cost to this government whatsoever, but this bill will help dairy farmers. The president of the QDO supports it, yet we have a committee that has found every possible way it can to not support it because it has come from a member of Katter's Australian Party. The chair of that committee should hang his head in shame. I remember the member for Callide was named as the most hated man in Queensland. I tell you: the member for Lockyer is the most hated man in his electorate—there is no doubt. He should hang his head in shame.

Mr RICKUSS: I rise to a point of order. I find those words offensive and ask that they be withdrawn.

Mr HOPPER: Yes, I withdraw.

Mr Rickuss: He is prattling on—

Mr DEPUTY SPEAKER (Mr Watts): Order! Thank you. It has been withdrawn.

Mr HOPPER: I withdraw. The biggest dairy in the member for Lockyer's electorate has just gone on the market. Why has it just gone on the market?

Mr RICKUSS: I rise to a point of order. Mr Deputy Speaker, the member is misleading the parliament and being offensive as well.

Mr DEPUTY SPEAKER: Take your seats for a moment. Member for Lockyer, there is a process to write to the Speaker if you feel that that is the case.

Mr RICKUSS: All right. I will do that. I can tell him just for his own information—

Mr DEPUTY SPEAKER: Member for Lockyer, could you take your seat please. I call the member for Condamine.

Mr HOPPER: Mr Deputy Speaker, I will withdraw it. Only last week the biggest dairy in the Lockyer Valley has gone on the market and the member for Lockyer, who is the chair of this committee that has thrown out this bill, has had the opportunity to help him. He has turned his back on the dairy farmers in his electorate. He should hang his head in shame, as should the Minister for Agriculture.

I was a dairy farmer before I was elected. I had been a dairy farmer all my life. In about 1995 I remember the old neighbour next door got out of the car. It was about half past five in the morning. I had just got the cows in the yard and he said to me, 'The deregulation of the dairy industry has just

been announced.' I am not sure whether that was 1995 or 1998—it was something like that, but it was before the year 2000. The whole emphasis on deregulation was liberalism. It was pushed by John Howard and every state was forced into voting for deregulation and the industry was swept away—

Mr Rickuss interjected.

Mr HOPPER: It was swept away from the dairy farmers of this state. John Howard should hang his head in shame. John Howard should hang his head in shame because at that time—

Mr Rickuss interjected.

Mr HOPPER: Mr Deputy Speaker, I ask for your protection.

Mr DEPUTY SPEAKER (Mr Watts): Order!

Mr HOPPER: John Howard, the Prime Minister of this nation at that time, believed in—

Mr Wellington interjected.

Mr HOPPER: Yes, the free market, the survival of the fittest. That is what we have here. We have a Liberal government. It is survival of the fittest. There is no National Party in Queensland anymore. We have no LNP; we have a Liberal government. The National Party has been absorbed. It has been taken over. The Liberal Party was insolvent. The National Party had to pay it out. I see the Attorney-General grinning and I hear the Minister for Agriculture laughing—

Mr RICKUSS: I rise to a point of order. What is the relevance of this? He is going off on some wild tangent.

Mr DEPUTY SPEAKER: I remind the member for Condamine to stay with the long title of the bill.

Mr HOPPER: Mr Deputy Speaker, thank you. I will return to the bill. The relevance is liberalism. That is exactly what it is: survival of the fittest. That is why this bill is being rejected tonight, because it is about survival of the fittest. The biggest dairy farmer in the Lockyer Valley cannot survive. If this bill was passed at no cost to this Liberal government—

Mr RICKUSS: Mr Deputy Speaker, I rise to a point of order. I ask the member to withdraw. I think that is a slander on Mr Gerber and his family in the Lockyer Valley.

Mr HOPPER: I did not name him

Mr DEPUTY SPEAKER: Order! You cannot take offence.

Mr HOPPER: Exactly. How long has the member for Lockyer been in this chamber? Someone of that ability is chairing a committee! He does not even understand the proceedings of parliament!

When the deregulation of the dairy industry hit, we had 1,525 vibrant farmers in Queensland who did not have to rely on government support. As the member for Nicklin said, that figure is now down to 496. Why is that? I will tell members why. Back then dairy farmers were paid 58c a litre for their market milk. That is the milk that they sell. That is quota milk. They had to pay for those quotas. Some of those farmers paid \$300 a litre to buy quota. So if you bought 100 litres of quota at \$30,000, you received 58c a day for the first 100 litres you produced. Most farmers had probably 1,000 litres of quota. That is \$300,000. When the deregulation of this industry hit, that system was wiped out overnight. The banks immediately put pressure on those farmers. The banks moved on those farmers. Farmers sold farms. They starved. There were that many dairy sales then under the federal Liberal government. That is exactly what happened. At that time Premier Beattie was the Premier—

Mr Rickuss interjected.

Mr HOPPER: Premier Beattie was the Premier of Queensland at that time. So John Howard sent a sweetener to Queensland. He sent \$90 million to help the dairy farmers. What happened to that \$90 million? It went into consolidated revenue. The dairy farmers never saw one cent of that money. The Beattie government should hang its head in shame for what happened: \$90 million was to go to the dairy farmers of Queensland from the Howard government as a result of the liberalism decision that destroyed the industry. Yet under the Labor government it still did not get passed on. It saw farmers walk out. It saw farmers shoot themselves. It saw farmers destroyed. That is what we are facing here tonight. We are facing a bill that was put before this House by someone with the intestinal fortitude to do something. We have a minister who sits over there laughing with the Attorney-General. He should also hang his head in shame, because he used to be a National and now he is a Liberal through and through. There is no National Party. There is no-one to stand up for the bush in Queensland full stop. That is exactly what this bill does tonight.

Back in those days we had a good man called Pat Rowley, who was the head of the QDO. He managed to go to government and put in place a package to try to help some of those farmers. The Westpac Bank financed that package over eight years and those farmers paid back that package over eight years. I thank Mr Pat Rowley. It is people like him who should be in this institution. It is people like him who know what liberalism is all about. People like him were great believers in the National Party until then.

Let me tell members that every member of this government should hang their head in absolute shame. They do not have the guts to stand up to Coles and Woolworths when they are selling milk for \$1 a litre. It costs more to buy a litre of water in a supermarket.


This bill gives the consumer a choice. It gives the mother, the father, the person who is shopping a choice to give the farmers 8c a litre extra for their produce and it costs the government nothing. All it costs is the minister and the chairman of the committee to say, 'Look, this bill is all right, fellas. Let's suck it up for a minute and let the member for Dalrymple get a bit of credit.' But, no, they cannot do that. They would rather see dairy farmers go out the door than give a Katter party member credit for introducing legislation.

Let me tell members right now that before deregulation the industry looked after itself. The Queensland farmers subsidised the Victorian farmers. Deregulation was all about the amount of milk that was produced in Victoria. We used to pay a levy per litre and that money went to the Victorians and we were happy to do that.

The people have a choice with this legislation. We have seen farmers try to make it on their own. We have seen Maleny Dairies—Ross Hopper and my Uncle Harold—go out on their own and bottle their own milk and make their own yoghurt. We have seen local companies take up that product and try to support them. We heard the member for Gladstone say that she tries to buy locally. That is a perfect example of what this bill represents. It gives the consumer the opportunity to help the farmer at no cost to this Liberal government.

Mr Rickuss interjected.

Mr HOPPER: The former National Party member for Lockyer should hang his head in shame with his interjections. Adrian Peake from the QDO wants this bill to go through the House tonight. How many more farmers do we have to see leave this industry? The former government destroyed the industry. The National Party stood up against deregulation. The National Party should hang its head in shame to see this minister, who is now a Liberal, not passing this legislation. We have no National Party members in Queensland. That is the biggest problem that dairy farmers face.

 **Mr KRAUSE** (Beaudesert—LNP) (7.58 pm): Dairy farmers in Queensland need to be paid more for their milk. Unlike the member for Condamine, I intend to address the reality of the situation. The member for Condamine largely ignored the impact that the \$1 a litre milk war has had on the industry, instead choosing to hark back to events of nearly 20 years ago that have really little relevance to the debate about the milk and dairy industry today. Dairy farmers in Queensland need to be paid more for their milk and that is the simple reality facing the industry, which represents over \$200 million of investment in our state's economy. It is an investment that is now at risk of disappearing because of the crushing of the dairy farmers by a milk price war that is paying no regard to market forces.

Milk is being transported from interstate by our major processors to be sold in Queensland shops and supermarkets. It indicates a local supply shortage, yet the increased cost added on to the cost of fresh milk as a result of transportation has not yet found its way into a price rise for local producers.

Dairy farmers need to be paid more for their milk. Despite the fact that some southern producers are seeing increases in farm gate prices, which in a functioning market should increase farm gate prices across the nation, that is not occurring. Dairy farmers need to be paid more for their milk because since the \$1 a litre milk war began in 2011 import costs have risen dramatically, yet the farm gate price has stagnated or gone backwards in many cases. Dairy farmers in Queensland are in many cases working for nothing or consuming their equity to stay in operation to feed us all fresh milk on a daily basis. They are, like many primary producers, supporting the rest of the economy because they work for so little return. They do not get paid penalty rates on a Saturday or a Sunday. In fact, they have no protection from processors and retailers that thrust short-term contracts onto them, meaning there is no confidence for them to invest in efficiencies by investing in new equipment or making investments in irrigation or other things so that they can get more efficient. They do not have that confidence because, when they get a three-year contract from a processor, in many cases it is being renegotiated after a year and they will be pressured to sign up and agree to a price reduction or a minuscule increase because otherwise they will be cut out of the supply chain altogether.

Dairy farmers need to be paid more for their milk. It was recently reported that the cash cost of production is 55.2c per litre compared with the farm gate price being paid to dairy farmers of 51.3c per litre. I will table a report from the *Courier-Mail* where those figures are being quoted by the Queensland Dairyfarmers Organisation. Clearly this is unsustainable in the long term and it shows in the faces of many dairy farmers across my electorate. A recent survey by the QDO found that 90 per cent of dairy farmers lacked confidence in the future of the industry and the majority have negative cash flow. It is impossible not to agree with the sentiments of Brian Tessmann, the QDO president, who said that the market was in 'total failure' because the milk being trucked in from southern production areas generates a higher cost per litre of milk than the price being paid to local producers. So why then is there not an increase in prices paid to local producers?

Tabled paper: Article from the *Courier-Mail* titled 'Dairy farmers cry out for rise' [\[4596\]](#).

I am the son of a dairy farmer. I grew up in Marburg, just west of Ipswich, in an area that, until deregulation of the industry around the year 2000, was littered with dairy farms. In 2001 my father exited the industry after producing milk for a year in the deregulated market and breaking even. That is a lot of work not to make any money. But given some of the negative returns that are being made now, 15 years later, it probably does not look too bad. The consolidation of the industry continued from that time and is still continuing. However, there comes a point where consolidation and the constant downward pressures on prices creates an uncompetitive market and results in a market failure.

I believe we have reached that point because now some of our best and biggest dairy farmers simply cannot make the sums add up in their business. The large dairy farm around Harrisville that has recently gone on the market is a prime example. It is owned by a person who knows their industry, knows their business, is a terrific dairy farmer and has dedicated his whole life to dairy farming. He has invested considerable amounts of money through debt into making an efficient operation. There would not be a more efficient or better dairy farmer in all of Southern Queensland, but he still cannot make it pay because of the conduct of the processors and retailers. Dairy farmers need to be paid more for their milk. That is a perfect illustration of that point.

Dairy farmers need to be paid more for their milk. The QDO is calling for an extra 12c a litre to be paid to farmers at the farm gate. I refer to the comments of the member for Gladstone that consumers would be willing to pay an additional amount of money to support their local industry. There are local options available. In my area of Beaudesert in the Scenic Rim there is locally produced milk on the market. There are other examples, too. The member for Condamine referred to Maleny Dairies. Branded milk delivers a better return for local dairy farmers, but consumers are still buying \$1 a litre milk because it is the cheaper option for them. It is hard to say to people who are struggling with tight budgets that they should pay more for their milk. But that is not the point here. Retailers are continuing the \$1 a litre milk war. They are neglecting Queensland dairy farmers, despite the fact that they have a shortage of milk in Queensland markets, and trucking it in likely costs more than it would cost to give Queensland farmers an increase in price.

Dairy farmers need to be paid more for their milk, but this bill, if passed, would, in all likelihood, do absolutely nothing to bring about an increase in the farm gate price for milk. I have consulted with many dairy farmers in my electorate, which is one of the largest dairy farming electorates in the state. There is no doubt that they appreciate any help in continuing to highlight the issues affecting their industry, but this bill simply will not facilitate any increase in revenue for these dairy farmers. It will not increase their revenue one iota because, to start with, the bill proposes to establish a mark which could be voluntarily placed on milk by processors where a fair price has been paid to producers. There is no compulsion on processors or retailers to place the mark on the milk.

On the other hand, processors or retailers could voluntarily, without legislation, pay a higher price to dairy farmers and market their product as being supportive of the local dairy industry, and to a certain extent that is already happening in the retail market. Norco is already marking its product as supporting local dairy farmers in my area. To a certain extent it is already happening. It is commonly understood that branded milk such as Pauls, Dairy Farmers, Norco or Pura results in a higher return going to local dairy farmers here in Queensland. Local brands such as Scenic Rim 4Real Milk, milk processed on the Dennis family farm at Tamrookum, south of Beaudesert, is sold on the basis that it is straight from their family to yours. Maleny Dairies is another example of such a brand. But the proposition that this milk mark would be taken up voluntarily by processors or retailers does not stack up. It is voluntary and if they wanted to do it they already would. The ones who want to do it now who have that niche market are already doing it. The problem with this whole proposition is that retailers have complete domination of the market at this time.

I have spoken previously about the uncompetitive conditions that exist, and it is worth repeating some of those comments for the benefit of the record. Retailers are the largest risk to the future viability of the Queensland dairy industry, not only the Queensland dairy industry but the dairy industry across the whole country. Their tight grip on the supply chain is squeezing the life out of dairies which are mostly small, family run businesses with no industrial protection and which are being exploited to supply milk at \$1 a litre.

With Coles and Woolworths controlling nearly 80 per cent of the grocery market, controlling access to shelf space and using farmers' milk purchased below cost price to fill their own brand milk and with those supermarket brands selling milk at \$1 litre, which is undercutting and driving down sales of branded milk—the milk comes from the same farmers—it is clear that retailers have complete control of the market and are using that dominance to further control the entire supply chain. They set the cost of their milk at \$1 a litre and, if the farmers do not take the below-cost price offered, retailers can rip the branded milk off the shelves in retaliation, whether it is Dairy Farmers for Lion suppliers, Pauls for Parmalat suppliers and so on.

Branded milk is the only hope farmers have of making some sort of profit in the market, yet retailers have the ability to drive this product off the shelves through their up and down control of the market. When there is no other brand of milk except the supermarket brands, will it be sold for \$1 a litre? I do not think so. We need to have longer term contracts and certainty for our farmers, not one-year contracts that can be ripped up at the insistence of retailers, which is happening. There are massive barriers to entry into the dairy industry. Farmers need certainty through longer term supply contracts. They need to be allowed to supply more than one entity, more than one processor, and the federal government needs to take a policy position which ensures the long-term future of the dairy industry so that we can all have fresh milk into the future. I seek leave to have the remainder of my speech incorporated into the record.

Mr DEPUTY SPEAKER (Mr Watts): Has Madam Speaker given approval?

Mr KRAUSE: Yes, she has.

Leave granted.

Queenslanders, buy local branded milk. Support your local dairy industry to ensure we have milk for our children and future generations. All federal MPs of all political persuasions need to fix this issue with the competition law where these retailers can control the market from top to bottom, because in the long term if they do not there will be no competition, there will be increases in the price of milk and there will be more profits for retailers at the expense of our dairy farmers.

All Members have spoken about the tough times that the industry is going through, about dairy farmers going broke and the emotional and psychological toll this places on families and communities. I have seen this in my own Electorate, but this Bill, nicely dressed up as it is, does absolutely nothing to deal with the dominance of the retailers and the overriding power they have in the milk market. That is the issue here, and that is the issue that needs to be dealt with in order to increase the farmgate milk price for all dairy farmers. Our competition laws need to take into account the long-term effects on the dairy industry of the actions of retailers—they presently do not. The Commonwealth Parliament must address this issue by enacting changes to these laws which support all primary producers and small businesses that are subject to dominance by retailers in their markets. Competition law is a complex area, but there are ways in which it can be crafted and utilised to achieve these goals, provided that the ACCC is empowered to enforce, vigorously enforce, legislation that not only looks to the effect of competition for consumers, but also the effect of competition on the supply side of the equation, and crucially, that the ACCC can take into account the long-term impacts of the conduct of market participants. Simply asking whether it is good for consumers, and finding that there is competition because there are two retailers, not one retailer, is not good enough.

Dairy farmers need to be paid more for their milk, but this Bill's proposal for the Minister to determine what is a fair price for milk is problematic. The reality is that a fair milk price varies from farmer to farmer, and from region to region. This part of the Bill harks back to the time when the farmgate price was regulated by government on a State-by-State basis. This simply is not the reality of the dairy industry today.

The QDO is calling for the implementation of a mandatory code of conduct for retailers to adhere in their dealings with the dairy industry, and I support that call. My Federal colleague, the Member for Wright Scott Buchholz, has been taking up the fight for our Queensland dairy farmers in Canberra for many years now, and recently in the House of Representatives he has set out in detail the issues facing these producers. One thing that he has stated is most certainly true—there is not one silver bullet to fix the dairy industry.

We need to make changes to competition legislation.


We need retailers to support the long-term prospects of the dairy industry, not only in Queensland, but fresh milk production across Australia.

And, as the Member for Wright has pointed out, dairy farmers need to rally, our processors need to negotiate better deals with retailers and enable a better return at the farmgate.

Dairy farmers need to be paid more for their milk, but this Bill will not bring that about.

I will continue to lobby our Commonwealth counterparts to bring about the changes required to support our Queensland dairy industry.

I finish with a plea to Queenslanders—please, support your local dairy farmers. Buy branded milk. Buy local product where you can. For when there is no choice on the supermarket shelf except retailer homebrand milk, and there is no competition at all, do you think milk will be a \$1 a litre?

 **Mr RICKUSS** (Lockyer—LNP) (8.08 pm): I rise to my feet with a heavy heart. The hypocrisy that has come from the mob on the other side saddens me as a politician. The member for Condamine has been in this place for 13 years, but he has only ever worried about himself. He thinks, 'Bugger the dairy farmers; bugger everyone else'; he just worries about himself—I withdraw.

The member is not interested in trying to look after anyone but No. 1—that is, Ray Hopper. That is all he worries about. Unfortunately, the member for Dalrymple is starting to get tarred with the same brush. They have become involved in this process, but it has been really poorly done. The Katter party introduced a similar bill into the federal party. Bob has been in parliament for something like 34 years, but has done nothing. The member for Condamine has been in here for years, but has also done nothing.

I am sure the member for Condamine has not read the committee report. If he had he would have seen our recommendations. Our first recommendation states—

The committee recommends that the Department of Agriculture, Fisheries and Forestry continue to liaise with the Queensland Dairyfarmers' Organisation (QDO) to formulate a strategy to assist farmers and co-operatives in targeting dairy markets in the Asian region ...

Fifteen years ago it was pointed out that there was no growth in the industry because the market was too limited. The member for Condamine has known about that for 15 years, but he has done nothing. I cannot believe that he came in here as a dairy farmers' representative, but has done nothing. How poor is that?

The member for Gaven got to his feet. It is amazing that Alex Douglas can talk about this bill, yet he has not said one word about the dairy industry in this place. He has been a member of this place, on and off, for years. *Hansard* contains nothing from him about the dairy industry until he started to speak on this bill. Until now, he had a complete lack of interest in dairy farmers. I bet he has never made a representation to Minister McVeigh.

Dr McVeigh interjected.

Mr RICKUSS: Never. He has had no involvement in the dairy industry. There is no record of him raising any issues about the dairy industry with the department. They jump on board when they think they can fly a flag. Unfortunately, the poor dairy industry has been used as a pawn in the middle of this circus. It is absolutely despicable. If the member had read the report, he would know that recommendation 2 states—

The committee recommends that the Queensland Dairyfarmers' Organisation (QDO) and the local dairy industry ensure that they leverage off local and state 'buy local' campaigns ...

The QDO has to get involved in this. It has been very steady over the past few years. I refer to a recent letter of the QDO. Unfortunately, I am verbed, which is disappointing. It states that in the report on the committee's findings, 'Mr Rickuss said that the dairy industry's issues were being solved at all levels.' What I actually said was the 'phase of change that is now being resolved at all levels.' I did not say they were 'being solved', I said they were 'being resolved'. That is a totally different phrase. Unfortunately, the QDO has not read the report properly, which I find a bit disappointing as it is the representative body.

The Treasurer came to my electorate and spoke at a breakfast which was attended by some of the bigger dairy farmers of my area such as Alan and Delores Stock, Errol and Julie Gerber, and Graham Duncan. After the breakfast we organised a meeting with Trade and Investment Queensland to look at Asian exports. That is the sort of thing that these great saviours of the industry should have been doing 15 years ago. Some of the department people were involved in that meeting as well. We have to find more markets.

I will say right now, as I said at the hearings, that milk sold for \$1.20 a litre is still cheap milk. If that 20c went back into the supply chain, it would improve outcomes for all farmers and it would improve the outcomes for the processors. Milk sold for \$1.20 a litre is still cheap milk. I do not have a magic wand, but at least I am realistic. At least I own up to what is going on. I am not like the clowns over there who are trying to hide behind shadows. I am fair dinkum about this. I am trying to organise trade delegations.

The committee's third recommendation states—

The committee recommends that the Minister for Agriculture, Fisheries and Forestry continues to liaise with the Federal Agriculture Minister, the Hon. Barnaby Joyce MP and the Federal Minister for Small Business, the Hon. Bruce Bilson MP, to explore avenues available to bring more equity and balance into the milk market ...

We cannot do this as a state, so the recommendation is that the minister liaises with the federal ministers. That is the sort of proactive positive thing that this government is doing. We are not trying to fly a flag. We are not saying, 'Look what we are doing!' This is about the real deal. That is why those blokes will always be over there, although probably half of them will not be here after the next election because they pretend. They pretend in the hope that eventually it will come out.

Mr Dowling: More than half.

Mr RICKUSS: More than half. Recommendation 4 states—

The committee recommends that the Department of Agriculture, Fisheries and Forestry continues to provide assistance with business pathways and technical advice to dairy farmers wishing to establish small processing operations in Queensland.

That is the real deal. That has helped 4real Milk in Beaudesert and it has helped Maleny Milk. That is the sort of thing we can do for the industry.

Mr Costigan: Practical solutions.

Mr RICKUSS: Yes, practical solutions. I am sure the member for Whitsunday will agree that when some of the small producers came to the hearings they were paying out on the processing industry. They were not happy with the processing industry. They were not dirty on the retailers; it was the processing industry. The blokes over there would not understand that. They have done no research, they have done no homework and they have done nothing to try to help the industry.

Mr DEPUTY SPEAKER (Mr Watts): Order! Member for Lockyer, direct your comments through the chair.

Mr RICKUSS: Certainly, I will direct my comments on the Milk Pricing (Fair Milk Mark) Bill through the chair. I cannot believe that the pretend dairy farmer saviours over there are still trying to run the argument. One of them has been in here for 13 years, having come in on a dairy farmers' ticket, but he has done nothing. It is the minister and the Treasury officials who are organising meetings with QDO to try to get another market going in Asia. While the member for Condamine has been in this place, what happened to the cheese factory in Toowoomba? Where was he when that disappeared? What happened to the ice-cream factory in South Brisbane? Where was he when that disappeared? He was hiding under a desk somewhere, trying to see what party he was going to be with next!

A government member interjected.


Mr RICKUSS: Yes, that is right; he was changing brands. He used to be Pauls and now he is Dairy Farmers; he wanted to be Lion Nathan, but now he wants to be Norco. He is not quite sure where he wants to be.

Mr Krause: Ricko, he needs to get 4Real.

Mr RICKUSS: Yes, he needs to get 4Real. Recently, I was talking to Duncan Ross and Morris McGuinness who are fairly big dairy farmers in the Harrisville area. One of them is in charge of Lion there. I think they have announced a 2c a litre increase. Norco has picked up the Coles supply from July, so hopefully there will be an increase in that market, which is what the industry is feeling. Like I said, milk priced at \$1.20 a litre is still cheap milk and that 20c should be put back into the supply chain to make it viable. That is what needs to be done. It is still cheap milk. In Queensland in the long-term we have to look for other markets. We have to look to supply the Asian market. We need to find somewhere for the young dairy farmers to send their milk. We should not be like the mob over there and bleat but do absolutely nothing else. Let us ensure that we give this industry some direction and drive it home, because it has to find other markets.

A government member interjected.

Mr RICKUSS: That is right. As the member for Gympie said, the Asian markets are looking for good, clean and fresh commodities. That is one of the things that we should be doing. I am sure the minister, his department and Treasury are starting to do that. Some of the doomsayers over here have said absolutely nothing. I cannot believe that after 13 years in this place, having seen the industry driven to its knees, the member gets up waving his hands as if he is a saviour. I cannot believe it. He came in here on a dairy farmers' ticket, but he has done nothing for them ever since except change parties. It is unfortunate. The industry needs to find new markets and it has to become involved with the department of trade and so on. We have to find other markets to make the industry viable in the long term.

 **Mr KNUTH** (Dalrymple—KAP) (8.18 pm), in reply: I rise to speak in reply to the debate on the Milk Pricing (Fair Milk Mark) Bill 2013. I will table a number of newspaper articles.

Tabled paper: A bundle of newspaper articles relating to milk pricing [4597].

The first article I will refer to is from the *Queensland Country Life* of Thursday, 14 November 2013 at page 18. The article is headed 'Failure to deliver industry fairness'. It states—

THE Queensland Dairyfarmers Organisation (QDO) voiced its extreme disappointment last week with the report tabled by the Queensland Parliament Agriculture, Resources and Environment Committee (AREC), which stated it did not support the objectives of the Fair Milk Mark Bill 2013.

The Fair Milk Mark Bill was introduced into the Queensland Parliament by the Member for Dalrymple ... Shane Knuth, who is to be commended for seeking to help Queensland dairy farmers continuing to battle the fallout of the supermarket 'milk price war'.

The bill proposed a non-compulsory marketing mechanism to address the market failures resulting from the supermarket-led \$1/litre milk price war and the extreme downward pressure being felt by Queensland dairy farmers' milk prices.

This is not coming from the member for Dalrymple or the Katter's Australian Party. It continues—

The bill would have, among other things, introduced a fair milk mark on a milk bottle that identifies that the farmer was paid a fair price above his or her costs of production.

The fair milk mark would have provided a clear choice for consumers who wanted to ensure Queensland dairy farmers received a sustainable price for their milk, and with that support it would have made a real difference for many farmers. The bill follows closely a previous proposal by QDO and other alliance stakeholders ...

At the moment, the majority of Queensland dairy farmers are receiving prices less than the true cost of production.

The situation is getting worse by the day. That is why we are seeing more and more dairy farming families, investment and employment being forced out of our industry—and the ridiculous part of it is we are short of milk to meet the needs of Queenslanders.

We had the member for Lockyer saying that we have to export milk and yet we do not have enough milk for ourselves. What a ridiculous statement. Those opposite are saying that we cannot give dairy farmers a fair price for their milk, but all of a sudden we have to export our milk. We have the opportunity to provide farmers a fair price here. The article continues—

This report on the Fair Milk Mark Bill was an opportunity for the AREC to not only get behind and support Queensland dairy farming families, but also provide transparency for consumers of quality Queensland milk.

We are talking about fresh milk. It was an opportunity for Queenslanders to know where their milk is coming from—to walk into a store and not see Coles or Woolworths branded milk but see a fair milk mark on their milk bottles. People will then know it comes from Queensland. The article continues—

To add insult to injury, Queensland dairy farmers would be horrified to read the report's introductory words from the chairman of the committee—

the member for Lockyer—

"I feel that the dairy industry, particularly in Queensland, has been through a difficult phase of change that is now being resolved at all levels of the industry".

This could not be further from reality, as Queensland farmers' viability continues to deteriorate.

The QDO acknowledges the parliamentary committee has made other recommendations ...

Those recommendations are not going to solve these problems.

An article in the *Queensland Times* headed 'Fair milk mark label doesn't stick with Rickuss' states—

QUEENSLAND'S dairy industry is furious after plans to create a "fair milk" label to help producers still reeling from supermarket price wars is marked for rejection.

We have the government opposing this legislation, but the Queensland Dairyfarmers Organisation desperately wanting to see it go through. An article headed 'Fair milk legislation likely to be dropped' states—

Queensland Dairy Farmers president Brian Tessman says the fair milk mark was a chance to give consumers the power to support Queensland's dairy farmers.

"We have looked at a fair milk mark in the past, but I think to make it work we need a really clear methodology and a really strong body that will be making that decision and the government would have been an ideal body to do that," he said.

What have you done, Mr Deputy Speaker? What are you going to do? You are rejecting the opportunity to be that body to help those dairy farmers.

Mr DEPUTY SPEAKER (Mr Watts): Order! Member for Dalrymple, can you clarify 'you'? Are you saying I am going to do that?

Mr KNUTH: The government. There was a poll taken after the committee decided that it would recommend that the fair milk mark bill not be passed. People were asked 'Would you pay extra for fair milk?' Some 85 per cent of those polled said 'Yes, we are prepared to pay extra.' It is only a lousy 8c a litre above the cost of production. If a dairy farmer produces a million litres of milk a year that means that that farmer would receive \$80,000. There are very few dairy farmers who can produce one million litres of milk a year. That would earn them a lousy \$80,000.

Another article is headed 'Dairy farmers call for fair mark on milk'. This comes from the Queensland Dairyfarmers Organisation. I will not read how disappointed they were that the Agriculture, Resources and Environment committee rejected the fair milk mark bill. It states—

The Agriculture, Resources and Environment Parliamentary Committee is examining a milk pricing bill Katter's Australian Party MP Shane Knuth ...

Dairy farmers and industry heads fronted the Committee at Parliament House on Wednesday) ... to have their say on a proposal to place a fair mark on all milk sold in Queensland where the farmer is paid at least 8 cents per litre above production costs.

Harrisville dairy farmer Ross McInnes revealed the financial struggles plaguing many Queensland farmers.

After Coles lowered the price of milk to a dollar per litre in January, 2011, Ms McInnes said he saw the impact six months on when his milk price decreased ...

While his contract has since increased by about 0.5 cents, logistic charges are hurting other milk suppliers.

"The fact is, as this squeeze goes on I think the first thing that will happen in the far flung regional areas of Queensland, I don't know whether fresh milk will be able to be delivered ...

Here we are talking about exporting to South-East Asia. It continues—

"The cost of delivering milk to those far flung areas will just make it intangible, I think. "Queenslanders will not have fresh milk if this doesn't get sorted out shortly."

Queensland Dairy Farmers' Organisation chief executive officer Adrian Peake conceded while a fair milk mark was not the "silver bullet", feedback showed it could gain consumer support.

The dairy farmers are saying that this proposal will get consumer support. The dairy industry supports it 100 per cent, but the LNP government vehemently opposes it. I do not really want to respond to the committee's report. I consider what they have referred to during the last sittings and tonight as sheer tripe. They would not have a clue.

I would say to dairy farmers who are listening tonight to read the member for Maryborough's, the member for Whitsunday's and the member for Lockyer's speeches. They claim to be the supporters and saviours of dairy farmers. They should read some of the nonsense and, I would say, propaganda that has come out of their mouths. I am not here to play politics; I am here to get the best outcomes for dairy farmers. I am here to get the best price for them. When I introduced this bill—

Honourable members interjected.

Mr DEPUTY SPEAKER: Members, can we stop interjecting across the floor. If you would like to have a private discussions, please take them outside. The member for Dalrymple has the call.

Mr KNUTH: Our dairy farmers were in a dire situation when I introduced this bill. We had 1,500 dairy farmers in 2000. When I introduced this bill that number had been reduced to 540. Now we are down to 494 and the government has still not come up with a solution. The best it has to offer is to oppose this legislation that will give a fair milk price to the farmers. As the member for Condamine said before, one of the largest dairy farmers in the Lockyer Valley now has their dairy farm up for sale. But this has had a domino effect. They are pleading and they are crying out. It is just a shame that politics has come first over outcomes.

I would like to respond to some of the minister's comments. I am not blaming the minister. I believe that he has not been fully briefed. I do not believe that he has been briefed by the committee properly. I believe that he has been briefed in a misguided way and not really told the facts, because what the minister said last sitting week is not compatible with this bill. The member for Toowoomba South said—

What the bill's objectives will actually provide for is government interference in the marketplace through the requirement for a benchmark retail price for milk and the introduction of unnecessary red tape and regulation.

There is no red tape and there is no regulation that will be imposed on these dairy farmers. This is a non-compulsory market mechanism that will be put in place which will give consumers an opportunity to make a decision. What this means is that when one processor takes this on board and pays their farmers a fair price—8c a litre above the cost of production—that processor will then acknowledge that the fair milk mark will be on his brand, and that means that the consumers will drive it. As it is promoted, consumers will see that that processor is promoting a fair milk price. Do you

know what will happen then? Other processors will come on board. It will be just like what happened with the non-permeate milk, when Woolworths and Coles did not want to take it on but they took it on. This is not regulation or red tape at all. There is nothing to do.

When the processors take this on, Woolworths and Coles will want to mimic the fair milk mark. So what this legislation does do—and hear this out—is ensure that penalties are put in place so they do not mimic it. Is that red tape? That is not red tape. That is about protecting the farmers to ensure that they are protected against these predatory giants. We say to the minister: where are the regulations and where is the red tape? It just does not exist. The minister also said—and this is with regard to the Queensland Dairy Accounting Scheme—

The bill would give effect for a fair market price to be set by the government, and that milk price per litre must be at least, as suggested, 8c more than the amount the government is satisfied the cost of production for an average dairy farmer is. I note some potential for amendments suggested. The complexities in working through those sorts of calculations across a state as wide as Queensland are too difficult to fathom.

We already have in place what we call the Queensland Dairy Accounting Scheme. It is supervised by the Department of Agriculture, Fisheries and Forestry. It provides support for managing farm accounts, and it works out the cost of production in all the regions in Queensland. The minister is saying that this is too hard to fathom—it is too difficult—but it is already in place. If dairy farmers in North Queensland are paid 53c a litre, which is the cost of production, and you add 8c a litre to that, it will then be 61c. But here in South-East Queensland the cost of production might be 52c a litre, but that is what the accounting scheme will work out. If you add 8c a litre to that, it will be 60c. Likewise in southern Queensland, the Queensland Dairy Accounting Scheme, QDAS, will work with the dairy farmers and the Department of Agriculture, Fisheries and Forestry to get a price and, if the cost of production is 51c, 8c will go on top of that and it will then be 59c. That is not hard.

So there are two myths now that have already been resolved. There is no regulation. That is why I introduced the bill. I knew the Liberals would not pass it if there was regulation. I know you are free marketers and you believe in supporting—

Mr DEPUTY SPEAKER (Mr Watts): Order! Member for Dalrymple, can you direct your comments through the chair, please.

Mr KNUTH: I knew you—the government—were free marketers. I knew that, so that is why—

Mr DEPUTY SPEAKER: Member for Dalrymple, could I ask you to direct your comments through the chair.

Mr KNUTH: Sorry, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Could I ask the rest of the chamber to lower the background conversations, please.

Mr KNUTH: The other myth is that it is too difficult to work out the cost of production. That myth is resolved too. So there are now two myths resolved. The third myth—

Mr Cox interjected.

Mr KNUTH: Mr Deputy Speaker, can you shut this squawking parrot up here?

Mr DEPUTY SPEAKER: Member for Dalrymple, I will ask for order in the House. I will also ask you to withdraw that comment.

Mr KNUTH: I withdraw that comment, Mr Deputy Speaker, and I seek your protection. The third myth is that no processors will support it. It is interesting that the minister says that no processors will support it. The minister said—

The proposal is that this would be a voluntary scheme. That is a fundamental flaw. It would be hard to imagine that milk processors such as Pauls, Dairy Farmers and Norco would voluntarily develop an involvement in other brands, given their investment in their own brands.

The Agriculture, Resources and Environment Committee found that milk processors do not support the proposals.

I do not know where they got that from. I am just wondering whether that is misleading the minister because I believe that that was the intention. One processor said they did not support it. One out of five—they are pretty great odds. The minister has been informed that no processors will support it. At the public hearing Mr Peake from QDO said—

I want to make a couple of points, and again I suppose I come back to my response ... I see that there is a section of our community there now asking the question. They are wanting to make a conscious purchase to support farmers. They are aware of the issue. They are aware that dollar milk is damaging the industry and they want to make a conscious purchase to support farmers. So we know that exists in the marketplace. This mark would provide that transparency, and I think that is the key thing. It will provide transparency to consumers. The big supermarkets talk in Canberra about transparency and the need for greater transparency. This sort of milk mark would do that right through to the consumer, and that is a good thing. I think from that and if we can get some consumer support behind it, I think that would help drive it. Going back to the point, I think it is an opportunity for the smaller milk processors in our regions in Queensland to take it up before the others.

So what they are saying is that if we provide the framework for them it will give the processors the opportunity to take it up, and when one processor takes it up they will all take it up because they know that the one processor who takes it up will benefit and will be promoting a fair milk price right across Queensland. So, when consumers walk in a shop or a supermarket and they see the \$1 a litre milk and then they see the milk with the fair milk mark, they will know that the one with the fair milk mark is giving the farmers a fair price. That is not so hard.

Mr Rickuss interjected.

Mr DEPUTY SPEAKER: Order!

Mr KNUTH: That is another myth. Everything that has been said here tonight has been resolved as nothing but illusion and myth. The government is worried, and some members of the committee are saying that they will not opt in. The government has already introduced legislation with regard to opting in for the irrigation scheme. Irrigators can take ownership through non-compulsory, non-forced regulation. The government has introduced legislation to give irrigators an opportunity to take over irrigation schemes—the channels. However, it is not forced. It is noncompulsory. So it is all right for the government to say that we can do it, but it is not all right for the member for Dalrymple to say that we can do it on a non-compulsory basis. This is exactly the same. This will provide the legislative framework to opt in, a code of conduct and legislation to protect the fair milk mark brand from predatory supermarkets. As I said before, the best the member for Lockyer could say is, 'We're communicating with the federal minister.'

Mr Rickuss interjected.

Mr KNUTH: They are still talking. They have said, 'We try to get markets in South-East Queensland.'

Mr Rickuss interjected.

Mr KNUTH: We cannot even give our farmers a fair price. We do not have enough milk. We have to transfer milk into Queensland from New South Wales and Victoria.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Watts): Order! Member for Dalrymple, if you could pause for a moment. I call the House to order. Member for Dalrymple, you have the call.

Mr KNUTH: Dairy farmers have said that they are importing milk from other states. I believe that is so imprudent. They call themselves the can-do government. They are the can't-do government.

Mr Cox interjected.

Mr KNUTH: They are supposedly the can-do government but they cannot even get a price for our dairy farmers. They tell our dairy farmers, 'If we can get you a fair price, we might have to try to get you markets overseas.' I know that within a year or two years we will be drinking UHT milk. 'But we've got brains. Listen to us because we're the government. Stick with us. You can trust us.'

The other myth that the government wants to encourage is dairy farmers to enter niche marketing. They are broke. They do not have the finances. When I introduced this bill, there were 540 dairy farmers. We are now down to 496. I am praying that we do not come back here in 12 months, because if this bill is passed straightaway we could stabilise the industry straightaway, farmers would be paid a fair price and we would not have lost those 44 dairy farmers who have disappeared since I introduced this bill.

Encouraging dairy farmers to invest in processing is a myth. They do not have the money. They are broke. That is why they are getting out of the industry. As I said, one dairy farmer who milks a million litres will only make \$80,000 from this fair milk mark bill. We had Treasury officials who came and talked to us. When we told Treasury we were looking to put 8c a litre above the cost of production, Treasury said that the sky would fall in, there would be earthquakes, famine and we cannot do this. Of course, the government pays Treasury so they had to do what they were told because it goes against their free market ideology.

In closing, I would like to read what was said at the public hearing by Mr Trace, who is a dairy farmer. Mr Trace said—

That is sort of how I see it. I think it is something that cannot hurt Queensland farmers.

He is talking about the fair milk mark.

I cannot imagine it being a very expensive government scheme. I cannot imagine it annoying consumers because it is an opt-in scheme. I just think it is one of these things that has very little risk for the government and for farmers and there is a large potential upside. It may not solve things but it could.

Mr Rickuss interjected.

Mr Hopper interjected.

Mr DEPUTY SPEAKER: Order! I remind the member for Lockyer and the member for Condamine, if they would like to have a private conversation they can do it outside the chamber. Member for Dalrymple, you have the call.

Mr KNUTH: He concludes—

As you were talking about when the permeate issue got a roll on, this is what we would like to see happen. I just do not know why the government would not pursue this.

A dairy farmer is saying, 'I don't understand why the government doesn't want to pursue it'. It is because it is not their idea. They would like to see dairy farmers go into the trash heap, sell their farms and go bankrupt because it is not their idea. I am not here about ideas; I am about outcomes. I repeat that again—

I just do not know why the government would not pursue this.

Mr Cox interjected.

Mr Hopper interjected.

Mr DEPUTY SPEAKER: Order! Member for Condamine and member for Thuringowa, if you would like to have a conversation please go outside the chamber.

Mr KNUTH: I would like to read from the evidence of the Queensland Dairyfarmers Organisation—

This bill, we believe, is about a matter of choice, giving choice to the consumer: Whether the consumer wishes to support the dairy farmers and the future of local supply in Queensland or whether they do not and, obviously, they would still have the option to buy cheaper milk. This is about really some transparency and choice in the market and for those consumers to have some security in their buying decisions.

This is what it is all about. I have just dispelled all the myths and the propaganda we have heard all night and at the last sitting. In 2000 we had 1,500 dairy farmers. We are now down to 496. When I introduced this bill, there were 540. We have lost 44 dairy farmers since I introduced this bill. This is a non-compulsory market mechanism that can be put in place at no cost without regulation—another myth they are trying to perpetuate—with the opportunity for processors to take this on. It is not forced. It has worked over in Europe, but it cannot work here because we have a pro free market government. The great thing about this legislation is that, as we see the fair milk mark going on—

Government members interjected.

Mr DEPUTY SPEAKER: Order!

Mr KNUTH: Our dairy farmers are broke. This legislation is about protection. It is a non-compulsory market protection. As the Queensland Dairyfarmers Organisation and, likewise, consumers are saying, they want to know where the milk they are buying is coming from. This fair milk mark will provide that. It will provide the foundations and sustainability and it will ensure that the Queensland dairy industry will be sustained. I commend the bill to the House.

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

AYES, 6:

KAP, 3—Hopper, Katter, Knuth.

PUP, 1—Douglas.

INDEPENDENTS, 2—Cunningham, Wellington.

NOES, 76:

LNP, 69—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Johnson, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Menkens, Millard, Minnikin, Molhoek, Nicholls, Ostapovitch, Powell, Pucci, Rickuss, Robinson, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Sorensen, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Woodforth, Young.

ALP, 7—Byrne, D'Ath, Mulherin, Palaszczuk, Pitt, Scott, Trad.

Resolved in the negative.

MOTION

Guragunbah State Planning Regulatory Provision

Hon. JW SEENEY (Callide—LNP) (Deputy Premier and Minister for State Development, Infrastructure and Planning) (8.55 pm), by leave, without notice: I move—

That under section 66 of the Sustainable Planning Act 2009 the House ratify the State Planning Regulatory Provisions of the Guragunbah Mixed Use Development that was tabled in the Legislative Assembly on 15 October 2013.

This is a purely procedural motion. The former Labor government prepared a State Planning Regulatory Provision for this development but it was never ratified by the parliament and as a result it lapsed. To correct this error by the previous government, I tabled a new SPRP on 15 October 2013 and I now seek to have it ratified to correct the original oversight by the previous government and complete the process they failed to complete. I commend the motion to the House.

Question put—That the motion be agreed to.


Motion agreed to.

ADJOURNMENT

Mr STEVENS (Mermaid Beach—LNP) (Leader of the House) (8.56 pm): I move—

That the House do now adjourn.

Marzan-Hutse, Ms M


 **Mrs SCOTT** (Woodridge—ALP) (8.56 pm): As I sat in the quiet serenity of St Paul's Church in Woodridge surrounded by the loved ones and friends of Mericar Marzan-Hutse and the friends and family of her greatly loved and respected mother Ditas Warren and her late husband Ted and her sister Lowell Marzan, I felt an acute sense of our world having been robbed of a beautiful, fun-loving, free-spirited friend to so many, a loving wife to Olivier, just married in 2011, and a doting mother to little Jensen, who was born in 2012. There were many tears but so many tributes paid for the joy of having been a part of her life.

Mericar was born on 5 June 1970 in the Philippines and migrated with her mother, Ditas, and sister, Lowell, to Australia in 1981 to start a new life with Ted, who doted on his stepdaughters. Mericar attended Woodridge primary and then Woodridge high and retained close friendships over those intervening years. Following year 12, she moved to Darwin where she met Simon, and they moved to Japan and enjoyed their relationship over the next 20 years. A lot of travel intervened, visiting aunties and cousins in America and enjoying friendships right across the world. She and Simon parted, remaining friends, and on a holiday in Thailand Mericar met and fell in love with Olivier, following him to Belgium where they married in 2011. The birth of little Jensen was the light of their life and Mericar loved her role of being a loving, caring wife and mother. She was in the happiest, most fulfilled phase of life, and they had started planning to move to Australia and settle down here.

On 15 January, Mericar suddenly passed away at home leaving many heartbroken family members, with Olivier losing the love of his life, little Jensen never to have her arms hold him close again and friends across the world devastated. A booklet of tributes revealed the depth of love and the bonds that will always remain. Little Jensen will grow up knowing the love she had for him, with his dad always honouring her memory—in the words of Father David Batey to me after the service, 'There was so much love in that church.'

Her beauty was there for all to see—her beautiful smile, her loving nature, her outgoing personality, her simplicity and sense of humour, her energy and enthusiasm, her loyalty and humbleness, her excitement and adventure. This is how she was described. There were quotes like, 'How bright her light shone—being around her was like champagne, like a puppy with boundless energy' and 'She loved to make people smile and she followed her heart.' Rest peacefully, Mericar. Your memory will remain through all who your life touched.

Kumbia State School, Centenary

 **Mrs FRECKLINGTON** (Nanango—LNP) (8.59 pm): I rise tonight to talk about a fantastic occasion that happened in the great electorate of Nanango last weekend. It was the Kumbia State School centenary and it was attended by close to 1,000 people. It was a fantastic community

occasion supported by all of the Kumbia community and also by the Deputy Prime Minister and member for Wide Bay, the Hon. Warren Truss, who was an ex-student of Kumbia State School. He actually attended there. He started in 1954 and he was there for some eight years.

It is important to recognise the working committee of the Kumbia State School centenary, ably headed by the P&C president, Mr Glen Unverzagt, and the principal, Ross Deards. These two gentlemen put so much work into the day and so much enthusiasm. It was just fantastic to be a part of it.


I had the great honour of being the MC for the day. I was able to get the Deputy Premier on his feet and lead the war cry for his old house, Russell House, with the two school leaders Meghan and Dan, who also led their house war cry. Then there was Stuart House, led by my Nicholas and Ben, who led their war cry. It was a fantastic time.

I must also make note of the centenary band led by Pat Hobdell. This was a band put together of all ex-students of Kumbia State School. They came together and practised their old musical instruments with their great teacher Mrs Hobdell. They performed numerous musical pieces. It was just lovely, ending in *Auld Lang Syne*.

I would also like to acknowledge the Kumbia quilters, who prepared a beautiful quilt for the school, recognising the centenary on this amazing occasion. I understand that there were many quilters, but I should recognise Val Smith, Lorraine Campbell and Heather Unverzagt for their hard work on this quilt.

I really also would like to thank the entire organising committee but also the community groups that got together and helped Kumbia State School put on such a great show for the electorate. There were novelty stalls and a lot of fun and games to be had. I would like to congratulate all of the current students of Kumbia State School who, as always, looked fantastic in their school uniforms. They did their current school proud. We also had the local mayor, Wayne Kratzmann, plant a tree in honour of this wonderful occasion.

Road Safety Projects

 **Mr HOLSWICH** (Pine Rivers—LNP) (9.03 pm): I am proud to be part of a government that is committed to delivering necessary road infrastructure projects to ensure the safety of Queensland motorists and pedestrians. There are many projects underway around the state at this time that are improving the quality of our roads. This will ensure that we are doing all we can to keep the road toll down. I was very pleased this morning to hear the Minister for Transport and Main Roads talk about the road toll for this year. Whilst there have still been 34 fatalities on Queensland roads so far this year, as was noted, that is 24 fewer than at the same time last year. It is very pleasing to see that improvement in the road toll this year.


I have been very pleased to see in the electorate of Pine Rivers over the last two years quite a number of significant road safety improvement projects. Just last week we were able to turn on the first two sets of flashing school zone signs in the Pine Rivers electorate outside Bray Park State School and Holy Spirit School. Already we are seeing a noticeable difference in the number of people speeding through those school zones. We have seen an upgrade to signals at the corner of South Pine Road and Leitchs Road in Brendale, which is a busy intersection in the middle of a busy industrial area that needed right-hand turn signals. The member for Kallangur and I were able to fight to have pedestrian signals installed outside the Pine Rivers Neighbourhood Centre on Gympie Road at Lawnton. About 28,000 cars a day travel through that intersection and it was great to see that those lights have been installed for the safety of pedestrians.

We have also seen a couple of betterment projects that have improved road safety as well as access at Pringles Road at Kobble Creek and Wirth Road, Laceys Creek. The member for Kallangur and I continue to look for improvements at the corner of Gympie Road and Paisley Drive in Lawnton. We have also seen some significant upgrades at the corner of Lilley Road and Eatons Crossing Road as well as Warner Road in Cashmere. That borders the Everton electorate. We are hoping that there will be some more upgrades for that intersection in the future under the Safer Roads Sooner program.

Late last year I was very pleased to be asked by the Minister for Transport and Main Roads to chair the Safer Roads Sooner Advisory Committee. It has been an absolute pleasure to be involved in that program for the last few months and to see a number of announcements around the state in the last couple of weeks about significant road safety projects. Under the Safer Roads Sooner program our government has committed \$86 million this financial year and \$82 million next financial year for small but significant projects that improve road safety at black spots on state controlled roads all across our state.

As I said to begin my speech, our government is committed to delivering the necessary road infrastructure projects to ensure the safety of Queensland motorists and pedestrians. I am proud to be part of a government that sees that as a priority.

Sister Mary Theodore

 **Ms TRAD** (South Brisbane—ALP) (9:06 pm): I rise to speak this evening in order to acknowledge a woman of great strengths, Sister Mary Theodore. Born on Brisbane's south side, Sister Theodore was one of eight children in a Lebanese family. At just 17 years of age she had already chosen what path she would take in life and by the time she was 24, Sister Theodore completed her training with the church and was immediately posted to India. For over 60 years this was her home and it was where she founded Mithra, an organisation in the city of Chennai that is dedicated to educating and rehabilitating children with a disability, particularly those from the poorest sections of the community.


With all that she did, Sister Theodore had a funny way of describing her work. She would commonly refer to herself as 'God's donkey'. She would say, 'That animal is me. That donkey knows how to serve. It was a donkey that carried Christ into Jerusalem. It is a simple creature but it knows when to resist and when to dig in its toes and be stubborn and fight.'

Dr Peter Gale at the University of South Australia has published a biographical account of Sister Theodore's life and has appropriately titled it *God's Donkey*. On 9 February I attended the book launch, which was presided over by Jennifer Byrne. By learning about why she chose that life—by understanding all that she did under such challenging circumstances—I am of the view that Sister Theodore's story proved this simple point: just because you come from somewhere small like Brisbane does not mean you cannot achieve big things.

Sister Theodore strengthened Australia's ties with some of India's most vulnerable by creating an exchange program that brought Australian students to Mithra so they could help provide a helping hand. She strengthened these ties that bind us by proving to those children that we see them, that we care for them and that we have not forgotten about them when so many others have, and they loved her for that.

She was not Sister Theodore to them, she was 'Mother'. It is people like her who give us heart. On 7 December 2012 she passed away after 86 years. 'The Lord giveth and the Lord taketh away.' Sister Theodore may no longer be with us, but we remember her in this book, in this world and in this place. She will forever be engrained in our past, and whether it is through the people that she helped and loved in Chennai, and particularly in Mithra, or those she inspired in South Brisbane, the work and vision of Sister Theodore will carry on into the future, and that is for certain.

Australian Scout Medal Recipients

 **Mr PUCCI** (Logan—LNP) (9:09 pm): In my role as the member for Logan, I have the privilege to often recognise the unsung achievements of residents from within our community. From volunteers, community heroes and the younger generation making a difference, the real beauty of our community is exhibited through such unique individuals. On Saturday, 22 February, I had the privilege of seeing two young Logan scouts, Sarah Hill and Gemma Wallace, receive the organisation's highest honour: the Australian Scout Medallion.


The ASM is awarded at the culmination of three years of hard work within the Scouting organisation and the local community. The Scout Award Scheme is set to provide character development and leadership, while at the same time providing an opportunity for fun activities such as hiking, abseiling and camping. It provides activities on land, sea and air. Working their way through the Scouting hierarchy achieving Pioneer, Explorer and Adventurer level, the girls worked to gain a number of proficiency badges which involved them gaining skills in a specified area. For Gemma these were art, fire awareness, music, science, team sport and trade; whereas Sarah chose the areas of commerce, craft, cultural heritage, music and outdoor and information technology. To receive their Australian Scout Medallion, the scouts must have completed their Adventurer level cord, have completed the Scout leadership course and have planned and run their own leadership project. For Gemma this was a patrol camp at Flanagan's Reserve past Rathdowney, and for Sarah this was also a patrol camp at the Gorge campsite near Aratula.

Gemma and Sarah have grown and developed in their journey through Scouting. They came up from Cubs as young 10½-year-olds and quickly became integral team members within their patrols. Both Gemma and Sarah are balanced individuals with good work ethics and a positive

attitude in their approach to giving everything a go. They do their best. Both progressed within their patrols by keenly participating and learning to become assistant patrol leaders and later becoming patrol leaders. As patrol leaders they displayed good leadership skills as they encountered a number of difficulties and challenges. Since completing the requirements for the Australian Scout Medallion, both Gemma and Sarah have continued their Scouting journey by moving up to the Venturers section as of the last night of the Scouts in December 2013.

Both of these girls have displayed exceptional dedication and character development within our community. I join their families, friends and the broader Logan community in congratulating them on this amazing milestone. They have set a high standard for their fellow Scouts to follow, and they are both wonderful ambassadors of the Logan community. Their achievements, however, could not have been reached if not for the terrific support from their Scout Leaders Brad Scott, Jill Hall and the cadre of volunteers that keep the Scouting movement in Logan turning over. With people like Gemma and Sarah within our community Logan has a future filled with optimism, and we will continue to forge a magnificent community. I look forward to continuing my strong relationship with the Scouting movement within Logan in the years ahead. Together we can keep Logan charging.

Cattle Industry, Drought

 **Mr TROUT** (Barron River—LNP) (9.12 pm): In the Far North, where wet season rain is keeping our grass green and our stock healthy, only graphic images in the media bring home the grim reality of drought. Most of us are not in a position to say ‘Are you okay?’ to a farmer severely compromised by this unforgiving drought, but there would be very few among us who would not relish the opportunity to ask that question, to place a hand on a tired, defeated shoulder, to offer support.


Toni Fuller, a mother of three young children living in a rural community on the outskirts of Cairns, was so touched by the heartrending scenes of stock deaths in the west of the state. Without further ado, Toni single-handedly initiated Cairns Care Packages with a view to collecting groceries and stockfeed for our farmers in the worst drought affected areas of the state’s north-west. It just takes one person to make a huge difference. Launching Cairns Care Packages at a local Barron River stockfeed outlet on Friday, commitments have already been made by several local feed outlets and pet shops who have pledged their support by promoting a ‘buy one, donate one’ initiative. NQ Stockfeed was quick to pledge support by donating a significant quantity of feed and offering to drive their huge truck to Greenvale to deliver donated items to 11 farming families in that community in mid-March. The generosity of our community is truly remarkable, with one lady who does not want to be named donating over \$10,000.

Being born and raised in a cattle-farming family, I have an inherent understanding of the heartbreak of losing stock, of being powerless to help in any way except to end the suffering. It is one thing seeing a crop die, but watching one’s livestock die a slow and painful death is enough to break the most stalwart man. The famous pioneer Patsy Durack and his family lost all of their cattle to drought in south-west Queensland in the 1860s, only surviving themselves by the skin of their teeth. Patsy’s famous, enduring words, ‘Cattle Kings ye call us, then we are Kings in Grass Castles that may be blown away upon a puff of wind’, reflect the reality that whims of nature can make or break a farmer’s livelihood.

In a YouTube video that went viral this year, a farming family recorded the highs and lows of drought: the excitement of rain; the huge disappointment at no follow-up rain; a dead steer in the bucket of a backhoe; a child riding a horse; and another shot of the horse’s lifeless body suspended above a truck. This family does not think the business will survive, but the matriarch says, ‘You have to keep going to help those who just might survive.’

I commend our Premier, our Minister for Agriculture, the Hon. John McVeigh, and this government for recognising that our farmers are the backbone of the state and providing support measures worth more than \$30 million. I am also extremely proud to be part of this government that represents Queenslanders with a farming background.

Foster and Kinship Carer Week

 **Mrs SMITH** (Mount Ommaney—LNP) (9.15 pm): One of the great privileges of being a member of parliament is the opportunity to meet and speak with people from all walks of life and to hear their stories. The Newman government is interested in listening to what people have to say, and I know that I for one am constantly inspired by the people I have met from across Queensland.


I know that I have spoken in parliament before about my admiration for our wonderful foster carers, but again tonight I want to pay tribute to some of the most amazing and generous people we have in our community today: our foster and kinship carers. I have met so many selfless and inspiring people who perform this vital role in our community. The wonderful people who invite these children to be a part of their own families give them a gift that is priceless. I do not think it is an exaggeration to say that for some of these kids it is the gift of a future for them. Our carers open their homes, their hearts and their lives to provide not only stability, but a secure and loving home.

Madam Speaker, we can all celebrate the work and contribution of our foster carers during Foster and Kinship Carer Week, which runs from 9 to 15 March, and I encourage my colleagues and my constituents to get involved in the activities that recognise carers in our communities and across Queensland. Be it a pamper day for foster and kinship carers in Bundaberg, an awards dinner at Mackay, an appreciation luncheon in Gatton or a walk at the Gold Coast and a barbecue breakfast, it is all about showing our appreciation.

While I know that most of these people who take on this role do not do it for the accolades, it is important that our carers know that they are valued. So if you cannot attend an event, why not consider signing the open letter of appreciation to our carers at www.fosterandkinshipcarerweek.com.au. Organisations that have made and done a remarkable job in organising this week should also be acknowledged as PeakCare and also Bryan Smith of Foster Care Queensland. Our carers are at the heart of our child protection system, and is that not what we all want for our children: the ability to grow up in a safe and loving environment. So to Kath, Karen, Tanya, Angela, Bill and Barbra, just to name a few, you make a real difference in the lives of our children.

On that note, I was trying to think how you actually say the words that we wish to express, and I am going to quote to each and every kinship carer the words of the British band Fatboy Slim, 'I have to praise you like I should.'


Gladstone Electorate, Cement Australia East End Mine

 **Mrs CUNNINGHAM** (Gladstone—Ind) (9.18 pm): One of the industries in my electorate is Cement Australia. Over time it was Queensland Cement and now it is Cement Australia. It has two operations: one is its processing plant and one is its excavation plant at East End. Recently this government has been processing an EIS for the East End mine in relation to extending its extraction industry for the mine. Tonight I want to table a number of submissions from residents who live in proximity to that mine. Over many years these residents have expressed concern about the impact of mining on their properties and in particular in relation to dewatering. It would be correct to say that the previous government—the Labor government—dismissed their concerns, and it is with regret that the current government has also not given weight to their concerns either. The Minister for Environment, the Hon. Andrew Powell, is a very approachable minister and I hope he will listen to the concerns that members of that community expressed in their submissions to the EIS process. I table submissions from the East End Mine Action Group, Brent and Margaret Lashford, Frank Lenz, Bill Gainey and also Anne Patricia—or Pat—Kelly.

Tabled paper: A bundle of letters from the East End Mine Action Group (Inc) [\[4598\]](#).

They are not the only landowners in that region, but they are certainly some of those landowners who have made comments and submissions to the EIS process. For people like Bill Gainey, who lives across the road from the mine, the impact of that mining extraction has been significant to his property. He has to purchase water. He has had to face the possibility of his stock not having an appropriate water supply. The East End Mine Action Group has been active for many years in trying to engender in government an understanding of the impact of the Cement Australia project on these properties. I have had to deal with both representatives of Cement Australia and these landowners, and I would have to say that each of them are wonderful people to deal with. But I would ask the government today to consider these submissions and to understand that a farm without water is useless and that the concerns that these farmers have are genuine and that they deserve to be considered in the context of an increase in the project and also the impact of that on their farms.

Sandgate Electorate, Disability Assisted Housing


 **Ms MILLARD** (Sandgate—LNP) (9.21 pm): It will come as no surprise to my fellow MPs when I rise tonight to say that we are facing a shortage of accommodation for segments of the disabled community and we desperately need to see community investment and government partnership in innovative collaborative solutions. Over 10 per cent of people with disabilities in Queensland are under 65 and in Australia approximately 7,500 of them are living in an aged-person's home, with

around 30 per cent of them having acquired brain injuries. We all know that an aged-care facility is no place for a young person. However, did members realise that, aside from a lack of suitable housing options, the aged-care system is also incapable of meeting their needs? Whereas hospital care provides special rehabilitation services with acquired injuries, aged-care homes are not set up to serve the same needs. Creativity and innovation has never been the opposition's strong point, so needless to say that this sorry state of affairs only stagnated over Labor's years in government.

I am pleased to say, however, that in Queensland and federally we are back in business and looking again for creative solutions to difficult problems. Late last year I had the immense pleasure of attending, along with federal Liberal member for Petrie, Luke Howarth, the opening of Kyabra's first supported accommodation innovation house in my electorate in the suburb of Fitzgibbon. This four-bedroom house has been federally funded through the Supported Accommodation Innovation Fund and utilises cutting-edge technology to ensure that three wheelchair-bound residents will enjoy maximum independence and mobility.

The Newman government has also committed additional funding of \$480,000 to support carers for 16 hours per day for the house. Further funding will be provided for a second similar home in Fitzgibbon which is currently under construction. We have also provided \$12,000 in funding for the basic set up of whitegoods for both houses, and this funding effectively seals the deal and ensures that young disabled adults have the opportunity to enjoy a home rather than endure a facility. It is also noteworthy that the choice of Fitzgibbon is a testament to the success of this affordable housing development in terms of superior disability access and connectivity to facilities and a community. Partnerships like these are the way of the future and a means to better address the very real human needs as well as the economic costs to millions of people with disabilities. The Newman government is not about doing it all; it is all about doing what it does best. It is about supporting service providers—in this case MontroseAccess and indeed the federal government itself—to ensure that we see the best outcomes all round and for those who need it most.

Wynnum Ambulance Station

 **Mr SYMES** (Lytton—LNP) (9.24 pm): Two Sundays ago I had the pleasure to do a shift with the men and women of the Wynnum Ambulance Station situated in Lota to see firsthand the issues and the cases that they face on a daily basis. Throughout my stint with Bill and Bec from the local station we attended to an elderly lady who had severe chest pains at Birkdale. When we attended her house I had to roll up my sleeves, put on the gloves and assist the paramedics with performing an ECG reading before taking her to the Redlands Hospital.

I put on the record my appreciation to the officer in charge, Jamie, and Bec and Bill for their hospitality on the day and for teaching me the ins and outs of the job, both assisting locals in need and also the systems in place when transporting patients to the emergency wards to be given the very best care at triage. Only about four months ago I had the pleasure of presenting the team at Lota with a new patient transport service van, which I hear has assisted the station immensely.

A few days after my first ambulance shift it was great to have the Minister for Health come to speak personally to the staff at that station and to hear directly from the front-line services about their support of the change of the QAS to the department of health and how this will benefit paramedics throughout Queensland. Once again on behalf of the Lytton electorate, I salute the efforts of the team at Wynnum Ambulance Station in assisting and transferring residents to our local health services.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.27 pm.

ATTENDANCE

Barton, Bates, Bennett, Berry, Bleijie, Boothman, Byrne, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, D'Ath, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Elmes, Emerson, Flegg, France, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Katter, Kaye, Kempton, King, Knuth, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Menkens, Millard, Miller, Minnikin, Molhoek, Mulherin, Newman, Nicholls, Ostapovitch, Palaszczuk, Pitt, Powell, Pucci, Rickuss, Robinson, Ruthenberg, Scott, Seeney, Shorten, Shuttleworth, Simpson, Smith, Sorensen, Springborg, Stevens, Stewart, Stuckey, Symes, Trad, Trout, Walker, Watts, Wellington, Woodforth, Young