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FIRST SESSION OF THE FIFTY-FIFTH PARLIAMENT

Thursday, 26 October 2017

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THURSDAY, 26 OCTOBER 2017



The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. Peter Wellington, Nicklin) read prayers and took the chair.

PRIVILEGE

Speaker's Ruling, Alleged Contravention of Broadcast Terms and Conditions



Mr SPEAKER: Honourable members, on 8 August 2017 the member for Redlands wrote to me alleging that the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and member for Yeerongpilly had further published an image of the broadcast of proceedings of the Legislative Assembly in four Twitter posts—on 17 July, 5 August, 7 August and 8 August 2017—in contravention of the parliament's terms and conditions of broadcast.

The member for Redlands also alleged that the Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning and member for South Brisbane had published the same image by retweeting the minister's post of 17 July 2017 in contravention of the parliament's terms and conditions of broadcast.

The Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and member for Yeerongpilly has advised that the image was taken from an article in the *Herald Sun* newspaper. Accordingly, I consider that the broadcast terms and conditions did not apply to the image used in the minister's Twitter posts and the Deputy Premier's retweet of the minister's post. However, the *Rules for media access to parliamentary precinct and the Legislative Assembly chamber* and the conditions relating to camera operations in the chamber do apply. Furthermore, I consider that it is arguable whether the tweets were technically a breach of the media rules. Therefore, I have decided that the matter does not warrant the further attention of the House via the Ethics Committee and I will not be referring the matter.

However, the principles behind the broadcast terms and conditions and the media rules are to protect the dignity of the House. The minister and the Deputy Premier have advised that they have removed the tweets from view, pending my ruling. In my view, the minister and the Deputy Premier have acted appropriately in removing the tweets from view and I will leave it to them as to whether they wish to make a statement to the House on this matter.

In the interests of clarity, I have amended the media rules to reflect the principle of maintaining the dignity of the House. The new media rules now make it clear that images from the House should not be used for any political causes or campaigns. I table the correspondence in relation to this matter.

Tabled paper: Correspondence from the member for Redlands, Mr Matt McEachan MP, the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply, Hon. Mark Bailey, and the Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning, Hon. Jackie Trad, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House [2117].

I also table the updated *Rules for media access to parliamentary precinct and the Legislative Assembly chamber*.

Tabled paper: Rules for Media Access to Parliamentary Precinct and the Legislative Assembly Chamber—26 October 2017 [2118].

I seek leave to incorporate the detailed ruling on this matter.

Leave granted.

SPEAKER'S RULING—ALLEGED CONTRAVENTION OF THE PARLIAMENT'S TERMS AND CONDITIONS OF BROADCAST

MR SPEAKER: Honourable Members,

On 8 August 2017, the Member for Redlands wrote to me alleging that the Minister for Main Roads, Road Safety and Ports, Minister for Energy, Biofuels and Water Supply and the Member for Yeerongpilly, had further published an image of the Broadcast of Proceedings in the Legislative Assembly in four Twitter posts on 17 July, 5 August, 7 August and 8 August 2017, in contravention of the Parliament's terms and conditions of broadcast.

The Member for Redlands also alleged that the Deputy Premier, Minister for Transport, Minister for Infrastructure and Planning and Member for South Brisbane had further published the same image taken in the Legislative Assembly by re-tweeting the Minister's post of 17 July 2017, in contravention of the Parliament's terms and conditions of broadcast.

In his letter to me, the Member for Redlands stated that the photograph used in the Twitter post was taken inside the Legislative Assembly and is therefore a parliamentary record under section 49 of the POQA, that by publishing the photograph on Twitter the Minister and Deputy Premier have further published a record of the Assembly, and that the further publication was not for the allowable purpose of 'fair and accurate reports of proceedings' under the Broadcast Terms and Conditions.

I sought further information from the Minister and the Deputy Premier about the allegations made against him, in accordance with Standing Order 269(5).

The Minister advised the image was taken from an article in the Herald Sun newspaper. Accordingly, I considered that the Broadcast Terms and Conditions did not apply to the image, however the Rules for Media Access to Parliamentary Precinct and Legislative Chamber would apply.

The Minister and the Deputy Premier both argued that the photograph is a widely-circulated picture taken by the media, that the Member for Redlands has not articulated which sub-paragraph he is alleging the Minister and Deputy Premier has breached, and that the posts to Twitter contained 'fair and accurate reports of proceedings in relation to the previous government, are relevant in context and can in no way be interpreted as political advertising or election campaigning, satire or ridicule, or commercial sponsorship or advertising'. The Minister also advised that two of the four Twitter posts contained the photograph only, with no accompanying text, making it difficult to argue that the posts could be interpreted as satire or ridicule when no comment is attached to the photograph.

Both the Minister and the Deputy Premier also advised they had removed or hidden the post until the matter was determined.

Standing Order 269(4) requires:

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

On the evidence before me, I considered that the Broadcast Terms and Conditions did not apply to the media photograph used in the Minister's Twitter posts, and the Deputy Premier's re-tweet of the Minister's post, but that the Rules for Media Access to Parliamentary Precinct and the Legislative Chamber do apply. The conditions in the Media Rules prevent the use of images taken by camera operators in the Assembly for:

- (i) political party advertising or election campaigns;
- (ii) satire or ridicule;
- (iii) commercial sponsorship or commercial advertising.

On the information before me, I considered that it remains arguable as to whether the tweets were technically a breach of the Media Rules in place at the time of the posting of the tweets.

I have therefore decided that these matters do not warrant the further attention of the House via the Ethics Committee and I will not be referring the matters.

However, the principle behind the Media Rules and the Broadcast Terms and Conditions is to protect the dignity of the House. Accordingly, the Minister and Deputy Premier have acted appropriately in removing the tweets from view. I will leave it to them as to whether they wish to make a statement to the House on the matter.

In the interests of clarity, I have amended the rules to reflect the principle that images from the House should not be used for any political causes or campaigns.

I table the correspondence in relation to this matter. I also table the updated Rules for Media Access to Parliamentary Precinct and the Legislative Chamber.

PRIVILEGE

Speaker's Ruling, Referral to Ethics Committee



Mr SPEAKER: Honourable members, on 16 August 2017 the member for Redlands wrote to me alleging that the member for Murrumbidgee and the Minister for Education and Minister for Tourism, Major Events and the Commonwealth Games and member for Ashgrove deliberately misled the House during their respective question without notice and response to the question on 10 August 2017. The matter revolves around statements that the former LNP government 'cut teachers from schools'.

In his letter to me the member for Redlands contended that the member for Murrumbidgee's question without notice contained an assertion of fact about front-line teachers being cut by the Newman government and that the question was analogous to the comment by the then leader of the opposition that teachers were losing their jobs, which was the subject of Ethics Committee report No. 154 and was found to be misleading.

The member for Redlands also contended that the minister's reference to the former LNP's cutting of teachers had been tested previously by the Ethics Committee when considering the then leader of the opposition's statements which had been ruled to be misleading and stated that there was no excuse for the minister to have made 'such blatantly misleading statements'.

I sought further information from the member for Murrumbidgee and the minister about the allegations made against them, in accordance with standing order 269(5). The member for Murrumbidgee advised that his question was based on the knowledge that cuts to front-line teachers have previously been reported and verified by the Minister for Education. The minister advised that her statement was based on information from the Department of Education and Training on the reduction in the number of full-time-equivalent teaching positions since 2011 under the policies of the former LNP government.

I note that since the member for Redlands's complaint to me the member for Gladstone has made similar statements. I refer to a matter of public interest on 10 October 2017, at page 2936. The Minister for Education has also repeated the statements on two occasions—in answer to questions without notice on 11 November 2017, at page 3020, and on 12 October 2017, at page 3100. It is only in the latter answer that it was explained that the cuts in teacher numbers were as a result of a policy change whereby the primary rounding benefit was removed.

Having considered the claims and the counterclaims, I am of the view that there is considerable examination of facts required in order to determine this matter. I also note that a bare assertion without qualification of how that assertion was derived could be misleading. On this basis, I have decided that this matter does warrant the further attention of the House via the Ethics Committee—

Opposition members interjected.

Mr SPEAKER: Thank you, members. I have a big file on them.

Mr Bleijie interjected.

Mr SPEAKER: No finger pointing, members. We will move on.

Honourable members interjected.

Mr SPEAKER: Members, I have not finished.

Ms Jones interjected.


Opposition members interjected.

Mr SPEAKER: Thank you. I therefore refer the member for Murrumbidgee and the Minister for Education and Minister for Tourism, Major Events and the Commonwealth Games under standing order 269 to the Ethics Committee for allegedly deliberately misleading the House in their statements that teachers were cut from Queensland schools by the former LNP government. In doing so, I wish to emphasise that I have formed no view as to whether there has been a breach of privilege but rather that there are significant issues in play to warrant the further consideration of the House via the Ethics Committee. I remind members that standing order 271 now applies and members should not refer to these matters in the House.

Tabled paper: Correspondence from the member for Redlands, Mr Matt McEachan MP, the member for Murrumbidgee, Mr Chris Whiting MP, and the Minister for Education and Minister for Tourism and Major Events and the Commonwealth Games, Hon. Kate Jones, to the Speaker, Hon. Peter Wellington, regarding an alleged deliberate misleading of the House [\[2119\]](#).

SPEAKER'S STATEMENT

Osmond, Ms L; Clare, Ms L

 **Mr SPEAKER:** Honourable members, I would like to draw your attention to the recent announcements by two senior parliamentary officers of their intended retirement. Ms Lucinda Osmond, Chief Hansard Reporter, who commenced with the Parliamentary Service in July 2001, has recently advised that she will be commencing preretirement leave on 1 December this year after serving for 16 years. We wish Lucinda all the best. We will catch up later.

Ms Leanne Clare, our First Clerk Assistant, who commenced with the Parliamentary Service in November 1997, has recently advised that she will be retiring upon the dissolution of the parliament. I am advised that Leanne has served our parliament for 20 years and prior to that had served in the Queensland Audit Office for almost 14 years. I am sure that honourable members will join with me in congratulating and thanking both of these officers for their dedicated service.

Honourable members: Hear, hear!

PETITION

The Clerk presented the following e-petition, sponsored by the Clerk—

Ferrets, Ownership

From 114 petitioners, requesting the House to legalise the ownership of ferrets as pets in Queensland [\[2120\]](#).

Petition received.

MINISTERIAL STATEMENTS

Palaszczuk Labor Government, Performance



Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (9.41 am): At the outset, on behalf of the government I also place on record the government's appreciation for the work of both Lucinda Osmond and Leanne Clare. Thank you very much for your service to this parliament. It has been a pleasure to work with both of you, so on behalf of the government I pass on my appreciation.

As promised, my government is restoring front-line staff and front-line services for Queenslanders. Queenslanders expect—and my government is delivering—better access to quality health and education services across our state. We are delivering record investments in both Health and Education. We are recruiting more nurses and doctors in our hospitals and more teachers and teacher aides in our schools. To keep Queenslanders safe we have recruited more police, more ambulance officers, more firefighters and, importantly, more child safety officers. We are repairing the damage of our predecessors. We are repairing their negligent approach to the services that Queenslanders need.

The member for Clayfield stood in this place five years ago and announced 14,000 positions would go. Not even his own electorate was spared. He cut 107 doctors and 615 nurses from the Metro North Hospital and Health Service. At no time is the strength of our front line more important than in response to a natural disaster. I welcome the public comments and the report of the Inspector-General Emergency Management to Tropical Cyclone Debbie and the severe flooding about how good the response was. We will implement the learnings to make our preparedness for future events even stronger. As Premier I am proud of the thousands of men and women working in our government agencies and government owned corporations for what they did during Debbie and the aftermath, including the flooding. They worked tirelessly alongside emergency services volunteers, alongside councils, alongside community members and alongside the Australian Defence Force.

Today the latest Public Service Commission quarterly workforce profile is released. It shows that we are keeping our commitments to Queenslanders. We are restoring the front line and ensuring services match the growth across our state. More than nine out of 10 government workers are delivering front-line services or support for the front line. Over the June 2017 quarter, an additional 1,651 full-time-equivalent positions were added. These included 758 full-time-equivalent front-line and front-line support roles in Health, including 338 nurses and 132 health practitioners. The growth in front-line staff is related to the commencement of new services and the opening of the Sunshine Coast University Hospital.

Mr Bleijie: Nothing to do with you!

Ms PALASZCZUK: All of this is to do with this government. All of this is delivered by my government: 293 teaching positions; 241 teacher aides; 93 officers for the Department of Corrective Services, officers working in youth justice and the DPP; 72 FTE police officers, with recent recruit graduations; and 36 school cleaners as well. These Queenslanders are working for Queenslanders. They have my respect and they have my government's support. My government is determined to ensure the front-line services that Queenslanders deserve are what they receive. I table that report.

Tabled paper: Public Service Commission: Queensland public sector quarterly workforce profile, June 2017 [\[2121\]](#).

Community Organisations, Funding



Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (9.44 am): My government values the work of many community service organisations right across the state. The staff and volunteers at these organisations work hard each and every day to ensure Queenslanders have

the support and services they need. That is why I am very proud to tell members today that my government has secured the future of 117 community organisations across Queensland, locking in \$387 million in funding over five years. These five-year funding agreements give community organisations providing vital services the security and certainty they need so they can get on with what they do best—serving Queenslanders. Secure funding means these organisations and community groups can better plan their service delivery and attract and retain staff into the future. We know this can be more challenging in regional areas, where I know these new five-year contracts are a particularly welcome boost. Our funding commitment is in stark contrast to the efforts of the Leader of the Opposition who cut more than \$63 million from community organisations when he was treasurer of this state.

Government members interjected.

Ms PALASZCZUK: I take that interjection. These were cuts to neighbourhood centres, domestic violence shelters and sexual assault counselling services and they resulted in reduced services, job losses and an unconscionable gag rule to stop them advocating on behalf of the people that they serve. The organisations to secure five-year funding contracts include women's health organisations and neighbourhood centres that play a vital role in the day-to-day lives of Queenslanders. There are also organisations that respond to emergencies like the Tableland Rape & Incest Crisis Centre, which helps Queenslanders when they are at their most vulnerable and need somewhere to turn. That is why it is absolutely critical that we ensure the future of these organisations is as secure as it can be so they can get on with the work that they do helping Queenslanders.

Screen Industry



Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Arts) (9.46 am): Queensland's screen industry is going from strength to strength. Globally, the screen industry is worth over—

Honourable members interjected.

Mr SPEAKER: Thank you, members. The Premier has the call.

Opposition members interjected.

Ms PALASZCZUK: Not as rude as you! Globally, the screen industry is worth over \$650 million and I want Queensland to grab a greater slice of the action. Almost two weeks ago the spotlight was internationally focused on the Gold Coast as the city played host to the Australian premiere of *Thor: Ragnarok*. As Premier I was proud to join industry stakeholders and the hardworking cast and crew, dedicated fans of *Thor* and Australia's own Chris Hemsworth on the red carpet. My government has committed \$30 million over four years to ensure Queensland is ready to respond to opportunities provided by the industry's global growth. Already this funding has helped secure *Guardians of the Tomb*, *Jungle*, *The Bureau of Magical Things*, *Harrow*, *Thor: Ragnarok*, *Pacific Rim 2*, *Aquaman* and *Tidelands*. The Queensland screen industry is a key player in building the new knowledge economy and my government is continuing to build on these strengths and achievements to drive economic growth and create even more jobs for Queenslanders in the screen sector. Today I am pleased to announce my government will start consulting on the development of an—

Mr Minnikin interjected.

Mr SPEAKER: Member for Chatsworth, you are warned under standing order 253A. If you persist, I will take the appropriate action.

Ms PALASZCZUK:—Advance Queensland 10-Year Roadmap for the Screen Industry. This road map will be the latest in a series of 10-year road maps for industries with global growth potential, including advanced manufacturing and biofutures. The final Advance Queensland 10-Year Roadmap for the Screen Industry will support a range of initiatives for my government to grow the industry even more. I remain the Queensland screen industry's greatest advocate and I can assure all Queenslanders that I will keep pushing for screen jobs for Queensland crews and creatives for local and international productions—productions that end up injecting hundreds of millions of dollars into the Queensland economy. Today I encourage all Queenslanders with an interest in the screen industry to visit our Get Involved website and to have their say. I table a copy of the road map.

Tabled paper: Department of the Premier and Cabinet: Advance Queensland 10-Year Roadmap for the Screen Industry, Consultation Paper, October 2017 [2122].

Fairer Fares



Hon. JA TRAD (South Brisbane—ALP) (Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning) (9.49 am): The Palaszczuk government's Fairer Fares policy is delivering real savings for commuters across South-East Queensland. I can report to the House that, since we slashed fares, commuters have made almost 120 million trips across the South-East Queensland public transport network, saving more than \$51 million. We know that this is making a real difference for commuters, with satisfaction on our transport network the highest it has been since 2012.

Other elements of our Fairer Fares policy are proving just as popular and beneficial for commuters. Free weekend travel for children aged under 15 travelling on a child go card has been very popular, with figures showing that it has encouraged greater patronage on our network. As at 30 September this year, this group saved almost \$800,000 in conducting more than 548,000 trips. On average, 6,900 child go card trips were conducted on the network each day of the weekend. This equates to an additional 971 trips per day, or an increase of 15.6 per cent.

We have also seen a 30 per cent increase in the number of customers benefiting from our new frequent travel incentive, with 8.5 million passenger journeys attracting this saving. Almost two million more journeys will have qualified for the eight and half price policy than would have benefited from the LNP's nine and free policy. We have also extended eligibility for concessions so that even more people can access cheaper public transport fares.

Since the new concessions were introduced, almost 5,000 jobseekers and almost 500 asylum seekers had been approved for concession fares, each saving on average \$1.20 for each trip taken on our public transport network. As at 30 September, these groups had saved over \$460,000 and made over 383,000 trips. Customers have also embraced the government's decision to extend the 20 per cent off-peak discount period. This group of customers saved almost \$1.2 million, with more than 1.73 million eligible weekday off-peak trips being made.

Today, I can also inform the House that new data released by the Australian Bureau of Statistics has revealed that the Palaszczuk government is leading the nation. In Queensland, public transport fares have plummeted while in every other state they have been increasing above the rate of CPI. I table a graph from the ABS demonstrating the decrease in public transport fares.

Tabled paper: Document, undated, titled 'CPI Transport Fare Prices' [[2123](#)].

The new ABS data shows a huge 11.3 per cent decrease in public transport costs in Queensland delivered through our Fairer Fares program, which slashed fares and simplified zones. That translates to significant savings for commuters in South-East Queensland, with Queensland the only state to see the cost of fares decrease. The Palaszczuk government is delivering real cost-of-living savings for households. Only this government can be trusted to deliver reforms that make a real difference to Queenslanders.

Queensland Economy



Hon. CW PITT (Mulgrave—ALP) (Treasurer and Minister for Trade and Investment) (9.52 am): Before the last election we offered Queenslanders a better way to create more jobs, increase economic growth and drive down debt. We have restored the front-line services that Queenslanders need, all without sacking workers, introducing new taxes and charges on Queenslanders, or selling our income-generating assets.

I am proud to say that the economic and fiscal success that this government has achieved can be found across all the important measures and indicators. There can be no debate about these numbers. These are facts. During its entire term, the previous government saw the creation of 29,000 jobs. The latest ABS labour force data for September shows that we have created 122,500 net new jobs in Queensland. That is equivalent to over 3,800 jobs per month since January 2015. Under the Palaszczuk government, in September alone, 7,400 jobs were created.

After inheriting an unemployment rate of 6.6 per cent from the previous government, in September 2017 strong employment growth in Queensland has helped bring the trend unemployment rate down to 5.9 per cent—the lowest rate since 2013. At the start of its term the previous government inherited an unemployment rate of 5.5 per cent and, in 2014, saw it rise to a high of 6.7 per cent. In fact, during the previous government's term 11,200 full-time jobs were lost. Since coming to power, our government has created 23,900 full-time jobs and we will continue our efforts to create even more.

In terms of economic growth, Queensland's gross state product in the year to March quarter 2017 was 3.9 per cent, which is well above trend growth in the rest of Australia. Not only is that growth above the 1.4 per cent GSP for 2014-15—the last annual GSP figure under the former LNP government—this is the strongest annual growth since the September quarter 2012 and it is significantly higher than the annual trend growth of 1.2 per cent in the rest of Australia.

Despite ongoing attempts by those opposite and others to distort our achievements, government debt is down and we have placed the state on a sustainable financial footing. Through our Debt Action Plan we promised to pay down \$5.4 billion in general government sector debt over six years, with the aim of paying down \$12 billion over 10 years. When comparing that projection against the forecasts of the member for Clayfield for the 2017-18 year, Labor's general government debt is over \$14 billion lower than what was projected and total debt is \$10 billion lower. Under the LNP, in its last budget for 2014-15, general government sector debt was projected to be \$48.1 billion and \$48.42 billion by 2017-18. Under the LNP, non-financial public sector borrowings were projected to be \$79.9 billion in 2014-15 and \$82 billion in 2017-18. Under Labor's Debt Action Plan, general government sector debt is projected to be \$33.7 billion in 2017-18—over \$14 billion lower than the LNP's forecast.

Of course, public sector borrowings is one thing, but under Labor the total debt is projected to be \$71.8 billion in 2017-18—\$8.1 billion less than the LNP's 2014-15 forecast. Even on the LNP's preferred measure, in three years total debt has reduced significantly.

Opposition members interjected.

Mr PITT: I will take those interjections. Since implementing the Debt Action Plan we have lowered interest costs by over \$500 million. The 2017-18 budget balanced sustainable fiscal management with supporting the continuing transition of the Queensland economy to a more diversified base. Credit ratings agencies have all recognised the improved position in Queensland. That improvement in our debt position is based on sound fiscal management. In the two completed fiscal years of this government, revenue growth has outpaced expenses growth. I will say that again: revenue growth has outpaced expenses growth.

Employee full-time-equivalent growth has also been managed appropriately. In the last budget year of the previous government—2014-15—full-time-equivalent growth was 3.7 per cent. The average annual full-time-equivalent growth in 2017-18 and across the forward estimates is 1.7 per cent.

This government promised a better way and it has delivered a better way. Growth is up, jobs are up and debt is down. Today, we heard the Premier talk about the restoration of front-line services that we have worked so hard on. Only the Palaszczuk Labor government has the record to show that it can be trusted to deliver a better economy for Queensland.

Mr SPEAKER: I counsel the member for Hinchinbrook.

Health Services



Hon. CR DICK (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (9.57 am): As I have said in this House previously, one of the greatest challenges facing our health system—apart from the relentless funding cuts of the Turnbull government—is rising demand. The one thing we know about demand is that we cannot deal with it by ignoring it and we certainly cannot address it the way the Leader of the Opposition did when he was treasurer by cutting services and sacking the workforce. That is where the approaches of the Palaszczuk government and our predecessors differ most markedly. They cut; we build. That is why in our last budget we announced an additional \$112.2 million to begin planning and preparatory works for the expansion of the Logan, Caboolture and Ipswich hospitals, as well as undertaking major refurbishments at a number of regional hospitals, including at Kingaroy, through our \$180 million Enhancing Regional Hospitals plan.

One area that is experiencing acute demand from an increasing population is the Gold Coast. On 1 November, the renamed Varsity Lakes Day Hospital will welcome its first surgical patients as part of the Gold Coast Hospital and Health Service. This hospital, which the Gold Coast Hospital and Health Service is leasing from Healthcare Australia, will add to the surgical capacity on the Gold Coast. The hospital's six operating theatres will enhance the elective surgery capacity of the health service, which in turn will free up capacity at the Gold Coast University Hospital to deal with its emergency surgery demand without impacting on elective surgery waiting lists.

When fully operational, it is anticipated that the Varsity Lakes Day Hospital will perform around 15,000 elective procedures, including 3,000 endoscopies each year. That will not only increase bed availability and reduce patient length of stay but also support the Gold Coast Hospital and Health Service to continue to deliver quality services to Gold Coast residents in a timely way. As at 1 October this year, there are no patients waiting longer than clinically recommended on the Gold Coast for elective surgery. Acquisitions such as the Varsity Lakes Day Hospital will make a significant contribution to sustaining that performance.

Arrangements of this kind provide useful solutions to the problem of rising demand for health services. The decision to lease this purpose-built, privately operated facility reflects our commitment to ensuring that Queenslanders have access to the high quality health services they deserve. It also reflects our understanding that you do not build a better health system by closing large sections of it down, that better health care requires better access delivered through innovative thinking.

The success of the government's specialist outpatient strategy in reducing the list of those waiting longer than clinically recommended for a specialist outpatient appointment by more than 60 per cent naturally puts pressure on our elective surgery capacity as patients move through the system more quickly. Despite that increasing demand pressure, the list of those waiting longer than clinically recommended for an elective surgery procedure across Queensland fell to just 99 in June—the lowest number ever recorded.

Increasing our capacity through the acquisition of facilities like the Varsity Lakes Day Hospital will further support that performance. It is yet another example of the Palaszczuk Labor government's commitment to the provision of front-line services.

State Education Week



Hon. KJ JONES (Ashgrove—ALP) (Minister for Education and Minister for Tourism, Major Events and the Commonwealth Games) (10.00 am): This week is State Education Week, a time to celebrate all that is great about our state schools. The Palaszczuk government is determined to ensure that every child in Queensland, regardless of where they live, has access to a world-class education. That is why this year we are delivering a record \$9.8 billion investment in education and \$765 million in school infrastructure programs. It is why we made an election commitment to employ 875 extra teachers above growth over three years and we are delivering on this commitment.

As a result of this investment—the biggest increase in investment for teachers in Queensland ever—we have put downward pressure on class sizes. Under the LNP, 14,000 classes were over class size targets. We have turned this around. We will continue to breathe life back into school communities across Queensland.

I look forward to celebrating World Teachers' Day tomorrow when I will join the Premier to host the annual Showcase Awards for Excellence in Schools gala event. I will also join the Queensland College of Teachers for their Excellence in Teaching Awards tomorrow. Thanks to all our principals, teachers, teacher aides and school staff who inspire young Queenslanders every day.

Coal Workers' Pneumoconiosis




Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (10.01 am): One of the most important issues that has faced this parliament during this term has been the identification of the re-emergence of coal workers' pneumoconiosis. The health of all workers, specifically the state's 30,000 coalmine workers, is one of our highest priorities. The government took swift action in commissioning the Monash review and actioning its recommendations. This has been supported by the excellent work of the CWP Select Committee and their 68 recommendations. All 68 recommendations made by the CWP Select Committee are in principle supported. We continue to implement all of the recommendations of the Monash review and will have the majority of the recommendations actioned by the end of 2017.

Further to this, we have actioned many of the CWP Select Committee recommendations already. Work is completed or well advanced already in 23 of these recommendations. Building on the \$3.7 million already committed in response to CWP, over the next two years an additional \$21 million will be invested to implement the select committee's recommendations, with those relating to the health screening of coalmine workers being expedited. Additional on-ground resources will also be delivered to manage dust and continue to deliver the Monash recommendations.

More than 18,000 chest X-rays have been sent for assessment by NIOSH in the USA. Qualified B readers are undertaking these reads. This process will soon be transitioned to Australian B readers, with Queensland company Lung Screen being awarded the tender for this function. We also have commenced specialised radiologist training and further doctor training with a clinical pathway established and a managed register for doctors, spirometry practitioners and X-ray clinics to ensure our coalminers have access online to check that their health practitioners meet the standards required.

My department is working closely with the Queensland Office of Industrial Relations to capture workers compensation data and ensure the extent of all occupational lung disease prevalence is understood. As of 13 October 2017, 54 cases of mine dust lung diseases have been confirmed among current and former Queensland mine workers since 1984. Regulatory amendments commenced on 1 January 2017 requiring coalmines to report dust-monitoring results quarterly. As a doctor I am very conscious that the early identification of black lung and any other lung disease is absolutely critical and I have not wasted a moment in working to eradicate this terrible disease from our mining workforce. With four inquiries now completed we can now move rapidly not only to further protect those diagnosed but also to ensure that this hideous disease never again returns to blight miners in our state.

Sentencing Advisory Council


 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (10.04 am): I rise today to announce details of the Palaszczuk government's next two referrals to the Queensland Sentencing Advisory Council. After being abolished by the LNP government, the Sentencing Advisory Council was re-established by the Palaszczuk government as part of our commitment to evidence based policy. The council's research and reports help ensure we have a fair and effective justice system. It is also the role of the Sentencing Advisory Council to undertake inquiries on matters referred to them by the government.

Two weeks ago I advised the parliament that I would be making a reference to the council regarding the penalties for criminal offences involving the death of a child. I can advise that the terms of reference have now been finalised after consultation with the council and will be released on the council website today. This review is in response to community concerns that court ordered penalties may not reflect community expectations when it comes to crimes against our most vulnerable. The death of any child is heartbreaking, but when it is at the hands of another person we must ensure that the community's views on the issues are reflected in the justice system.

This referral to the Sentencing Advisory Council includes in its terms of reference: considering and analysing penalties currently imposed; determining whether these penalties reflect the particular vulnerabilities of children; identifying trends and anomalies in sentences for crimes arising from a child's death; comparing Queensland's sentencing approach to other Australian jurisdictions; and consulting with the community and key stakeholders to gather their views on these issues. The Sentencing Advisory Council is required to report back by 31 October 2018. The community rightly expects children to be protected and for a convicted offender to be punished in a way that reflects the seriousness of the crime.

The second Sentencing Advisory Council referral that will be released today relates to the options available for community based sentencing orders, imprisonment and parole options. This referral delivers on the government's commitment to implement the recommendations from the Honourable Walter Sofronoff QC's Queensland Parole System Review final report. The Sentencing Advisory Council will report back within 18 months. The timeframes for the report back of these references have been at the request of the council based on the wideranging scope and the significance of these two referrals. The community must have faith in the criminal justice system and these two referrals will encourage and maintain public confidence in court sentencing options.

Community Organisations, Funding

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (10.08 am): Recently I was thrilled to provide ACT for Kids on the Gold Coast almost \$5 million in funding and a five-year funding contract. ACT for Kids is one of 117 organisations across the state that has been given certainty and security by the Palaszczuk government because funding has now been locked in for five years instead of the previous process of three-year contracts.

ACT for Kids offers services including counselling, parenting programs and in-home family support. As the Premier has said, having funding secured for five years means that organisations can plan their services with certainty and better retain and recruit experienced staff. We want certainty for our neighbourhood centres, sexual abuse counselling services, domestic and family violence services and family support services right across Queensland. Dedicated local community sector workers and the Queenslanders they help are benefiting from this change at the Hervey Bay Neighbourhood Centre, the Wide Bay Women's Health Centre, the Gold Coast Centre Against Sexual Violence, the Toowoomba Youth Service and the Cairns Family Intervention Service.

Across the state the Palaszczuk government is providing \$387 million in funding to organisations under five-year contracts so that they can get on with building the vital fabric of their Queensland communities. This is in sharp contrast to the previous LNP government. As we have heard this morning from the Premier, they ripped more than \$63 million from these vital front-line community delivered services.

Hard as it is to believe, the LNP cut funding to domestic violence shelters, the Alcohol and Drug Foundation, the Create Foundation, Good Shepherd Microfinance and Life Without Barriers. They slashed funding to the Mackay Youth Support Service, Save the Children and the Queensland Council of Social Service. Those cuts all led to local jobs being lost and services wound back in each of our local communities. The damage that did was compounded by the uncertainty it created. It was hard to plan, hard to retain staff and hard to deliver the services that families need. That is the LNP's legacy.

Almost three years on, the member for Clayfield still has not apologised for the time he was treasurer when he inflicted \$63 million worth of cuts to the community services sector. The Palaszczuk government is a government that cares about Queenslanders. I am proud to have helped deliver the \$387 million in funding for five-year contracts for our hardworking community services.

COAL WORKERS' PNEUMOCONIOSIS SELECT COMMITTEE

Report



Mrs JR MILLER (Bundamba—ALP) (10.10 am): I lay upon the table of the House the Coal Workers' Pneumoconiosis Select Committee report No. 5 titled *A Mine Safety and Health Authority for Queensland: a further response*.

Tabled paper: Coal Workers' Pneumoconiosis Select Committee: Report No. 5, 55th Parliament—A Mine Safety and Health Authority for Queensland: A further response [2124].

This report outlines the select committee's response to the Infrastructure, Planning and Natural Resources Committee's report on this committee's exposure draft Mine Safety and Health Authority Bill 2017. It also makes comment on the Queensland government's response to *Black lung white lies*. In both respects, the committee's report makes clear that we feel that the mining and quarrying workers of Queensland have been woefully let down. While the IPNRC report could have helped to progress crucial reforms, building on the significant and considered bipartisan efforts of this committee before them, its report offered no comfort to the coalminers and workers of Queensland or their families—men such as Mr Percy Verrall, who is constantly coughing up blood and struggles to walk even a few steps, and his devoted wife, Daphne, who faces the daily heartbreak of trying to care for him.

In a move divorced from reality and deafened to the hundreds of hours of evidence detailing the extent of the system failings in Queensland and their devastating impact on coalminers, workers, families and communities, the IPNRC was content to recommend only that its consideration of the draft bill be noted. Then it went on to congratulate itself for 'facilitating some stakeholder feedback' on the draft bill. Notably, that feedback did not include the voices of the coalminers and workers, who were afforded almost no mention or consideration in the report. Rather, the other committee relied heavily on the mutually supportive and defensive statements of the Queensland Resources Council and the Department of Natural Resources and Mines, both of which remarkably still appear to be in denial about what has occurred and continue to express a preference for bandaid solutions that will minimise any uncomfortable interruptions to the status quo.

The Queensland government's response to *Black lung white lies* was delivered with a disappointing lack of haste and precipitated only through the intervention of this parliament, despite the select committee's findings regarding the urgent need for reform. This is an insult to our coalminers and workers across the coal chain, but it does not end there. Whilst on the surface the government's spin suggests its support for actioning all 68 recommendations of *Black lung white lies*, the government provided unqualified support for only 14 recommendations. For the remaining 52, or a significant

three-quarters of the recommendations, only in-principle support is offered. What is that in reality? It amounts to establishing a project office and an executive to lead consultation and engagement with stakeholders on options for Queensland's regulatory model. This suggests that the government has, in fact, failed to accept the committee's proposed regulatory model and discounted the extensive stakeholder consultation, evidence gathering and analysis already undertaken by the select committee, which is underpinned with the development of the exposure draft Mine Safety and Health Authority Bill 2017.

I say to the chair of the other committee, Duncan Pegg; the deputy chair, Ann Leahy; and members of that committee that the hearse is waiting in the driveway of some of these coalminers' homes—men who are dying of this preventable disease—yet the callous disregard of that committee to give even a sideways glance at the coalminers' evidence, which effectively puts *Black lung white lies* in the bottom drawer of this parliament and slams the door shut on the draft bill that we developed, shows the real calibre of those members' values and principles.

We owe it to Daphne and Percy Verrall and Mr and Mrs Byron to make sure that this bill is presented into the House. Our committee will fight for this bill and the reforms in their honour, right to the very end. We can have no doubt that this will be an election issue across the coalfields, the coal towns and the coal cities of Queensland. I commend the report to the House.

NOTICE OF MOTION

Emergency Services Personnel



Mr MANDER (Everton—LNP) (10.16 am): I give notice that I will move—

That this House calls on the Palaszczuk Labor government to adopt the LNP policy on protecting front-line emergency services workers in Queensland.

PRIVATE MEMBERS' STATEMENTS

Palaszczuk Labor Government, Performance



Mr EMERSON (Indooroopilly—LNP) (10.16 am): Another day and another telling headline for the Premier and her 'Captain Risky' Treasurer. All we get from Labor is empty promises. The Premier went to the last election promising no deals with minor parties and Independents. That was an empty promise. The Premier went to the last election promising integrity and accountability. That was an empty promise. The Premier went to the last election promising to establish a debt reduction trust quarantining two-thirds of the income from government businesses to pay down debt. That was yet another empty promise. There is no debt reduction trust and those businesses have not been used to pay down debt; they are being used as ATMs as the Premier and the Treasurer have tried to paper over the cracks of their failed budget.

Labor's only budget strategy has been one of raids, rip-offs and writedowns. In their first budget it was a \$3.4 billion raid on long service leave, shuffling debt from one credit card to the other. Then it was ripping 100 per cent of dividends out of government businesses to plug their budget black hole. They have also stopped making payments into the defined benefits super fund to save themselves \$2 billion. Their second budget included a \$4 billion raid on that same Public Service super fund, taking twice the amount recommended by the State Actuary and leaving the fund with a fifty-fifty chance of going into deficit. The last state budget was propped up by a temporary gain in coal royalties, which this government has already spent three times over.

Despite all of those raids, despite all of those rip-offs and despite the smoke and mirrors of the 'Captain Risky' Treasurer, in Queensland debt is still increasing, up to a record \$81 billion over the forward estimates. Labor has not paid down debt; debt is still going up. It makes a mockery of the Premier's claims this week that because she has paid down debt she is now able to use the dividends from the electricity companies for a so-called affordable energy plan, apart from the fact that 96 cents would not even pay for a Mars bar and Queenslanders will still be paying the highest power prices in Queensland history. It is a fact that the dividends from those businesses have already been factored into budget calculations. They are already being used to fund one aspect of the budget. The Premier cannot spend the money twice. Labor's empty promises on debt and their budget raids and rip-offs show why Labor cannot be trusted to deliver a strong economy and stable finances for the Queenslanders of the future and now.

Domestic and Family Violence, One Nation Policy



Hon. KJ JONES (Ashgrove—ALP) (Minister for Education and Minister for Tourism, Major Events and the Commonwealth Games) (10.19 am): Dangerous, disgusting, disgraceful—that is what the shadow minister for domestic violence said about the One Nation policy on domestic violence. I could not agree more with the member for Mudgeeraba. She is absolutely spot on when she says that the One Nation policy on domestic violence is putting children in the middle of domestic violence hearings. Dragging out hearings will only further harm victims and their children.

The Women's Legal Service, Bravehearts and victims of domestic homicide have come out condemning One Nation's policy on domestic violence, yet here we are standing in this parliament with the Leader of the Opposition saying that he is still willing to do a deal on a seat-by-seat basis with One Nation.

Opposition members interjected.

Mr SPEAKER: Pause the clock. Members, I do not mind a reasonable amount of interjection during this item on our agenda, but I need to be able to hear the member.

Mr Seeney interjected.

Ms JONES: I take that interjection from the member for Callide. We should be bipartisan on this. I call on those opposite to stand with the Labor Party and put One Nation last. Finally get some gumption, member for Clayfield, and put One Nation last. John Howard had the fortitude in 1998 to put One Nation last. The Premier, Annastacia Palaszczuk, has the fortitude to put One Nation last. The member for Clayfield should listen to his own shadow minister—

Honourable members interjected.

Mr SPEAKER: Pause the clock. As I have indicated, I do not mind a reasonable amount of interjection as long as I can hear the member and Hansard can record their contribution.

Ms JONES: We had the shadow minister for domestic violence standing in this parliament saying that this policy would harm children and increase domestic violence incidents. Why is it that the leader of the LNP in Queensland is still willing to get into bed with One Nation? Why is it so hard to put One Nation last? It talks to the character of the man.

Honourable members interjected.

Mr SPEAKER: Pause the clock. Members, if we continue this way I will name members.

Ms JONES: We know that he is weak, has no leadership and has no spine. When asked this morning on radio by Steve Austin, 'Why can't you, member for Clayfield, just go into the parliament and reveal who your secret donors are?' do members know what the illustrious leader of the LNP said? He said, 'I don't know who they are.' My question to the Leader of the Opposition is: what have you done to try to find out who donated to you? What action have you taken to work out who gave you those secret donations? We know that the answer to that is 'nothing', because you are a do-nothing, lazy opposition leader.

Mr LANGBROEK: I rise to point of order, Mr Speaker. I refer to standing order 244(7) and referring to members by their correct titles.

Mr SPEAKER: I would urge members to refer to other members by their correct titles.

Ms JONES: Now we know who really wants to be Leader of the Opposition. He already knows which way this story is going to end. It is about time the leader of the LNP stood up for his own party members. Your shadow minister has said that this policy will cause harm to children, but the member for Clayfield is still wanting to do deals with One Nation. Tim Nicholls, it about time you put One Nation last.

(Time expired)

Domestic and Family Violence, One Nation Policy



Ms BATES (Mudgeeraba—LNP) (10.24 am): This week I spoke in the House about the real authors of One Nation's appalling domestic violence policy—the Australian Brotherhood of Fathers. They are a group of men who harass women, promote suicide and use fake statistics, all to drive their own warped agenda. The fact is that their issues relate to family law and federal legislation and have nothing to do with state domestic violence laws. These are the people that One Nation is in bed with. These are the same people the member for Buderim has allowed to write his domestic violence policy. Over the last 24 hours—

Honourable members interjected.

Mr SPEAKER: The member's comments are not provocative. I urge members to allow the member to make her contribution.

Ms BATES: Over the last 24 hours I have been subjected to disgusting abuse and hatred from the Australian Brotherhood of Fathers. The ABF have posted on social media with veiled threats and calls to action to harass me. Today they have publicly planned to show up at my office in yet another attempt to forcibly drive their backward agenda through bullying and intimidation.

The policy One Nation now claims as its own is nothing more than a disgusting attempt to allow ABF and others to menace freely—

Mr DICKSON: I rise to a point of order, Mr Speaker. I take personal offence to the member's statement about me and One Nation, and she is misleading parliament.

Mr SPEAKER: Member for Buderim, you were not mentioned. That is a frivolous point of order.

Ms BATES: The policy One Nation now claims as its own is nothing more than a disgusting attempt to allow ABF and others to menace freely, even if they are the subject of a court order.

As members know, I am a survivor of domestic violence. I will not be threatened or bullied by any group of angry men. What I say in this House will not be influenced by threats or intimidation. I will not let those who have committed violence against women influence the laws of this state. That is exactly what they would be doing under a One Nation government in Queensland, led by the member for Buderim.

Yesterday I received confirmation that Leith Erikson, the leader of the ABF, has almost \$200,000 in outstanding child support payments for his children. I table proof of that for the benefit of the House.

Tabled paper: Web page from Department of Human Services' website in relation to child support payments [\[2125\]](#).

If the member for Buderim had any moral compass, any backbone, he would stand up in this House, ditch his dangerous policy and disown the Australian Brotherhood of Fathers. Voters need to know the truth and we need to call this rubbish policy out for what it is. There will be no deals with One Nation. There will be no coalition. There will be no spot at the cabinet table for One Nation.

Honourable members interjected.

Mr SPEAKER: Pause the clock. I am having difficulty hearing the member for Mudgeeraba.


Ms BATES: There will be no deals, no coalition and no spot at the cabinet table for One Nation.

Today I call out again the failures of the child safety system under this Labor government. Once again today we have seen what a do-nothing approach to child safety can lead to and the devastating effects it has on abused kids. How on earth anyone can think that leaving a child with a drug addict parent who is shacking up with a sex offender is okay is beyond a joke.

The litany of failures under this Labor minister is as long as your arm. She ignored warnings in 2015 of the crisis. She was dragged kicking and screaming to act on the crisis in Caboolture. Death after death where there were links to case loads and backlogs were ignored. A record 1,500 carers walked away under the broken system. Enough is enough. Show this failed minister the door.

(Time expired)

Liberal National Party

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (10.27 am): There is nothing worse in this House than having to listen to the confected hypocrisy of the member for Mudgeeraba. There is one way—

Ms BATES: I rise to a point of order, Mr Speaker. As a survivor of domestic violence I take personal offence and affront at the comments made by the minister. I ask that he withdraw them. I am personally offended.

Mr DICK: I withdraw, Mr Speaker, but I do see the adviser who was negotiating—

Opposition members interjected.

Mr SPEAKER: Order! Thank you, members. The minister has withdrawn.

Mr DICK: I do see the adviser who was negotiating with One Nation, Pete Coulson, at the back smiling and shaking his head. What did the Leader of the Opposition do about that?

Opposition members interjected.

Mr SPEAKER: Order! The minister has the call.

Mr DICK: He did absolutely nothing. What did he do? He counselled him. He was on the phone to James Ashby trying to do the deal. There is nothing worse than the confected hypocrisy of the LNP when it comes to the One Nation party. It is absolutely fake and confected—absolutely fake and confected.

Opposition members interjected.

Mr SPEAKER: Order! Thank you, members. The minister has the call.

Mr DICK: There is one way that this can be resolved, and that is by signing a statutory declaration, Leader of the Opposition, saying that you will put One Nation last in every single seat.

Opposition members interjected.

Mr SPEAKER: Order! Thank you, members. I would urge members to make their comments through the chair.

Mr DICK: That is one way to stop One Nation and to stop the policies that they complain about. What did we have on the radio this morning? Sixty-five days after every member of this House, except the LNP, resolved that the secret donors should be disclosed, what did we have on radio this morning? Steve Austin asked, 'Why can't you just go into parliament and reveal where they came from?' Tim Nicholls answered, 'Because, Steve, I don't know—'

Opposition members interjected.

Mr SPEAKER: Order! Pause the clock. Members, I cannot hear the minister and I cannot hear the relevance of some of the interjections being made. Minister, you have the call.

Mr DICK: Tim Nicholls answered, 'Because, Steve, I don't know. I don't handle those sorts of things. That's not my role.' That is not leadership; that is absolute weakness. If you do not have the number, call the LNP head office on 38440666 and ask who donated the \$100,000. I table the number for the House.

Tabled paper: Document, undated, titled 'LNP Head Office' [\[2126\]](#).

Mr SEENEY: Mr Speaker, I rise to a point of order. That was the most disgraceful use of a prop we have seen in this House for a long time. We either enforce the rule against props or we change it. You cannot have that sort of nonsense.

Government members interjected.

Mr SPEAKER: Order! Thank you, members. We will wait.

Mr HINCHLIFFE: Mr Speaker, I rise to a point of order. I think that after the member for Kawana's effort yesterday that is pretty extraordinary.

Mr SPEAKER: Members, it is the last day for this week's sitting. We will move on. Members, I am keen to move on. I hope everyone else is too. The minister has time on the clock. We will move on. Minister, you have the call.


Mr DICK: I will tell members opposite that that number is true. I will tell the member for Callide that it is not a tactical lie. That is the number you ring if you want to find out who donated the \$100,000.

Opposition members interjected.

Mr SPEAKER: Order! Pause the clock. I cannot even hear the relevance of some of the interjections. It sounds like a shouting match. Minister, you have the call.

Mr DICK: Being lectured to by the LNP on the dishonesty of One Nation is about as credible as a Michaelia Cash staff meeting. What a bunch of hypocrites! The Melbourne Cup is two weeks away. The Leader of the Opposition claimed last week that he does not take his riding instructions from Canberra. That is hardly surprising, because his Canberra colleagues are trying to dump him. This year in Canberra the money is on for the Melbourne Cup 'Hanson's Agenda', in a trifecta with 'Self Interest' and 'Moral Vacuum', with Queensland last, the LNP nowhere and the member for Clayfield scratched as always. He is someone who fundamentally cannot be trusted with government or the future of Queensland.

Electricity Prices

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (10.33 am): Thank you, Mr Speaker.

Government members interjected.

Mr SPEAKER: Members, I know you are enthusiastic, but the Leader of the Opposition has not even started yet.

Ms Trad interjected.

Mr SPEAKER: Deputy Premier, you will be warned if you persist. The Leader of the Opposition has the call.

Mr NICHOLLS: Thank you, Mr Speaker. Quite clearly, this is a government that has no power plan for Queensland—no power plan other than warm beer, green swimming pools and sweat soaked sheets; no power plan other than an aversion to reliable baseload electricity and an idiotic, ideological speeding towards a 50 per cent renewable energy target that will risk plunging Queenslanders into darkness; no power plan for Queenslanders other than this: 'Here, we will give you all of that and'—wait for it—'96 cents a week'—96 cents a week! With that sort of return Queenslanders can confidently turn to half a Mars bar for all of their energy needs. That is all they will get. In refusing to recant from its renewables rush, this Labor government, with its sham of an energy plan, is killing businesses, costing jobs and hurting Queensland families everywhere. As it doubles down, Queenslanders are headed for double the pain—the power bill pain of today and the power bill pain of tomorrow. We know it is coming because the independent experts keep warning us.


The Queensland Productivity Commission report into electricity pricing, ordered by this government, told us Labor's sham of a plan would cost taxpayers \$18 billion. This week the Climate Change Authority revealed Labor's policy would see jobs slashed as coal-fired power stations closed en masse, with household power bills soaring by another \$200 a year. This is a government that for over three years has clearly never governed for Queenslanders. Lacking the experience or knowhow to get anything done, it has clung to the self-interest of political survival of appeasing inner-city green voters and, in order to keep filling the Labor coffers with grubby union money, it has allowed itself to be owned by those unions lock, stock and barrel. We saw it again today with reports that the energy minister and the Premier's now deputy chief of staff have been caught out in yet more private email discussions with ETU officials over more shady pay deals.

The price of a government controlled lock, stock and barrel by the unions is that Queenslanders have never paid more for electricity. Queenslanders deserve so much more than a leaderless, do-nothing government of warped priorities. I say to the Premier: just name the election date and let Queenslanders have their say.

QUESTIONS WITHOUT NOTICE

Mr SPEAKER: Question time will finish at 11.37 am.

Law and Order

 **Mr NICHOLLS** (10.37 am): My first question without notice is to the Premier. Premier, analysis of the annual statistical review shows that under the Premier's watch over the past year Queenslanders have suffered from a 24 per cent jump in violent armed robberies, rates of assault against Queenslanders are up by 11 per cent, Queensland home break-ins have increased by 12 per cent and car thefts have increased by 19 per cent. Does the Premier take responsibility for her government's soft-on-crime policies and her failure to keep Queenslanders safe?

Ms PALASZCZUK: I thank the Leader of the Opposition for the question. As I said very clearly when I outlined the quarterly reports today, there is more investment in our front-line police officers across our state—an extra 74 officers. We will continue to put in place the police that the public need to keep them safe. That is why my government introduced the serious organised crime legislation in this House. We were prepared to look at all aspects of serious organised crime, including outlaw motorcycle gangs, including the illicit drug trade and also including clamping down on sex offenders and access to materials. These were the most sweeping changes introduced into this House. That serious organised crime legislation went through comprehensive assessment. It went through

consultation, which those on that side do not believe in. We have given the police the budget that they need. We have also given them the equipment that they need. We are rolling out body worn cameras for police, ensuring that they have what they need.

One of the biggest issues facing the nation at the moment is counterterrorism. That is why a new specified centre is being put in place at Westgate to give police the training that they need. There is \$47 million for that and extra staff to look at those issues. We will continue to work with the police right across the state to ensure they have the resources they need.

We also came to an agreement with the Police Service in relation to their wages which I am told is the best outcome they have ever received from a government. We accept that the police work in tough conditions and they should be paid accordingly. We have given them the tools that they need and the pay that they deserve. We will continue to treat police with respect right across the state. I put on the public record that I thank the Police Commissioner for all of the work that he has been doing, and I thank the outstanding men and women of the Police Service. We will continue to support them in all their efforts right across Queensland.

Law and Order

Mr NICHOLLS: My second question is also to the Premier. Over a month ago over 13,000 Queenslanders felt so strongly that they were not being kept safe by the soft-on-crime Palaszczuk Labor government that they signed a petition. The principal petitioner, Wendy, sent a desperate plea for help to the Premier, and I quote—

Are we going to have to wait until an innocent member of the public is seriously hurt or killed before you and the Labor government take this problem seriously and start listening to the people you were elected to protect?

Why has the Premier not acted to protect Wendy and all other Queenslanders?

Ms PALASZCZUK: I thank the Leader of the Opposition for the question. Of course we will do everything we can through the Police Service to protect people in this state. Once again, what we see is the Leader of the Opposition coming in here and by his comments criticising the work that the Police Service do. The government sets the policy and the police carry out the operational side. We understand that separation, unlike those opposite under previous governments.

Let us be very clear about our record budget for the Police Service. It is almost \$2.4 billion, an increase of 4.9 per cent over the 2016-17 police budget. When the member for Clayfield was treasurer he decreased the police budget by one per cent over three years. We saw a decrease in the police budget. What we see under my government is an increase because we value the men and women who work in the Police Service.

I take this opportunity to thank the police for the outstanding work they do when it comes to dealing with issues of domestic and family violence. Through my government accepting the recommendations of the *Not now, not ever* report, we have put in over \$300 million to improve domestic and family violence services right across this state, and that includes working with the Police Service and the Police Union, as the Police Union also has a position on the implementation council. I want to thank the men and women who are at the front line, at the centre when these violent incidents are happening. We know that would have a huge impact on them and their families when they go home.

We will continue to support our Police Service. We will continue to invest in our Police Service. We will continue to improve the budget year in, year out. I want to pay tribute to the outstanding work that Mark Ryan is doing in his role as police minister of this state. It is about time we saw those opposite get on board and support our Police Service. We are the government that has given them the equipment they need, the body worn cameras that have been rolled out and the extra police vehicles that they need. We will continue to work with them in all the work that they do.

Palaszczuk Labor Government, Education

Mr STEWART: My question is to the Premier and Minister for the Arts. Will the Premier please outline how the Palaszczuk government is investing in education across Queensland?

Ms PALASZCZUK: I thank the member for Townsville for that very important question. I know that he, as a former principal, understands how important it is for students across our state to have the best possible education. I am incredibly proud that we have a record budget for education in this state, led by our outstanding education minister, Kate Jones. This week we will celebrate education in state

schools across Queensland. Tomorrow night I will join the Minister for Education in celebrating the outstanding work of our state schools. We know that state schools are great schools, providing great work and great teachers across the state.

We only have to go back to the dim, dark days of the LNP government, when the member for Clayfield was treasurer of this state, to see their attacks on education.

Mr Langbroek: Be careful.

Ms PALASZCZUK: I take that interjection, because the member for Surfers Paradise was the education minister who shut down schools in this state. He closed schools in this state. In Townsville the Stuart State School was closed. Nyanda State High School was closed down. I can remember going to rallies there. Fortitude Valley State School in the electorate of Brisbane Central was closed down. My government is going to reopen that as a great high school.

Honourable members interjected.

Mr SPEAKER: Pause the clock.

Mr Langbroek interjected.

Mr SPEAKER: Member for Surfers Paradise, I am speaking.

Mr Langbroek: Sorry, Mr Speaker.

Mr SPEAKER: Accepted. The Premier has the call.

Ms PALASZCZUK: In Toowoomba, Charlton State School and Toowoomba South State School were closed. They were not happy with just that: they closed the travelling show school. To the students who have just arrived, we are talking about education and how great it is in Queensland. We welcome you to the parliament today.

In stark contrast to those opposite, we are building the schools of the future. A Labor government will always invest in our students to ensure they have the best education possible. Since 2015, we have delivered record funding and we have opened new schools. I was in the electorate of Caloundra a couple of weeks ago with the Minister for Education and we looked at a brand-new school which is ready to open its doors next year. We met with the teachers. At the start of next year I look forward to joining the Minister for Education and cutting the ribbon on that brand-new school, delivered by a Labor government. Let me make it very clear: under a Labor government we will continue to invest in education in schools. We will open new schools because it is the right thing to do, unlike those opposite, who want to—

(Time expired)

Domestic and Family Violence Orders, Breaches

Mrs FRECKLINGTON: My question without notice is to the Premier. In the past year Queensland families suffered violence and threats, with breaches of domestic and family violence orders increasing by nine per cent. What is the Premier's response to her government's soft-on-crime policies, leaving Queensland women and families vulnerable and unsafe?

Ms PALASZCZUK: I thank the member for the question. We on this side of the House understand how important combatting domestic and family violence is. That is why my government is putting in record funding. It is this Labor government that is building new shelters. Those opposite cut shelters and cut funding to domestic violence organisations across Queensland. When it comes to community services funding in this state, \$60 million was axed when you were a member of the LNP government, member for Nanango. When you were a member of that government, what did you do? What did you say?

The member for Mudgeeraba was a cabinet minister—albeit for a short time—who sat around the table with the member for Buderim, who is now the One Nation leader. You sat there. In fact, Mr Speaker, you can say that One Nation is just part of the LNP.

Mr Dick: Cut from the same cloth.

Ms PALASZCZUK: They are cut from the same cloth, just as the member for Clayfield is cut from the same cloth as Campbell Newman. We do not hear that name mentioned in this House, do we? It is almost as if he has been blanked out from history. They do not utter his name. Let me make it very clear: I am more than happy to remind Queenslanders of the damage and the cuts that the member for

Clayfield and Campbell Newman, as the premier of this state, made over three years when they were in government. The record of the member for Clayfield was clearly one of sacking, selling and cutting—I repeat: sacking, selling and cutting.

Honourable members interjected.

Mr SPEAKER: Pause the clock. There are a number of members who seem to me to be trying to talk over the top of the Premier because they do not like what the Premier is saying. You will be warned if you persist.

Mrs Frecklington interjected.

Mr SPEAKER: You will be the first one if you persist, Deputy Leader of the Opposition.

Ms PALASZCZUK: Today we saw the member for Mudgeeraba stand in this House and talk about how she opposes the One Nation policy when it comes to domestic and family violence. If you oppose it so much, you will put One Nation last in every single seat, in every electorate. We know there is a secret deal happening with One Nation. We know they are all cut from the same cloth. We know that the Leader of the Opposition has failed to sign a statutory declaration putting One Nation last.

Mr McEachan: Did you put Pauline Hanson last?

Ms PALASZCZUK: Yes. Wake up; smell the roses.

Ms Trad: Table the stat dec again.

Ms PALASZCZUK: It has been tabled. In fact I will give you all a copy. In fact I will table a copy for every member of parliament so they have my stat dec and my—

(Time expired)

Mr SPEAKER: Premier, your time has expired and your microphone is turned off. I urge members to stop using the word ‘you’—and that applies to both sides. If members want to refer to another member, refer to them by their electorate in the appropriate way, and members should address their comments through the chair, please.

Before I call the member for Logan for his question, I am informed that we have students and teachers from the Manly State School in the electorate of Lytton observing our proceedings from the gallery. Welcome.

Demand Responsive Transport

Mr POWER: My question is to the Deputy Premier. Will the Deputy Premier update the House on the rollout of demand responsive transport in Logan and whether the Deputy Premier is aware of any alternative approaches?

Ms TRAD: I thank the member for Logan for the question because I know that he is a fighter for better services for his community.

Mr Bleijie interjected.

Mr SPEAKER: Member for Kawana, you are the second cab off the rank. You will join the member for Chatsworth. There are a number of other members who are ready to join if they persist, and they know who I am talking about. Member for Kawana, if you persist I will take the appropriate action.

Ms TRAD: As I was saying, the member for Logan is a true fighter for better services in his local community. It was his advocacy in fact that led to—

Opposition members interjected.

Ms TRAD: I will just wait.

Mr Seeney interjected.

Mr SPEAKER: Yes, you have my attention, member for Callide.

Ms TRAD: It was in fact through the member for Logan’s advocacy that the Palaszczuk Labor government has introduced demand responsive transport for the residents of Logan. We have established a 12-month—

Mrs Frecklington: Keep talking him up. He needs it.

Mr SPEAKER: Deputy Leader of the Opposition, I do not think you need to keep talking. You are now on the list under standing order 253A.

Ms TRAD: We know that the member for Nanango needs us more than she needs One Nation right now. If the member for Nanango wants to talk about who is going to help her out, I am very happy to have that conversation about everything we are doing in Nanango to help the Deputy Leader of the Opposition get re-elected.

The residents right across Logan, in the suburbs of Beenleigh, Shailer Park and Hillcrest, are all benefiting from this great 12-month trial. We launched the demand responsive transport late last month and already we have had almost 500 residents sign up for it. Unlike normal public transport, this does not run to a timetable; it runs to subscribers booking in and asking for services. It has been such a success in the short time it has been running that it has run almost 550 trips. I look forward to it servicing so many more residents right across Logan over the next 12 months.

While I am talking about demand responsive transport, we should also be looking at the fact that the LNP is only responsive to one thing in this state—that is, One Nation. We have been really clear about our position: we are going to put One Nation last. They come into this place and want to have a dig at the member for Buderim's policy around domestic violence, which is absolutely abhorrent, but the Leader of the Opposition refuses to come into this place and say that he will put One Nation last in every single seat at the next state election. They say one thing in here but you know they are doing grubby deals with One Nation to make sure they get elected. The Leader of the Opposition should grow a spine—

(Time expired)

Police Resources

Mr MANDER: My question is to the Premier. The government's own statistics show that last year, despite the Premier's comments today, only three additional police joined the ranks in Queensland and that the north Brisbane police district has 55 fewer cops on the beat. I table the relevant reports.

Tabled paper: Document, undated, titled 'Personnel: Summary Table' [\[2127\]](#).

At the same time, in north Brisbane car theft has jumped by almost 27 per cent, home invasions have jumped by over 18 per cent and violent armed robberies have exploded by over 50 per cent. Premier, why are north Brisbane and my neighbourhood of Everton left unsafe with fewer cops allocated to our area by this soft-on-crime government?

Ms PALASZCZUK: I thank the member for the question. Just before I address that question, I want to update the House on a previous question about Ms Ambrose. The Queensland police coordinator of the Stronger Communities Action Group, Inspector Glenn Doyle, met with Ms Ambrose just last Wednesday. I am advised through my director-general that it was a productive meeting and I encourage that communication to continue.

In relation to the north Brisbane district, I can advise that as of 30 June there were 1,155 police officers operating there. When compared with the previous year, in 2016-17, the north Brisbane district has experienced an overall five per cent increase, compared to the marginal increase across Queensland under historical data of two per cent. In one year, comparing the total offences in September 2016 to the total in September 2017, I am advised that there is a 9.5 per cent decrease, down for all offences across Queensland.

Mr Mander interjected.

Mr SPEAKER: Pause the clock. Member for Everton, you have had a good go all morning. You are now warned under standing order 253A as well. You have asked the question. The Premier's answer is relevant. You may not like it but I find it relevant. If you persist, I will take the appropriation action.

Ms PALASZCZUK: I say to all members that I know from being a local member of parliament that you have the opportunity to meet with your local police to get an update on what is happening in your own local area. I also advise members that it is highly undesirable to come in here and criticise the hardworking men and women who work in our Police Service. When we talk about Queensland police statistics, I remember that when we were in opposition and those opposite were in government they actually abolished those statistics. Those statistics were not in the public domain. They were hidden; they were secret. Perhaps the member for Everton might like to talk to the former minister for police and ask why they took such action.

We will always value the work that our men and women police officers do in our state. In fact, many years ago my aunt was a police officer, and I am very proud that she worked for the Queensland Police Service. We will always give the men and women the equipment they need to do their job.

Recently I was up in Cairns and a police officer came up to me and said, 'You do not understand how you have changed our working lives by giving us the computers we need and the body worn cameras so we can do our job more efficiently and spend more time out on the beat and less time back at the station filling out paperwork.' That is our commitment to support the men and women across our state—

(Time expired)

Meeting of Federal, State and Territory Treasurers

Mr SAUNDERS: My question is of the Treasurer and Minister for Trade and Investment. I refer to the meeting of federal, state and territory Treasurers in Sydney tomorrow, and I ask: will the Treasurer outline what issues are likely to be discussed and their relevance to Queenslanders?

Mr PITT: I thank the honourable member for the question. There has been a significant increase in the number of conditions imposed by the federal government in terms of funding sent to the states and how it is spent. That has been seen with recent amendments to the new schools funding arrangements, which looked good on the surface and, sadly, came out the other end of the Senate looking very ordinary for all states and territories.

Ms Jones: The deal with One Nation. That's why.

Mr PITT: I take that interjection from the Minister for Education. Another example is the new housing and homelessness agreement. That agreement was under the spotlight in the Senate estimates hearing yesterday. Senator Katy Gallagher was asking what feedback was sought by the federal Treasury from states and territories about what states and territories would need to contribute under this new agreement. Under questioning, the response from the Treasury official was, 'We didn't have a specific conversation with the states about the level of detail that would be in that legislation.' When asked if tied funding arrangements would be legislated, the federal Treasury official had to admit that the deputy heads of state Treasury were told of the 'gist' of the legislation but they were not given a copy of the legislation. The federal Treasury official admitted the obvious: that there was a 'level of surprise' expressed by the state officials about the level of detail in the legislation and the lack of consultation. These attempts to bind the states financially to a level of funding commitment in legislation without consultation are an absolute disgrace.

That is what we will be taking to the meeting tomorrow. I have spoken to some of my federal, interstate and territory colleagues. We will be putting the case very clearly to the Commonwealth that this is completely unacceptable. Of course, this is off the back of some of the terrible arrangements that have been put in place such as the deal that was put forward by One Nation for a per capita share of GST which would result in \$2.4 billion being ripped out of Queensland. Then there was the Productivity Commission's draft report which looks at taking out up to \$1.6 billion. These are terrible things. We need greater certainty. We certainly do not need any further money taken away from Queensland. We do not need that. We are still recovering from the \$80 billion of health and education cuts by Joe Hockey with Tony Abbott. Of course, we know that those opposite are very happy to see those sorts of cuts. We know that they are very capable of them. We saw more than 4,000 health workers cut under the previous treasurer, the member for Clayfield.

Every member of this House should stand up for Queensland. Queensland will not get a look in with the federal government's asset recycling initiative—\$5 billion. We got none. Those opposite did not argue against that because they still have a secret plan to sell assets and they would love to try to get that scheme revamped. We know that there have been no federal commitments around Cross River Rail. We know that those opposite will not stand up for the fact that we have had to go it alone and do it ourselves. Given the chance, they would cut Cross River Rail and it would not matter where the federal funding was coming from. When it comes to this side of the House, we know our government, our members, our Labor MPs, will stand up for Queensland. Sadly, this lot opposite have been complicit in the disgraceful behaviour of the Turnbull government and the Abbott government—

(Time expired)

Police Resources

Mr WALKER: My question without notice is to the Premier. I table an extract from the Palaszczuk government's report showing that the South Brisbane district, including my community of Mansfield, has 48 fewer police officers keeping us safe than last year.

Tabled paper: Document, undated, titled 'Personnel: Summary Table' [2128].

The actual figures are: 1,022 in June 2016 and 974 in June 2017. Over the same time, government statistics also show that on the south side car theft is up nearly 35 per cent in one year, serious assaults against Queenslanders are up nearly 20 per cent and robbery is up over 30 per cent. I ask: why is the Palaszczuk Labor government failing to protect families in our south side communities?

Ms PALASZCZUK: Let me make it very clear from the start: the government sets the policy and the Police Commissioner allocates the resources in terms of where the police go—

Honourable members interjected.

Mr SPEAKER: Pause the clock. The Premier's answer is relevant.

Ms PALASZCZUK: I am advised that as at 30 June there were 974 police officers operating in the South Brisbane district. I am also advised that there was a downward trend of almost nine per cent in just six months when we compare total offences in March 2017 to the total in September 2017. Why do we have these statistics? We have them because we release them. Those opposite abolished them; we release them. Let me also put on the record a few other things.

We have increased the number of police officers over this term of government by 300, bringing the number of permanent police positions to 11,880 as at August 2017. We have allocated \$33 million for an extra 30 police to join the counterterrorism team. We have allocated record police budgets, the last budget being \$2.37 billion. In this term of government we have provided 5,400 mobile devices to front-line officers around the state to ensure front-line people have the access they need to do their jobs more efficiently. As part of our \$6 million commitment to improve police safety we have rolled out 2,700 body worn cameras to front-line officers. Eventually 5,100 cameras will be available to police. As I said previously, we have allocated \$46 million over three years for a world-class use of force, weapons and counterterrorism facility at Wacol.

Let me now talk about the record of the LNP when it comes to police when they were in government. They abolished 106 senior police officers in this state. I can remember meeting with them when I was the Leader of the Opposition. They could not understand why, when they were at the peak of their career, they were being axed. Imagine how they felt having to go home to their family and say, 'I can't retire with dignity because my job has been axed by that treasurer, by the member for Clayfield.' That was 106 senior police officers. What did they do? They set up the Public Safety Business Agency as a plan to privatise, and we know how the member for Clayfield feels about those plans to privatise because they are still in their DNA.

(Time expired)

Far North Queensland, HIV

Mr HARPER: My question is to the Minister for Health and Minister for Ambulance Services. Can the minister update the House on the Palaszczuk government's efforts to reduce HIV transmission in the Far North and of any alternative approaches?

Mr DICK: I thank the member for Thuringowa for his question and his strong advocacy for preventative health measures. We know that one way we can improve the health care of Queenslanders and take pressure off our health system is to act in the preventive healthcare space. I thank him for his advocacy, along with other members of the government from Far North Queensland. He knows the value of preventive health and the importance of front-line services and I know that he is proud of the investments the Palaszczuk Labor government has made in relation to sexual health in our state.

We have invested in the front line. Since we came to power in Queensland we have restored funding to Biala Sexual Health Service in Brisbane and community groups; delivered a North Queensland Aboriginal and Torres Strait Islander STI action plan; established Australia's first-ever statewide sexual health strategy; and extended and expanded our pre-exposure prophylaxis trial—our PrEP trial—by 4,000 per cent, from 50 individuals to 2,000. That is what Labor governments do. The member for Thuringowa knows the devastating impact of the cuts imposed by the member for Clayfield when he was treasurer.

There is a very clear distinction between what Labor does and what the LNP does. What did the former treasurer do? There were overnight cuts to community groups and gag clauses on community organisations; 30 staff were sacked from the Biala Sexual Health Service; and sexual health outreach workers in the Cairns and Hinterland Hospital and Health Service were sacked at a time when syphilis was establishing itself in the far north of the state and the Northern Territory. When innocent babies were being born with congenital syphilis, the treasurer of Queensland—the Leader of the Opposition—thought it appropriate to cut funding from sexual health services in the Far North.

Government members: Shame!

Mr DICK: I take the interjection from government members. It is not a shame; it is a disgrace. All of that will be put at risk. We know that the Leader of the Opposition has decided to make himself a small target in the election in the hope that Queenslanders will forget his role as the 'cutter-in-chief' of the Newman government, but one thing that Queenslanders will not forget about the Leader of the Opposition is that they simply cannot trust him. They know from bitter experience that he says one thing before an election and does another after it.

We have heard about members of the opposition declaiming the One Nation policy in relation to young children who are exposed to domestic and family violence. All of that will be at risk unless the Leader of the Opposition does one thing: put One Nation last in every single seat in Queensland. To remind him—

Mr LANGBROEK: I rise to a point of order. Mr Speaker, standing order 118, which you have addressed a number of times in this parliament, states that ministers will not debate the question. That seems to be slipping as we approach the end of this term, and I ask for your direction with regard to this answer.

Mr SPEAKER: I will take that on board. I urge the minister to keep the answer relevant to the question. I call the minister.

Mr DICK: Sexual health and protecting children from domestic and family violence will be at risk if they do not put One Nation last. To remind the Leader of the Opposition I table the Premier's statutory declaration, and I table a blank statutory declaration that he can sign today saying that he will put every One Nation candidate last in every seat in Queensland.

Tabled paper: Statutory Declaration by the Premier and Minister for the Arts, Hon. Anastacia Palaszczuk, in relation to Labor not entering deals with One Nation at upcoming State Election [2129].

Tabled paper: Document, undated, titled 'Statutory Declaration' [2130].

Mr SPEAKER: I am informed that we have students and teachers from the Manly State School in the electorate of Lytton observing our proceedings from the gallery. Welcome.

Police Resources

Mr CRANDON: My question without notice is to the Premier. I table extracts from the Palaszczuk government's report showing that the Gold Coast region has seen a reduction of 40 sworn police officers over the past year from 886 in June 2016 to 846 in June 2017.

Tabled paper: Document, undated, titled 'Personnel: Summary Table' [2131].

While Labor was shifting cops out of the Gold Coast, crime on the Gold Coast has exploded with assaults up 28 per cent, robbery up 20 per cent and break-ins to Queensland homes and businesses up over 15 per cent. Premier, why does Labor not see the safety of my community in the Coomera electorate on the northern Gold Coast as a priority, and why are there 40 fewer cops in the Gold Coast region this year compared to last year?

Ms PALASZCZUK: I thank the member for Coomera for his question. Once again I pay tribute to all of the hard work that our police men and women do on the front line serving Queenslanders and helping to keep Queenslanders safe. Let me say again that crime statistics are a public document because my government releases them, unlike those opposite. When they were in government there was no report because they shut it down.

I am advised that there are more police on the Gold Coast than there have been in the past. As of 30 June there were more than 1,100 police based on the Gold Coast. This includes 846 full-time-equivalent officers attached to the district. Another 202 specialists—including forensic, intelligence and Taskforce Maxima officers—are based in the Gold Coast police district as well.

Mr Ryan: They cherrypick stats.

Ms PALASZCZUK: You are cherrypicking stats and you are not adding them together. It is about time you got your facts correct. Under my government we will continue to grow our police numbers because we respect our hardworking men and women on the front line. In fact, we respect our hardworking men and women on the front line not just in police but also in education, health, ambulance services, emergency services and transport. We will ensure that the police have the budget they need to do their job—that is my commitment—unlike those opposite, who sacked 106 people from senior positions. These were senior men and women who were not yet at the age of retirement but who were

sacked by those opposite at the peak of their career. I cannot think of anything more shameful than to sack senior police officers in this state. Every single one of you should be ashamed, including the member for Coomera.

Mr SPEAKER: I would urge the Premier not to debate the question. Do you have anything further to add, Premier?

Ms PALASZCZUK: In conclusion, those opposite should not come in here criticising our hardworking men and women. They should support our hardworking men and women. Let me make it very clear that when it comes—

Mr SPEAKER: I think you have answered the question, Premier.

Ms PALASZCZUK: Just to finish, when it comes to front-line services in this state my government puts those front-line services where they are needed—in contrast to those opposite, who sacked.

Ms Grace interjected.

Mr SPEAKER: Minister, you will join the list too in a minute.

Ms Grace interjected.

Mr SPEAKER: You have joined the list now. Minister for Industrial Relations, you are on the list. This is your first warning under standing order 253A. If you persist I will take the appropriate action.

Domestic and Family Violence, Support Services

Ms BOYD: My question is to the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence, and I ask: can the minister advise what the government is doing to support local DV organisations assisting Queensland women and children?

Ms FENTIMAN: I thank the member for Pine Rivers for the question and for her advocacy to bring the local community together to tackle domestic and family violence. We have heard a lot today about the cuts to community organisations when the member for Clayfield was treasurer: \$63 million was ripped from community services—including domestic violence services—including \$140,000 from the Gold Coast Domestic Violence Prevention Centre. Not only are we restoring much needed funds to these hardworking organisations; we are also providing them with certainty with five-year funding agreements, which the sector has been calling for for years. The Domestic Violence Action Centre will receive more than \$21 million statewide over the next five years; Centacare, including DV perpetrator programs, will receive more than \$8.6 million; and the Working Against Violence Support Services, which does fantastic work in my community of Logan and Redlands, will receive more than \$8 million in a new five-year funding contract.

Not only are we restoring domestic violence services; we are also building seven new emergency accommodation shelters in our term of government after funding to every shelter from the Torres Strait to the Gold Coast was cut by those opposite when they were in government. We are implementing all of the recommendations of the *Not now, not ever* report, including introducing seven bills into this House combating domestic and family violence, introducing a new offence of strangulation and increasing penalties for DV perpetrators.

This week we see the threat of losing all of this good work that has been done to combat domestic and family violence and that community momentum by the policies put forward by One Nation. I fear for the future and for the safety of women and children in this state if One Nation is allowed to hold the balance of power in this state. The only way that its dangerous, ill-informed policy can come to fruition is if One Nation wins seats in this House, unless the Leader of the Opposition puts One Nation last to ensure that this policy does not become a reality. Until those opposite put One Nation last, the safety of women and children in this state is at risk. The education minister and I have both stood up and publicly supported the member for Mudgeeraba's comments condemning One Nation's policy, but the Leader of the Opposition will not back the member for Mudgeeraba by taking action to put One Nation last. It is easy to talk, but the member for Clayfield needs to do something in terms of putting One Nation last.

(Time expired)

Ms Jones interjected.

Mr SPEAKER: Minister for Education, you are now going to join the list under standing order 253A. If you persist I will take the appropriate action.

Palaszczuk Labor Government, Electrical Trades Union

Mr HART: My question without notice is to the Premier. I table emails obtained under right to information that shows the Premier's own deputy chief of staff and the energy minister, Mark Bailey, have been communicating with the ETU about wage negotiations and industrial relations matters on private email accounts.

Tabled paper: Bundle of emails regarding the Electrical Trades Union and enterprise bargaining agreement negotiations [\[2132\]](#).

Opposition members interjected.

Mr HART: Premier, why are Queenslanders paying record high electricity prices while the energy minister and senior staff in the Palaszczuk government provide the ETU with inside information on wage negotiations?

Mr SPEAKER: Usually it is the other side that is interjecting on the member who is asking the question, but this time it seems that the opposition's members were making it more difficult for me to hear the question but I will not make any ruling.

Ms PALASZCZUK: I thank the member for Burleigh for the question. There were imputations in that question, but let me address the prime issue, which is about electricity prices.

An opposition member: No, it wasn't.

Ms PALASZCZUK: Yes, it is.

Opposition members interjected.

Mr SPEAKER: Order! Members, the question has been asked. The Premier is answering the question and I find it is relevant.

Ms PALASZCZUK: Under the LNP government, electricity prices for households in this state went up by 43 per cent. That is the record of those opposite. Before that election they said that they were going to lower the cost of living for Queenslanders. Over that three-year period they raised electricity prices in this state by 43 per cent.

Through actions of my government we now have the lowest increases of all mainland Australia, and I am proud that we have taken those actions. How have we been able to take those actions? There is one clear reason: Queenslanders own their energy assets, and we will continue to own them whilst I am Premier of this state. I know that there is a secret plan by the Leader of the Opposition to sell our energy assets in this state. He went to the last election with the Strong Choices plan that cost Queenslanders \$100 million. Who can forget that—\$100 million, a waste of taxpayers' money and travelling around the state? I am happy to remind Queenslanders each and every day about the asset sales plan by the LNP government. Who was the biggest champion of those asset sales? It was the Leader of the Opposition.

Honourable members interjected.

Mr SPEAKER: Premier, one moment, please. The question was a far-reaching question. The Premier has latitude to answer the question and I would urge members not to interrupt the Premier. I find her answer is relevant. If you ask a question which is far reaching, the Premier has the capacity to answer it in the way she chooses.

Ms PALASZCZUK: Today we saw the Leader of the Opposition stand in here and ridicule the rebates that Queenslanders are going to get. I say to the Leader of the Opposition and member for Clayfield: everywhere across Queensland, every single dollar matters to Queenslanders. The only reason we can take this action is that we own the assets. If the former government had won the last election we would not even own these assets now. They would have been sold off and the dividends would be going to overseas shareholders, not back to Queenslanders. We on this side of the House back Queenslanders. We back our energy assets. It is only those on that side—

(Time expired)

Palaszczuk Labor Government, Community Safety

Mr PEGG: My question is directed to the Minister for Police, Fire and Emergency Services and Minister for Corrective Services, and I ask: will the minister update the House on how the government is getting on with the business of making Queensland safer?

Mr RYAN: I thank the member for the question and for his strong commitment to our front line. We are a government that has not just restored the cuts to the front-line services of those opposite; we have enhanced them. We have gone above and beyond when it comes to supporting our front-line emergency services workers, particularly our police. One way that we are doing that is by ensuring that our police have the best possible resources, including the best possible technology.

Last week I was very pleased to be on the Gold Coast for the official unveiling of the Joint Emergency Services Coordination Centre. This is a magnificent investment in emergency services capability for the Commonwealth Games and beyond. This is a state-of-the-art, best-in-the-world coordination centre which will allow all of our emergency services to be in the one place with the latest technology to coordinate their response to major events. This goes beyond just the Commonwealth Games; this is a legacy item for our emergency services which will benefit the Gold Coast and the broader region for many years to come.

That is what our government does: we invest in the front line—unlike those opposite, who just cut, sack and sell. They never fund their own rhetoric. In fact, where we invest, they do not invest. When it comes to investing, we can see how much time the member for Everton invests in the Corrections portfolio. We keep pretty detailed records in Queensland Corrective Services of everyone who visits a prison. How many times do members think the member for Everton has visited a correctional facility since he became the shadow minister? The member for Everton became the shadow minister in May last year—almost 18 months ago—and one would think that someone who was interested in being the minister for corrective services would understand how a correctional facility works and would meet our custodial officers. How many times has he been to a correctional facility? Zero—zero times! I have been advised by Queensland Corrective Services that in 18 months the member for Everton has visited a correctional facility zero times. That is how much time he invests in the front line. That is how much time he invests in the safety of the people of Queensland.

I can understand why he does not have any time to invest in the portfolio. He is too busy investing in other little deals around the place. I wonder whether we have got the wrong Tim when it comes to deals with One Nation. I wonder whether it is the member for Everton who has been going around doing little deals with Senator Hanson. Our Premier has signed a statutory declaration. Maybe the other Tim needs to sign a statutory declaration saying that they will do no deals with One Nation and will put them last.

Electricity Generators, Revenue

Mr DICKSON: My question is to the Premier. Can the Premier please inform the House and the people of Queensland how much the state government received in revenue in the last financial year from government owned corporations that produce and distribute electricity throughout the state of Queensland?

Ms PALASZCZUK: I thank the member for the question. The answer is \$1.3 billion.

Social Housing

Ms DONALDSON: My question is to the Minister for Housing and Public Works and Minister for Sport. Will the minister advise the House how the government is supporting all Queenslanders to have a safe, secure and affordable place to call home? What threats exist to the provision of safe and secure housing?

Mr de BRENNI: I thank the member for Bundaberg for the question. The members of this House would know that the Palaszczuk Labor government has invested \$1 billion to build new affordable social housing over the next five years. That will deliver 4,000 new homes to the most vulnerable people in this state.

The member for Bundaberg has been talking with me about the delivery of affordable housing in the Wide Bay-Burnett region. We are investing \$25 million in the Wide Bay region to deliver 56 new homes for women and children escaping domestic violence, seniors, and people with a disability over the next five years. How many homes did those opposite build in the Wide Bay-Burnett region at the peak of its 2013-14 housing plan?

A government member: Is it more than zero?

Mr de BRENNI: It is more than zero. It is two. Under Labor's Housing Strategy, 56 homes have been built.

The member for Bundaberg also asked what threats there were to affordable housing in Queensland. The real threat was the LNP's plan to shut down the provision of social housing in this state—to privatise 90 per cent of social housing, to throw away the keys. Labor builds homes; the LNP cuts.

The member for Bundaberg also asked about the threat to housing security in Queensland. As I have just outlined, we know that, when the LNP was in government, it had a miserable approach to social housing. Last night, the members of the opposition stooped even lower. They showed that they had a miserable approach not just to social housing tenants but to all renters in this state. Last night the member for Clayfield, the opposition leader, backed the slum lords of this state.

The Queensland Palaszczuk Labor government created minimum standards for homes for half a million Queensland renters—basic things that every home should have. Tim Nicholls, the Leader of the Opposition and member for Clayfield, and the other LNP opposition members voted against them. In this state you cannot sell a car without it having a roadworthy certificate. The reason for that is simple. People should be confident that when they buy a car it is in good working order and safe to drive. The LNP opposition members do not believe that there should be the same standards for housing in this state. They believe that people should be able to rent a home that is of a standard below community expectations. The member for Clayfield has decided that he is the minister for slum lords, and I think he should hang his head in shame.

After listening to the opposition members in the debate on that bill, one would think there is something character building about living in a house that is falling down. The member for Southport said that he lived in a house where the kitchen had a dirt floor and that had no hot-water system and a very basic shower in a shed out the back. The debate was about renting, not about home ownership. In any case, if that is the LNP's vision for affordable housing in this state, Queenslanders should be very worried.

Suncoast Community Legal Service, Funding

Ms SIMPSON: My question without notice is to the Premier. Can the Premier explain to vulnerable Sunshine Coast residents why her government recently cut approximately \$240,000 a year from the operating budget of the Suncoast Community Legal Service?

Ms PALASZCZUK: I thank the member for Maroochydore for the question. My understanding is that the impact on community legal services across Queensland has been a direct result of federal government funding cuts. I am happy to get back to the member. I will get advice from the Attorney-General, but I am advised that the federal government has had a huge impact on legal centres right across Queensland in not restoring the funding as much as it should be. Perhaps she should contact her local member.

Ms SIMPSON: I rise to a point of order. Mr Speaker, could I ask that the Premier, pursuant to standing order 113(3), to take my question on notice and that an answer be provided to the House in accordance with that standing order?

Mr SPEAKER: My understanding is that questions only go under standing order 113(3) if the minister, in answering the question, offers to do that. I understand that the Premier has indicated that she will get back to the parliament.

Go Local Campaign

Ms PEASE: My question is to the Minister for Innovation, Science and the Digital Economy and Minister for Small Business. Will the minister please update the House on how the Palaszczuk government's expanded Go Local campaign is supporting the state's small businesses?

Mr SPEAKER: We have two minutes.

Ms ENOCH: I thank the member for Lytton for the question and her advocacy for small businesses in her electorate. I also acknowledge that the member for Lytton, along with small businesses in her electorate, has been championing the Go Local, Grow Local campaign in her area.

The Go Local, Grow Local campaign was born from Cyclone Debbie and, because of that campaign, we have seen businesses supported with some incredible results. After the devastation caused by Cyclone Debbie, we backed small business. We also backed small business after the devastation of the former LNP government.

The approach of the former LNP government to our economy was to sack, sell and cut. Under the former LNP government we saw a cut of some 14,000 public servants. The impact of those cuts on the families of those public servants was heartbreaking, the impact of those cuts on our economy was felt almost immediately, and the impact of those cuts on small business was devastating.

In the first year of the LNP government, under the leadership of the then treasurer, who is now the Leader of the Opposition, more than 14,000 small businesses were lost. That is 269 small businesses lost per week in the first year of the former LNP government.

Mr Emerson interjected.

Mr SPEAKER: Please, member for Indooroopilly. You have not stopped. I find your interjections are designed to disrupt the minister in her answer to the question. The member is now warned under standing order 253A. If you persist, I will take the appropriate action.


Ms ENOCH: We on this side of the House back small business. That is why we have supported small business through our \$22.7 million Advancing Small Business Queensland Strategy and through our \$4 million Go Local, Grow Local campaign. These programs are about ensuring that we have the right economic circumstances in which small business can thrive. We are seeing that happen in Queensland, with the highest number of entries of small business in over three years.

(Time expired)

Mr SPEAKER: I inform the House that we have more students from the Manly State School in the electorate of Lytton observing our proceedings in the gallery. Welcome.

VEGETATION MANAGEMENT (CLEARING FOR RELEVANT PURPOSES) AMENDMENT BILL

Introduction

 **Mr KNUTH** (Dalrymple—KAP) (11.39 am): I present a bill for an act to amend the Vegetation Management Act 1999 for particular purposes. I table the bill and explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

Tabled paper: Vegetation Management (Clearing for Relevant Purposes) Amendment Bill 2017 [\[2133\]](#).

Tabled paper: Vegetation Management (Clearing for Relevant Purposes) Amendment Bill 2017, explanatory notes [\[2134\]](#).

The policy objectives of the bill are to amend the Vegetation Management Act 1999 to create an obligation on the chief executive to issue an information notice where an application for clearing, as assessed under section 22A of the act, has been rejected and remove 'grazing activities' from the definition of 'high value agriculture clearing' to ensure that it is considered a relevant purpose in the chief executive's consideration of an application to clear under the act.

These objectives have been developed to address gaps within the existing legislative framework that constrain the ability of primary producers to clear land for legitimate purposes and enable access to a reasonable appeals process. Currently grazing is not considered a relevant purpose for high-value agriculture clearing. However, it is considered a relevant purpose for irrigated high-value agriculture clearing. This limits the ability of a grazier to establish sources of feed to improve the productivity of their operations.

In order to develop a more profitable and competitive domestic and international agricultural industry in Queensland, graziers must have a range of options for cultivating and sourcing feed. Although this bill broadens the scope of activities that are an acceptable reason to undertake clearing, the existing legislative and regulatory framework provides adequate mitigation against detrimental environmental impacts. Furthermore, the farm management practices of producers ensure a high standard of environmental management across the industry.

Currently there is no right of appeal or review for a person who has made an application under section 22A of the act where that application has been rejected. The only basis for appeal or review pursuant to the Vegetation Management Act 1999 is if the section of the act dealing with the decision requires an information notice be given with the decision. Currently graziers are unfairly restricted in the way they can manage their land to feed their cattle and make their business profitable. Graziers face extremely restrictive laws that require them to invest significant time and money just to prove to the department that they should be able to feed their cattle.

The current laws are unfair and they are holding our agriculture industry back. The bill ensures that graziers are allowed to undertake high-value agriculture clearing. This will allow dryland farming of improved pasture for grazing. This will reduce costs of growing feed which will make their businesses more profitable and competitive. Importantly, environmental protections remain in place under the bill. A grazier must still apply to undertake this type of clearing and the department will have an opportunity to review every application.

The bill also addresses big gaps in the existing legislation around appeals for farmers who have had their clearing application rejected. The bill requires the department to issue an information notice to a farmer who has had their application rejected. The farmer can then use the information notice to trigger a formal internal appeal of their application.

Agriculture has been given a bad name by inner-city types who have no idea about farming or land management. When these people think of farming they think of horns and pitchforks and barren landscapes where nothing can survive. I commend the bill to the House.

First Reading

Mr KNUTH (Dalrymple—KAP) (11.43 am): I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Referral to the Infrastructure, Planning and Natural Resources Committee


Madam DEPUTY SPEAKER (Ms Linard): In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.

INFRASTRUCTURE, PLANNING AND NATURAL RESOURCES COMMITTEE

Report, Motion to Take Note

Resumed from 12 October (see p. 3115), on motion of Mr Pearce—


That the House take note of report No. 52, *Oversight of the Family Responsibilities Commission*, tabled on 28 August 2017

 **Ms LEAHY** (Warrego—LNP) (11.45 am): The Infrastructure, Planning and Natural Resources Committee visited the welfare reform community of Aurukun with Commissioner Glasgow and his staff to view firsthand the work of the Family Responsibilities Commission. I visited the community of Aurukun some 20 years ago and I am pleased to say that the community has changed over that period of time; however, there are still significant challenges. No doubt there has been a considerable amount of taxpayer funds spent in that community by governments of both persuasions to help with services and infrastructure in an isolated and challenging community.

Under the Family Responsibilities Commission Act the primary responsibility of commissioners is to hold conferences with community members and this is not easy. It is not an easy task at all. I wish to thank all of the commissioners in the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge who undertake these conferences in local communities. Their task is a difficult one. They are the ones who have to implement the welfare reform at the front line and sometimes with their own family members or with family members of other families of whom there may be long-term cultural differences.

The succession planning of these local commissioners is particularly important. There are not many people who are willing to do that work in those local communities or have the skills to do it. I can fully understand why they do not want to do those jobs for long periods of time and how they can become quite tired doing them. I understand that they appreciate the support they receive from Commissioner Glasgow and his staff. I particularly want to mention Ada Woolla, whom we met in Aurukun. She is a commissioner and was a great contributor to the *Not now, not ever* domestic violence report.

On behalf of the committee I thank Commissioner Glasgow and the other commissioners and staff of the Family Responsibilities Commission. I also thank those individuals, organisations and departmental officers who assisted the committee on its visit to Aurukun and, in particular, Brendon McMahon. I stress that it is particularly important to have succession planning with the Family Responsibilities Commission. The Family Responsibilities Commission is not something that you can stop and start at the whim of government funding; it is something that needs to be well planned. There need to be succession plans in place in relation to commission staff and also commissioners in the communities. I commend the report to the House.

 **Mr CRAWFORD** (Barron River—ALP) (11.47 am): As previously stated, the Infrastructure, Planning and Natural Resources Committee has oversight of the Family Responsibilities Commission. Last year when I was on the Finance and Administration Committee we had oversight of the commission but did not travel to Far North Queensland. A number of months ago the Infrastructure, Planning and Natural Resources Committee travelled to Cairns in Far North Queensland and sat down with Commissioner David Glasgow and his team to get a run-down as to the hard work they do in the communities they have oversight of.

We also travelled to the community of Aurukun with the Family Responsibilities Commission, the police and a number of different agencies and were able to see firsthand the huge respect that the locals have for the Family Responsibilities Commission—not only for Commissioner David Glasgow but also for the local commissioners. They were having hearings the day that we were there. We had lunch with the local commissioners and spoke with them about the work they do. Interestingly, a number of those commissioners had been doing it for a very long time. It became apparent to the committee that succession planning in respect of the FRC was important—not only for the commissioner but also for the local commissioners in the communities. Whilst they do an awesome job, they were very much giving us an indication that most of them were looking at stepping aside. We picked up in our review that succession planning in the area of the Family Responsibilities Commission was vitally important.

They have an amazing relationship with the local police and, in particular, the Aurukun school. There is a huge amount of respect from businesses as well as the local council. We picked up on some issues along the reporting line in relation to relationships with education and youth justice. David Glasgow was chasing those up with the respective departments, so that the FRC is able to get an earlier insight when a student either is not attending school or is caught up in youth justice and the commissioners are able to get involved and see what is happening at an earlier stage. I believe that that work is continuing. We were concerned that Commissioner David Glasgow was going to end his tenure. During this year's estimates hearings he told us that his term had been extended to 30 June 2018, which is very good news. However, certainly we need to look at what will happen after 30 June 2018 if Mr Glasgow decides to move on.

In conclusion, certainly from what I saw and the conversations I had in Aurukun, I know that this is an extremely important organisation that does amazing work in very fragile communities. I very much support the work that they do. I am sure this House very much supports the work that they do. I wish them all the best. In particular, I wish Mr Glasgow all the best in his future endeavours.

Question put—That the motion be agreed to.

Motion agreed to.

AGRICULTURE AND ENVIRONMENT COMMITTEE

Report, Motion to Take Note

 **Mr KELLY** (Greenslopes—ALP) (11.52 am): I move—

That the House take note of the Agriculture and Environment Committee's report No. 42, *Consideration of the Auditor-General's report No. 12: 2016-17—Biosecurity Queensland's management of agricultural pests and diseases*, tabled on 30 August 2017.

Before I speak to the report, I add my condolences to those offered by the chair of the PCCC and member for Southern Downs during the last sitting week. As the deputy chair of the Agriculture and Environment Committee, I send my condolences to a member of the parliamentary staff, Ciara Furlong, on the recent sad loss of her husband, Matthew. I attended the funeral and I am pleased to report to the House that Ciara is well supported by two large and loving families of deep faith. It was pleasing to see many members of the parliamentary staff in attendance as well. The faith of Ciara's family was evident from the readings chosen, particularly the reading from the *Book of Wisdom* 4: 7-15.


I also take this opportunity to note the passing of a great trade unionist, Mr Hughie Williams, who was a former secretary of the Transport Workers Union. Hughie was a great inspiration to many people in the union movement. Back in the late eighties and early nineties, I and many other young folk benefited from Hughie's guidance. Every Saturday morning at the Paddington Workers Club he would cook up a barbecue breakfast. Every large serve of bacon came with a large helping of union education. I note Hughie's passing and pass on my condolences to his wife and family.

The Agriculture and Environment Committee report presents a summary of the committee's examination of the Auditor-General's report tabled on 9 May this year. In essence, the Auditor-General's report examined whether the Department of Agriculture and Fisheries, through Biosecurity Queensland, has been achieving its agricultural pest and disease management outcomes. To assess this, the Audit Office focused on how efficiently and effectively Biosecurity Queensland detects, responds to and manages significant agricultural pests and diseases. This is vitally important work to protect the people of Queensland from threats posed by invasive plants and animals and pathogens, and to ensure the continued safety of our primary industries and farm businesses.

The Auditor-General specifically audited the Panama program, wild dog management and state funded surveillance activities. The audit identified weaknesses in Biosecurity Queensland's work in relation to the setting of objectives and performance indicators, the collection of data and internal reporting, and the evaluation of activities to identify potential efficiencies. The audit report also noted the department's commitment to implementing new systems and frameworks to strengthen Queensland's biosecurity management system.

The audit made five recommendations to cover the deficiencies identified. In our report, the committee noted that the department had accepted all five recommendations and made substantial progress towards their implementation. Given that some of this work was still underway, the committee recommended that after six months the minister report to the House regarding the implementation of all recommendations from the audit report.

I thank the Auditor-General and his staff for their work on the audit. I thank the staff of the Department of Agriculture and Fisheries for their assistance and my fellow committee members for their examination of the report. I also pass on my thanks to the committee secretariat for their good work on this report. I commend the committee's report to the House.

 **Mr WEIR** (Condamine—LNP) (11.55 am): As a member of the Agriculture and Environment Committee, I rise to speak to the Auditor-General's report No. 12 of 2016-17 into Biosecurity Queensland's management of agricultural pests and diseases. The audit covered three specific areas: Panama disease tropical race 4, wild dog management and the surveillance of Biosecurity Queensland's core programs.

Panama disease presents a very real threat to the banana industry in this state. The disease has never been eradicated in any country in the world where it has been discovered. Biosecurity Queensland has focused its response to the discovery of Panama disease in North Queensland on a containment strategy. Whilst that strategy seems to be working reasonably well, the audit found a lack of data that would give any reliable evidence of outcomes.

That was also the case with the wild dog management strategy. We are all aware of the damage that is inflicted upon the pastoral industry by the ravages of wild dogs. The role of Biosecurity Queensland is to develop policy, regulation, training and quality control of 1080 baiting, undertake population and damage assessment and collect impact data. The audit again found that it is unclear what benefits have been gained from the state's involvement in wild dog management due to a lack of supporting data. The report stated—

Many of the performance indicators require landholders to provide data about the status of dogs on their properties, and none of the responsible parties to the strategy have established systems and processes to capture the necessary data.

The audit went on to state—

However, in the main, the performance indicators are not specific, measurable, achievable, relevant, and timed (SMART).

It stated that there are too many to practically measure and monitor on an ongoing basis. The report continued—

This means that Biosecurity Queensland is not in a position to monitor and report on how effective these activities are.


The audit made five recommendations, basically surrounding data collection, storage and the reporting of outcomes, which are in the process of being implemented. Given the importance of biosecurity to our agricultural industry, the committee recommended that in six months time the minister report back to the House on how this is progressing. At the moment, I am addressing all comments to an empty chair where the minister should be sitting. Hopefully, that will be resolved in six months time.

Ms ENOCH: Madam Deputy Speaker, I rise to a point of order. Obviously the member is not here, so it is inappropriate. The acting minister is not here to defend himself.

Madam DEPUTY SPEAKER (Ms Linard): Order! I was about to remind the member for Condamine that there is a long-established rule that we do not refer to the absence or otherwise of members in the House.

Opposition members interjected.

Madam DEPUTY SPEAKER: Order! Members, I have ruled. We all understand the rule well.


 **Mrs GILBERT** (Mackay—ALP) (11.59 am): I rise to contribute to the debate of the Agriculture and Environment Committee's report No. 42 of the 55th Parliament titled *Consideration of the Auditor-General's report 12: 2016-17—Biosecurity Queensland's management of agricultural pests and diseases*. I would like to thank my fellow committee members for their work and the committee secretariat, led by Rob Hansen, for their support. I thank the Department of Agriculture and Fisheries for its contribution and assistance.

This report presents a summary of the Agriculture and Environment Committee's examination of the Auditor-General's report. Biosecurity diligence in Queensland is essential for the ongoing productivity of Queensland's agriculture industry and fisheries. We have seen infestations of wild dogs, rabbits and cane toads, white spot disease in our prawn industry, Panama disease in our bananas and outbreaks of fire ants and weeds. From time to time there are outbreaks of disease that occur in the cane industry in my region. For our agriculture and fisheries programs put in place to combat disease and pest outbreaks to be effective, there needs to be the robust setting of goals and reporting processes.

From our review of the Auditor-General's report we found that a lot of work was being carried out to combat pests and diseases. The report noted that the Panama program is still in containment stage, meaning that Biosecurity Queensland is still leading the response to the Panama disease outbreak and has not yet passed any key milestones for monitoring or elevation.

The Auditor-General made five recommendations. One of these is that we continue to develop a number of specific measurable, achievable, relevant and timed key performance indicators for each of Biosecurity Queensland's key activities or initiatives. We found that this was very important. There is no use throwing money at programs unless we know what we are going to achieve through the program. We need to be able to measure it at the end to see whether it worked. The Auditor-General also recommended that Biosecurity Queensland collect and analyse data so that they can monitor performance indicators.

The work of Biosecurity Queensland is ongoing. There is work to be done to make sure that Biosecurity Queensland does have achievable outcomes and that we know what those outcomes are going to be. That is why the committee recommended that the minister report to the House in six months regarding the implementation of all recommendations contained in the Auditor-General's report. I commend the report to the House.

 **Mr MILLAR** (Gregory—LNP) (12.02 pm): I rise to make a short contribution to the debate of the Agriculture and Environment Committee's report No. 42 titled *Consideration of the Auditor-General's report 12: 2016-17—Biosecurity Queensland's management of agricultural pests and diseases*. As has been mentioned, the report looked at Panama disease tropical race 4 and wild dog surveillance carried out by Biosecurity Queensland's core programs. One of the main interests for me as the member for Gregory is the work done on wild dogs and the management activity.

Mr Weir interjected.

Mr MILLAR: I take the interjection from the member for Condamine. Panama disease tropical race 4 is just as important because it does provide a response to what is probably a very critical issue at the moment in Far North Queensland. Our banana industry in Far North Queensland plays a significant role in providing an economic contribution to the state and to export dollars not only down south but also overseas.

The Auditor-General found that Biosecurity Queensland cannot always demonstrate the benefits from the value of its investment into biosecurity measures and programs. While Biosecurity Queensland is delivering on activities, it cannot always demonstrate it has successfully achieved the ultimate aims and outcomes of the programs.

The staff at Biosecurity Queensland and the staff of the Department of Agriculture and Fisheries do a fantastic job. Probably one of the hardest jobs is biosecurity, because those people are dealing with threats to our agriculture industry and dealing with threats to people's livelihoods. Biosecurity Queensland, from their leadership group right down to the people on the ground, are committed to making sure that they protect agriculture. They know that agriculture is fundamentally important to the people of Queensland and to our economy.

Hopefully the Labor Party will eventually recognise that agriculture is important to this state and appoint a full-time agriculture minister. For the first time—I have never seen this—we have gone without a full-time agriculture minister for two weeks. The Minister for Natural Resources and Mines and Minister for State Development now has to take on agriculture. Their priority should be with agriculture. Moving through the report, of interest—


Mr Power interjected.

Mr MILLAR: No-one is listening to the member over there, I can tell members that. Biosecurity Queensland developed the *Wild dog management strategy 2011-2016*. It is specifically responsible for developing policies and procedures, providing regulation, training and quality control of 1080 pesticide use, ensuring stakeholder engagement, coordinating and monitoring baiting programs, facilitating research and undertaking population damage assessment and collecting impact data.

What they also say is that when it comes to wild dogs it is also about shooting, trapping and baiting. They are very important practices for the control of wild dogs in Western Queensland. We need to continue to make investment into that and bring the rest of the agriculture industry along with what we are doing with regard to that practice. Trapping, baiting and shooting are just as important as cluster fencing. When it comes to the control of wild dogs, it is about making sure that we get all elements going in the right direction.

The audit noted that, in circumstances where so many different entities play a role, their responsibilities at times overlap. There is a risk that stakeholders are not clear about which entities are responsible for implementing the agreed strategies. Wild dog stakeholders who provided input into this audit expressed frustration. No one entity is driving the strategy's implementation and monitoring progress. I believe that is true at the moment.

While there is good effort being put into this, while there is a commitment by everybody to get these program up and going, we need to have a clear strategy from one point to make sure that we not only look at cluster fencing but also look at trapping, baiting and shooting to reduce the scourge of wild dogs in Western Queensland. Wild dogs have been an absolute terror for many graziers in Western Queensland for too long now. The populations are too big in some regards. This frustration has led to some graziers giving up. I call on everybody to get behind this to make sure we have a strategy on wild dog control that actually works for Queensland. Our wool industry and our beef industry are pivotal to making sure the Queensland economy continues to thrive.

 **Mr KATTER** (Mount Isa—KAP) (12.07 pm): I rise to make a contribution to the debate of the Agriculture and Environment Committee's report No. 42 titled *Consideration of the Auditor-General's report 12: 2016-17—Biosecurity Queensland's management of agricultural pests and diseases*. There is a lot that can be said about this. The important point to make is that this sort of control is vital not only for the environmental values that we would like to sustain in this state but also for agriculture production. The two run hand in hand, particularly in western areas of Queensland like my electorate.

People in these areas are conscious of these things. We live with pigs and feral cats. Pigs throw diseases everywhere. We live with wild dogs. They are linked not just to damage to stock and productivity but also to the environmental values that people would like to see sustained in western areas of Queensland. People do not really have a strong sense of the damage that is being done out in these areas. This report focused on wild dogs. Feral cats and the damage they cause are not talked about enough in this House. They are constantly decimating birds and lizards. This is occurring at a growing rate. This is frightening and something we should be wary of.

The committee report notes the need for milestones and more transparency of biosecurity officers hitting the mark. A lot of that comes back to having people on the ground, not just in the city areas—whether it be in the form of having departmental officers at Richmond or Julia Creek who are

quasi-biosecurity officers keeping an eye on cattle stock movements and the like. When it comes to any outbreak of transmitted diseases through pigs, especially up in the gulf or the cape areas, you want officers on the ground who are ready to move, who are familiar with the area and who know how to coordinate. I think there is a severe absence of those people in western areas.

The committee report talks about Biosecurity Queensland's response, management initiatives and milestones, and that is where it is highly relevant to have those people on the ground. Without question, where there were services and people on the ground they have disappeared over the years. Those one or two people in those towns are sorely missed. Everyone now knows the impact of that. In microcosms like Richmond you get a strong sense of what has happened in the biosecurity space.


Strategically there might be some good things put in place that are coordinated from large metropolitan areas, but we do not have the people on the ground. There are continuous reports from the gulf and the cape area of foreign fishing boats that land on our shores or people coming across from Papua New Guinea or pigs carrying diseases through those areas. This is really serious. Those diseases could spread like fire through the cattle industry and damage the Queensland economy in the process.

It is very important to manage the environmental outcomes by managing animals such as pigs, cats and dogs that continue to breed in those areas. Primary producers will be out there trying to shoot pigs to keep numbers down. It does not matter how much they do that, because they keep coming back thicker and thicker. We need to be very proactive in that space.

When it comes to measurables in terms of weeds, I was talking to the member for Ipswich West the other day about the release of bugs or diseases—I think it was in the context of lantana—and they said that they have not got rid of it. The point is that lantana has not expanded in some areas. In some areas you might say that it did not work because it did not get rid of it, but you do not know how good a job it is doing in holding it back from spreading. Those measurables are pretty important.

A lot of this comes back to having people on the ground in those areas. It is too big a task and too high a level when everything is done from a desktop in a metropolitan area—which seems to be the growing trend with all of those sorts of services. They keep leaving the western areas and ending up in Townsville or Brisbane. You cannot keep a handle on biosecurity issues when it is done like that. That is one area of the committee report which vitally needs to be observed by this parliament.

(Time expired)

 **Mr MADDEN** (Ipswich West—ALP) (12.12 pm): I rise to speak in support of the Agriculture and Environment Committee's report No. 42 of the 55th Parliament. Having considered the Queensland Auditor-General's report No. 12 for 2016-17, the Agriculture and Environment Committee made two recommendations: firstly, that the House accept the contents of the report; and, secondly, that the minister report to the House within six months regarding the implementation of all of the recommendations in the Auditor-General's report.

The Auditor-General's report found that Biosecurity Queensland is delivering on activities and outputs it has committed to in most cases, but it cannot always demonstrate that it has successfully achieved the ultimate aims or outcomes of these programs. Where Biosecurity Queensland shares responsibility for managing pests and diseases with other government and non-government entities, the effectiveness of its contributions is not always clear or easy to measure. This means that Biosecurity Queensland cannot always demonstrate the value it has delivered. Wild dog management activities and surveillance activities are examples of this.

Although Biosecurity Queensland has met most of its commitments in the strategy, it is unclear what benefits have resulted from the state's investment in wild dog management. Limited data has been collected by Biosecurity Queensland and no evaluation of the strategy has been completed to date by the Queensland Dog Offensive Group, a subcommittee of the Biosecurity Queensland Ministerial Advisory Council.

This is not the case for the Panama program, as it is still in the containment stage. Biosecurity Queensland is still leading the response and has not yet passed responsibility to industry to manage the ongoing effects of the disease. Test results for the Panama program indicate that Biosecurity Queensland containment measures have so far succeeded. The disease cannot be eradicated, so Biosecurity Queensland has worked to extend the time it and the banana industry has, through outbreak containment, to develop strategies to manage the disease on a long-term basis.


Although Biosecurity Queensland has implemented some new systems and technology to improve efficiency, limited data prevents it from knowing whether its activities are as efficient as possible. Recognising this weakness, Biosecurity Queensland has invested in systems to provide the information it needs to monitor efficiency. It is encouraging to see that Biosecurity Queensland has identified this gap and is investing in better decision support information. This should continue and become more widespread across all of its core programs. It will be helpful in better informing senior management whether its biosecurity activities are efficiently delivered and effective in achieving planned outcomes.

For the Panama program and wild dog management program, Biosecurity Queensland has documented strategies, objectives and some performance indicators. However, in the main, the performance indicators are not specific, measurable, achievable, relevant and well timed. This means Biosecurity Queensland is not in a position to monitor and report on how effective these activities are.

Biosecurity Queensland has not yet developed a specific strategy or operational plan for state funded surveillance activities, so it is not able to develop meaningful measures or assess effectiveness of delivery. Recognising that it is not possible to eradicate the disease, Biosecurity Queensland has so far contained the outbreak to one property. This has given it and the banana industry more time to develop strategies to manage the disease—to ensure there is a sustainable industry in the future.

With the wild dog program, Biosecurity Queensland has met most of its commitments under the program except for those relating to data collection and performance monitoring. Without this information, Biosecurity Queensland cannot be sure that its efforts towards managing wild dogs, along with the efforts of other stakeholders, are effective and a good use of its resources.

Queenslanders should be concerned by the findings of the Auditor-General's report No. 12 for 2016-17. As I mentioned, in its report No. 42 of the 55th Parliament, the Queensland Agriculture and Environment Committee details the Department of Agriculture and Fisheries' response to the Auditor-General's report. We can only hope that in the report that is to be tabled by the minister within six months of this date those concerns will be addressed. I would like to thank my fellow committee members, the secretariat, the submitters and the department.

 **Ms LEAHY** (Warrego—LNP) (12.17 pm): I wish to make a contribution to the Agriculture and Environment Committee report titled *Consideration of the Auditor-General's report 12: 2016-17—Biosecurity Queensland's management of agricultural pests and diseases*. I would like to thank the members of the committee for their report on this issue. It is of great significance to many landholders across the state and also in relation to safe food production.

I particularly note the member for Gregory, who is on that committee. He knows firsthand about pest management in his electorate, be it wild dogs or prickly acacia. Also, I have had experiences in my electorate in relation to biosecurity issues. I have unfortunately had outbreaks of anthrax in my electorate. It is a very concerning situation for the landowner in terms of what they have to go through with that particular situation. It is also a worrying time for the neighbours of those landowners, but it is unfortunately one of those things that we have to deal with and we have to deal with it properly so that we can contain it.

The Queensland Audit Office audited the Panama program, wild dog management and state funded surveillance activities. Of particular interest to my electorate, of course, is the comments by the Audit Office in relation to wild dog management. The Audit Office raised a number of concerns in relation to Biosecurity Queensland and how the department is measuring performances, outcomes and operational efficiency. The audit report, however, noted—

Biosecurity Queensland is delivering on the activities and outputs it has committed to in most cases, but it cannot always demonstrate it has successfully achieved the ultimate aims or outcomes of its programs.

It also noted—


Where Biosecurity Queensland has shared delivery responsibility for managing pests and diseases with other government and non-government entities, the effectiveness of its contributions is not always clear or easy to measure.

There are many shared responsibilities that Biosecurity has across my electorate—a large part of Queensland—with local governments and landholders. I do urge caution when looking at the biosecurity effectiveness of wild dog management without taking a more holistic approach of including the work done by local government and landholders and the contributions to the management of wild dogs across Queensland. Our local governments do an incredible amount of work to implement those programs. We would love all landholders to be really good participants, even those who are not involved in small stock properties, and to continue their involvement but also encourage anyone who is not

involved, because the management of wild dogs is not about one particular mechanism. A whole suite of measures is required. The terrain can often be different. Sometimes cluster fencing can be effective, but sometimes mechanisms like trapping and shooting and wild dog drives—things we do not hear very much of—are quite effective in some areas. It is a matter of horses for courses and Biosecurity, landholders and local governments need to have at their disposal a whole suite of measures to control wild dogs.

I note the committee's recommendations and, in particular, recommendation No. 2 that the minister is to report back to the House in six months regarding the implementation of all the recommendations in the Auditor-General's audit report. I look forward to that report in the House from the Minister for Agriculture. I hope that we might have a Minister for Agriculture at the time, not the current situation whereby the Labor government has abandoned rural and regional Queenslanders and has failed to appoint a full-time Minister for Agriculture and Fisheries and Minister for Rural Economic Development. What hope does the Audit Office have in improving biosecurity outcomes when this government cannot appoint a full-time minister?

The agriculture and fisheries department is responsible for administering a budget of approximately \$453 million of taxpayers' money. The department needs stability and direction to achieve outcomes. The agricultural industry needs a champion, not a revolving door of ministers which we have seen under this Labor government.

 **Mr LAST** (Burdekin—LNP) (12.22 pm): I rise to speak to report No. 42 of the Agriculture and Environment Committee, *Consideration of the Auditor-General's report 12: 2016-17—Biosecurity Queensland's management of agricultural pests and diseases*. The Auditor-General's report examined whether the department, through Biosecurity Queensland, has been achieving its agricultural pest and disease management outcomes. The Audit Office focused its inquiry on how efficiently and effectively Biosecurity Queensland detects, responds to and manages significant agricultural pests and diseases.

Biosecurity in Queensland's agricultural sector is of vital importance. We rely on stringent and comprehensive biosecurity detection, response and management of biosecurity issues to ensure our plants and animals are protected from disease and attack. The Panama TR4 outbreak in our banana industry in the north, which my colleague the member for Hinchinbrook will talk about shortly, white spot disease in prawns and wild dog management are just some of the biosecurity issues which are either still prevalent or have occurred in the past 12 months.


The degree of risk that biosecurity threats pose to industry and the economy cannot be underestimated. There are significant costs associated with biosecurity management, but what price do we put on the protection of our flora and fauna? The total value of Queensland primary industry commodities for 2016-17 is forecast to be almost \$20 billion. There are approximately 26,000 farm businesses across the state employing 59,400 Queenslanders which underpins many regional and rural communities. I must admit to some concern when reading the audit findings. Of particular concern are these statements from the report—

Biosecurity Queensland is delivering on the activities and outputs it has committed to in most cases, but it cannot always demonstrate it has successfully achieved the ultimate aims or outcomes of its programs.

Where Biosecurity Queensland shares responsibility for managing pests and diseases with other government and non-government entities, the effectiveness of its contributions is not always clear or easy to measure.

I note the audit recommendations, in particular that the department continue to develop an appropriate number of specific, measurable, achievable, relevant and timely key performance indicators of each of Biosecurity Queensland's key activities or initiatives; improve quarterly reporting processes by not only reporting on inputs and activities for key biosecurity initiatives but also reporting on risks and progress towards achieving objectives and outcomes to support strategic management decisions; ensure when Biosecurity Queensland participates in pest and disease management strategies which share responsibilities with other entities it clearly determines its roles and responsibilities compared to the other entities involved, the key performance indicators used to assess its contribution to the strategy, which entity is best placed to monitor performance of the strategy and evaluate it at appropriate intervals; monitor and report on the input costs over time for each of Biosecurity Queensland's key outputs, activities or initiatives to identify further efficiency improvements; and consider options to implement the efficiency improvements identified during the planning of the biosecurity information management system program and which are now not within scope.

It concerns me that this government has not seen fit to replace the agriculture minister, particularly when we consider the vital role that agriculture plays across this state. A part-time agriculture minister is not good enough for our state and it is certainly not good enough when we consider the issues raised in the Auditor-General's report and the need to ensure that we have appropriate detection, response and management protocols in place. I call on the Premier to appoint an agriculture minister and for that person to come back to this parliament and give an assurance that all of the issues identified in the Auditor-General's report have been addressed.

 **Mr KRAUSE** (Beaudesert—LNP) (12.26 pm): I, like the member for Burdekin, am drawn to speak on this report and, in particular, this finding from the QAO that Biosecurity Queensland 'cannot always demonstrate it has successfully achieved the ultimate aims or outcomes of its programs'. One of the programs looked at in this audit was the wild dog management activities of Biosecurity Queensland. That is a program that has broad support in the rural areas of my electorate of Beaudesert because of the damage wild dogs cause to stock and the losses that graziers incur as a result of wild dogs. When the former government put in place wild dog management officers for that region, it dealt with the Scenic Rim, the Lockyer region and I think the Southern Downs region. That was very well received, but we need to ensure that funding is achieving its objectives.


I do not know whether the Auditor-General looked at this, but an issue that is constantly raised with me about wild dog management activities is the lack of coordination between state agencies and local government and, in particular, differences in policies between some state agencies and the department of national parks. I have a lot of national parks in my electorate. Wild dogs do not know boundaries in different forms of tenure. When dealing with different policies in that estate compared to private land or other state land and the two do not mesh together well, it limits the effectiveness of eradication activities which would otherwise be more effective.

We have seen that a lot on Mount Tamborine, where there are a lot of national parks but also interaction with private land and state land. The difficulties faced by landholders in undertaking management activities where they are next to national parks are a real problem. We need to fix that issue. Whoever is in charge in government should be addressing that inconsistency. It is an inconsistency in culture across different departments. To get better value for money for wild dog management activities it should be changed.

It was not looked at specifically, but the finding that Biosecurity Queensland 'cannot always demonstrate it has successfully achieved the ultimate aims or outcomes of its programs' could no doubt be applied to the fire ant eradication program. Again, my electorate is on the front line when it comes to the fire ant eradication program. Only a couple of weeks ago fire ants were discovered in Beaudesert for the first time. It was reported that those fire ants were eradicated very promptly, which is good, but there have been a number of other occasions when fire ant nests have been detected in very large numbers and they have not been eradicated promptly.

In the case of one outbreak at Peak Crossing, there were 450 nests identified. However, according to the landholders involved, the actions of Biosecurity Queensland to eradicate those nests were very slow indeed. The same situation occurred at Mount Walker, Rosevale and other areas around the Scenic Rim and Ipswich country regions where fire ants have spread. It has been reported to me by landholders that Biosecurity Queensland are visiting properties and identifying nests and then going away and undertaking tests, or whatever it is that is done, but they are taking too long to come back to administer the dose that is needed to kill the fire ant nest. In the intervening period, the fire ants can spread very quickly. They can fly and they can be spread by soil.

There needs to be a change in the approach to make the process more streamlined and quicker so that when Biosecurity Queensland are called to a property, fire ants can be identified and eradicated immediately without the intervening period. If we are going to be serious about eradicating fire ants or at least stopping their spread further, that is certainly something that needs to be addressed. It is not good enough to have a six- to eight-week period between identification and eradication. Perhaps that is something that the Auditor-General should be looking at in the future.

 **Mr CRIPPS** (Hinchinbrook—LNP) (12.31 pm): I rise to make a contribution to the House's consideration of the Agriculture and Environment Committee's report No. 42 titled *Consideration of the Auditor-General's report No. 12: 2016-17—Biosecurity Queensland's management of agricultural pests and diseases*. It will not surprise the House to know that my contribution will be pointed towards the committee report and the Queensland Auditor-General's comments relating to the Panama disease tropical race 4 issue in the Queensland banana industry in North Queensland.

I have said in this House on a number of occasions that Queensland grows about 90 per cent of Australia's bananas. Within that, the current electorate of Hinchinbrook grows about two-thirds of Australia's bananas. We are the centre of banana production in Australia. It is Australia's most popular fruit. The Panama disease tropical race 4 outbreak in the Tully Valley in March 2015 was a very, very concerning development for that industry.

The committee report discusses the advice from the Department of Agriculture and Fisheries that Biosecurity Queensland is currently developing the Panama TR4 program operational plan. In particular, recommendation 1 talks about collaborating with industry and other stakeholders and the evaluation of key activities or initiatives in delivering desired outcomes. Recommendation 4 talks about monitoring and reporting on the input costs over time for each of Biosecurity Queensland's key outputs, activities or initiatives to identify further efficiency improvements. I will direct my remarks to those two issues.

Since the outbreak of TR4 in the Tully Valley in March 2015, it has been fair to say that Biosecurity Queensland's primary response has been a large-scale surveillance program, accompanied by a trace-forward and trace-back assessment from identified infected properties and then subsequent testing regimes based on identified suspect plants. The efficacy of that approach to containing the TR4 disease in the Tully Valley was probably correct in the first instance when we only had one confirmed property with Panama disease tropical race 4 in place.

With respect to recommendations 1 and 4, I have to put to the House that the identification of a second property in July this year means that Biosecurity Queensland should have proactively engaged industry stakeholders and other interested parties about a very significant review of their intended containment operational plan. Given that we now have a second site, which unexpectedly was upstream of the first identified property, I think there was much more scope for Biosecurity Queensland to proactively review its operational plan with respect to responding to TR4.

We have a very proactive and professional industry body in the Australian Banana Growers Council, and we have very progressive growers in the banana industry, particularly in the Tully Valley, who are prepared to pull their own weight as far as surveillance and tackling this problem is concerned. They have pointed very clearly to a real vector in terms of the feral pigs in the Tully Valley. They have said that, because TR4 is a soil borne disease, that should be given much more concentration and attention by state agencies because of the potential for that vector to spread the disease. The fact that the second property is upstream of the first property is a real clue that what we were expecting previously about the potential spread of TR4 from when it was originally identified has not been what we originally thought.

I take this opportunity to appeal to the government, the acting minister and whoever is appointed subsequently to fulfil that position in a full-time capacity to direct Biosecurity Queensland to engage with those industry organisations to talk about how they can change their operational plan to respond to TR4. The experience of other jurisdictions where there is significant banana production has been that TR4 has a catastrophic impact on banana production. The economics of the industry will be totally destroyed, and Queensland's and Australia's consumption of fresh fruit in this regard would be seriously compromised.

(Time expired)

Question put—That the motion be agreed to.

Motion agreed to.

Madam DEPUTY SPEAKER (Ms Linard): I acknowledge students and teachers in the public gallery from Manly State School in the electorate of Lytton, represented by Ms Joan Pease.

EDUCATION, TOURISM, INNOVATION AND SMALL BUSINESS COMMITTEE

Report, Motion to Take Note



Mr STEWART (Townsville—ALP) (12.37 pm): I move—

That the House take note of the Education, Tourism, Innovation and Small Business Committee report No. 40 titled *Managing the performance of teachers in Queensland state schools (Auditor-General's Report 15: 2016-17)*, tabled 8 September 2017.

As we see our students from Manly leave the gallery today after they have witnessed what we do best in this chamber, I think it is pertinent that we recognise and acknowledge the teachers for the great work they do in each and every one of our schools. There is no doubt whatsoever, as we heard


from the Premier and the Minister for Education this morning, that education is the cornerstone of the Palaszczuk government. The Palaszczuk government has committed the largest budget ever into education, because that is how committed the Palaszczuk government is to teachers and quality learning that happens every single day in our classrooms. It is pertinent that we speak on this today because, as we have all acknowledged, this is State Education Week. As I look around the chamber today I see many members wearing their coloured ribbons to acknowledge World Teachers' Day tomorrow.

This report looked at managing the performance of teachers through the process they have implemented, which is the annual performance review process which was implemented in term 1 of 2015. When it comes to teacher performance, this starts at the top—right at the very top. I would like to take this opportunity to thank the Director-General of Education, Dr Jim Watterston, for all the work he has been doing with Queensland education over many years. Unfortunately, we will see him disappear and head down to Victoria. I am sure they need as much help as they can get because we know that Queensland education is heading in a great direction. Thank you very much, Jim. What Dr Jim Watterston set up in Queensland was a culture of continuous improvement, and that is reflected through this report. This report basically asks how we get the best quality out of our teachers, and the answer is through a review process.

The foundations are right: the Australian Professional Standards for Teachers. This is recognised not only in Queensland but also right across the state and across Australia. This is the measure—this is the yardstick—that teachers will use when they develop their professional development framework. It is broken up into four different areas or stages throughout their career development. The first one is graduate teacher. After they move through that skill set they will move on to proficient teacher, after which they will move on to highly accomplished and then lead teacher. This sets great foundations for our teachers.

This report says that while teachers are doing an outstanding job—and we see that through the NAPLAN results year in, year out; we see that Queensland is kicking goals—they need to specifically hone in on the school-specific strategies. There needs to be work done in that area. This is a large area of work that the 45,000 teachers in our state schools will continue to do with their principals across the 1,239 schools in our state.

This is world-class education. When we know that we have world-class education, we then have to look at how we attract and, more importantly, retain these quality teachers. Through this particular report we look at work that needs to be done in the unsatisfactory performance area. The department of education has told us that they will accept each and every one of these recommendations from the Auditor-General's report. We look forward to making sure that they implement those strategies, which they have assured us will happen over the coming years. I commend the report to the House.

 **Miss BARTON** (Broadwater—LNP) (12.41 pm): I rise to speak to the report. Given that it is World Teachers' Day tomorrow, I acknowledge at the outset the fantastic work that each and every teacher does in every single school across this state. I look forward to going and delivering cakes to all of the good schools in the great electorate of Broadwater tomorrow.

We know that 99.9999 per cent of teachers in this state are absolutely passionate and are fantastic, talented educators who are focused on supporting the next generation of leaders. We also see that just occasionally there are some teachers who need a little bit of extra support and who do need to be—for lack of a better word—managed by their principal so they can deliver the best possible education outcomes.

When the Queensland Audit Office looked at how satisfactory and unsatisfactory performance is managed in Queensland schools, they visited 10 state schools across the state and handed down a report that included six recommendations. In my contribution today I want to confine my comments to recommendation 4, because it talks about the need to define 'unsatisfactory performance'.

I would think it comes as a great surprise not only to members of this House but also to parents across Queensland that there is no definition of 'unsatisfactory performance' of teachers in Queensland schools. The Queensland Audit Office found that of the 10 schools they went to, there was a lot of inconsistency in how individual principals were able to support and manage teachers who needed it and how they defined 'unsatisfactory performance'. That is not fair on the hardworking teachers who do an absolutely fantastic job and those who would like to know they need a little bit of extra support. It is also not fair on the students or especially the parents.

I am also concerned that the inconsistency in how unsatisfactory performance is managed is not fair on new principals who might be in their first appointment as a principal of a school and need to have a conversation with a senior teacher who has had more time in the profession or more time at that school. Where there is no consistent direction from the department around what unsatisfactory performance is, I would think it makes it very difficult for a new principal to feel confident that we can support them to support teachers who need help.

I am comforted to know that the department has acknowledged and accepted this recommendation. As the chair of the committee said, they have accepted all recommendations. However, I am concerned that the time frame for adopting and implementing this recommendation is semester 1, 2019. We know that it could be nearly two years before we see a definition of 'unsatisfactory performance' for teachers in Queensland state schools. I understand from reading between the lines of the public hearing that this is in line with the renegotiation of the enterprise bargaining agreement. However, I would suggest to the current minister and to the member I expect to be the next minister for education, the member for Aspley, that it might be prudent to work with the Queensland Teachers' Union before the enterprise bargaining negotiations begin. I think we would all agree that it is in the best interests of teachers and students to make sure that we continue to support teachers and define what 'unsatisfactory performance' is.

Madam DEPUTY SPEAKER (Ms Linard): Order! Member for Broadwater, do you have much more to go, because the time is now 44 minutes past and our time has expired? Are you almost finished, or are you going to use your remaining two minutes?

Miss BARTON: I am almost finished.

Madam DEPUTY SPEAKER: If you could conclude now that would be great, thank you.

Miss BARTON: I was slightly disappointed to hear that the director-general did not feel it was appropriate for him to say what he thought 'unsatisfactory performance' entails. I think it is appropriate that, as the leader of the department, he guides and leads those discussions. I commend the report to the House.

Question put—That the motion be agreed to.

Motion agreed to.


Madam DEPUTY SPEAKER: The time for consideration of committee reports has now expired.

BUILDING INDUSTRY FAIRNESS (SECURITY OF PAYMENT) BILL

Second Reading

Resumed from 25 October (see p. 3321), on motion of Mr de Brenni—

That the bill be now read a second time.

 **Mr KING** (Kallangur—ALP) (12.45 pm): I rise today to make a contribution to this debate of the Building Industry Fairness (Security of Payment) Bill 2017. This bill is another on which I am proud to speak. My electorate has a lot of tradies like myself and small business men who work hard and deserve the comfort of knowing they will be paid for the work they do. Why should subcontractors bear the risk of not being paid when they are the backbone of the building and construction industry? Those with the least power should not have to shoulder the most responsibility. This is an unfair situation and, as the name of the bill implies, we are seeking to create fairness in the industry.

This bill will improve security of payment for subcontractors in the building and construction industry by providing for effective, efficient and fair processes for securing payment, including the establishment of a framework to establish project bank accounts. It will modernise and simplify the provisions for making a subcontractors charge; increase ease of access to security of payment legislation; and improve legislation to provide increased ability of the Queensland Building and Construction Commission to provide regulatory oversight to the building and construction industry.

Security of payment for subcontractors has been an issue in the construction industry for years. I am proud to be part of the Palaszczuk Labor government that has had the fortitude to enact real change. For almost two years we have listened to people in industry across the state. I know that when I was a candidate and as an MP I heard many stories of tradies going out and having a crack only to lose everything: their business, their home, their family and, tragically for some, their life. In a past life,

when I was working on the construction of high-voltage substations throughout the state, there were many workers with a sad story about themselves or a mate who had suffered a setback due to non-payment or late payment. These new laws are landmark Labor reforms, seen nowhere else in the country yet. They will help make sure that subbies are paid in full, on time, every time.

This bill will establish a framework for project bank accounts, initially for government building and construction projects in phase 1 for projects between \$1 million to \$10 million for a period of not less than 12 months. After a review, phase 2 will see the project bank accounts extend to all construction projects that are over a million dollars. Engineering projects will be excluded, as will residential work unless it is three dwellings or more or valued over a million dollars.

The PBA is required to be made up of three trust accounts: a general trust account for the management of progress payments, a retention account for amounts held as retention and a disputed funds account for amounts that are the subject of a payment dispute. There was strong support for the PBAs from affected stakeholders and their representative groups including the Master Electricians Australia, the mighty Electrical Trades Union, the Master Plumbers' Association of Queensland, the Plumbers Union, the Subcontractors Alliance and the National Fire Industry Association. They all stated that these changes will go a significant way towards addressing the payment issues that subcontractors and their employees face. It must be a good piece of legislation to bring some of those groups together in such a strongly supportive way. The National Fire Industry Association stated—

... in 2017 we still have poor payment to subcontractors; an unfair power equation that forces subcontractors to accept unfair payment and contract conditions; onerous contract provisions; subcontractors simply not getting paid for the work they perform; subcontractors being put out of business by the builder going bust; and the Dutch auction that occurs at the end of the job when payments, final payments and retentions are withheld, disputed and simply not paid by builders. Those issues continue on and on and on.

While many builders are first class professional operations who enjoy great relationships with trade contractors, the reality is that too many abuse the current system. We cannot continue to tolerate a biased system which favours one party over another.

Some stakeholders representing larger organisations said that they did not see a benefit in the PBAs; however, the Department of Housing and Public Works subsequently advised that independent economic analysis commissioned by them demonstrated that PBAs will benefit the construction industry.

The bill will also increase the penalty for operating while unlicensed under the QBCC Act. This bill will raise the penalty from the current 250 penalty units to a graduated system which will provide for increasing penalties for each offence. The first instance will incur the current penalty of 250 penalty units; a subsequent offence will increase to a maximum of 300 penalty units; and third and subsequent offences will be 350 penalty units or a year's imprisonment.

Another change will increase the strength of excluded individual provisions. The new provisions will affect any person who is involved with a company failure in other jurisdictions or who is a director of a company for up to two years prior to a company's failure. These individuals will be excluded from obtaining a QBCC licence. Any person who is banned under these provisions will face huge penalties if they are caught trying to run another building company either in their own name or secretly behind the scenes.


When the Public Works and Utilities Committee went through this bill we came up with a few recommendations, and I will touch on some of them. First, we recommended that the bill be passed. We also recommended that the minister consider amending the bill to require the QBCC to provide licensees with the opportunity to rectify building work within a specified time frame before a direction to rectify is issued and a demerit point penalty applied. I am pleased to see that the government accepted our committee's recommendation. The minister noted that amendments will be moved during consideration in detail that will sanction licensees who obstruct or delay compliance with a direction to rectify. A contravention of this requirement will attract four demerit points. In the event the licensee fails to discharge a direction to rectify, demerit points will apply as they do under the current law.

The current law applies a fixed penalty of 10 demerit points. Rather than retain this large, fixed demerit point penalty, the government will move amendments during consideration in detail so that a failure to discharge a direction to rectify attracts a minimum of four and a maximum of 10 penalty units. This will ensure that licensees are afforded the opportunity to rectify defective building work or remedy consequential damage while still providing certainty for consumers that rectification work will be carried out to completion in a timely manner.

We also recommended that the minister consult with the building and construction industry when developing regulations that will mandate and prohibit certain conditions for building contracts and with regard to any subsequent amendments to the regulation. The government accepted our recommendation, and it is intended that the supporting regulation, including provisions that will mandate and prohibit certain contract conditions, will be developed in consultation with the Ministerial Construction Council.

The Ministerial Construction Council is a representative body that is made up of parties from both sides who submitted varying opinions. The Ministerial Construction Council is comprised of Australian Institute of Building Surveyors; Plumbing and Pipe Trades Employees Union; Australian Institute of Architects; Air Conditioning & Mechanical Contractors' Association of Australia; Engineers Australia; Housing Industry Association; Master Builders Association of Queensland; Master Plumbers' Association of Queensland; National Association of Women in Construction; Master Painters Queensland; Master Concreters Australia; Australian Manufacturing and Workers Union; National Fire Industry Association; Association of the Wall and Ceiling Industry; Queensland Building and Construction Commission; Landscape Queensland; Construction, Forestry, Mining and Energy Union; Queensland Council of Unions; Subcontractors Alliance; Master Electricians Australia; and the mighty Electrical Trades Union.

I would like to thank the members of the Public Works and Utilities Committee for their work on this bill as well as our amazing secretariat: Kate, Rachele, Michelle and Lyn. This bill is all about fairness. It will make great changes to the way our subcontractors are able to go about their business. It will give them greater confidence and surety that they will get paid for what they do, and that is why I am happy to commend this bill to the House.

 **Mr MOLHOEK** (Southport—LNP) (12.55 pm): I also rise to speak to the Building Industry Fairness (Security of Payment) Bill 2017. At the outset I want to raise some concerns. We will not be opposing this bill. I think we have made that very clear. Like the government, those of us on this side of the House are very concerned that subcontractors are dealt with fairly, paid in a timely manner and have security of payment. Unfortunately, like so much of the legislation we have seen from Minister de Brenni, it has been ill thought out, rushed through the House and is incomplete. It is like the 10-year Housing Strategy that we heard so much about during estimates. You do not have to be good at maths to understand that if it is a \$1.8 billion strategy over 10 years that is \$180 million a year. That is actually a reduction in spending, so I am not quite sure where the minister is getting his advice or where he learned to add up.

Like so much of what we have heard from the minister, this bill promises a lot but fails to deliver real solutions. I support the trial, and I am pleased that in response to the committee's report the minister said they would be prepared to report back to the House before the implementation of stage 2 and we would get to have a close look at whether stage 1—the proposed project bank accounts and the rollout around government contracts from \$1 million to \$10 million—actually works. We have consistently heard from industry that, while this bill provides an improved payment process, it does not deliver any certainty of payment. Construction companies can still go broke and contractors will still struggle to get through the project from time to time. There will still be failures but there is still no absolute certainty of payment for subbies.

If I had to rate the bill, yesterday I would have given the Housing Legislation (Building Better Futures) Amendment Bill a five out of 10 because it only got halfway there. Frankly, I would give this bill a one out of 10. Seventy per cent of the subcontractors in Queensland are offered absolutely no additional protection under this bill because 70 per cent of the subcontractors in Queensland work on projects under \$1 million, so there is absolutely nothing in there for them. The minister has proudly gone around the state and consulted widely. He has told everyone what a great piece of legislation this is and how it will ensure that all subcontractors get paid and are treated fairly, but 70 per cent of the subcontractors across the state are not covered by this legislation. I give it a one out of 10 because of the 10 per cent of work that is done under government contracts. The other contract work, which is commercial work over \$1 million, does not even get a look-in for another 12 to 18 months until a review has been conducted.

I am disappointed that the minister has not gone further with this bill. The mere fact that there are some 143 amendments demonstrates that this legislation has been rushed and ill considered. I would even go so far as to suggest that, a bit like some of the other bills we have seen come to the House in recent times, this has been rushed in as a big, shiny bauble in time for Christmas, just ahead

of the election, so that those on the other side of the House can rush around Queensland and tell everybody how much they care and how hard they are working to change things. All they are actually doing, like the Housing Strategy and like this bill, is offering a lot of false hope.


The committee received quite a number of submissions during the process. One of the submissions that I thought needed more consideration was that of Hutchinson Builders which presented a very balanced submission.

Debate, on motion of Mr Molhoek, adjourned.

Sitting suspended from 1.00 pm to 2.30 pm.

PRIVATE MEMBERS' STATEMENTS

Minister for Education, Cross-Marking

 **Ms DAVIS** (Aspley—LNP) (2.30 pm): Once again we see the devastating impacts of Queensland having a part-time education minister. Under this do-nothing Palaszczuk Labor government, a group of young Queensland students in the final months of their two years of senior education have been caught up in a cross-marking bungle. The bungle was brought to the attention of the minister earlier this year and it was ignored, but who would be surprised with a minister who spends a measly 20 per cent of her time on the portfolio?

I want to speak about one of the 15 students caught up in this bungle—a young man who came to Australia for a better life from Ethiopia following the tragic death of his parents. This young man has been working extraordinarily hard to achieve his dream of going to university and becoming an industrial engineer. All of his hard work has been in vain, thanks to the lack of action by the minister.

Imagine the shock when this young man was told that his English mark suddenly dropped from a B to a D after his work was cross-marked. Three-quarters of the way through the senior curriculum assessment he was told that his marks were incorrectly assessed because cross-marking had not been done for two years. I was approached by this young man's uncle and guardian, Mr David Yohan, because he was being stonewalled by the minister and her office. David had written to the minister seeking her intervention and in an email to her said—

I'm very disappointed ... on how you can let the young man in the heart of this ordeal go through this alone when your portfolio includes Education.

David sent another email when no response was forthcoming. He wrote—

I'm not sure why you won't act on behalf of these young people.

In yet another email he said—

What chance does your average family have to highlight issues that affect their daily lives and futures without having the support of the Media to highlight these issues to the people that have the power to actually make change for the better—in this case the Minister of Education.


Because of the lack of action by the minister, David felt compelled to travel to 1 William Street to try to secure a meeting to sort out the situation. After 1½ hours of waiting patiently, no-one even afforded him the courtesy of coming downstairs to acknowledge him, so he gave up and left. Today David sent yet another email. In it he writes—

It's actually really alarming as it doesn't seem your Ministerial office, the department nor the school really understand or want to admit to the gravity of this situation, how it has been handled and more importantly how to REALLY fix this for the young people involved. Please stop providing tokenistic gestures made to look like solutions. With respect, Honourable Jones I plead with you to really stand up for these young people and the community which elected you to represent us, as the buck stops with you. I look forward to your reply.

Minister, do the right thing and sort out this mess.

(Time expired)

Nudgee Electorate, Back to Work Program

 **Ms LINARD** (Nudgee—ALP) (2.33 pm): Last week it was a pleasure to host my good friend and colleague the Minister for Employment, Grace Grace, for a visit to local manufacturer Continental Biscuits in Virginia. This family owned business has been a staple locally, under the stewardship first of Ron Bower and now his son Rod, since 1976. A leading producer of baked goods for the infant and

toddler market, it has produced high-quality product for most of the leading brands filling supermarket shelves. It certainly kept my two young boys in their favourite organic teething rusks during those difficult teething years.

Our visit to the factory was to see firsthand the benefits of our government's Back to Work program for Queensland businesses and those seeking work. Continental Biscuits has hired a number of young jobseekers under the program including Jordan, whom we had the pleasure to meet on the factory floor during our visit. The \$20,000 Back to Work Youth Boost has meant that Jordan and many others like him have been given the opportunity to find meaningful work—something that everyone deserves—and it has given Queensland businesses the confidence to take on new employees and the opportunity to grow their businesses.

Our two-year, \$177.5 million Back to Work program has already supported over 7,500 employees since 2016. The program puts eligible employers in line for thousands of dollars in support payments—money they can reinvest in their business. It is a great incentive to get employers hiring while injecting valuable money into the local economy. It is truly wonderful to see local employers getting behind this program and, in the case of Continental Biscuits, it was fantastic to see how much demand for its product from overseas markets had grown since I last visited and the additional confidence and employment this was generating. We want to see Queensland businesses grow and thrive and we are passionate about Queenslanders experiencing the benefit of that growth through employment opportunities.

The Deloitte Access Economics quarterly review released this week confirms that our economic plan is delivering strong growth and creating jobs across Queensland. The report says that 'good news is building in Queensland' and cites a 'truly impressive recovery' in jobs growth. That was also reflected in ABS data showing trend unemployment down to 5.9 per cent from 6.6 per cent at the last election and 122,500 net new jobs. Deloitte's Business Outlook noted rising small business confidence, higher net interstate and international migration in the past year, a stronger domestic economy and an upturn in business investment. It forecasts 3.4 per cent growth in 2017-18 and 3.5 per cent in 2018-19. Our economy is strong and growing. These results continue to show that our economic plan has Queensland on the right path: a plan that is focused on jobs, growth and opportunity for Queenslanders—employers and employees alike; a plan far removed from the former LNP government's cut, sack and sell approach that saw growth slump and unemployment rise in Queensland.

Dianne; Burnett Electorate



Mr BENNETT (Burnett—LNP) (2.36 pm): The communities of Agnes Water and Seventeen Seventy in the northern part of my electorate have been rocked by yet another tragedy after the fishing vessel *Dianne* sunk off the coastline of Seventeen Seventy. Today I want to acknowledge the brave men and women in this community—our unsung heroes—who selflessly joined the extensive search and rescue efforts for the trawler men lost at sea. Many people from this incredibly resilient community braved the dangerous seas in the desperate search, including Josie Meng and crew from VMR Round Hill, Tony and Sandy Clairs from 1770 Creek2Reef on board the private vessel *Bulletproof*, Neil and Mark Mergard at 1770 LARC! Tours, Agnes Water emergency services and Water Police from Agnes Water and Gladstone along with other local fishermen and other residents who offered their assistance where they could. I also want to acknowledge the Mango Tree Motel, which provided lone survivor Ruben McDornan with accommodation.


I could not be prouder of this tight-knit community for pulling together at this distressing time. The communities of Agnes Water and Seventeen Seventy have had their fair share of tragedies in recent times and they continue to show their strength, their resilience and their compassion. In further demonstrating their depth of compassion, the community has now set up a fund to help the families of the fishermen involved in the tragedy. Our thoughts are with the families of the crewmen at this difficult time.

Unfortunately, I must also highlight that search efforts have been hampered by the ongoing issue of dredging of Round Hill Creek. VMR Round Hill has reported that boats often get stuck on the sandbar at Round Hill Creek, the marine entry point. This is obviously a serious safety concern and our VMR crew often has difficulties responding to marine rescue incidents like this tragedy. They and other emergency services just need to get in and out of this important waterway.

I cannot talk about the communities of the Discovery Coast without mentioning their sheer frustrations about other serious matters threatening their livelihoods. Every time the region experiences major weather events the communities of Agnes Water and Seventeen Seventy and nearby communities of Baffle Creek, Rosedale and Lowmead are often isolated for weeks at a time. This is not new information. I have campaigned vigorously on this issue and members will recall that I have highlighted the plight of these residents on a number of occasions for flood-proofing these main access routes into this area, yet here we go again with locals and business owners pleading for action after their communities were again left stranded after last week's downpour.

At least 2,000 permanent residents were cut off from the rest of the region for a week due to flooding—cut off from vital health services, medical supplies, food, schools and other essential services. To further highlight their plight, the local pharmacy even ran out of certain medications. In this day and age, everyone deserves connectivity to reach vital services. It was not just the residents who were cut off; its 4,000 visitors per week were cut off from accessing the township. The community heavily relies on the economic benefits these 4,000 tourists each week bring. They are a major driver for the region. Last week alone, group bookings for large events, such as the Rotary conference for 200 delegates, were cancelled, along with other forward bookings. I cannot stress enough that tourism is the lifeblood of this community. When the people of the Discovery Coast are needed in time of distress, time and time again they have proven that they are there. It is now our time to help them.

Mackay, Community Ice Forum

 **Mr PEARCE** (Mirani—ALP) (2.39 pm): Ice is the commonly used name for the highly addictive, highly dangerous crystalline form of methamphetamine. Ice is a purer form of methamphetamine that, I am told, is stronger and more addictive and has more harmful side effects than the powder form of methamphetamine, known as speed. I understand that it is a stimulant drug. It is said that, when used, this drug affects the mind by speeding up the messages travelling between the brain and the body.


What do I know about drugs and drug use? Really, nothing at all. Who is likely to be caught up in this dangerous, life-changing habit? These are the questions that the member for Mackay and I are determined to get answers to. The member for Mackay is community focused. She cares about the interests and wellbeing of the people of Mackay and the region. That is why we have moved to hold a regional community ice forum in Mackay.

This forum is about bringing together the people who feel that the community is being harmed as a consequence of drug use. The forum will take place at Souths Leagues Club next Tuesday, 31 October at 5.30 pm for a 6 pm start. The forum will provide the people of Mackay with an opportunity to tell us about the use of ice and how it is affecting them, their families and the broader community.

I am aware that there are operators in the community who do not agree with us politically and who want to send out a negative message about what we are trying to do. I know from the research that ice is the fastest growing illicit drug market in Queensland, particularly in regional areas. Between 2009 and 2014-15, the annual rate of the use of ice soared from 3.9 per cent to 52.8 per cent per 100,000 people. One in three children who come into the care of the Department of Communities, Child Safety and Disability Services has a parent who has used methamphetamines within the past 12 months.

The member for Mackay and I are looking forward to holding a successful event. We urge the people of Mackay to get involved in this forum. What we learn, the actions required and the proposed prevention strategies will all be fed into the development of the Queensland policy. Let us bring together the community of Mackay. Let us have a conversation. Let us find a way to loosen the grip that ice has on our communities. This forum provides an opportunity for everybody in the region who has concerns about the use of ice and the impacts it has on families. We want to get together, talk about it and move forward with ideas and recommendations that the whole community supports.

Thomas, Major-General WB

 **Mr KRAUSE** (Beauresert—LNP) (2.42 pm): 'We talk lightly about freedom but it was born into us in Australia and New Zealand and it's something terribly precious which I think only people like Sully and I can fully understand. People just take it for granted but we fought for it.' Those were the words spoken a couple of years ago by the late Major-General Sandy Thomas, a resident of the Beauresert electorate who, sadly, passed away just a few days ago.

Major-General Thomas was born Walter Babington Thomas on 29 June 1919 in New Zealand. He was brought up in New Zealand and joined the New Zealand Military Forces at the outbreak of World War II. He was wounded and taken prisoner at a prisoner of war camp in Crete. Eventually, he was able to escape his jailers.

The major-general, as he was known in the Beaudesert area, was a legend in the area and a hero of his time. We as members of this parliament are custodians of our institutions, our law and our history. As a member of parliament, it was a great privilege for me to meet the major-general and talk to him about his experiences. Indeed, one of the great privileges of being a member is being able to meet such an array of different people from so many walks of life, including our returned servicemen who served our country so valiantly.

Upon the major-general's death, I reflect that we are losing very quickly the last of our veterans from the Second World War. The major-general died at 98 years of age, but he was well known in the community and extremely well regarded, having written a number of books about his experiences and participated in Anzac Day and Remembrance Day services until his passing.

I pay tribute to the major-general. May he rest in peace. All members of this House and, indeed, all members of the Beaudesert community thank him for his service to his countries, New Zealand, Australia and Great Britain, as he enlisted with the British forces after World War II. May he rest in peace. I table a number of articles from the *Beaudesert Times* and other sources in relation to the major-general as part of a tribute to him.

Tabled paper: Articles relating to Major-General Walter Babington 'Sandy' Thomas and photograph [\[2135\]](#).

Waterford-Tamborine Road



Mr POWER (Logan—ALP) (2.45 pm): The people of Logan Village have a great community spirit and they come together to stand up for each other. Earlier this year we saw that when the area was flooded. The community gathered together to help their neighbours bounce back.

The Logan Village and Yarrabilba community has also gathered together to sign a petition to advocate for improvements to the Waterford-Tamborine Road. I inform the House that I intend to present this petition to the House.

The growth in the new area of Yarrabilba means that we need to be committed to continual improvement of the Waterford-Tamborine Road. I want to particularly recognise Paul Casbolt, Councillor Laurie Koranski, Wendy Duke, Kate Amos and, of course, Betty Milne-Ward, who are all in the gallery today. They are great advocates for the road and I am with them in fighting for it. I am on their side.


Unfortunately, between 2012 and 2015 under the LNP no improvements were made to Waterford-Tamborine Road north of Yarrabilba. What is worse is that the 2014 budget brought down by the member for Clayfield contained nothing for this road for four years. Despite a plan to sell \$37 billion in state business, there was nothing for the infrastructure that was needed in Logan Village.

I knew that simply was not good enough. When I was elected, I immediately started fighting for more funding. I recognise the Minister for Main Roads in the chamber today. I thank him for his attendance. He is listening to the detail and understands the issues. In the 2015 budget this government brought forward the funding for the upgrades to the intersections between Hotz Road and Anzac Avenue. Now we are upgrading the road for the future by four-laning between those intersections. I knew that North Street remained a bottleneck and I took that issue to the minister. In the 2017-18 budget, \$8 million was allocated for the North Street intersection. I thank the minister for coming to the intersection, which is located right next to Woolworths, to see that intersection firsthand.

Today I met with a representative of the minister's office who committed to keeping the minister briefed along with Main Roads officers of the south coast and representatives of the local community, including the unstoppable Paul Casbolt and Councillor Laurie Koranski.

As a community team, we will continue to advocate for Logan Village and Yarrabilba and the Waterford-Tamborine Road. I am on their side in fighting for more services, better public transport and improvements to the road. I thank all of those who signed the petition. As a team, we will continue to advocate for road improvements. We know that we cannot risk another government not investing in Waterford-Tamborine Road, as the member for Clayfield's LNP government did. We must continue to improve the transport in this corridor and I am committed to that. I thank all of those in the gallery today. They are fighters for their area and I will be a fighter for them.

Agriculture

 **Mr MILLAR** (Gregory—LNP) (2.48 pm): Today, I rise to put on the public record the enormous contribution that the agricultural sector makes to the Queensland economy. It is the unsung economic hero of our state. In the Central Highlands alone, we produce 15 per cent of Australia's chickpea crop annually and 25 per cent of the nation's mung bean crop. Last season we produced over 180,000 bales of cotton. We have 380,000 citrus trees and produce 90 per cent of Queensland's mandarin exports.

Across Central Queensland we have about 4.8 million head of cattle. The Central Highlands alone has one of the greatest beef livestock densities in Australia. Annually we grow more than 150 hectares of wheat, and more than 100,000 head of cattle go through our saleyards, which equates to approximately \$100 million. We also have an emerging macadamia industry, with 260,000 new seedlings and trees.

In the west we have the Mitchell Grass Downs, the gidgee and the mulga country. Although we have been hammered by drought, we produce some of the best quality beef and wool. Of course, the world-renowned, iconic Channel Country produces our famous Channel Country beef.

Despite all this, somehow we find ourselves without a dedicated full-time agriculture minister—no full-time agriculture minister sitting around the cabinet table fighting for a fair share for the state's economic powerhouse. Queensland exported \$9.1 billion of rural commodities in 2014-15 to the US, Japan and China. The former agriculture minister, Bill Byrne, resigned from cabinet on 9 October. Seventeen days have passed since then and there has been not a murmur from the Premier about appointing a full-time replacement.

Queensland Labor has shown blatant contempt for our hardworking primary producers and Queensland's agriculture industry. This government is all about South-East Queensland. I bet if Labor lost its industrial relations minister it would have a replacement within an hour. If it lost its environment minister, the Deputy Premier would make sure that position was filled within five minutes so the Deputy Premier and the environment minister can continue to demonise our primary producers over vegetation management to pick up some Greens votes in South-East Queensland and Brisbane. Instead, the agriculture portfolio has been treated like the poor country cousin of Brisbane. The Minister for State Development and Minister for Natural Resources and Mines has been appointed as the acting minister. This is not good enough.


Labor has made the claim that there were staff cuts to the agriculture department under the LNP when today's official public sector figures prove that under Labor in the agriculture department there are now 200 fewer staff than under the LNP. At the end of June the agriculture department had 1,968 FTE staff. That compares with 2,168 under the LNP. I table those documents.

Tabled paper: Extract from 2014-15 Queensland State Budget Service Delivery Statements Department of Agriculture, Fisheries and Forestry, page 7, regarding staffing [\[2136\]](#).

Tabled paper: Extract from Queensland public sector quarterly workforce profile, page 4, regarding Queensland public sector profile [\[2137\]](#).

The LNP worked hard to reform a dedicated department of agriculture. The former Labor Party lost the agriculture department. Now it has turned the other way around. They have a department of agriculture that we set up but cannot find a minister for agriculture. That is absolutely wrong. I call on the Premier to appoint an agriculture minister today.

Australasian Bioenergy and Bioproducts Symposium

 **Mrs GILBERT** (Mackay—ALP) (2.51 pm): The member for Gregory was a bit harsh in his comments about our acting agriculture minister. We on this side of the House have men who can multitask. It is not a big deal for the men on this side to pick up an extra ministry.

The Australasian Bioenergy and Bioproducts Symposium 2017 was held in Brisbane on 20 October 2017. Three regional centres were chosen for regional satellite forums. With the substantial focus that the Palaszczuk government and industry are placing on biofutures in Queensland, the Bioenergy and Bioproducts Symposium and regional forums provided an excellent platform to ensure that the opportunities of the bioeconomy are leveraged to deliver their maximum potential across the state.

Mackay hosted a satellite forum. It is regions such as Mackay in which raw resources and feedstock are found, and these are the products needed for our new biofutures industries. World leaders in the research developing the new products for our biofuture industries and CEOs of international companies presented in Mackay. Mario Pensini from Life Science Queensland said—

In Queensland, businesses and research organisations have developed specialist skills and expertise to leverage the opportunities of bioenergy and bioproducts that the tropics offer. Companies, investors, researchers and policymakers must work together to realise the full potential of the tropical bioeconomy.


The panellist had a sober message for the future of our potential new industries. That message was that we need a stable, progressive government with policies that support renewables and biofutures. New industry development was stifled in Queensland by the last state government when it cut incentives for biofuels under the then treasurer, the member for Clayfield, Tim Nicholls. When there is a short-sighted government making backward-looking policies, banks will not support new ventures into biofutures.

We have opportunities to produce green aviation fuel, biodiesel for the US Navy fleet. Bagasse produced in Mackay has potential to be included in the front end of these processes. Bio Processing Australia is going through its final stages of feasibility plans to set up production in Mackay instead of going overseas to Singapore. They are enticed to the region of Mackay because of the abundant feedstock.

(Time expired)

Mr DEPUTY SPEAKER (Mr Crawford): Order! Before I call the next speaker, I acknowledge students in the gallery from St Luke's Anglican School in the electorate of Bundaberg.

Northern Gold Coast

 **Mr CRANDON** (Coomera—LNP) (2.54 pm): I proudly represent the people of the northern Gold Coast. The northern Gold Coast is largely canelands. Jacobs Well, a beautiful piece of country, is in the middle of the canelands. I take the point from the member for Gregory that it seems that agriculture is being left out. In recent times white spot disease has wiped out the prawn industry. There have been ongoing issues with sugar mill breakdowns forcing us to take cane to Condong in Northern New South Wales. We have seen rising crime rates occurring in the northern Gold Coast as a result of lack of police. We have 40 fewer police on the Gold Coast now than we had a year ago. We need another 50 more police in the northern Gold Coast alone. That is not for the rest of the Gold Coast; that is for the northern Gold Coast.

Furthermore, it is taking weeks and weeks to take out the blight of fire ants in South-East Queensland that are fast moving towards the Gold Coast. To top it off, we now have a bail house. There are no police, no bus services and these people are not in detention; they are on bail, free to come and go. As we saw today, the Premier is in denial about policing.


We have no funding for exits 41, 45 and 49. This government has completely left out the northern Gold Coast in so many different ways, including the areas around the canelands, except for in one instance—and that is to compound matters by delivering a bail house. This week, a question without notice was asked about fire ants. It stated—

I ask why, when identification is a simple process, are fire ant nests not being treated at the time of inspection? When will this government bring some common sense to managing this program and stop the nonsense that risks even further spread of this exotic and damaging pest?

Instead of giving us an answer to the question, the part-time minister gave us an absolute rant and rave.

In relation to youth bail houses, the justice minister said that it would be based on evidence and consultation with key stakeholders. Key stakeholders wrote to the Attorney-General weeks and weeks ago. The Attorney-General was going to say something further but we will never know what it was because she is not responding to key stakeholders, the people of the Jacobs Well Environmental Education Centre Advisory Council, the Jacobs Well Progress Association or, dare I say, me. Please, Minister, talk to the people of the northern Gold Coast and tell us what is going on.

Electricity Optimisation Program

 **Mr RUSSO** (Sunnybank—ALP) (2.57 pm): I thank not only the hardworking police and administrative staff at Mount Ommaney Police Station but all the staff at police stations across the state of Queensland. In May and June 2017, a 50-kilowatt solar system was installed onto the roof of the

Mount Ommaney Police Station. The installation is one of many solar systems being installed onto police complexes as part of the Queensland Police Service Electricity Optimisation Project. It is anticipated that the installed solar system will produce approximately 26 per cent of the electricity required to run the Mount Ommaney Police Station, saving an estimated \$12,000 annually. It is also anticipated that the return on investment for the solar panels will be approximately 4.2 years.


The Electricity Optimisation Program has developed a program of works to install solar panels and deliver a range of cost and energy saving efficiencies to over 40 police stations. Since its commencement in December 2016 the project has identified potential savings of over \$1 million per annum. Not only is the project delivering significant cost savings to the service; it also reduces carbon emissions, providing a socially responsible investment, and aligns with Queensland government priorities including the Solar 150 initiative and the 50 per cent renewable energy target.

During 2016-17, 13 solar systems were installed at various locations including Cloncurry, Hendra, Longreach, Mareeba and Bamaga. A further 30 solar systems are to be installed into remote and regional police stations. This is another success story that the Palaszczuk Labor government has achieved during the past 2½ years. The Palaszczuk Labor government has made a commitment to a renewable energy target of 50 per cent renewables by 2030.

I wish to congratulate the Queensland Police Service on the Electricity Optimisation Project and the installation of solar power into Queensland Police Service facilities across the state, including the Mount Ommaney police complex, which I have already mentioned. The Electricity Optimisation Project was set up in December last year with a goal of reducing the Queensland Police Service's related costs so that the money can be better spent elsewhere.


PERSONAL EXPLANATION

Correction of Record of Proceedings

 **Ms DONALDSON** (Bundaberg—ALP) (3.01 pm): I rise to make a personal explanation. Last night during the adjournment debate I referred to a green light being given for a business case for a new hospital in Bundaberg. In speaking, I used the word 'commencement' in relation to the green light for the business case. *Hansard* records me saying 'the green light being given'. I intended to convey that the wheels are in motion for the commencement of a process towards preparation of a business case, not that the actual business case had been given the green light. I apologise for any misimpression I conveyed.

ETHICS COMMITTEE

Report

 **Mr BROWN** (Capalaba—ALP) (3.02 pm), by leave, without notice: I table Ethics Committee report No. 178, titled *Report on a right of reply No. 33*.

Tabled paper: Ethics Committee: Report No. 178—Report on a Right of Reply No. 33 [\[2138\]](#).


I advise the House that the committee has attached extracts of the minutes relevant to the committee's consideration of report No. 178 to the report to comply with the intent of standing order 211B as recommended by the House and the CLA. I commend the report and the committee's recommendations to the House.

BUILDING INDUSTRY FAIRNESS (SECURITY OF PAYMENT) BILL

Second Reading

Resumed from p. 3370, on motion of Mr de Brenni—

That the bill be now read a second time.

 **Mr MOLHOEK** (Southport—LNP) (3.02 pm), continuing: I am pleased to pick up where I left off before lunch and continue speaking on the Building Industry Fairness (Security of Payment) Bill 2017. On reflection, I cannot help but wonder whether the bill would be more appropriately called the building industry fairness (security of progress payments) bill, because, from the intent of the bill in relation to

project bank accounts, it is very clear that the proposal should ensure more timeliness of payments in the trial. However, I am concerned that there is no guarantee that ensuring the timeliness of progress payments will mean that projects will go to completion.

I asked the Parliamentary Library to do some research for me, as I was struggling to get the information from the QBCC or the department. I wanted to know how many known insolvencies there are in Queensland. I was informed that in 2013-14, 309 Queensland construction industry companies entered into external administration. That is a very sad number that highlights the need for genuine and real reform of the process of payments for subcontractors and a real need to provide genuine security of payment, not just for progress payments but also to ensure that subcontractors are paid in full. In 2014-15, some 281 companies entered external administration; in 2015-16, the figure was 328; and in the period 2016 to June 2017 there were 303 recorded companies. This information comes from the Australian Securities and Investments Commission. I am sure there are plenty of other examples of smaller cases outside of those known companies entering insolvency or external administration.

That takes me back to the point that I made before lunch and that I want to repeat because I think it is a really important point. The real concern is that in Queensland 70 per cent of subcontractors will not be a party to this scheme and will not be offered any protection as a result of this legislation. In fact, all we are really looking at is a 12- or 18-month trial in respect of government contracts.

The other concern that I started to speak about prior to lunch is simply the cost of this proposed legislation. During the public hearings we heard from Hutchinson Builders. They presented a very simple, one-page analysis of what this will mean for their company. Within the building industry there has been a lot of discussion about the additional administrative costs associated with maintaining the accounts and implementing the changes, which could add as much as three per cent to the cost of construction in Queensland. That is the last thing we need when we are trying to keep the costs of housing down and make Queensland more competitive and housing more affordable.

I would be very happy to table this document submitted by Hutchinson Builders. In summary, this company has a turnover of \$2.4 billion, average payments of \$200 million per month, a debt-free balance sheet and some 300 projects a year. They told the public hearing that, as a result of this, they were going to have to significantly increase their accounting staff; it would have potential impacts on the free cash available for their business to invest in other projects; and, just in Queensland, it would actually increase their operating costs by some \$3 million or \$4 million per year, because of the required extra burdens. With the House's permission, I will table that document, because I think it gives a good practical example of some of the challenges that this legislation represents.

Tabled paper: Document, dated 20 September 2017, titled 'Hutchinson Builders, project bank accounts' [\[2139\]](#).


During the committee process we also heard from the parliament's technical scrutiny team. During technical scrutiny of the bill the committee considered that significant sections of the bill failed to meet fundamental legislative standards in that clauses 8, 14, 16, 28, 31, 36, 50, 51, 54, 65, 68, 79, 82, 122, 161, 165, 258 and 276 defer a wide variety of powers to regulation in order to prescribe potentially significant matters. It may be argued that, given the importance of those matters, they should be set out in the primary act and not in regulation. As such, these clauses potentially breach section 4(4)(a) of the LSA, which requires the bill to allow the delegation of legislative power only in an appropriate case and only to appropriate persons, and also section 4(5)(c) of the LSA, which provides that subordinate legislation should contain only matters appropriate to that level of legislation. That was the finding of the Technical Scrutiny Secretariat.

Another concern raised during the committee process was that some of the proposed new offences could be seen as inappropriate. The bill proposes some 70 new offences. I do not think anyone in the House would disagree with the need to take these matters seriously and that there should be significant penalties for people who fail to meet their obligations. However, of the 70 proposed new penalties, nearly 28 suggest jail time. The real concern is around the definition of the term 'reasonable excuse'. I sincerely hope that, if there are any recurrences where the QBCC or anyone else is inclined to make referrals for further prosecution, there is some real clarity around the term 'reasonable excuse' and that there is fairness both ways.

I take a moment to thank my colleagues on the committee. There were certainly moments of great bipartisanship and then there were also moments of great contention. There were a number of occasions when members on both sides of the committee needed to suspend the meeting briefly to further discuss issues. This is complex legislation. The time frame we had made it particularly challenging to review it in full.

I note that some 143 amendments will be brought before the House today. This demonstrates the fact that this legislation has been rushed. While the minister has taken on board some of the recommendations of the committee, sadly these amendments will still not result in a bill that looks after 70 per cent of our subcontractors who are out there every day providing basic services, maintenance, repairs and renovations. That is what concerns me.

I have repeatedly described this bill, the minister's Housing Strategy and even the building better futures bill we considered yesterday as shiny baubles—great to look at but hollow and full of empty promises. I find it incredibly frustrating that the minister has been somewhat disingenuous in the way that he has approached these very serious matters.

 **Mr WHITING** (Murrumbidgee—ALP) (3.11 pm): I believe that what we are considering is a very serious matter. I do not think there is any reason to raid someone's Christmas tree to bring a prop into the House.

I am very proud to support this bill today. It is the first of its kind in Australia to take such decisive steps to address security of payments for subcontractors. We have seen a string of cases reported and heard some strong testimony in our committee hearings about the persistent issues facing subcontractors in the industry. They bear significant risk and financial costs because they have much less power than some of the larger players further up the chain in the construction industry.

For a subcontractor in Queensland there is continual worry about when they will get paid, if at all, and the potential repercussions if they try to take any action around their predicament. This bill outlines a range of measures that will improve the current situation for our subcontractors. It provides for simplified, faster payment claims within these new provisions. These provisions will reduce the opportunity for head contractors to delay payments and will allow subcontractors to resolve those payment issues sooner.

The bill also increases the independence of the adjudication registry within the Queensland Building and Construction Commission and improves the adjudication process so that payment can be received more quickly. The bill also goes to great lengths to simplify the vast array of legislation that currently relates to security of payments issues. Relevant provisions from BCIPA, the Subcontractors' Charges Act 1974 and the new provisions around project bank accounts will be incorporated into a single piece of legislation. Having a single security of payment act will make it clear what the law requires and what is needed for our comprehensive security of payments regime. Provisions will be simplified and streamlined to make them easier to read and interpret. The language will also be modernised.

We know that we need to instil a strong culture of payment within the industry. This bill is at the forefront of that push to create and to strengthen that cultural change we need. For example, it will be an offence if a head contractor fails to notify a subcontractor about their intention to pay or not pay the subcontractor. This will send a clear message to head contractors that their current business practice of using subcontractors' money to fund other business activities or pay off their own debts is not appropriate.

This bill also enhances the QBCC's ability to regulate the building industry. This means finding and chasing people who are not paying. It also means stricter requirements and penalties to prevent the phoenixing of companies. From now, an individual who substantially influences a company's affairs cannot avoid penalty or the consequences if that company becomes insolvent.

The bill also includes a crackdown on unlicensed building work, which can have devastating financial and safety impacts. People who act unlicensed will face fines of up to 350 penalty units or one year imprisonment for repeat offences. This will align Queensland with most other jurisdictions and reflect the absolute serious nature of these offences.

Clearly, one of the most significant reforms in this bill is the introduction of project bank accounts, of which we have heard a bit today. The committee received a one-page submission saying that there would be a three per cent increase. I would like to see some more modelling behind that one-page submission. We had some very comprehensive submissions from a range of people. The government's extensive consultation has shown that there is strong support for taking decisive action to address this problem. Independent economic modelling has shown that these reforms to implement project bank accounts will have a significant net benefit of around \$4.2 billion to the Queensland economy.

There has been some angst about the introduction of the PBAs, but what I heard in testimony to the committee was that they were introduced in Western Australia and no-one could point out any problems or say, if there was an issue in Western Australia, what happened. There is one thing I wanted


to rebut. We had this one-page submission from a particular developer. These PBAs are not going to apply to the vast majority of housing within Queensland. That is something that we need to be aware of. We need to be aware of any scare campaigns that are mounted about this driving up the cost of housing.

I have spoken before in this House about my desire to combat the terrible incidence of construction deaths within Queensland. There are many ways we can make construction and building a safer industry. What this bill will do is lessen the terrible financial and emotional strain faced by many workers and their families in the building and construction industry. It will mean fewer Queensland families losing their assets, their homes, their mental health or even their family life.

The stress felt when people cannot make house payments because they themselves have not been paid can only be imagined by most of us. I believe that last sitting week I said that there had been 81 deaths on construction sites in Queensland since 2008, though none on unionised sites. I remind everyone that financial stress and strain in the industry can lead some vulnerable men and women to take their own lives.

I acknowledge the great work done by Mates in Construction to help prevent suicide in the construction and building industry. They are a registered charity and independent of unions and employers. They help prevent suicide through community development programs on sites and they support workers in need through case management and a helpline. They do outstanding work here in Queensland. I thank them for what they do.

Finally, this bill enables us to build a more secure and safer Queensland. I pay tribute to all those men and women in the construction and building industry whose advocacy and bravery is propelling us in this House to make a better life for all of them. I commend this bill to the House.

 **Mr McEACHAN** (Redlands—LNP) (3.18 pm): I rise to contribute to the debate on the Building Industry Fairness (Security of Payment) Bill 2017. At the outset I would like to acknowledge and thank my fellow committee members for their dedication and earnestness in dealing with this bill in the short time that we had to deal with it. I also thank the secretariat, ably led by Kate McGuckin.

There is not a single person or association we heard from who does not agree that the intent of this bill is admirable. Subbies who have done the work deserve to get paid and non-payment does enormous harm to individuals and families.

On 22 August 2017, the Minister for Housing and Public Works introduced the bill. The committee subsequently held several public hearings and received briefings from the department in its consideration of the bill. We made seven recommendations, including that the bill be passed. Recommendation 2 was that the minister consider ensuring the review of phase 1 of the project bank account provisions commence at least three months prior to the commencement of phase 2; be undertaken in consultation with representatives of the building and construction industry; and the minister report the review findings to the Legislative Assembly prior to the sections of the bill that commence phase 2 being proclaimed.

Recommendation 3 was that the minister review the appropriateness of the proposed imprisonment penalties for a number of new offences contained in the bill. Recommendation 4 was that the minister consider amending the bill to require the Queensland Building and Construction Commission to provide licensees with the opportunity to rectify building work, within a specified time frame, before a direction to rectify is issued and a demerit point penalty is applied. Recommendation 5 was that the minister consult with the building and construction industry when developing the regulation that will mandate and prohibit certain conditions for building contracts and with regard to any subsequent amendments to the regulation.

In addition, it was recommended that the minister in his second reading speech provide examples of any proposed regulations that he intends to make should the bill be passed. Finally, it was recommended that the minister report to the House during the second reading speech on those issues raised by stakeholders about the bill where the department indicated it would undertake further consideration. Some of the issues that were raised in the submissions from witnesses include this from the Master Builders—

This Bill, as drafted, will not achieve security of payment for our industry but will add an un-costed regulatory burden and time and complexity to both disputes and payment claims.

...

Despite the government's claims, the reforms set out in the Bill will not reduce disputes and payment delays and will not reduce the cost of construction. Construction costs will increase, in the order of 3%, and there will need to be additional time to deal with disputes with no additional security for payment given to anyone in the contractual chain.

In relying on the threat of punishment, the Bill fails to get at the heart of many payment issues. Subcontractors will continue to need to prove that an offence has been committed and alert the QBCC to the offence before punishment can be imposed—two actions Subcontractors have proven unwilling to do for fear of “sending a contractor over the edge”.

The legislation also fails to strike the necessary balance between early intervention by the regulator and ensuring contractors who are able to trade solvently are afforded the opportunity to do so.

The Queensland Law Society contributed and said—

The Society is concerned that the new obligations which are to be imposed in relation to project bank accounts (PBA) do not reflect the intention of the policy, as described in the explanatory notes to the Bill.

The policy intent is described as reducing insolvency rates in the building industry. The introduction of a PBA scheme and associated requirements must be appropriately weighted to ensure that each affected party is able to comply in a manner that does not impose unreasonable burdens or unfairly stifle growth.

Lastly, they said—

There is no evidence that we can see which demonstrates that these new measures will achieve the policy intention of reducing insolvency.

Hutchinson Builders had a bit to say. They said—

The Queensland Government's initiative to address non-payment in the construction industry is supported and encouraged by Hutchinson, and difficult for anyone to argue. However, in its current form, the Bill has some serious flaws for the health and vitality of the construction industry and its contribution to our economy. Hutchinson's aim is to highlight the good and bad aspects of the Bill on a successful business so that deliberations are undertaken in an environment of reality and with an experienced and competent construction business that spans all sectors and segments.


It should be noted that this was said just two weeks after the minister claimed to have had more than 18 months of consultation with the industry. Overall, there is a strong view that the minister and the government have rushed the legislation without listening and acting on the many concerns of stakeholder groups in the building and construction industry. While it is clear that the vast majority of head contractors in the industry do the right thing, the minister seems hell-bent on imposing costly and ineffective compliance costs right across the sector, instead of more effectively dealing with those companies and individuals who habitually do the wrong thing.

What is really happening here? This latest bill, like others before it from this minister, trades in motherhood statements, sanctimonious arrogance and casual indifference to industry concerns, evident by the 143 amendments that were lobbed on us last night and the unprecedented campaign against the minister by the Master Builders including billboards and mail-outs. The 143 amendments dropped on us last night are further evidence of a bill designed for political gain first and dealing with a real issue a distant second. It is symptomatic of the socialist outlook of, 'We know better. We need to protect you from yourself.' It devalues individuals and rewards mediocrity.

The LNP supports the principle of providing a safety net for subbies to ensure they do get rightly paid the money they are owed. That is why the LNP will not be opposing the bill. We note the failure of the minister to genuinely consult with all parties and stakeholders. We note all the potential flaws in the bill as raised by the stakeholders and the 143 amendments given to us late last night in an attempt to mitigate them.

Labor has clearly not adequately addressed the issues raised by the industry. That is why the LNP commits to establishing an implementation panel consisting of stakeholders such as Master Builders, the Queensland Law Society, subcontractors, builders and local governments to identify and resolve issues with the project bank accounts prior to the application to private sector projects.

Let us be clear: this government trial is the easy part. It is hardly likely that payment problems will occur. This trial across larger government projects, which by their very nature will be between larger contractors with experience, resources, accounting systems and staff, will handle the trial and the PBAs. What we need to be very certain of is that all the issues and problems and any unnecessary costs and areas of waste are sorted out and removed before any further implementation in the private sector. While we all agree in the principle of protecting subbie payments, the LNP believes we need to get this right and that is why we are committed to establishing an implementation panel.

 **Ms PEASE** (Lytton—ALP) (3.27 pm): I rise to speak to the Building Industry Fairness (Security of Payment) Bill 2017. Security of payment for subcontractors has been an issue in the construction industry for years. The Palaszczuk Labor government has had the will and determination to see real change.

The Building Industry Fairness (Security of Payment) Bill 2017 will deliver sweeping security of payment reforms for Queensland's building and construction industry with the main purpose of ensuring that people who work in the industry get paid for the work that they do in full, on time, every time. The bill will create a single act that establishes the framework for project bank accounts, PBAs, and also consolidates the Building and Construction Industry Payments Act 2004 and the Subcontractors' Charges Act 1974. The bill also amends the Queensland Building and Construction Commission Act 1991 to strengthen the ability of the QBCC to regulate the industry.

The bill requires the head contractor to establish and manage the project bank account. This is appropriate, because the head contractor is a party to the subcontracts and is aware of all the details. A PBA is made up of three trust accounts where payments are held in trust for subcontractors and head contractors: one general business account to process progress payments; a separate account for retention money; and a separate account for disputed funds. I think they are pretty straightforward arrangements.

The head contractor will need to prepare regular payment instructions to the bank outlining how funds are to be distributed. The principal will verify that the subcontractors on the payment instruction are trust beneficiaries and will then direct the payment into the PBA. The bank will then pay the money out of the PBA in accordance with the payment instruction. In events such as insolvency, the money is safe and helps ensure subcontractors are paid. PBAs also help to address late payment or non-payment of subcontractors.

The government is leading the way with PBAs to ensure that any potential implementation issues are ironed out early on. From 1 January 2018, PBAs will apply to tenders issued to government buildings and construction projects between \$1 million and \$10 million, excluding engineering projects. Statutory authorities will also generally be excluded but will have the ability to opt in if they choose.

After phase 1 has started and been in operation, PBAs will be rolled out more broadly to all government and private sector projects valued at \$1 million or more. Residential construction will only be captured if it is commercial in nature—for example, three dwellings or more; or building type, for example high-rise buildings. Individual detached houses constructed under contracts of less than \$1 million in value will not be captured. This rollout will be no sooner than January 2019.

A significant amount of consultation has been undertaken to contribute to the reforms included in this bill. This includes statewide consultation on an initial security of payment discussion paper between 17 December 2015 and 31 March 2016. Security of payment was also included in the Queensland Building Plan, which was the subject of significant consultation across the state from November 2016 to February 2017. Throughout all of this consultation there has been strong stakeholder support for reform of the industry and strong action on the issue of security of payment.

There was also support from many stakeholder groups during the parliamentary committee process for the implementation of PBAs. Groups such as Air Conditioning & Mechanical Contractors' Association, Master Concreters Association and the National Fire Industry Association have all supported the reforms.


In addition to consolidating the provisions of the Building and Construction Industry Payments Act 2004 and repealing the BCIPA, amendments in the bill will increase the independence of the adjudication registry and improve the adjudication process, and amendments include the introduction of penalties for failure to pay an adjudicated amount. Further, the opportunities for head contractors to delay payment will be reduced by always requiring a progress payment schedule and removing the second chance payment schedule.

In addition to consolidating the provisions of the Subcontractors' Charges Act and repealing the SCA, the bill aims to simplify, modernise and streamline the existing provisions by modernising the language around subcontractor charges.

The bill contains several amendments to the Queensland Building and Construction Commission Act 1991 to support the security of payment reforms, address the issue of phoenixing, strengthen minimum financial requirements for licensees, and more effectively deal with the issue of unlicensed builders. Amendments include strengthening the excluded persons and influential persons provisions. For example, anyone who has been overtly or covertly running a construction company that goes bankrupt or has its building licence revoked can be excluded from running another building company either in their own name or by giving directions from behind the scenes. An 'influential person' will not need to hold a particular job title or role in a company in order to fall within the strengthened provision.

Increased financial reporting by contractors provides the QBCC with insight into a company's financial position and allows it to act on any potential problems, and there are increased penalties for working unlicensed and performing defective building work.

I would like to thank all those who made submissions and attended hearings and for sharing their stories with us. I would like to thank the committee chair, the member for Kallangur, the committee secretariat and my committee colleagues. I would like to echo the words of the committee chair that often subcontractors have good relationships with head contractors and are paid in full and on time. However, we have all heard far too many times where this has not been the case. Subbies not being paid often causes huge financial stress and often results in the loss of homes, marriage breakdowns and bankruptcy. Subcontractors should have the confidence that if they do the work they will get paid for the work they do in full, on time, every time. I commend the bill to the House.

 **Mr POWELL** (Glass House—LNP) (3.34 pm): I too rise to address the Building Industry Fairness (Security of Payment) Bill. As many people in this debate have said, every member of parliament and every Queenslanders would love to find a solution for the slow payment or non-payment of our hardworking subcontractors across the state. I must confess to a pending conflict of interest. My eldest boy, Daniel, will officially start as an apprentice chippie in less than two weeks. I envisage that somewhere down the track he may potentially become a subcontractor. I want to ensure that if he launches into that vocation he will get paid. I reiterate: every member of parliament wants to find a solution for non-payment or slow payment of subcontractors.

However, I must reiterate what has been said by a number on this side of the House and what has been fed to me by a number of builders and those associated with the building industry in the electorate of Glass House. In particular, David Mansfield of Palmwoods, who works for Altum Constructions, came to see me. Mr Beau Williams, a builder from Maleny, also spoke to me about his concerns with the bill as it stands unamended. Those concerns were also reflected by correspondence I received from Master Builders. I will read some comments from a letter I received from Grant Galvin, the CEO of Master Builders. He said, like I have, that looking for a solution to the slow payment and non-payment of subcontractors is obviously a worthy cause. His letter states—

... and we can understand why Project Bank Accounts look like a sensible solution to dealing with this insidious problem.

However, given the complexity of the contractual arrangements between the principal (the owner), head contractor and subcontractors (let alone the other parties who are further down the supply chain) PBAs will not secure payment for subcontractors, despite Minister de Brenni's assurances.

If the Bill is passed in its current form, there is no question it will be a disaster for our industry and for builders and subcontractors alike. It won't give subcontractors the security they need and will simply create additional costs and administrative burdens for builders, that could ultimately hurt subcontractors as well.

We urge you to support amending the Bill.

I can assure Grant, David, Beau and the other builders who contacted me that we have certainly been advocating for amendments to this bill and it appears that we have had some success to the tune of—

Mr Bennett interjected.

Mr POWELL:—and I take the interjection from the shadow minister—143 amendments. That is up there with the racing minister's efforts on a racing bill and the same minister on an industrial relations bill. It demonstrates that, despite all the rhetoric from those opposite, they clearly got this bill wrong in its original state. Feedback from the likes of Master Builders needed to be taken into consideration to make this bill work. I commend people like David and Beau in my electorate for standing up and calling for these changes. It is great that we will be seeing 143 amendments later this afternoon. This letter further states—

In particular, we have major concerns with the introduction of PBAs into the private sector (on projects with a value exceeding \$1 million) from January 2019. Applying them to the private sector will add to the cost of housing and construction, without securing payment for subcontractors.

At the very least, we recommend all Members of Parliament call for a comprehensive, independent review of the impact of PBAs for government projects (to be held after they are introduced in January 2018) before deciding on the fate of the private sector and introducing PBAs for private projects from January 2019.


We strongly recommend that the Bill be amended to give effect to this review at the end of 2018, as well as considering our further amendments outlined in the attached.

I understand that a number of those concerns raised by Master Builders will be reflected in the amendments this afternoon.

I want to put on the record that the LNP, in stating that we would support this bill, also made it very clear that we would deliver in government what the Master Builders are seeking—that we would create an implementation panel that would have representation from the Master Builders Association, subcontractors and the Queensland Law Society to make sure we work through the challenges that have been identified by these significant stakeholders in the industry.

It is not acceptable that we say something that will work in a rather low-risk environment of government contracts is going to be able to flow over quite easily into the private sector. I think the Master Builders are spot-on. There will be headaches and issues in terms of the implementation, and therefore the LNP's policy of embedding an implementation panel to work through those before the PBAs are applied to the private sector is eminently sensible and, I understand, well received by the Master Builders and other stakeholders.

As I said, all of us in this House want to see a solution for slow payment and non-payment of subcontractors. This bill had elements that made sense. There were significant concerns. There were calls by the likes of the Master Builders Association for amendments. We are getting 143 amendments, but this government needs to match the LNP on our commitment to have an implementation panel to review the rollout of PBAs in government contracts before it is applied to the private sector.

 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Innovation, Science and the Digital Economy and Minister for Small Business) (3.41 pm): I rise to speak on the Building Industry Fairness (Security of Payment) Bill. As the Minister for Small Business, I want to see all small business owners and operators here in Queensland, including our building subcontractors, paid on time and in full. For years now, security of payment has been an issue for Queensland subbies. For these independent operators, it is not just a case of, 'She'll be right, mate.' Late payment or non-payment for work carried out has dramatic flow-on effects that can ruin future businesses and tear apart families. We have heard heartbreaking stories of where lost income has resulted in operators losing not only their businesses but also their homes, and we have heard of the incredible and sometimes tragic impact on the mental and emotional wellbeing of business operators and owners.

This bill ensures that Queensland subcontractors are fully protected by the law with regard to the payment of work. These landmark laws—seen nowhere else in the country—set a new standard for Australia. Indeed, other state governments have been working on similar legislation. However, only the Palaszczuk Labor government has delivered on achieving a fair and balanced solution for the stakeholders involved. I would like to commend the Minister for Housing and Public Works for his work on bringing this bill before the House. I know this is an important issue for him, and he has listened carefully to stakeholders to deliver what is a fair and balanced approach to a difficult issue. I would also like to acknowledge and thank those who have contributed to this bill.


What this bill aims to do is eliminate the downward pressure on subcontractors by protecting them from significant financial stress. To do this, we are streamlining and speeding up payment claims through new provisions based on the current Building and Construction Industry Payments Act 2004, the BCIPA. We are also simplifying the extensive amount of legislation that is currently tied to security of payment issues and packaging that, along with new provisions on project bank accounts, into one piece of legislation. The changes brought forward through this bill will create a culture of on-time, in-full payment that will deliver financial security to tens of thousands of small businesses in the industry.

This legislative support will strengthen what we recognise as the backbone of our state—small business. These operators are not only key economic drivers in our cities; they also stand as the lifeblood of our towns, especially in regional areas. Our more than 414,000 small businesses account for 97 per cent of total businesses operating in Queensland and collectively contribute approximately \$110 billion to our state annually. A strong small business sector in Queensland means more jobs for Queenslanders. This creates growth throughout our regions and a stronger economy overall.

The construction industry in our state employs approximately 226,900 Queenslanders. That represents almost 10 per cent of all employees in Queensland. We know that small businesses in the construction industry are an important part of that contribution. Recently released ABS data shows the number of Queensland small businesses in the construction industry is growing rapidly—reaching 71,863 businesses in the year to June 2016, an increase of 2.3 per cent on the previous year. This number represents 17.3 per cent of small businesses in Queensland, the largest share of small businesses from any sector. When you consider these numbers, it provides yet more evidence that it is critical for the Queensland economy to ensure that these small and sometimes micro businesses are paid for the work they do in full, on time, every time.

Since being elected in 2015, the Palaszczuk government has made Queensland jobs a priority. This is in stark contrast to the previous Newman-Nicholls LNP government, which were only interested in sacking, cutting and selling. The Palaszczuk government recognises that our subcontractors have often had minimal protection against late payment and non-payment, yet when the LNP were in power the current opposition leader, who was the treasurer at the time, and his colleagues still managed to tear away what little rights our subbies had. When the LNP introduced voluntary financial reporting, it left the door wide open for toxic liquidations and phoenixing, whereby shady contractors could transfer the assets of an indebted company to a new entity and avoid paying creditors, tax or employee entitlements.

Essentially, what Campbell Newman, as the premier, and the member for Clayfield, as the treasurer at that time, did was give up on our tradies. They gave up on Queensland small businesses. We on this side of the House will not stand for that. Instead, the Palaszczuk government is committed to creating an environment for Queensland small businesses to start, grow and employ. We are doubling down on this commitment by initiating change in the building industry through the implementation of these legislative reforms. I commend the bill to the House.

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (3.46 pm): I am proud to rise and speak in support of the Building Industry Fairness (Security of Payment) Bill 2017. In November last year, when Minister Mick de Brenni and I announced we were embarking on these historic reforms for the building and construction industry, we met with about 50 tradies and subcontractors on a building site in the north of Brisbane. We heard stories from subbies who had lost everything—their car, their business, their house and, even at times, their marriage—because they had not been paid for the work they had done. The heartbreaking stories and fundamental unfairness of not being paid a fair wage for a fair day's work made me even more determined to pursue these reforms. I am proud that my government has introduced this bill addressing these inequities.

We took a commitment to the last election to review security of payment for subcontractors. The evidence was clear that all Queenslanders will benefit from making sure people get paid in full, on time, every time. The project bank account model prescribed in this bill will provide certainty, security and fairness to business in the construction industry. Our reforms will not only prevent these devastating losses for subcontractors, the small and family businesses; they will give businesses the security and confidence to employ again. Independent analysis by Deloitte showed these reforms will lead to \$6.42 billion in extra economic activity over the next 20 years and support an extra 1,089 jobs per year.

The project bank account model will be implemented in two phases. Phase 1 will start on 1 January 2018 and will apply to government buildings and construction projects valued between \$1 million and \$10 million, excluding engineering projects. Phase 2 will expand the project bank account model to all building and construction projects across Queensland worth more than \$1 million, excluding engineering projects, from 1 January 2019.

Prior to the project bank account model being rolled out to the private sector in 2019, an evaluation program of the implementation of project bank accounts on government projects will be conducted. The consultation on these reforms conducted through the Queensland Building Plan has been extensive, and I thank Minister de Brenni for his commitment in driving these reforms. I also want to thank all those people from across Queensland who raised these issues with me, including at a recent forum I was able to address in Rockhampton with Capricorn Enterprise. Industry must also be thanked for their comprehensive engagement and contribution to the development of these reforms, including the Subcontractors Alliance, the National Fire Industry Association, Master Electricians, the Master Plumbers' Association, the Air Conditioning & Mechanical Contractors' Association and the Master Concreters Association.

I would also like to particularly thank Gary Veenstra, from the Master Electricians, Penny Cornah from the Master Plumbers' Association and Wayne Smith from the National Fire Industry Association for having their members share their own personal stories of non-payment. This morning Minister de Brenni and I had the opportunity to go to a construction site at 300 George Street in the city. We were able to meet with workers but, most importantly, once again we were able to hear personal stories. I can tell honourable members that after visiting that worksite I am 100 per cent determined to see this bill go through, because it means that these subcontractors are going to get paid. It provides security not just for them but also for their family. This is what these reforms are all about. I really want to thank the members who came along. It was wonderful to meet about 200 workers there on site—


Mr de Brenni: At least.

Ms PALASZCZUK:—at least. It was wonderful for both of us to be able to address those workers and thank them for the work they do to bring about a better life for them and their families.

During our recent week governing from Wide Bay, Brian Davies, who runs a national fire protection business based in Loganholme with an office in Bundaberg, stood up at a town hall meeting and spoke passionately about security of payment reforms. I would like to read that quote into *Hansard*. He said—

... I can assure you Premier in my 25 years of business, the impact of people not being paid is not as simple as some may think it is. It has a knock on effect. Now, the legislation as I believe it is before the Parliament, in my working time I've never seen anything like it and we're going to find that a lot more young Queenslanders are going to have jobs and a lot more Queensland families are going to be able to sleep at night and not be under the horrible pressures that they're under, so I congratulate you.

This is the right move. This is the right time. This is a historic reform and I am absolutely pleased that the minister has worked and consulted with stakeholders and now we have a bill that should be passed this evening. It is going to bring about great outcomes for many, many Queenslanders. I commend the bill to the House.

 **Ms DAVIS** (Aspley—LNP) (3.51 pm): I rise to make a short contribution to the debate on the Building Industry Fairness (Security of Payment) Bill 2017. As Queenslanders sadly know all too well, the Palaszczuk Labor government has a dismal record when it comes to proposing and implementing industry-changing legislation. Honourable members can just look at the botched rollout of the ID scanners for licensed venues. Sadly, this bill is just the latest example. Of course, at the eleventh hour this minister has had to propose over 140 amendments to the legislation.

Mr Bennett: There are more to come.

Ms DAVIS: I take that interjection from the member: there are more to come. No-one disputes that anyone who provides a good service deserves to be paid and paid on time. It goes without saying that the LNP supports subbies being paid and we will not oppose this legislation. Unlike those opposite, we are committed to getting this right. It is important to get this right because the public hearings and final committee report exposed a number of real concerns.


Firstly, I want to thank and acknowledge the shadow minister, the member for Burnett, who has a strong professional understanding of the issues that the building industry raised. Unlike the union hack background of the minister, the member for Burnett is actually a builder. I would also like to thank my colleagues on the committee—the member for Southport and the member for Redlands—for the respect they afforded Joanne Gottardo of Aspley's G&G Quality Homes when she appeared before the committee to detail how this bill would impact her small business and other businesses like hers.

As the member for Southport will recall, providing testimony was an extremely emotional experience for Joanne. Joanne had contacted my office prior to the public hearings to share her concerns about the proposed legislation. Joanne had never before contacted her local representative on any issue, but she was extremely worried about their family business and the devastating effects that could come from this legislation. We listened intently to her concerns and we encouraged Joanne to make a submission to the committee, which ultimately led to her being afforded the opportunity to appear at the public hearing.

Paul and Joanne Gottardo are a husband-and-wife operation with six full-time staff. The concerns of G&G homes are also the concerns of similar mum-and-dad builders. As Joanne highlighted to the committee, there were real signs that the bill would, in fact, achieve the opposite of what it intended to do. Joanne spoke about her concerns regarding separate project bank accounts, which she believed would add significantly to the time and paperwork required to set up, maintain and reconcile each account per job, not to mention the associated compliance costs. Joanne also shared her concerns around the additional impost on small businesses like G&G homes who do the right thing and pay their subbies on time—often at the same time an invoice is received. Perversely, the poor implementation of this bill may very well mean that payments to subbies will actually be delayed thanks to the layer of red tape that would be added.

As I have said in this House before, the LNP proudly support Queensland small businesses, and the concerns of small businesses like G&G homes cannot be ignored, yet to listen to those opposite it appears that issues affecting small businesses like Paul and Joanne's were of lesser concern when it came to this bill. The manner in which the member for Murrumba questioned Joanne about whether G&G homes had projects that exceeded that \$1 million threshold was disappointing. As Joanne pointed out, every job seems to be creeping closer to that mark now. That is why it is up to the LNP to fix Labor's mess yet again.

An LNP government will put in place an implementation panel to work with stakeholders and make sure this legislation is not only implemented properly but does not have unintended consequences. It is typical of this Labor government to have its head in the sand and avoid meaningful consultation. The LNP is different. We will consult and we will work with stakeholders like Master Builders, the Queensland Law Society, subbies, builders and local governments to make sure we get the rollout of this legislation right. We will fix this Labor mess so that subbies get paid what they are owed without increasing construction costs and without risking future jobs and opportunities here in Queensland. We will act where Labor has failed.

 **Mr BROWN** (Capalaba—ALP) (3.56 pm): I rise today to speak in support of the Building Industry Fairness (Security of Payment) Bill that has been brought before us by the Minister for Housing, Mick de Brenni. One thing people notice about my electorate of Capalaba if they quickly doorknock, phone call or stand on the side of the road in the morning is the number of tradies who live in the electorate. In Redland city itself, one in four businesses is in the construction industry. That is 10 per cent higher than the greater Brisbane area. We really are a centre for tradies. I do not know whether it is living by the bay close to fishing that attracts tradies to our area, but there are a lot and it is noticeable.

I want to thank the minister for the amount of consultation that occurred during this process. I do note the comment by the member for Redlands about a lack of consultation. I note that we had consultation in the Redland area with regard to the discussion paper. It was held at the Capalaba Sports Club and it was not attended by the member for Redlands. I did attend it. It was good to talk to those subbies and those big players as well during that process, particularly about the project bank accounts.

One thing we hear is the stories of non-payment. Obviously with my background, non-payment was a matter that we tried to resolve as quickly as possible. Unfortunately, in this industry due to complexities many of those subcontractors just gave up; they never actually pursued payments that they rightly deserved. The number of stories I heard about non-payment and the hardships that came from that at the doors, during the phone calls and throughout the consultation process blew my mind.

A Senate committee report to the federal government found that external administrations were at the highest in the construction industry and, of all the states, Queensland was the worst. If the industry cannot be trusted to pay their subcontractors, governments need to step in to create a trust. That is what we have done in the form of project bank accounts. That federal government Senate committee also found that subbies built non-payments into their prices. I feel that this bill has the potential not only to secure the payments for those subbies but also to reduce prices for mums and dads who have a small contract for fitting an aircon or other electrical work. Whether that subbie does big jobs or small jobs, potentially this could result in those prices being reduced or not rising in the future because more subcontractors are being paid for the work that they do.

I believe it will be a good thing for those principal contractors who do the right thing, who have the cash flow and who pay their subbies weekly. We do not want to see shonky players who move money around; who employ people to go after subcontractors; who delay payment for 120 days; who find as many reasons as possible to dispute the contract in the first place; and whose prime job is to find ways in which they do not have to pay the subcontractor. I hope this bill will change all of that, because we want to support companies that are doing the right thing by their workers, subcontractors and, most importantly, their clients.

I want to congratulate the Subcontractors Alliance, a group that unfortunately needed to come about because of a lack of representation from Master Builders. They have not gone in to bat for their members with regard to subcontractors in particular, and therefore there has been a need for the Subcontractors Alliance to form and push this agenda. I am glad they have vigorously done that on behalf of their members.

I found it very 'cute' that Master Builders put up all of these billboards in the minister's electorate. I felt this conveniently helped out one of their members, that is, JS & JK Talty Constructions Pty Ltd. The candidate for Springwood is Julie Talty, who has an interest in this company. I found it very 'cute' that billboards would go up in the minister's electorate but—

Dr Robinson interjected.

Mr BROWN: I take the interjection from the member for Cleveland. I thought you would be a bit quiet after the week you have had in this place, but obviously you have piped up.

Mr DEPUTY SPEAKER (Mr Stewart): Order! Member for Capalaba, I ask you to direct your comments through the chair, please.

Mr BROWN: I would love a bit of latitude.

Dr Robinson: You've had a bad three years.

Mr BROWN: Mate, you've had a bad six years.

Mr DEPUTY SPEAKER: Order! I call the member for Capalaba.


Mr BROWN: I am glad to see that the Master Builders have come out today in the *Courier-Mail* in support of the minister. I hope they extend their support through the billboards as well in the interests of fairness and to ensure that they are not seen to be using subcontractors' membership dues to support one candidate and one construction company.

I want to talk about Ausbuild. On Monday I was able to discuss this with Mike Loney. He was in support of project bank accounts, which is good to hear. Ausbuild are a big construction company based at Capalaba. They have informed me that they pay their subbies weekly, which is great. They were worried that as a result of this they may have to pay their subbies monthly, but the minister has reassured me that weekly payments can still occur. I would like to put that on the record today, but I will give that feedback to Mike at Ausbuild.

I have seen firsthand through mates of mine, particularly a family friend, the destruction that non-payment can cause. A family friend had a building company for over 25 years that did great work, but it failed because of non-payment. It was not because of an inability to handle finances and it was not due to shoddy workmanship; it was simply because of non-payment. Unfortunately for that family it caused the breakdown of the marriage. As the Premier and minister have alluded to, these stories are not isolated. This happens too often.

I hear those opposite say, 'We want to see every subcontractor paid, but we just don't think this is the right way to do it. During our three years in government we never acted.' We are acting today. The Palaszczuk government has been in for one term and we have acted straightaway. We have not just seen the problem; we have seen the problem and consulted widely with the industry to ensure that we get the model right and that subbies are paid for the work they do on time, every time.

I would again like to thank the committee for the work they have done on this bill. I would like to congratulate the chair, the member for Kallangur, for his tireless work during this process. I would also like to thank the committee members and the secretariat, and in particular I finally want to thank the minister and the Premier for bringing this forward. This is long overdue legislation. We know that it has been a problem for a very long time. We have been in government for one term, we have seen the problem and we have acted. I commend the bill to the House.

 **Mr LANGBROEK** (Surfers Paradise—LNP) (4.06 pm): It is my pleasure to rise and speak to the Building Industry Fairness (Security of Payment) Bill 2017. I commend the shadow minister, the member for Burnett, for his contribution and members from both sides who believe that people should be paid for the work they do. I certainly concur with that. As the member for Surfers Paradise and shadow minister for the Commonwealth Games, I have stood in this House on multiple occasions recently to lobby the Palaszczuk Labor government to ensure that subbies get paid not just on Commonwealth Games sites but also across the coast. That is why I am proud to be part of an LNP team that supports the principle of providing a safety net for subbies to ensure they are rightly paid the money they are owed.

Like the member for Aspley and the member for Capalaba mentioned prior to my contribution, I have a great friend who is a plumbing contractor. I have been aware of a number of times over the 13½ years I have been in this parliament that he has not been paid for work that his company has done on a number of contracts where he was a subcontractor.

We do note the concerns that have been raised by key stakeholders—and they have been mentioned by members on this side of the House—that what the minister is proposing will not work. I am the first to acknowledge that there is a significant number of amendments, but the bill in its original form will add lots of red tape and costs with no certainty that payments will be better protected. I stand to be advised of the amendments, because I know there are more to be brought in, but they are the concerns that stakeholders have raised with me.

As the member for Capalaba just mentioned, whilst travelling from the Gold Coast to Brisbane drivers will spot two billboards by Master Builders targeting the housing minister. I take issue with the member for Capalaba, who says it is a political campaign. I would say that as a political campaign it is a pretty poor one, because it is a caricature of the minister. It is not necessarily advocating for our side of the House. With the greatest respect to the minister, who is a first-term minister, I do not think that a caricature of someone who is a first-term minister is something that is necessarily going to be recognised by the thousands of people who are driving the M1 and who are probably not from that

electorate anyway. We have had our criticisms of the Master Builders Association in terms of the efficacy of their campaign. It is not a political campaign. It does not attack Labor or the Premier. It focuses on the consultation process and the fact that the minister is not listening.

It does say a lot that a key stakeholder group is being forced to campaign about the minister not listening and refusing to take on board genuine concerns about the impacts of the bill. All stakeholders agree that the issues of ensuring the payment of subcontractors and reducing the incidents and impact of insolvency need to be addressed, but there is no consensus about how to do so. In the time just before I came into this parliament we had a significant government construction job: the rebuilding of Suncorp Stadium. There are not many members in this House who would remember what happened on that particular job, but there was a significant contractor—Watpac, as I recall—and they had subcontractors who maintained they were never paid appropriately for the roof construction that was done at Suncorp.

The minister at the time—the longest serving minister for public works and housing at the time when I came into this place—was Rob Swarten, the then member for Rockhampton, who stood in this place a number of times and said that he was going to fix this particular issue. In that case, as happened only a couple of months ago on the Gold Coast at the Commonwealth Games village, the answer at the time was that the relationship of subcontractors was not with the government; it was with the main contractor, Watpac, and there was no intervention by the government of the time to ensure that those subcontractors got paid. My point is that this has been an issue in the construction game from time immemorial. In fact, it happens in the professions as well—not everyone is paid for the work that they have done—but the consensus is the issue, and the issue is a zero-sum game in that bestowing additional rights for subcontractors comes at the expense of additional liabilities or obligations for principal contractors and not everyone in business is doing the wrong thing.

The member for Aspley made that point quite stridently, and that is why I am speaking on this bill. I do not often speak outside my portfolio area, but I have chosen to do so on this bill because of similar issues to the ones the member for Aspley raised. There are thousands of contractors and people in the building industry who are doing the right thing. Once again we are seeing government intervention presuming, with words used by those opposite, that everyone who is an employer is always doing the wrong thing and is always looking to take advantage of someone who does not have the same power and is therefore not going to pay them. That is the principle of my speech today. A number of my constituents involved in the building industry have approached me with their concerns. These are mum-and-dad business owners who are extremely concerned about the consequences of such legislation.

For the benefit of the House, I will read out a submission from one of my constituents by the name of Gary Eccleston from Genesis Homes. He states—

Let me firstly state that I agree wholeheartedly with any measures which would prevent unscrupulous Builders from defrauding hard working subcontractors. However, I can personally vouch that every supplier and subcontractor has received every cent owed to them over the years by Genesis Homes Qld. Punishing the many good Builders for the behaviour of the few unscrupulous ones is not the way to go about it in my opinion.

I am greatly concerned at the changes in section 76 dealing with payment claims for a progress payment.

I understand that the amendment is intended to make it easier for subbies, builders and suppliers to use the adjudication process to help them get paid.

Based on my vast experience in the Building Industry I firmly believe it won't achieve the desired result at all. The Bill as drafted will be a disaster for the entire industry and needs to be completely rewritten—

and it sounds like it is virtually being completely rewritten—

with input from the people in the industry who know what is needed.

The Bill requires that if a builder or subbie is given a payment claim by, say, a supplier claiming for a delivery of building materials, they must give the claimant a payment schedule, irrespective of whether they intend to pay the amount stated in the claim.

This requirement to provide a payment schedule applies to:

- All construction work and related goods and services.
- All projects of any value.
- All claimants and respondents i.e. all head contractors, subcontractors, sub-subcontractors, suppliers etc.

In order to comply with this mandatory requirement, all respondents will need to give a document that meets the requirements of a 'payment schedule'. More importantly, to be a compliant payment schedule, it must be given within set timeframes. If not, there is a \$12,700 fine and disciplinary action by the QBCC. (this in itself alone is ludicrous).

So subcontractors (and other respondents) will now need to send a piece of paper for every single Bunnings invoice, Haymans Electrical invoice, other supplier invoices ... This will create millions of additional documents each year for no benefit. Hutchinson Builders has estimated they will need to send 20,000 payment claims to their subbies each month.

This needs to be changed. The obligation to provide a payment schedule should only be triggered where an invoice is not paid in full and on time.


The Bill already includes provisions that protect the claimant—the respondent becomes liable to pay the full amount claimed if he does not issue a payment schedule. There is no need to mandate the creation of thousands of additional documents.

I would note that the government has confirmed that it did not intend for the 'payment schedule to be an onerous process' (refer to page 34 of the Department's Brief).

What's proposed is obscenely onerous. It should be amended in my opinion and in the opinion of every builder I have spoken to in relation to this matter.

Based on my constituent's letter, it is clear that everyone agrees that ensuring that subbies are paid is important. However, there are aspects of this bill that have been a cause for concern for many in the industry, including my constituents.

Whilst the LNP will not be opposing the bill, I think it is about time for the minister to take the advice of Master Builders and other industry stakeholders and start listening to Queenslanders. As the member for Burnett and the member for Aspley have said before me, it is clear that, whilst we are not opposing this bill, the implementation process beyond the 12- to 18-month trial is something that, should we become the government at the next election, we will look at very carefully, including that consultation. All of us agree on the principle of protecting subbie payments. The LNP believes that we need to get this right. That is why we are committed to establishing an implementation panel for an issue that has bedevilled the construction industry for generations, but if we are going to do something about it we need to make sure that we get it right.

 **Mr HARPER** (Thuringowa—ALP) (4.15 pm): I rise to speak in support of the Building Industry Fairness (Security of Payment) Bill 2017. It is good to see bipartisan support in this House that will give industry certainty when it comes to security of payment. On day one in week one of opening my electorate office in Thuringowa, Geoff contacted me because he had lost \$30,000 over the preceding Christmas period on a building site in Thuringowa and he was devastated. The effects that that had on him and his family, because the principal contractor down south had gone bust, in losing that kind of money were certainly something that he had to work through. I commend the minister and our government for bringing this bill to the House to give security for the thousands of subcontractors in the state. Well-known block layer John Beldon in Townsville from Yellow Block Road lost \$500,000 because of loss of payment. This is significant because these businesses can lose their entire workforces. Another business in Thuringowa is DMC Air Conditioning and Electrical. It is very good; it is at my house right now fitting off a couple of air conditioners.

Mr Watts interjected.

Mr HARPER: It will get paid. Mary has been in that business for 34 years. That business employs over 30 people. Mary, who is a member of the Master Builders Association, had some concerns and we talked through them. The other day Mary told me that that company would be better off by \$2½ million if people had paid for services during its time in Thuringowa. How many more people would that employ in trades such as electrical or in the air-conditioning industry? It would be a significant number. A \$2½ million loss to any business is absolutely mammoth.

I absolutely support the proposed bill, which has a range of measures to start cultural change within the building and construction industry in this state. An aspect of the bill is the new provisions relating to project bank accounts, or PBAs. A PBA is a trust account where payments are held in trust for subcontractors and head contractors. In events such as insolvency, the money is safe and helps ensure subbies are paid. PBAs also help to address late payment or non-payment of subcontractors.

The government will be leading the way with PBAs to ensure that any potential implementation issues are ironed out early on. From January 2018 PBAs will apply to tenders issued for government building or construction projects between \$1 million and \$10 million, excluding engineering projects. Statutory authorities will also generally be excluded but will have the ability to opt in. After phase 1 has started and been in operation, PBAs will be rolled out more broadly to all government and private sector projects valued at \$1 million or more. This rollout will be no sooner than January 2019.

The bill requires the head contractor to establish and manage the PBA. This is appropriate because the head contractor is a party to the subcontractors and is aware of all of the details. The bill explains that a PBA is made up of three individual trust accounts: one general account to process progress payments, a separate account for retention money and a separate account again for disputed funds.


The head contractor will need to prepare regular payment instructions to the bank outlining how the funds are to be distributed. The principal will verify that the subcontractors on the payment instruction are also trust beneficiaries and will then direct payment into the PBA. The bank will then pay money out of the PBA in accordance with the payment instruction. The subcontractors' retention money will be transferred into the separate retention account before being paid out in accordance with the contract and the legislation. The retention money will also be available to the head contractor as a remedy for defective work during the defective liability period. Money will need to be directed into the disputed funds account if the head contractor has already certified an amount for payment to a subcontractor but that amount is not paid. The bill specifies that any difference between the amount certified and the payment to the subcontractor must be placed in a disputed funds account. It will be held there safely until the matter is resolved.

A significant amount of consultation has informed the reforms that are included in this bill. That consultation includes statewide consultation. In Townsville we attended numerous forums. Mr Deputy Speaker Stewart, you were there. At those forums we heard from people from the broader trade industry about the bill. Security of payment is also introduced in the Queensland Building Plan, which was subject to consultation across the state from November 2016 to February 2017. Throughout all of the consultation there has been strong stakeholder support to reform the industry and to take strong action on the issue of security of payment.

During the parliamentary committee process there was also support from many stakeholder groups for the implementation of PBAs. Groups such as the Air Conditioning & Mechanical Contractors' Association, the Master Concreters' Association and the National Fire Industry Association have all supported the reforms. The committee also supported the bill and recommended that it be passed.

This legislation will be of little use without strong anti-avoidance provisions to limit the ability for head contractors to deliberately thwart it. Fortunately, on that front the bill delivers. It provides a range of new offences and penalties for failure to comply with PBA requirements.

The message is clear: the culture within the building and construction industry needs to change to one where payment is the norm. Subcontractors should have the confidence that if they do the work they get paid. I do not want any more subcontractors contacting my office because they did not get paid. This bill provides certainty to the industry. I commend the bill to the House. I certainly acknowledge the great work that the minister has done to introduce this bill to the parliament.

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (4.22 pm): I commence my contribution by acknowledging the remarks of the member for Capalaba. In his contribution he said that his electorate seems to have a disproportionate number of people working in the construction trades. That is also certainly the case for some parts of my electorate. Bracken Ridge and Bald Hills certainly have a lot of tradies as well. In moving around my electorate I have found that these issues are hot topics for so many people. As our economy is working so well, there is a lot of construction activity. Across the state, some 220,000 people are working in the building and construction industry.


Like the electorate of Capalaba, some parts of my electorate of Sandgate have a disproportionate number of people engaged in building and construction. As a consequence, the conversations down at the BRT are often about some of the challenges that people are facing in their work, particularly the perennial issue that we have heard from members on both sides of the House during this debate last night and today—an issue that has been around for generations, for eons, for donkey's years: the failure of subcontractors to get paid.

I agree with many members who made the point that plenty of people in the industry do the right thing by subcontractors and that they should not be disadvantaged. I also agree that those people who do the right thing by subcontractors should be rewarded by the cracking down on people who do the wrong thing and making sure that they are paying those people who have done the work and deserve those payments. That is what this bill does.

I acknowledge the fact that this minister has brought this bill before the House. Despite the fact that this issue has been talked about for generations—for eons, for donkey's years—this minister and this government have done something about it. I congratulate the minister on his work. I also congratulate him on the work that he has done in negotiating with all of the stakeholders to ensure that this legislation has been progressed in a way that provides the best opportunity for it to be embedded in the practices of a vitally important \$44 billion industry in this state.

I also extend my thanks and appreciation to the minister for the work that he has done in being able to deliver this legislation when others have failed. Other people spoke about it, others ramped up the rhetoric, but this minister has delivered it. I want to congratulate the minister for that.

I commend this bill for the course that it charts throughout Queensland. I know that as a consequence of this bill tradespeople in my electorate will get paid. I know that contractors who set a good example by paying their subcontractors will be rewarded by a system that makes sure that they all work on a level playing field. I commend the bill to the House. This is a wonderful first step along a pathway to making sure that this very important industry for the state of Queensland, and indeed for my own electorate of Sandgate, is fairer and better in the future.

 **Mr POWER** (Logan—ALP) (4.27 pm): I stand to speak in favour of the Building Industry Fairness (Security of Payment) Bill. The background to this bill is a personal story for the families of so many tradies—the families who work together operating as small businesses, who do the accounts, who benefit as a family unit, but who also suffer as a family unit when contracts are not paid. I do not wish to deeply personalise these stories, but my family knows of the wife who fronts up at Christmas time demanding payments that have not been made for months, knowing that they will not have Christmas presents if payments are not made, the family who saved for years while working in the mine in the hope of starting a small business back in Brisbane, yet when they come here they do not have the power to get paid for the hard work that they do and have to lose the investment they made in plant and equipment. That is a story of the powerful versus the powerless. It is about big businesses that can push the risk of a project on to those tradies who can least afford it. It is about big business making someone else pay for their own mismanagement on a project or their own underbidding on the original project.

I know this firsthand. In Logan, so many tradies work their guts out for their families and to build this state. They know they are vulnerable. One subcontractor who spoke to me before we even began this process of formulating the bill spoke to me about working for a large civic construction project where he hauled dirt with his small fleet of trucks. He spoke to me about how vulnerable he felt, how he had outgoings—wages, truck payments, repairs and diesel—and he thought that people should be paid but there were those who would do nothing to pay him. He felt a huge pressure on his shoulders to make his business work and he knew that these losses were being transferred onto him and his family.


All we are asking is to create a level playing field for small businesses such as this hauler. Make it fair for the powerless. Last week I rang this hauler, whose name is John. He said that he was only working by himself now. He hoped that what we were doing would make a difference. He was cynical. He thought that big business would always try to exploit those who were less powerful. He said, 'Everyone knows that I am the most anti Labor person you could meet, but I'm going to tell people you're having a go for people.' I can say clearly that the minister is having a go for the powerless, to give them a fair playing field when they do hard work for Queensland.

One of the speakers on the other side spoke of this as a punishment of the many for the few. I do not doubt that there are good family and corporate businesses where making fair payments is part of their business model. They will not be punished by this bill. They are in a market where those who exploit the system, who refuse to make fair payments, are the ones who will be punished and those who do the right thing will benefit. Those who abuse the system are the ones who are hurting those who try to do the right thing. How many lead contractors have wondered, 'How can they bid so low? How can I not get that business? I am trying to do the right thing. I know how much the costs are, but they can underbid me.' Often they are being punished by laws that allow the exploitation of ordinary tradies. They intend, as part of their business model, to rip off subcontractors or, at a minimum, pass on the risk.

We heard criticism that there was not support for this bill. People like Les Williams and Juanita Gibson from the Subcontractors Alliance, the National Fire Industry Association, the Master Plumbers—that is not the plumbers' union; that is the Master Plumbers—are people who work hard in a skilled business but fundamentally are employers for the most part. The Master Electricians, the Master Plumbers, the Air Conditioning & Mechanical Contractors' Association, the Master Contractors know that their members who are small business people benefit because they try to do the right thing by their workers and should not have to suffer when contracts are not paid.

Labor always seeks to work for the powerless. We seek to stand up for those in the contractual situation in this case where they do not have the power to get paid fairly for the work that they do or even get paid for the contracts they sign on the timeline they sign. I congratulate the minister. This is about giving power to those who deserve to have a fair chance in Queensland society. We are giving it a go. We will always find the other side standing up for the powerful. They will stand up for those who exploit others. They will always find an excuse for why these things cannot be done. I am glad we are

standing up for those who are powerless in the contractual situation in the construction industry and giving fairness to those families who rely on being paid fairly and on time. I commend the bill to the House.

 **Mr WELLINGTON** (Nicklin—Ind) (4.33 pm): I rise to participate in the debate on the Building Industry Fairness (Security of Payment) Bill 2017. I note it is unusual for a Speaker to participate in a debate in this manner. I do so because improving security of payment for subcontractors is important to me. In this regard I am speaking as the Independent member for Nicklin and not as the Speaker of our parliament.

When Sunshine Coast subcontractors lost everything in 2014 as a result of the collapse of Walton Construction, little did I realise then that in a few months time I would be entering into an agreement with the next Premier of Queensland, the then opposition leader, Annastacia Palaszczuk, and that that agreement would lead to this bill being debated here this evening. I thank our Premier and her government for acting and not allowing themselves to be bullied and intimidated by the big end of town that clearly wanted to continue to have access to money rightfully owing to someone else for their own purposes.

People have been critical of minority governments and our Premier. This is one real example of the strength of our Premier, her willingness to have a go, and that minority governments can deliver good outcomes for Queenslanders, that they will stand up to the big end of town, like those who are behind the Master Builders and their ridiculous billboards pursuing a political campaign. In a moment I will take up the comments made by the member for Surfers Paradise.

I use this opportunity to acknowledge the very hard work of the *Sunshine Coast Daily* investigative journalist, Mr Bill Hoffman, and Les Williams, leader of the Subcontractors Alliance Group, who never gave up in continuing to highlight the disgraceful business practices of some of our construction industry leaders, people who have been using every trick in the book to get around our laws for the sole purpose of not paying subcontractors for the work they have done and are rightfully entitled to be paid for. Hopefully with the passage of this bill—and it appears clearly from the speeches this evening that it will pass—and the making of the appropriate regulations, we will see the start of the move to stamp out these sham business models that have been used by our construction industry, that bring our construction industry into disrepute and that have effectively destroyed the lives of many families in Queensland.

In my nearly 20 years in parliament I have seen how the big end of town has been able to influence government policy to the detriment of small businesses. We have seen the construction industry business model refined by some unscrupulous operators whereby money rightfully owing to subcontractors is not paid to them when the work has been done and instead has been used to cash-flow other ventures or to avoid the taking out of loans and the payment of interest. We have heard some of our leading construction companies saying, 'But that is the way it has always been.' Well, it will no longer be after tonight. We have also seen the unreasonable delaying of the payment of money for work done on terms which would be totally unacceptable in other businesses.

I understand why many people feel disillusioned and let down by our political system, especially subcontractors and small business operators who have worked hard all their life and then lose their house and everything because some big players in the construction industry, who have had the ear of the government, are able to continue to use clever lawyers and accountants and avoid paying subcontractors for work they have done. Thankfully, we have a minister and a government that have shown, when evidence is produced of the failure of our current laws, they will take action and they will not cower and look the other way or allow themselves to be bought off by unscrupulous construction companies that want to continue to operate unfettered in Queensland and continue to use, for their own purposes, money owing to subcontractors and small businesses.

In this regard I note the political campaign that has been underway by the Queensland Master Builders Association against Minister de Brenni because of this bill. I say to members of the Queensland Masters Builders Association: shame on you for allowing your organisation to be used to try to stop the passing of laws that are designed to improve the current laws and hopefully stop the continued operation of sham business models that are designed solely to use money rightfully owing to someone else for other purposes.

Earlier during the debate the member for Surfers Paradise commented that billboards are not a political campaign. As a member of parliament, if I had these billboards appearing in my electorate I would say it is a jolly political campaign.

Mr DEPUTY SPEAKER (Mr Millar): Order! Member for Nicklin, you of all people would know about props. Are you tabling that?

Mr WELLINGTON: I will table it as I am using it to explain that this is a political campaign.

Mr DEPUTY SPEAKER: Please table it.

Mr WELLINGTON: I am more than happy to table that photograph.

Tabled paper: Photograph depicting billboard advertisement by Master Builders Queensland [2140].

The Master Builders Association has paid for these billboards for the sole purpose of dissuading people from re-electing the minister. Then today the *Courier-Mail* has published a letter from them headed, 'Thanks for hearing us out, Mick.' Let us see if the Master Builders are prepared to replace billboards such as the one in the photograph that I have tabled with ones that detail their apology and a 'thank you'. I say to the Master Builders Association: if you are not prepared to replace the current critical wording on those billboards with the wording in the letter that appeared in the *Courier-Mail*, I am prepared to go in to bat in support of this minister in the next election campaign, so that hopefully he can return to this parliament and continue the good work that he has done and continues tonight.

I know that my detractors will say, 'You've always been a Labor toady.' I say to them that my decision to take that action is directly as a result of the action the Master Builders Association has taken in funding those billboards throughout our state. I urge subcontractors, their families and friends to join me if the Master Builders Association does not replace the current wording on those billboards with words similar to those that appeared in today's *Courier-Mail*. Let us see what the Master Builders Association does now.

As an Independent, I have not made that decision lightly. I repeat: it is solely as a result of the actions of the Queensland Master Builders Association and its disgraceful political campaign. While speaking about this matter, I reiterate that I will not be endorsing any candidate to replace me in the seat of Nicklin, which I have had the pleasure and honour of representing in this place for some time. I look forward to speaking more about that in the future.

This bill is landmark legislation for Queensland. The issues in the building industry are well documented. There is considerable evidence that those issues are not merely an interpretation of some unfortunate event in history nor an exaggeration of some unhappy but unusual incident; nor are they mere fiction, as members of the Queensland Master Builders Association and others would have us believe.

I refer members to the following inquiries: the 2003 New South Wales government inquiry that recommended, in addition to legislative reform, the establishment of a cash retention trust scheme for subcontractors and the trial of project bank accounts; the 2016 Western Australian government announcement that it would introduce mandatory project bank accounts and a code of conduct for state government run projects valued between \$1.5 million and \$100 million; and the 2015 inquiry of the Senate Standing Committee on Economics into insolvency in the Australian construction industry, which made 44 recommendations, including that the Commonwealth government trial project bank accounts for a two-year period. All of the recommendations had a lot in common: that subcontractors must be protected, that a fair day's work deserves a fair day's pay, that poor payment practices are endemic in the industry, that insolvency impacts those most vulnerable and least protected in the industry, that the risk in the industry is borne by those least able to carry it and, critically, that something must be done.

This bill is the latest reform made by Australian state and territory governments over recent years aimed at better security for the payment of people working in the building industry. My time is almost up. I commend the minister, our Premier and her government for doing something and for not looking the other way. Congratulations and well done!



Hon. MC de BRENNI (Springwood—ALP) (Minister for Housing and Public Works and Minister for Sport) (4.43 pm), in reply: I thank members for their contributions throughout this very important debate. As the member for Nicklin has just indicated, this is an area of public policy that, for a generation, many thought was entirely intractable. Our government has not been willing to accept that and we have not been willing to settle for tinkering around the edges. As we have designed these reforms, some of the alternatives suggested to me included that we should invest in more education of subcontractors, that we should merely introduce compulsory professional development or even that subbies should get insurance against not getting paid for the work they have done. Through my consultation it has been absolutely clear that subbies are not uneducated about this issue. They do understand how the current system works and they know that it does not work for them.

This bill proposes a comprehensive package of reforms—not just one change but a suite of changes that will change the culture of this industry for good. The member for Burnett has acknowledged that and he has acknowledged that cultural change is needed. Put simply, in an industry as large as this, cultural change cannot be based simply on education or on insurance; we must push the change in behaviour and then the cultural shift will follow.

I will cover some of the issues raised in the debate. Last night the member for Burnett inferred that our proposal 'does not appear to be supported by the majority of the industry'. That is taking an offensively narrow view of Queensland's building and construction industry. It is offensive to all the trades and to all who represent the trades. If the Liberal National Party had done the bare minimum of consultation on this issue, they would know that trade organisations across the state and, more importantly, the trade professionals they represent are strongly supportive of these reforms. I add that those opposite have continued the refrain that they support the intent of the bill. Congratulations, have a cookie and celebrate! Supporting people getting paid in principle is a very easy thing to do; actually making it happen requires you to do something.

Those opposite say that our laws, which they have indicated they will support tonight, will not work, yet they have not offered an alternative proposal. This is another sign that the Nicholls LNP is a content-free and a policy-free zone. They have all the courage of their convictions to vote for something that they are absolutely sure will not work. That is quite extraordinary. Either this is a cynical ploy to once again hide the true natures of the member for Clayfield and the member for Everton—to hide the trickiness and the cruelty that every Queenslander saw when they were last in government and in control of this portfolio—or they know that these changes are what is required to make a difference but they just cannot bring themselves to admit it.

I turn to the lengthy and impassioned defence of the LNP's quite miserable record on this issue by the member for Burnett. In relation to BCIPA the member said, 'I believe that BCIPA is by no means broken.' I urge those opposite to sit down with subbies from across the state and listen to them talk about how they have suffered through a payment system that was stacked against them because of the policies of the Liberal National Party. They should talk to and listen to the subbies who have been swamped with legal paperwork designed to frustrate the adjudication process. They should ask a subbie who won their claim but still had to pay extraordinarily unreasonable costs involved in just chasing that claim whether or not the current system is broken. This bill fixes a broken system. Importantly, it enables an adjudicator to allocate costs based on the behaviour of the parties in the dispute.

In respect of the minimum financial requirement system, the member for Burnett has been a staunch defender of the changes to financial reporting that happened under the member for Everton. I am not convinced that the member's heart is fully in that. Let us be clear: the shift from sensible financial reporting to a voluntary system has been an absolute disaster for subbies in this state. It left the regulator blind to the financial situation of companies until it was much too late. It limited the ability of the Queensland Building and Construction Commission to monitor licensees for trends that may indicate financial distress.

Under the policy that was introduced when the LNP was in power, a company only had to submit its financials if there was a change in their net tangible asset position. In essence, a person only has to notify the QBCC if things in their business are going badly. We cannot base the security of a \$45 billion industry on an honour system. Since the MFR was introduced we have seen case after case where it turns out companies had been in breach of their requirements for an extended period of time.

During debate the member for Burnett said that business can be profitable in the industry 'provided those businesses keep an eye on their performance'. I think subbies would say that it takes more than someone keeping an eye on their own profitability. The stability of the industry requires people to have faith in those they are contracting with, and knowing that the watchdog has appropriate powers is absolutely crucial.

The last thing I will say on the opposition's atrocious changes is that stripping reporting requirements away was a red-tape-reduction con job. Most of the information required must already be reported and continues to be reported to other authorities. Those opposite not only left the QBCC blinded but also allowed for it to become wilfully blind.

I will touch on the key tenets of this bill before I turn to the amendments. The reform in the bill to establish project bank accounts is a watershed reform that will usher in an era of fairness in Queensland's building and construction industry. Some stakeholders have asked me whether there is any risk that a project bank account would prevent a builder who enjoys a cordial and productive relationship with their subbies from making a swift and early payment, like the one described by the

member for Capalaba earlier, if they so desire. I can confirm for the House that there is no barrier to that. The details of payment instruction and requirements for payment instruction will be prescribed by regulation, including the subject matter content, to facilitate rapid and early payments of claims in advance of both the terms of the payment or claim or progress payments in a construction contract in advance of principals making a payment into a project bank account for disbursement to trust holders.

The establishment of project bank accounts, coupled with the reforms to payment claim requirements, payment schedule processes and the strengthening of the minimum financial requirements will all work as a suite of reforms to ensure that subcontractors are paid on time, in full, every time. The amendments in this bill will deal with the longstanding issues of delay and non-payment faced by our subbies in this state. As I said in my introductory speech, the central tenet of this bill is that if someone does the work then they should get paid.

The bill establishes a framework for project bank accounts for both government and private sector building and construction projects. Project bank accounts are trust accounts where progress payments, retention moneys and disputed funds will be safely held in trust for the subcontractor. The bill requires that the head contractor establish a project bank account after entering into the first subcontract and establishes a penalty of up to 500 penalty units where the head contractor fails to do this.

One of the most important things about project bank accounts is that, in the event of a head contractor insolvency, money in the project bank account will be protected from other creditors for the benefit of the subcontractors. Project bank accounts will initially apply to government building and construction projects between \$1 million and \$10 million that are released for tender from 1 January 2018. Reforms in this bill will also make the progress claim process easier and faster. The bill will repeal both the Building and Construction Industry Payments Act 2004 and the Subcontractors' Charges Act and establish one consolidated security of payment act.

As I outlined, I will be proposing a number of amendments during consideration in detail. The overwhelming majority of these amendments are minor corrections of a technical nature. It has been said to me by many members opposite that they have noticed some very clear signs of some of the major stakeholders in the industry returning to the table and working constructively to solve the security of payment challenge. In addition to the amendments I have previously mentioned and circulated, these cordial negotiations have continued this morning. Therefore, I have an additional amendment that will provide a final adjustment to one of the provisions in the bill.

Last night I told the House that the government's amendments would create a further incentive to pay in full and on time by making it clear that if a business has done what they need to do they will be freed from the obligation to issue a payment schedule. Today, with the support of all stakeholders, the government has mildly fine-tuned this provision that delivers this incentive.

Clause 76 will provide that if a subcontractor provides a payment claim to a head contractor the head contractor must respond to the payment claim by giving the subbie a payment schedule before the end of the response period. However, a payment schedule will not be required if a payment occurs in full before the end of the response period. Importantly, the response period will now be the time identified in the contractual requirement for responding to the subbie or no longer than 25 days after the claim is given. This ensures consistency with mandatory payment time frames which are already set under the QBCC Act.

To remove doubt, it is declared that nothing in this section prevents the head contractor paying an amount to the subbie earlier than the date payment requested under the payment claim or giving the subbie the payment schedule before the end of the response period. Also, new section 200B is inserted to provide that nothing in this act prevents a person paying an amount due under a contract before the latest date allowed under the contract for payment of that amount.

These are historic reforms for the construction industry in Queensland. They will make an enormous difference to the lives of tens of thousands of men and women. I would again like to thank all of the many stakeholders who have engaged in this process. I would also like to express my sincere thanks to the staff of the Department of Housing and Public Works, the parliamentary staff and the committee for their thorough review.

These reforms will not deliver compensation for money that has disappeared. They will not bring back the small businesses that have been smashed into oblivion. They will not bring back the lives that have been lost or that were taken. For all that pain and the response from those in this state with courage—people like John and Kylie, Les and Juanita, Brian, Wayne, Penny, Kent, Gary and more—

and the determination of this state's extraordinary leaders—people like the Premier, Annastacia Palaszczuk, and the Speaker, the member for Nicklin—there will be a legacy of that pain. It will be great reform. It will be reform that changes lives forever. On behalf of all Queensland subbies—those builders who do the right thing—I commend this bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 308 and schedules 1 and 2—



Mr de BRENNI (4.57 pm): I seek leave to move the following amendments en bloc.

Leave granted.

Mr de BRENNI: I move the following amendments—

1 Clause 2 (Commencement)

Page 16, line 13—

omit, insert—

and (3), 270 to 277, 279, 280, 282 to 285, 288 to 297, 299 to 303 and 305

2 Clause 8 (Definitions for chapter)

Page 21, lines 23 to 32 and page 22, lines 1 and 2—

omit.

3 Clause 8 (Definitions for chapter)

Page 22, line 21, 'thing'—

omit, insert—

building

4 Clause 8 (Definitions for chapter)

Page 22, line 24, '(2)'—

omit.

5 Clause 8 (Definitions for chapter)

Page 22, lines 25 to 30 and page 23, lines 1 to 6—

omit.

6 Clause 8 (Definitions for chapter)

Page 23, lines 12 to 30 and page 24, lines 1 to 11—

omit, insert—

State authority—

(a) means—

(i) an agency, authority, commission, corporation, instrumentality, office, or other entity, established under an Act or by authority of the State for a public or State purpose; or

(ii) a corporation, owned or controlled by the State, a local government or an entity mentioned in subparagraph (i), if declared by regulation to be a State authority; or

(iii) a subsidiary of a corporation mentioned in subparagraph (ii); or

(iv) a part of an entity mentioned in subparagraphs (i) to (iii); but

(b) does not include an entity prescribed by regulation.

7 Clause 15 (Amendment of building contract)

Page 29, lines 7 to 11—

omit, insert—

(2) However, if the amendment of the building contract includes an increase in the contract price, the contract becomes a PBA contract only if the amendment of the contract, together with any earlier amendments of the contract, increases the contract price by 30% or more.

8 Clause 16 (Building contracts for residential construction work)

Page 29, line 19, after 'for'—

insert—

is

9 **Clause 16 (Building contracts for residential construction work)**

Page 30, line 10, 'means a building'—
omit.

10 **Clause 16 (Building contracts for residential construction work)**

Page 30, lines 25 and 26—
omit, insert—

residence means a type of building or structure prescribed by regulation.

residential construction work—

(a) means any of the following work if carried out by a licensed

11 **Clause 23 (Head contractor must establish project bank account)**

Page 35, lines 12 to 25 and page 36, lines 1 to 28—
omit, insert—

23 Head contractor must establish project bank account

(1) The head contractor must establish a project bank account by opening all of the following trust accounts at the office or a branch of a financial institution within the State—

(a) an account (**general trust account**) for amounts paid under the head contract, paid under a subcontract with a subcontractor beneficiary or authorised to be deposited under section 28(e);

(b) an account (**retention account**) for amounts held as a retention amount for a subcontract with a subcontractor beneficiary;

(c) an account (**disputed funds account**) for amounts the subject of a payment dispute.

Maximum penalty—500 penalty units.

(2) The building contract may provide for the date by which the project bank account must be established but only to the extent that the date is not—

(a) less than 20 business days after the building contract is entered into; or

(b) later than 20 business days after the head contractor enters into the first subcontract for the building contract.

(3) The project bank account must be established by the date provided for its establishment under the building contract.

(4) However, if the contract does not provide for a date for establishment of a project bank account, or provides for a date incompatible with subsection (2), the project bank account must be established within 20 business days after the head contractor enters into the first subcontract for the building contract.

(5) Also, if a regulation prescribes a maximum period within which a project bank account must be established, the project bank account must be established within the prescribed period.

(6) Despite subsections (1) to (5), subsection (7) applies if the head contractor has already entered into a subcontract for the building contract before the day (the **start date**) a project bank account is required for the contract.

Note—

Under section 15 a project bank account may be required for a building contract after an amendment of the contract.

(7) The head contractor must establish the project bank account within 20 business days after the start date.

Maximum penalty—500 penalty units.

(8) This section does not apply to a head contractor if the contractor can prove that there is less than 90 days between—

(a) the day a project bank account would, apart from this subsection, have been required for the contract; and

(b) the day practical completion for the building work carried out under the contract would occur.

(9) In this section—

practical completion, for building work carried out under a building contract, means—

(a) the day for practical completion as worked out under the contract; or

(b) if the contract does not provide for the day practical completion of the work is achieved—
the day that work carried out under the contract would reasonably be estimated to be completed—

(i) in compliance with the contract, including all plans and specifications for the work and all statutory requirements applying to the work; and

- (ii) without any defects or omissions, other than minor defects or minor omissions that will not unreasonably affect the intended use of the work.

12 Clause 24 (Particular requirements for trust accounts)

Page 37, line 14, before, 'payment instructions'—

insert—

information relevant to

13 Clause 27 (All payments from principal to be deposited in project bank account)

Page 39, line 5—

omit, insert—

- (b) the amount is paid into court; or
- (c) the amount is paid directly to a person under chapter 4; or
- (d) the principal has a reasonable excuse.

14 Clause 28 (Limited purposes for which money may be deposited into project bank account)

Page 39, lines 27 and 28—

omit, insert—

- (c) paying an amount held as a retention amount; or
- (d) paying an amount the subject of a payment dispute; or
- (e) making another payment prescribed by regulation.

15 Clause 30 (Head contractor to cover shortfalls)

Page 40, lines 17 to 21—

omit, insert—

- (1) This section applies if—
 - (a) an amount is due to be paid from a trust account to a subcontractor beneficiary; and
 - (b) there is an insufficient amount available in the trust account to pay the amount to the subcontractor beneficiary.
- (2) The head contractor must, as soon as the head contractor becomes aware there is an insufficient amount available, deposit into the trust account an amount equal to the shortfall.

16 Clause 31 (Limited purposes for which money may be withdrawn from project bank account)

Page 41, line 14—

omit, insert—

- (d) transferring the money to another trust account as required under this chapter; or
- (e) making another payment prescribed by regulation.

17 Clause 32 (Order of priority)

Page 41, line 27 to 32 and page 42, lines 1 to 14—

omit, insert—

- (1) A head contractor must not withdraw an amount from a trust account for a project bank account to pay itself, or make another payment prescribed by regulation, unless—
 - (a) there would still be a sufficient amount available in the trust account after the withdrawal to pay all amounts due to be paid to the subcontractor beneficiaries at the time of the withdrawal; and
 - (b) the withdrawal will not reduce a retention amount, for a subcontract, held in the retention account before the retention amount may be released under the subcontract.

Maximum penalty—300 penalty units or 2 years imprisonment.
- (2) However, the head contractor may withdraw an amount contrary to subsection (1) if the withdrawal is to make a payment ordered by a court or for an adjudication under this Act.

18 Clause 33 (Insufficient amounts available for payments)

Page 42, line 23, after 'paid'—

insert—

by the head contractor

19 Clause 34 (Dealing with retention amounts)

Page 43, lines 8 to 24—

omit, insert—

- (1) The head contractor must ensure that a retention amount for a subcontract with a subcontractor beneficiary is held in the retention account for the project bank account.
- Maximum penalty—200 penalty units or 2 years imprisonment.

- (2) The head contractor must not withdraw any part of the amount from the retention account unless the withdrawal is to make—
 - (a) either of the following payments if made in accordance with the subcontract—
 - (i) a payment to the subcontractor beneficiary of an amount withheld under the subcontract;
 - (ii) a payment to the head contractor of an amount to correct defects in the building work, or otherwise to secure, wholly or partly, the performance of the subcontract; or
 - (b) a payment ordered by a court.

20 Clause 35 (When payment dispute occurs)

Page 44, lines 3 to 13—

omit, insert—

35 When payment dispute occurs

- (1) A **payment dispute** occurs if—
 - (a) a subcontractor beneficiary gives the head contractor a payment claim for a progress payment under section 75; and
 - (b) the head contractor gives a payment schedule to the subcontractor beneficiary for the progress payment; and
 - (c) the head contractor prepares a payment instruction to pay an amount from a trust account to the subcontractor beneficiary for the progress payment but the amount stated in the instruction is less than the amount the head contractor proposed to pay under the payment schedule.
- (2) A **payment dispute** also occurs if—
 - (a) a subcontractor beneficiary gives the head contractor a payment claim for a progress payment under section 75; and
 - (b) the head contractor fails to give a payment schedule to the subcontractor beneficiary for the progress payment as required to do so under section 76; and
 - (c) under section 77, the head contractor becomes liable to pay the subcontractor beneficiary the amount claimed in the payment claim.

21 Clause 36 (Dealing with amounts if payment dispute occurs)

Page 44, lines 14 to 28 and page 45, lines 1 to 10—

omit, insert—

36 Dealing with amounts if payment dispute occurs

- (1) If a payment dispute occurs, the head contractor must transfer an amount to the disputed funds account that is equal to the difference between—
 - (a) whichever of the following amounts apply for the dispute—
 - (i) for a payment dispute mentioned in section 35(1)—the amount the head contractor proposed to pay the subcontractor beneficiary under a payment schedule;
 - (ii) for a payment dispute mentioned in section 35(2)—the amount the head contractor is liable to pay the subcontractor beneficiary under section 77; and
 - (b) whichever of the following amounts apply for the dispute—
 - (i) if the head contractor prepared a payment instruction for payment to the subcontractor beneficiary of an amount in relation to the payment dispute—the amount stated in the payment instruction;
 - (ii) if the head contractor did not prepare a payment instruction—\$0.

Maximum penalty—200 penalty units or 1 year's imprisonment.
- (2) The amount must be transferred—
 - (a) for a payment dispute mentioned in section 35(1)—when the head contractor prepares a payment instruction for payment to the subcontractor beneficiary for the progress payment; or
 - (b) for a payment dispute mentioned in section 35(2)—when the head contractor becomes liable to pay the subcontractor beneficiary under section 77.
- (3) However, the head contractor need not comply with subsection (1) to the extent that the amount to be transferred is more than the contract price for the subcontract with the subcontractor beneficiary.
- (4) The head contractor may pay an amount, relating to a payment dispute involving a subcontractor beneficiary, from the disputed funds account to—
 - (a) the subcontractor beneficiary; or
 - (b) the head contractor in accordance with the outcome of a dispute resolution process; or
 - (c) another person in the circumstances prescribed by regulation.

- (5) The head contractor must ensure that the amount transferred under subsection (1) is not paid to any person other than in compliance with subsection (4).
Maximum penalty—300 penalty units or 2 years imprisonment.
- (6) If an amount is transferred under subsection (1), the head contractor must immediately, in writing, inform the subcontractor beneficiary of when the amount was transferred into the disputed funds account.
Maximum penalty—50 penalty units.
- (7) Subsection (8) applies to an amount held in the disputed funds account relating to a payment dispute involving a subcontractor beneficiary if 60 days have elapsed since notice of the transfer was given to the subcontractor beneficiary under subsection (6).
- (8) The head contractor must, as soon as practicable, return the amount to the trust account from which it was transferred unless the amount is the subject of an ongoing dispute resolution process.
Maximum penalty—50 penalty units.
- (9) To remove any doubt, it is declared that the limitation imposed under subsection (4) ceases to apply to the amount if returned to the general trust account or retention account under subsection (8).
- (10) In this section—
dispute resolution process means a process prescribed by regulation.

22 Clause 38 (Unauthorised ending of project bank account)

Page 46, lines 9 to 13—

omit, insert—

- (2) Without limiting subsection (1), the head contractor is taken to dissolve a project bank account if it closes any of the trust accounts while a project bank account is still required for the building contract.

23 Clause 40 (No power of head contractor to invest)

Page 47, line 7, after 'interest'—

insert—

earned

24 Clause 45 (Account to be kept by head contractor)

Page 49, line 7, after 'trust'—

insert—

account

25 Clause 50 (Principal to be given information about subcontracts)

Page 51, lines 12 to 14—

omit, insert—

- (2) The head contractor must, within 5 business days after entering into a subcontract for the building contract, give the principal the information prescribed by regulation.

26 Clause 50 (Principal to be given information about subcontracts)

Page 51, line 16, after 'after'—

insert—

becoming aware of

27 Clause 51 (Principal and subcontractor to be given copy of payment instruction)

Page 51, line 26, after 'instruction'—

insert—

information

28 Clause 51 (Principal and subcontractor to be given copy of payment instruction)

Page 51, lines 27 to 31—

omit, insert—

- (1) This section applies if a head contractor gives a financial institution a payment instruction for the payment of an amount from a trust account for a project bank account.
- (2) The head contractor must, as soon as practicable after giving the financial institution the payment instruction, ensure a copy of the information contained in the payment instruction is given to—

29 Clause 51 (Principal and subcontractor to be given copy of payment instruction)

Page 52, line 5 and 7, 'instruction'—

omit, insert—

information

30 Clause 52 (Principal to inform commissioner of discrepancies)

Page 52, line 17, 'discrepancies.'—

omit, insert—

discrepancies or after it ought to reasonably have known of the discrepancies.

31 Clause 52 (Principal to inform commissioner of discrepancies)

Page 52, line 24, 'an'—

omit, insert—

a

32 Clause 54 (Right of principal to step in as trustee)

Page 54, lines 10 and 12, 'it'—

omit, insert—

the company

33 Clause 54 (Right of principal to step in as trustee)

Page 54, lines 15 and 16—

omit, insert—

(d) another circumstance, prescribed by regulation, happens.

(2) The principal may give a written notice to the head contractor

34 Clause 54 (Right of principal to step in as trustee)

Page 54, line 24 to 32—

omit, insert—

(4) The notice—

(a) divests the amounts held in trust under the project bank account from the head contractor as trustee; and

(b) vests the amounts held in trust under the project bank account in the principal as trustee.

(5) However, the head contractor continues to be entitled to an amount of interest that the head contractor would have been entitled to under section 44, up to the divestment.

(6) Nothing in this section relieves the head contractor of their liability for an act or failure committed as trustee.

(7) In this section—

35 Clause 55 (Information to be given to principal as trustee)

Page 55, lines 23 to 28—

omit, insert—

(4) A person with information the principal will require to act as trustee of the project bank account must give the information to the principal if requested in writing by the principal.

Maximum penalty—50 penalty units.

(5) In this section—

relevant financial institution, for a project bank account, means the financial institution at which the trust accounts for the project bank account are held.**head contractor** includes an insolvency official for the head contractor.**36 Clause 56 (Principal as trustee)**

Page 56, lines 10 to 17—

omit, insert—

(a) the principal as trustee is not entitled to any payment from the project bank account, other than payment of an amount for interest earned under section 44; and

(b) the head contractor is not relieved of their obligation to top-up any shortfall in the project bank account under section 30; and

(c) the head contractor continues to be a beneficiary of the project bank account; and

(d) the principal as trustee is responsible for preparing any payment instructions required for payments from the project bank account; and

(e) an amount paid, or required to be paid, into a project bank account can not be—

37 Clause 61 (Application of chapter)

Page 58, lines 6 to 12—

omit, insert—

(1) Subject to subsections (2) to (4), this chapter applies to construction contracts—

(a) whether written or oral, or partly written and partly oral; and

- (b) whether expressed to be governed by the law of Queensland or a jurisdiction other than Queensland; and
- (c) whether entered into before or after the commencement of this section, other than to the extent the repealed *Building and Construction Industry Payments Act 2004* continues to apply to unfinished matters under section 205.

38 Clause 62 (Effect of giving notice of claim for subcontractors' charges)

Page 60, lines 28 and 29 and page 61, lines 1 and 2, 'notice of the claim of charge'—

omit, insert—

notice of claim

39 Clause 68 (Meaning of payment claim)

Page 67, after line 7—

insert—

- (3) A written document bearing the word 'invoice' is taken to satisfy subsection (1)(c).

40 Clause 69 (Meaning of payment schedule)

Page 67, line 17—

omit, insert—

respondent's reasons for withholding any payment; and

- (d) includes the other information prescribed by regulation.

41 Clause 70 (Right to progress payments)

Page 67, line 20, 'For'—

omit, insert—

From

42 Clause 72 (Valuation of construction work and related goods and services)

Page 68, lines 16 and 31, 'that part of the contract price that is'—

omit, insert—

the contract price

43 Clause 73 (Due date for payment)

Page 70, line 19, 'Q67P'—

omit, insert—

67P

44 Clause 75 (Making payment claim)

Page 72, lines 23 to 32 and page 73, lines 1 to 25—

omit, insert—

- (5) A payment claim may include an amount that was included in a previous payment claim.

- (6) In this section—

final payment means a progress payment that is the final payment for construction work carried out, or for related goods and services supplied, under a construction contract.

45 Clause 76 (Responding to payment claim)

Page 73, lines 26 to 32 and page 74, lines 1 to 30—

omit, insert—

76 Responding to payment claim

- (1) If given a payment claim, a respondent must respond to the payment claim by giving the claimant a payment schedule before the end of the response period.

Maximum penalty—100 penalty units.

Note—

A failure to give a payment schedule or pay a claimed amount within the response period is also grounds for taking disciplinary action under the *Queensland Building and Construction Commission Act 1991*.

- (2) However, the respondent is not required to give the claimant a payment schedule if the respondent pays the amount claimed in the payment claim in full before the end of the response period.

- (3) To remove any doubt, it is declared that nothing in this section prevents the respondent—

- (a) paying an amount to the claimant earlier than the date payment is requested under the payment claim; or

- (b) giving the claimant the payment schedule before the end of the response period.

(4) In this section—

response period, for responding to a payment claim, means the shorter of the following periods—

- (a) if the relevant construction contract is written—the period provided for under the contract for—
 - (i) responding to a payment claim; or
 - (ii) paying the full amount stated in the payment claim to the claimant;
- (b) the period that is 25 business days after the day the payment claim is given to the respondent.

46 Clause 79 (Application for adjudication)

Page 76, lines 16 to 20—

omit, insert—

- (i) for an application relating to a failure to give a payment schedule and pay the full amount stated in the payment claim—30 business days after the later of the following days—
 - (A) the day of the due date for the progress payment to which the claim relates;
 - (B) the last day the respondent could have given the payment schedule under section 76; or

47 Clause 79 (Application for adjudication)

Page 76, line 22, '40'—

omit, insert—

20

48 Clause 79 (Application for adjudication)

Page 77, lines 5 to 11—

omit, insert—

- (3) A copy of an adjudication application must be given to the respondent.
- (4) The registrar must, within 4 business days after the application is received, refer the application to a person eligible to be an adjudicator under section 80.

49 Clause 81 (Appointment of adjudicator)

Page 77, line 29, 'section'—

omit, insert—

subsection

50 Clause 81 (Appointment of adjudicator)

Page 78, line 12, '(4)'—

omit, insert—

(5)

51 Clause 82 (Adjudication response)

Page 78, lines 28 to 31 and page 79, lines 1 and 2—

omit, insert—

- (4) However, the adjudication response must not include any reasons (**new reasons**) for withholding payment that were not included in the payment schedule when given to the claimant.

52 Clause 83 (Time for making adjudication response)

Page 79, lines 20 to 22—

omit, insert—

- (3) However, if responding to a complex payment claim, the respondent may apply to the adjudicator for an extension of time, of up to 15 additional business days, to give the adjudication response to the adjudicator.

53 Clause 84 (Adjudication procedures)

Page 80, lines 30 and 31—

omit, insert—

- (3) If a conference is called, it must be conducted informally and the parties are not entitled to any legal representation unless allowed by the adjudicator.

54 Clause 86 (Extending time for deciding adjudication application)

Page 81, lines 28 and 29 and page 82, lines 1 to 14—

omit, insert—

- (1) The claimant and respondent for an adjudication application may, before or after the end of the maximum period for deciding the application under section 85(1), agree in writing that the adjudicator has additional time to decide the application.
- (2) Despite section 85(1), an adjudicator may decide an adjudication application within a longer period if—
 - (a) the claimant and respondent have informed the adjudicator that they have agreed under subsection (1) that the adjudicator has additional time to decide the application; or
 - (b) the application relates to a complex payment claim and, in the opinion of the adjudicator, the claimant and respondent have failed to reach an agreement mentioned in subsection (1).
- (3) The **longer period** is—
 - (a) if subsection (2)(a) applies—the additional time agreed to by the claimant and respondent under subsection (1); or
 - (b) if subsection (2)(b) applies—5 business days after the time the adjudicator would otherwise have to decide the application under section 85(1).

55 Clause 87 (Valuation of work etc. in later adjudication application)

Page 82, line 25, 'An'—

omit, insert—

Any

56 Clause 88 (Adjudicator's decision)

Page 84, lines 6 to 18—

omit, insert—

being included in the response under section 82.

- (4) Also, the adjudicator may disregard an adjudication application or adjudication response to the extent that the submissions or accompanying documents contravene any limitations relating to submissions or accompanying documents prescribed by regulation.
 - (5) The adjudicator's decision must—
 - (a) be in writing; and
 - (b) include the reasons for the decision, unless the claimant and the respondent have both asked the adjudicator not to include the reasons in the decision.
 - (6) The adjudicator must give a copy of the decision to the registrar at the same time the adjudicator gives a copy of the decision to the claimant and respondent.
- Maximum penalty for subsection (6)—40 penalty units.

57 Clause 89 (Adjudicator may correct clerical mistakes etc.)

Page 84, line 30, 'must'—

omit, insert—

may

58 Clause 94 (Claimant may make new application in certain circumstances)

Page 88, line 10, 'for'—

omit, insert—

from

59 Clause 94 (Claimant may make new application in certain circumstances)

Page 88, line 26, 'section'—

omit, insert—

subsection

60 Clause 96 (Deciding fees payable by claimant and respondent)

Page 91, line 10, 'section 82(4)(a)'—

omit, insert—

section 82(4)

61 Clause 98 (Claimant's right to suspend work)

Page 92, line 6, '90(1)'—

omit, insert—

92(1)

62 Clause 102 (Service of notices)

Page 95, after line 7—

*insert—**Example—*

A contract may allow for the service of notices by email.

63 Clause 104 (Definitions)

Page 96, lines 15 to 26—

*omit.***64 Clause 104 (Definitions)**

Page 97, lines 2 to 27—

*omit.***65 Clause 106 (References to amount payable under contract and to completion of work specified in subcontract)**

Page 101, lines 3 to 7—

omit, insert—

- (c) a reference to completion of the work specified in a subcontract is taken to be completion of the work by a subcontractor who has given a notice of claim in relation to the contract, subcontract or a higher subcontract.

66 Clause 107 (When work specified in contract completed)

Page 101, lines 13 and 14—

omit, insert—

- (a) is later employed to do additional work that is connected or related to the work but is not specified in the contract; or

67 Clause 115 (Insufficient money available for claims)

Page 105, lines 1 and 6, 'subcontractor's'—

omit, insert—

subcontractors'

68 Clause 115 (Insufficient money available for claims)

Page 105, line 17, '130'—

omit, insert—

section 130

69 Clause 115 (Insufficient money available for claims)

Page 105, lines 21 and 23, 'subsections'—

omit, insert—

subsection

70 Clause 119 (Request for information about building contract or security)

Page 106, line 21, after 'made'—

insert—

, unless the contractor has a reasonable excuse

71 Clause 119 (Request for information about building contract or security)

Page 107, line 16, after 'made'—

insert—

, unless the person has a reasonable excuse

72 Clause 119 (Request for information about building contract or security)

Page 107, lines 20 and 22, 'is'—

omit.

- 73 Clause 127 (Person given notice of claim must comply with request from security holder about s 130 or 131)**
 Page 112, line 17, '130(1) or 131(1)'—
omit, insert—
 130(2) or 131(2)
- 74 Clause 128 (Contractor given copy of notice of claim must respond [S11])**
 Page 112, line 24—
omit.
- 75 Clause 128 (Contractor given copy of notice of claim must respond [S11])**
 Page 112, lines 27 to 29—
omit, insert—
 (2) The contractor must give both of the following persons a written response to the claim within 10 business days after the contractor is given the copy of the notice of claim, unless the contractor has a reasonable excuse—
- 76 Clause 128 (Contractor given copy of notice of claim must respond [S11])**
 Page 113, line 5, 'either'—
omit.
- 77 Clause 129 (Payment of amount claimed)**
 Page 114, lines 12 to 23—
omit, insert—
retained amount, in relation to a notice of claim given to a person, means the total of all amounts—
 (a) still retained by the person under section 126(2) in relation to the claim; and
 (b) paid into court by the person under section 126(4) in relation to the claim.
unsatisfied amount, in relation to a notice of claim given to a person, means the total of all amounts of claims for which the notice of claim has been given, other than amounts that have been—
 (a) satisfied by payment under subsection (2) or (3); or
 (b) the subject of a notice of claim that has been withdrawn.
- 78 Clause 130 (Use of security for benefit of subcontractor if contractor accepts liability for all claims)**
 Page 115, lines 7 and 10—
omit, insert—
 (a) retain the security until the court in which the subcontractor's claim is heard makes an order under section 132 about enforcing the subcontractor's charge over the security; or
- 79 Clause 130 (Use of security for benefit of subcontractor if contractor accepts liability for all claims)**
 Page 116, line 16, '126(1)'—
omit, insert—
 126(2)
- 80 Clause 130 (Use of security for benefit of subcontractor if contractor accepts liability for all claims)**
 Page 116, line 26, '126(2) or (3)'—
omit, insert—
 129(2) or (3)
- 81 Clause 131 (Use of security for benefit of subcontractor if contractor does not accept liability for all claims)**
 Page 117, lines 12 to 15—
omit, insert—
 (a) retain the security until the court in which the subcontractor's claim is heard makes an order under section 132 about enforcing the subcontractor's charge over the security; or
- 82 Clause 131 (Use of security for benefit of subcontractor if contractor does not accept liability for all claims)**
 Page 118, line 32, '126(2) or (3)'—
omit, insert—
 129(2) or (3)

- 83 **Clause 134 (Recovering amount claimed)**
 Page 120, line 22, '129'—
omit, insert—
 126(2)
- 84 **Clause 135 (Enforcing subcontractor's charge on behalf of other subcontractors)**
 Page 121, lines 4 and 5, after 'under'—
insert—
 section
- 85 **Clause 139 (Application to court by person prejudicially affected)**
 Page 122, line 24, 'the'—
omit.
- 86 **Clause 162 (Request for further information)**
 Page 135, line 11, 'time for comply'—
omit, insert—
 time to comply
- 87 **Clause 165 (Conditions of registration)**
 Page 136, line 4, after 'this chapter'—
insert—
 and chapter 3
- 88 **Clause 165 (Conditions of registration)**
 Page 136, line 11, 'under subsection (1)(b)'—
omit, insert—
 on an adjudicator's registration
- 89 **Clause 165 (Conditions of registration)**
 Page 136, line 18, '(2)(b)'—
omit, insert—
 (1)(c)
- 90 **Clause 168 (Request for further information)**
 Page 138, line 17, 'comply'—
omit, insert—
 complying
- 91 **Clause 181 (Code of conduct for adjudicators)**
 Page 145, line 16, '(4)'—
omit, insert—
 (3)
- 92 **Clause 181 (Code of conduct for adjudicators)**
 Page 145, line 24—
omit, insert—
 (c) if asked, advise where copies of the code of conduct
- 93 **Clause 185 (Adjudicator must give information to registrar)**
 Page 147, lines 14 and 15—
omit, insert—
 (a) the adjudicator changes any of the following addresses—
 (i) the address of the adjudicator;
 (ii) the address in Queensland at which documents may be served on the adjudicator;
- 94 **Clause 185 (Adjudicator must give information to registrar)**
 Page 147, line 21, '161(4)'—
omit, insert—
 161(3)

95 Clause 189 (Proceedings for offences)

Page 148, lines 20 to 24 and page 149, lines 1 to 7—
omit.

96 Clause 193 (Application of division)

Page 150, lines 23 and 24, 'division'—
omit, insert—

part

97 Clause 198 (Approved forms)

Page 151, line 23, 'commissioner'—
omit, insert—

chief executive or commissioner

98 After clause 200

Page 152, after line 24—
insert—

200A Review of Act

- (1) The Minister must ensure a review of the operation and effectiveness of the 2017 suite of building and construction reforms.
- (2) The review must be conducted by a panel of not more than 4 appropriately qualified persons appointed by the Minister.
- (3) The Minister must prepare, and give to the panel, terms of reference to guide the conduct of the review.
- (4) The review must be started no later than 1 September 2018.
- (5) The Minister must table in the Legislative Assembly a report on the outcome of the review as soon as practicable after the review is completed.
- (6) In this section—

2017 suite of building and construction reforms means—

- (a) this Act; and
- (b) the amendments to other Acts made under this Act as passed; and
- (c) the other Acts prescribed by regulation.

98A Before clause 201

Page 152, before line 25—
insert—

200B Act does not prevent early payment

Nothing in this Act prevents a person paying an amount due under a contract before the latest date allowed under the contract for payment of that amount.

99 Clause 201 (Regulation-making power)

Page 153, line 21—
omit, insert—

- (g) prescribe limitations on submissions and accompanying documents for adjudication applications and adjudication responses; and
- (h) provide for fees payable under this Act.

100 Clause 203 (Definitions for part)

Page 154, lines 13 and 14—
omit.

101 Clause 204 (Continuation of existing appointments and employment)

Page 154, lines 16 to 19—
omit, insert—

- (1) An existing registration of an adjudicator under part 4 of the repealed Act continues as registration as an adjudicator under this Act—
 - (a) for the remainder of the term the registration was subject to under the repealed Act; and
 - (b) with the conditions imposed under the repealed Act, to the extent the conditions are consistent with this Act.
- (2) However, the continued registration is subject to this Act, including, for example—
 - (a) eligibility under section 161; and

(b) the conditions mentioned in section 165(1) and any other conditions imposed under that section; and

(c) any suspension or cancellation of the registration under chapter 5, part 2, division 4.

102 Clause 207 (Definitions for part)

Page 156, lines 17 and 18—

omit, insert—

repealed, in relation to a provision, means that provision of the repealed Act.

103 Clause 214 (Replacement of s 14 (Particular government building contracts))

Page 160, lines 8 to 12—

omit, insert—

(c) the building contract is not a subcontract for another building contract.

104 Clause 215 (Replacement of s 16 (Building contracts for residential construction work))

Page 161, lines 23 and 24—

omit, insert—

residential construction work—

(a) means any of the following work if carried out by a

105 Clause 219 (Amendment of s 9 (What is a project bank account))

Page 165, line 4, '9(1)(b)'—

omit, insert—

9(1) and (5), definition *remainder*

106 Clause 224 (Amendment of s 18A (Private or local government contracts entered into before particular date))

Page 166, line 4, '18A(1)(b)'—

omit, insert—

18A(1)(a)

107 Clause 225 (Amendment of s 20 (Application of chapter if parties to a subcontract are related entities))

Page 166, line 12—

omit, insert—

(2) Section 20(5)—

108 Clause 228 (Amendment of ch 2, pt 4 (Information))

Page 167, line 4, after 'Information'—

insert—

sharing

109 Clause 231 (Amendment of sch 2 (Dictionary))

Page 168, lines 3 to 11—

omit, insert—

(1) Schedule 2, definitions *head contractor*, *principal* and *supplier*—

omit.

(2) Schedule 2—

insert—

contracted party, for chapter 2, see section 8.

contracting party, for chapter 2, see section 8.

110 Clause 235 (Amendment of ch 8, pt 7, div 2, hdg (Investigations))

Page 169, lines 3 to 5—

omit, insert—

235 Omission of ch 8, pt 7, div 2, hdg (Investigations)

Chapter 8, part 7, division 2, heading—

omit.

111 Clause 252 (Insertion of new s 4AA)

Page 173, line 4—

omit, insert—

company, who is in a position to control or substantially influence

112 Clause 271 (Amendment of s 56AC (Excluded individuals and excluded companies))

Page 183, lines 1 to 5—

omit, insert—

- (2) Section 56AC(4)—

omit, insert—

- (4) If this section applies to an individual because of subsection (2), the individual is an **excluded individual** for the relevant company event unless the individual can satisfy the commissioner that at the time the individual ceased to be an influential person, director or secretary for the construction company the company was solvent.

- (3) Section 56AC(7), definition *construction company*—

*omit, insert—***construction company—**

- (a) means a company that directly or indirectly carries out building work or building work services in this or another State; and
- (b) includes a company that, within 2 years immediately before a relevant company event for the company, directly or indirectly carries out building work or building work services in this or another State.

113 Clause 272 (Amendment of s 67AQ (Definitions for pt 3E))

Page 183, lines 6 to 12—

*omit.***114 Clause 273 (Amendment of s 67AW (Demerit points for demerit matters))**

Page 183, lines 13 to 21—

*omit.***115 Clause 275 (Amendment of s 67A (Definitions for pt 4A))**

Page 184, lines 15 to 31 and page 185, lines 1 to 14—

*omit, insert—***defects liability period**, for a building contract, means—

- (a) the period worked out under the contract as being the period that—
- (i) starts on the day of practical completion for the building work carried out under the contract; and
- (ii) ends on the last day any omission or defect in the building work, carried out under the contract, may be required or directed to be rectified under the contract; or
- (b) if the contract does not provide for a period mentioned in paragraph (a)—the statutory defects liability period under the *Queensland Building and Construction Commission Act 1991*, section 67NA(2).

practical completion, for building work carried out under a building contract, means—

- (a) the day practical completion of the work is achieved, as worked out under the contract; or
- (b) if the contract does not provide for the day practical completion of the work is achieved—the day the work is completed—
- (i) in compliance with the contract, including all plans and specifications for the work and all statutory requirements applying to the work; and
- (ii) without any defects or omissions, other than minor defects or minor omissions that will not unreasonably affect the intended use of the work.

116 Clause 276 (Insertion of new ss 67GA and 67GB)

Page 185, lines 26 to 28—

omit, insert—

- (2) Subsection (1) does not apply to a building contractor who—
- (a) enters into a building contract as a principal; or
- (b) enters into a subcontract as the contracted party.

117 Clause 276 (Insertion of new ss 67GA and 67GB)

Page 186, lines 22 to 24—

omit, insert—

- (2) Subsection (1) does not apply to a building contractor who—
- (a) enters into a building contract as a principal; or
- (b) enters into a subcontract as the contracted party.

118 Clause 278 (Insertion of new ss 67NA–67NC)

Page 187, lines 13 to 29, and page 188, lines 1 to 8—

omit, insert—

67NA Statutory defects liability period

- (1) This section applies to a building contract if—
 - (a) under the contract—
 - (i) a retention amount may be withheld; or
 - (ii) a security may be held after practical completion in relation to the need to correct defects in the building work under the contract; and
 - (b) the contract does not provide for the release of the retention amount or security at the end of an identifiable period.
- (2) The building contract is subject to a condition that the retention amount or security must be released to the person entitled to it at the end of 12 months starting on the day of practical completion for the contract (the **statutory defects liability period**).

119 Clause 278 (Insertion of new ss 67NA–67NC)

Page 189, lines 14 and 20, 'contracting'—

omit, insert—

contracted

120 After clause 282

Page 191, after line 9—

insert—

282A Insertion of new s 72AA

Part 6, division 3—

insert—

72AA Delaying or obstructing compliance with direction to rectify or remedy

- (1) A person must not, without reasonable excuse, delay rectifying building work that is defective or incomplete, or remedying consequential damage, as required by a direction given to the person under section 72(2).
- (2) A person must not, without reasonable excuse, obstruct another person rectifying building work that is defective or incomplete, or remedying consequential damage, as required by a direction given to the other person under section 72(2).

Note—

Contravention of subsection (1) or (2) is proper grounds for taking disciplinary action against a licensee or former licensee, see section 74B(1)(a).

121 Clause 285 (Amendment of s 74B (Proper grounds for taking disciplinary action against a licensee and former licensees))

Page 192, line 27—

omit, insert—

Section 74B(1)—

122 Clause 293 (Replacement of s 104 (Appointment of inspectors))

Page 199, line 4, 'with'—

omit, insert—

within

123 Clause 295 (Insertion of new pt 9, div 7A)

Page 202, lines 11 and 12—

omit, insert—

- (b) whether the loss arose from a lawful seizure or lawful forfeiture; and
- (c) whether the loss arose from performing a function or exercising a power of an investigator in good faith and without negligence.

124 After clause 301

Page 204, after line 11—

insert—

301A Insertion of new s 111AAA

Part 10—

insert—

111AAA Enforcement action to comply with prescribed guidelines

- (1) An entity considering taking enforcement action must consider a guideline, about taking enforcement action, prescribed by regulation.
- (2) A failure to comply with subsection (1) does not invalidate or otherwise affect the enforcement action.
- (3) Nothing in subsection (1)—
 - (a) affects the functions of the Director of Public Prosecutions under the *Director of Public Prosecutions Act 1984*, section 10; or
 - (b) affects the power of the Director of Public Prosecutions to act under the *Director of Public Prosecutions Act 1984*, section 11; or
 - (c) prevents a person from complying with a guideline made by the Director of Public Prosecutions under the *Director of Public Prosecutions Act 1984*, section 11(1).
- (4) To the extent of any inconsistency between a guideline prescribed under subsection (1) and a guideline mentioned in subsection (3)(c), the latter guideline prevails.
- (5) In this section—

enforcement action means—

 - (a) a proceeding for an offence against this Act; or
 - (b) issuing an infringement notice for an offence against this Act; or
 - (c) allocating demerit points for contraventions of section 73.

infringement notice see the *State Penalties Enforcement Act 1999*, schedule 2.

125 After clause 303

Page 205, after line 12—

insert—

303A Insertion of new s 115C

Part 10—

insert—

115C Approved forms

The chief executive or commissioner may approve forms for use under this Act.

126 Clause 304 (Amendment of s 116 (Regulations))

Page 205, lines 14 to 18—

omit, insert—

- (1) Section 116(2)—

insert—

 - (ab) prescribe the minimum financial requirements for the licences under this Act; and
- (2) Section 116(2)(e)—

omit, insert—

 - (e) provide for the number of demerit points for demerit offences, including by—
 - (i) fixing the number of demerit points for any repeat of a demerit offence by a person; or
 - (ii) for section 73—authorising the commission to allocate from 4 to 10 demerit points, having regard to the defective or incomplete building work or consequential damage, or any repeat of the offence by a person.

127 Clause 307 (Amendment of sch 2 (Dictionary))

Page 207, after line 11—

insert—

approved form means a form approved by the chief executive or the commissioner under section 115C.

128 Clause 307 (Amendment of sch 2 (Dictionary))

Page 207, line 20—

omit, insert—

commission under part 3E for—

129 Schedule 1 (Consequential amendments)

Page 209, lines 11 to 14—

omit.

130 Schedule 2 (Dictionary)

Page 211, line 2—

omit, insert—

section 5

131 Schedule 2 (Dictionary)

Page 211, lines 5 to 7, ‘, for chapter 3,’—

omit.

132 Schedule 2 (Dictionary)

Page 211, line 12, ‘commissioner’—

omit, insert—

chief executive or the commissioner

133 Schedule 2 (Dictionary)

Page 212, line 16—

omit.

134 Schedule 2 (Dictionary)

Page 212, lines 23 to 25—

omit, insert—

defects liability period, for a contract, means—

(a) the period worked out under the contract as being the period that—

(i) starts on the day of practical completion for the work carried out under the contract; and

(ii) ends on the last day any omission or defect in the work, carried out under the contract, may be required or directed to be rectified under the contract; or

(b) if the contract does not provide for a period mentioned in paragraph (a)—the statutory defects liability period under the *Queensland Building and Construction Commission Act 1991*, section 67NA(2).

135 Schedule 2 (Dictionary)

Page 213, line 13, ‘, for chapter 4,’—

omit.

136 Schedule 2 (Dictionary)

Page 213, line 15, ‘, for chapter 3,’—

omit.

137 Schedule 2 (Dictionary)

Page 213, line 16, ‘(2)’—

omit.

138 Schedule 2 (Dictionary)

Page 213, after line 16—

insert—

payment instruction means an instruction to a financial institution for the payment of an amount from an account.

139 Schedule 2 (Dictionary)

Page 213, line 17, ‘, for chapter 3,’—

omit.

140 Schedule 2 (Dictionary)

Page 213, lines 19 to 21—

omit, insert—

practical completion, for work carried out under a contract, means—

(a) the day practical completion of the work is achieved, as worked out under the contract; or

- (b) if the contract does not provide for the day practical completion of the work is achieved—the day the work is completed—
 - (i) in compliance with the contract, including all plans and specifications for the work and all statutory requirements applying to the work; and
 - (ii) without any defects or omissions, other than minor defects or minor omissions that will not unreasonably affect the intended use of the work.

141 Schedule 2 (Dictionary)

Page 213, line 23, ‘, for chapter 3,’—

omit.

142 Schedule 2 (Dictionary)

Page 214, lines 10 to 12—

omit, insert—

retention amount means an amount that—

- (a) is payable under a contract, but may, under that contract, be withheld from payment—
 - (i) during the progress of the work to be carried out under the contract; or
 - (ii) during the defects liability period for the contract; or
 - (iii) both during the progress of the work to be carried out under the contract and during the defects liability period; and
- (b) is withheld from payment under a contract for the purpose of giving financial protection to the person making the payment in relation to the need to correct defects in the work to be carried out under the contract, or otherwise to secure, wholly or partly, the performance of the contract.

143 Schedule 2 (Dictionary)

Page 214, line 19—

omit.

I table the explanatory notes to my amendments.

Tabled paper: Building Industry Fairness (Security of Payment) Bill 2017, explanatory notes to Hon. Mick de Brenni's amendments [\[2141\]](#).

Tabled paper: Building Industry Fairness (Security of Payment) Bill 2017, explanatory notes to Hon. Mick de Brenni's additional amendments moved during consideration in detail [\[2142\]](#).

Mr BENNETT: In wrapping this up tonight, I want to remind the House that this is probably the worst piece of legislation that has come before the House in my time in the way it was originally drafted. It is an admission of failure of the minister that he has had to move so many amendments—144 amendments. Actually it is probably only trumped by the racing bill, having the most amendments in the history of this parliament.

Minister de Brenni has single-handedly wasted so much time. He has wasted the committee's time. He has wasted stakeholders' time. He only agreed to this massive raft of amendments after a massive media advertising campaign by a lot of key stakeholders, including Master Builders. For them to be criticised for getting the minister to the table shows that those people did not really understand what all of this negotiation was about.

Let us be absolutely clear: Master Builders represent builders and subcontractors. Master Builders is not just a gentlemen's club for the rich list builders and developers. Most members are small, mum-and-dad operators. They are rightly worried about the red tape.

While we are talking about construction, another performance by this time-wasting minister that particularly failed was the government's procurement policy—Buy Queensland—which is to be applied to all significant contracts, with businesses with a workforce within a 125-kilometre radius receiving a weighting of up to 30 per cent.

Mr HINCHLIFFE: Mr Deputy Speaker, I rise to a point of order. There is nothing contained in the clauses that are being debated in consideration in detail that relates to the Buy Queensland policy.

Mr DEPUTY SPEAKER (Mr Millar): There is no point of order.

Mr BENNETT: Local builders and contractors in the Wide Bay have been left stunned when all of the contracts for the \$44 million Hervey Bay Hospital have been awarded to interstate companies and outsiders. The main contracting company is from Melbourne. Not even the electrical work, plumbing or mechanical refrigeration contracts have gone to locals—nothing.

The LNP gives the Queensland building and construction industry a guarantee—we will clean up this mess. The LNP will make sure subbies get paid without increasing construction costs. We will listen to stakeholders, not just the unions. Let us talk about what happened just last week when the minister took offence at the Master Builders' campaign. What did he do? He got on the phone. He got his CFMEU mates to go up to Wickham Street and have a foul-mouthed rant in front of Master Builders.

Government members interjected.

Mr BENNETT: We can all come in here and criticise Master Builders, but you are not willing to criticise your own lackeys who take on a personal campaign, a political campaign as well, for this minister. He could not take it—typical union thug, expert at dishing it out but when you show up and you are not listening to key stakeholders with legitimate concerns you have to call in the union heavies.

Mr HINCHLIFFE: Mr Deputy Speaker, I rise to a point of order. I took your guidance from your interpretation earlier, but I have not heard the shadow minister refer to any clauses in the bill. I have not heard him mention any of the 308 clauses that we are considering and the two schedules. Without reference to any of those, he has gone into criticisms and critiques of the political behaviour that has gone on that would clearly aim to be—

Mr DEPUTY SPEAKER: Order!

Mr HINCHLIFFE:—dealt with in the second reading debate, not in consideration in detail.

Mr DEPUTY SPEAKER: Order!

Mr HINCHLIFFE: I ask that you bring him back to the business that is before the House.

Mr DEPUTY SPEAKER: Order! Leader of the House, you would understand that when the Deputy Speaker says, 'Order!' I would like some time to speak. What I was going to say was: keep it calm on the backbench so we can hear what the Leader of the House is saying. Member for Burnett, please stick to what we are talking about, which is consideration in detail. I bring you back to consideration in detail.

Mr BENNETT: Thank you, Mr Deputy Speaker, for your guidance. Before the House tonight we have 144 or 145 amendments which clearly bring the originally drafted piece of legislation back to reality. We do need to acknowledge those stakeholders who had to take extreme steps to make sure that the minister finally listened and took the time to engage with all stakeholders, not just the special interest groups that butter your toast and make you all feel good. The industry is a big industry. It is a complex industry. Everyone, including Master Builders, should have been treated with respect. The House needs to show them respect tonight, as all stakeholders deserve. Let us make sure that when this bill is passed tonight we have the time to review it in a year, because that is what the industry has asked for and that is what they deserve.

Mr de BRENNI: Mr Deputy Speaker, thank you for the opportunity to respond to those absurd comments. I concur with the Leader of the House. Almost none of that had any relation to the detail of the amendments that we are debating. What it does is make it very, very clear to the people of Queensland that the intention of the Liberal National Party is to remove these reforms, is to wind back these reforms, if they have a chance, just as the member for Everton did when he was the minister responsible—

Mr Hart: Are you talking about the clauses?

Mr de BRENNI:—winding back the provisions in respect of minimum financial requirements, which are addressed in the amendments.

Mr Watts: Are we on the clauses now or not?

Ms Grace: He's responding to what he said.

Mr de BRENNI: I am responding.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! It has been a long day. I understand that. When the Speaker is in the chair, respect the Speaker's chair. When the Speaker says 'Order!' please respect that. I call the minister.

Mr de BRENNI: Thank you, Mr Deputy Speaker. The member for Burnett said, 'We will clean up the mess'—when they get the opportunity. What the member for Burnett is saying to the subcontractors of this state is that they will reverse these reforms and again leave subcontractors not getting paid on time, in full. The member for Burnett wants to criticise the many amendments in this bill. He wants to criticise us for taking too long or too short. He wants to criticise us for not consulting or for consulting too much. He wants to criticise us for moving amendments. Those opposite wanted no reform in this space.

I want to take an opportunity to reflect on the comments of some of the key stakeholders on the basis that their input has led to the design of the amendments that I have moved at the conclusion of this debate. I want to reflect on the comments provided by the National Fire Industry Association, the Master Plumbers' Association of Queensland, the AMCA and the MEA. Their letter states—

The level of consultation that this Queensland government has undertaken in relation to the subcontractor payment reforms is extraordinary and unparalleled in our experience. Many of our members have commented that this was the most in-depth engagement that they have ever experienced.

Through the period of consultation and beyond we have endured other less positive and reforming stakeholder suggestions to address the obvious long-term payment problems such as—

I think perhaps that this is what the member for Burnett is suggesting to subbies—

that they 'suck it up and use the same broken system' or that 'payment problems are subbies' fault anyway because they don't know how to run their own business' and 'subbies should spend more money to purchase additional insurance so they can get paid their own money'.

The subcontractors of this state, the 89,000 small businesses in this state that employ 200,000 trades men and women, are very, very clear, member for Burnett. You and the Leader of the Opposition—

Mr Bennett: Through the chair.

Mr de BRENNI: Sorry—the member for Burnett and the Leader of the Opposition in this state have no regard for the views—

Mr BENNETT: Mr Deputy Speaker, I rise to a point of order. The minister is clearly off target, making assumptions and putting words in my mouth. I find them personally offensive and I ask that he withdraw. Let's talk about the bill.


Mr DEPUTY SPEAKER: Order! As customary, if the member does find something offensive, I ask you to withdraw.

Mr de BRENNI: I withdraw. I want to conclude my remarks by saying this: it is clear to all Queenslanders that it is only Labor that believes that subcontractors in this state should be paid on time, in full, every time.

Amendments agreed to.

Clauses 1 to 308 and schedules 1 and 2, as amended, agreed to.

Third Reading

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works and Minister for Sport) (5.08 pm): I move—


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

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

Motion agreed to.

Bill read a third time.

Long Title

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Housing and Public Works and Minister for Sport) (5.08 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.

CHILD PROTECTION REFORM AMENDMENT BILL

Resumed from 9 August (see p. 2095).

Second Reading



Hon. SM FENTIMAN (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (5.08 pm): I move—

That the bill be now read a second time.

I introduced the Child Protection Reform Amendment Bill 2017 into parliament on 9 August 2017. The bill was referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for consideration, and the committee tabled its report on 28 September 2017. I want to thank the committee for its detailed examination of the bill and its recommendation that the bill be passed.

I would also like to thank the 30 stakeholders who made written submissions to the committee. Our sector and legal partners play a vital role in supporting children and families. As always, their expertise and insights have helped to develop the amendments in this bill.

The amendments in the bill aim to achieve three key policy objectives—first, to promote positive long-term outcomes for children in the child protection system through timely decision-making and decisive action towards either reunification with family or alternative long-term care; second, to provide for the safe care and connection of Aboriginal and Torres Strait Islander children with their families, communities and cultures; and, thirdly, to provide a contemporary information-sharing regime for the child protection and family support system which is focused on the children's safety and wellbeing.

While the majority of stakeholders who made submissions to the committee were generally supportive of the bill and its objectives, there were some issues raised about its intended application and I will address these matters shortly. First, however, I would like to inform the House of two minor and technical amendments to the bill which I intend to move during the consideration in detail stage of the bill. The first amendment is a result of the recent passage of the Criminal Law (Historical Homosexual Convictions Expungement) Bill 2017. The second amendment is to correct cross-references in other legislation.

I will now address the key issues raised by stakeholders during the committee process. The bill introduces a new permanency framework which is underpinned by a set of guiding principles. The framework promotes children and young people having long-term stability. Specifically, the concept of permanency is defined with reference to a child's ongoing significant relationships, stable living relationships and secure legal arrangements.

During the committee process some stakeholders raised concerns that this proposed framework to achieve improved permanency for children may reduce the department's focus on reuniting children with their families. Some were also concerned that parents will not be given adequate time and support to access the services and resources they require to meet their child's care and protection needs. This is not the case. The permanency related amendments in the bill do not limit permanency to the making of a long-term child protection order for a child. In fact, the guiding principles establish a hierarchy of preferred care arrangements for best achieving permanency for a child. In this hierarchy the first preference is for the child to be cared for by the child's family. Providing help and support to a child's parents to enable them to meet their child's care and protection needs will continue to be the preferred approach for achieving permanency for a child. However, the bill acknowledges that making multiple short-term orders is rarely what is best for a child and is not preferable for achieving permanency.

To prevent a child drifting in care, short-term orders will be limited to a total period of two years unless it is in the best interests of the child and the court considers that reunification with family is reasonably achievable within the extended time frame. This may include, for example, when a parent has demonstrated willingness and ability to meet their child's needs but has not been able to sufficiently address all of the identified risk factors within the two years.

The bill proposes to introduce a new type of long-term child protection order—a permanent care order—which will grant guardianship of a child to a suitable person until the child turns 18. A permanent care order will provide an additional option for meeting the needs of a child who requires long-term out-of-home care. Importantly, the changes do not remove the focus from the department's role in providing help and assistance to a child's family to enable them to care safely for their child.

A permanent care order will be available when it is considered appropriate for a particular child. Specifically, the court may only make a permanent care order if satisfied the proposed guardian is a suitable person for having guardianship of the child and is willing and able to meet the child's ongoing protection and care needs on a permanent basis. A child's permanent guardian will have responsibility for all of their day-to-day and long-term needs.

Safe care and connection of Aboriginal and Torres Strait Islander children with their families, communities and cultures is a key part of this bill. The bill proposes to insert into the act as principles all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle—prevention, partnership, placement, participation and connection. Should the bill be passed, I am very proud to say that Queensland will be the first state in the country to have recognised all five elements as clear rights of an Aboriginal or Torres Strait Islander child involved in the child protection system.

The bill also proposes an amendment to recognise the rights of Aboriginal and Torres Strait Islander people involved in the system to self-determination. Aboriginal and Torres Strait Islander children, families and communities have the right to speak for themselves, to participate in the making of decisions that affect their lives, and to design systems and services that meet their needs. Amendments provide greater flexibility for an Aboriginal or Torres Strait Islander family to ensure that the entity for their child has relevant cultural authority to be consulted about custom or tradition for them. These entities will have functions to primarily provide a service to families.

Some stakeholders sought clarification about who could perform the role of an independent Aboriginal or Torres Strait Islander entity for a child and what role that would be. The bill sets out criteria about who can be an independent Aboriginal or Torres Strait Islander entity for a child and makes it clear that it could be an individual person or another entity. The independent entity for a child could be an Aboriginal or Torres Strait Islander elder or an entity funded by government to provide cultural services to Aboriginal or Torres Strait Islander persons. For example, the current recognised entities may be independent entities. Therefore, if a recognised entity is currently working with a family this may continue under the new legislation.

The main function of the independent Aboriginal or Torres Strait Islander entity is to facilitate the meaningful participation of a child and their family in decisions made under the act. This is in recognition of the fact that the child and their family are the primary source of cultural knowledge in relation to the child. The amendments in the bill aim to provide better outcomes for Aboriginal and Torres Strait Islander children and families and are another demonstration of the Queensland government's commitment to the vision and outcomes in the *Our way: a generational strategy for Aboriginal and Torres Strait Islander children and families*.

The bill clarifies and simplifies the current provisions in the act that enable information to be shared with certain entities and for specific purposes. We heard during the review of the act that the current provisions are complicated and difficult to understand and that this contributes to misunderstanding about what information can be shared, when and with whom. The information-sharing amendments proposed in the bill also acknowledge and provide for the role of specialist non-government organisations in supporting families early to provide the help they need to meet their children's needs.

The bill retains and strengthens current protections that safeguard against sharing information inappropriately. During the committee process some legal stakeholders raised concerns that community legal services would be captured under the requirements to provide information to the department. They queried whether the bill adequately protects privilege a person may claim including legal professional privilege. The relevant provision in the bill uses language similar to that in other legislation and protects any claim of privilege prior to information being disclosed.

Again, I would like to extend my thanks to the committee for its thorough consideration of the bill. The bill is an important step in our ongoing work to implement the broader Supporting Families Changing Futures reform agenda. I look forward to hearing members' contributions to the debate of the bill, and I commend the bill to the House.



Ms BATES (Mudgeeraba—LNP) (5.17 pm): I rise to make a contribution to the debate of the Child Protection Reform Amendment Bill. Since I have been shadow minister for child safety, I have been calling for reforms to provide a better and more certain future for children in out-of-home care, because what we have seen is that the principle of reunification with biological parents at all costs has failed. In many cases certainty can only be provided by loving homes through permanent care arrangements such as long-term guardianship or adoption. Too often we see children in and out of multiple residential care or foster care placements. The result is they have no sense of stability. They

have no stable long-term relationships. What they come to have is the knowledge that, if they begin to let someone in, be it a worker from their residential care facility or a foster carer, they run the risk of simply being moved on to their next placement and having to start from scratch again.

We know that the most important things we can provide for children to ensure they have the best shot in life are love and support and the ability to reasonably foresee what their future will hold. Kids need to know when they will go to bed, when they go to school and what their daily routine is. One of the worst things we can do is to rotate kids from placement to placement, uprooting their lives, their routine and their sense of certainty every few months.

Earlier this year I spoke in this House about the system's insistence on reunifying parents with their children and sending children back to dangerous and dysfunctional homes. Too many times we have seen children reunified with parents who should never have been given another opportunity to reharmed their children physically, sexually and emotionally.

Despite the veil of secrecy we have seen over Child Safety in Queensland, we know that children are slipping through the cracks and are running the risk of being harmed, simply because time and time again they are being sent back to homes they should not be in. I have said it before and I will say it again: parenting is a privilege, not a right.

In June I spoke of cases of abused children having experienced burns from cigarettes, rope burns from being tied up or burns from being immersed in hot water with catastrophic results; of an adult making a conscious decision to bite a child so hard that deep teeth marks are left on an infant; of a parent beating their child to death with a vacuum cleaner pole whilst the child sobbed and asked the parent to pray for them. What did we see from those opposite? We saw members opposite interjecting as I spoke about these horrific cases in a disgraceful display of ignorance.

I have been saying since I have been the shadow minister that, if you have starved, beaten, burned and neglected your child because you are too busy getting your next hit or your next bottle of booze, you should not get another go at being a parent. It is a parent's fundamental role to protect their children, but too often we see that children are being harmed or neglected by those who are supposed to protect them. We have seen cases of children being sexually abused when they were sold for drugs. We have seen mothers bringing men into their homes and letting those men hurt their children.

As a nurse, all of this is absolutely sickening to me. I can see the X-rays of what those injuries would look like and the horror of the doctors and nurses when their suspicions are confirmed. I know how those ambulance and police officers would have felt as they sat in the gutter and sobbed at some of these traumatic call-outs. Yet in too many cases we saw abused children being returned to their unfit parents time after time.

We have a system letting down children and putting them in harm's way too many times to count. As I have said before, even a cursory look into the history of many of these families clearly shows a pattern of abuse, not only of the victim but also of those who have been abused either before or after them. We have heard of little kids with multiple bruises or fractures in various stages of healing which were never treated and, even worse, bruising on a little baby who cannot even crawl or walk yet—all inflicted by those meant to care for them.

I have outlined previously what the solution to this problem is. The first step is ensuring we have a system in place where children are not missed. We need intake services who know what they are looking for, who can spot the urgent cases and who can get to them urgently. We cannot expect children to be rescued from violent and abusive situations if we do not have the system's resources where they need to be—at the pointy end, at the coalface, not trapped behind desks.

The latest Child Safety performance data revealed 60 per cent of investigations into suspected child abuse did not start within the recommended time frames. That is 12,829 cases that were not investigated within the department's own required time frames because the resources simply were not there. A record 10,533 child abuse investigations started in the last 12 months dragged on for more than two months, despite the requirement to be completed within 60 days. In the last year, 165 children in care were allegedly abused whilst under the protection of the department. Even more staggeringly, the data showed that 45 per cent of parents who abuse their children were abused when they were younger.

Under Labor, we saw a record 1,509 carers walking away in just 12 months, largely due to the way they were treated by the child safety system. It is a sad indictment on the system when more and more carers of our most vulnerable are walking away. Most appalling was the way this data was released. It was dropped quietly, on the eve of an election, in the eve of the main roads minister's email

scandal. It was clear that the minister, having washed the data to her satisfaction, now sought a quiet way to release data that had Queenslanders shaking their heads in disbelief. This totally flies in the face of transparency and raised more clouds over integrity.

Whilst resourcing the department is of paramount importance, we also need to stop the failed practice of reunification with deadbeat parents at all costs. We need permanency provisions in place for parents who want to love a child and not hurt them and who can offer them a loving home on a permanent basis. Adoption should be available for parents who want to love a child, even if they are not their biological parents. We need to stop giving parents second, third and fourth chances when they are clearly repeat offenders. We need to change the culture and start thinking of what is best for the child, not the abusive parent. We need to stop giving deadbeats a say in what happens to their children once they have hurt them. We need to punish those who deliberately hurt a defenceless child.

Today, after almost three years in office, we finally see the government introducing legislation to move toward permanency in our child safety system. I have been very clear in this House that the LNP supports permanency, but we do not trust Labor to implement it. This debate is not about politics; it is about the facts. The fact is that under Labor the number of kids exiting care who had 10 or more placements has doubled since 2014. That means we now have twice the number of kids going from one placement to the next every few months and having their lives uprooted more than 10 times under Labor. That is simply unacceptable.

Worse still, more and more kids are being pushed out of the system under Labor with no transition planning. In fact, the number of kids aged 15 years or over in Child Safety's care with transition planning has increased by more than 20 per cent since 2013. That means kids are simply being farewelled by the department with no regard for how they will successfully transition into adulthood and care for themselves. Permanency needs to be implemented, but it needs to be done the right way. The last thing we want to see is Labor using permanency as a quick fix to the record number of kids in care and the record number of carers leaving the system.

It was the LNP which commissioned the commission of inquiry into child protection, the Carmody inquiry, to address systemic issues in Child Safety and provide a better system for Queensland's most vulnerable children. On 1 July 2013, the Carmody inquiry released its report entitled *Taking responsibility: a roadmap for Queensland child protection*. I am pleased to see more than four years later that a bill has finally been introduced to deliver on key recommendations of the Carmody inquiry.

The commission of inquiry made 121 recommendations to reform the child safety system over the next decade. The previous LNP government committed to the reform program set out by the commission of inquiry. The inquiry recommendations included specific changes to the Child Protection Act 1999, including: amendments to stop the making of consecutive short-term orders that combined extend beyond two years, unless it is in the best interests of the child to make the orders, which was part of recommendation 13.4; and that the department review the current information exchange and confidentiality provisions in the act and propose that the minister move any necessary amendments, which was recommendation 14.2.

These recommendations signalled a clear view to a move towards permanency and away from short-term orders which were not in the best interests of the child. The commission of inquiry also recommended that the department review the act in recommendation 14.1. These reforms have taken almost three years to come to parliament. The vast majority are changes the LNP government had endorsed as part of the road map for reform over 10 years.

This bill section makes it clear that the chief executive must disclose information, including information about the identity of a notifier, to the Police Commissioner where the commissioner makes a written requirement to the chief executive to provide information that relates to a police investigation following the death of a child. We have heard Labor talk about information sharing but, in reality, child safety remains a closed shop and as secretive as ever under this minister. We have a minister who so frequently uses privacy as a veil of secrecy to avoid any scrutiny. We see her using her Labor colleagues' scandals as smokescreens and distractions when data showing her failures is released. How many more times will we hear about information sharing and finally see some accountability and transparency from this minister?

When the opposition asked the minister in late 2016 how many cases of substantiated abuse had been referred to the police for criminal investigations, we were told—

The data requested in the question does not form part of the department's regular reporting. Providing the data would require a significant amount of work and divert officers from supporting hardworking child safety officers.


Yet again we were met with more secrecy. We were met with more facts being hidden away from public review. Labor's appalling record on transparency when it comes to child safety gives me little comfort that anything will change under Labor when these laws come into effect.

The bill also clarifies that an intervention with parental agreement can only be considered if the child will not be placed at risk of immediate harm if the parents withdraw their agreement, and that the case plan for the child must include details about what is expected of the child's parents and the chief executive in carrying out the intervention. The bill will also provide that a court may have regard to a decision by the department to end an agreement when considering making a child protection order. We know that under Labor's pretend mandatory drug testing of parents that not everyone is tested. Should a parent refuse to engage in drug testing, or if a positive result is returned, all that happens is a reassessment of the child's safety and the safety plan is undertaken and a more intrusive order considered. This is not at all reassuring.

We need an assurance that children are not being left with drug addicted parents under this system. We know the devastating effect of putting a child on an intervention with parental agreement, as was the case of baby Mason Jet Lee. I note that the committee recommended that the bill be passed and that there was no statement of reservation from any members.

A consistent concern raised by stakeholders during the committee's review of the bill was the lack of an appeal or review mechanism for an affected child captured under the permanent care order provisions. Through the child guardian, a child has a right of review and appeal for a long-term guardianship order yet in drafting this new permanent care provision, the department has only given itself, through the chief executive, the power to refer matters to the office of child protection litigation for reviewing or revoking a permanent care order. Given the implications of such a permanent care arrangement, having some form of review or repeal arrangement for an affected child is both just and fair in the circumstances. The most sensible approach would be to adopt the proposal put forward by the Queensland Law Society, and that is to provide for the Office of the Public Guardian to refer matters to the litigation director consistent with their role in proposed section 74A of supporting children who are concerned that the child's permanent guardian is not meeting their obligations.

What we see with this bill is almost three years after taking office, the government finally moving to implement key recommendations of the Carmody inquiry commissioned by the LNP. This bill takes steps towards permanency in this state, but there is a lot more work that needs to be done.

 **Ms LINARD** (Nudgee—ALP) (5.30 pm): I rise to speak in support of the Child Protection Reform Amendment Bill 2017. It has been a real privilege as a member of this committee to play a very small part in the child protection reforms that have progressed under our government this term. The comprehensive review of the act undertaken by the department over the past two years, recommended by the Queensland Child Protection Commission of Inquiry findings, has brought forward some significant legislative amendments which have improved how we respond to the needs of children and young people in need of protection across Queensland. This bill is a continuation of that important reform agenda and implements priority reforms arising from the review of the act. It supports the Supporting Families Changing Futures child protection and family support reform program as well as the recently released *Our way: a generational strategy for Aboriginal and Torres Strait Islander children and families* and its associated three-year action plan.

The bill is firmly focused on achieving positive long-term outcomes for children in the child protection system. I am not going to go into detail with regard to all of the amendments contained in the bill. The minister has more than ably done so. However, I would like to provide comment on two key areas: that of permanency and, secondly, the right of Aboriginal and Torres Strait Islander people to self-determination under the act. The bill seeks to address what has been a concern for some time, that is, a dependence on the use of successive short-term orders without achieving either reunification or long-term out-of-home care. While I appreciate that the reasons for such successive short-term orders are complex and many, it is recognised that the current situation is not optimal and must be improved. As posited in the commission of inquiry report—

Ultimately, the aim of any case planning for children and young people in the statutory care system is to achieve a permanent, stable home for children. It is only through stability that children can form the attachments necessary to rebuild their lives.

Where possible, this permanency should be achieved with the child's own family.

The bill defines the concept of 'permanency' to recognise it involves a child having ongoing relationships and stable living and legal arrangements that provide permanence and long-term stability. The bill introduces dedicated principles to promote decision-making that prioritises timely permanency outcomes for a child. The bill also amends the current Child Protection Act to require that all case plans

include goals and actions for achieving permanency; and provides that a short-term guardianship order, and any subsequent short-term orders, cannot extend beyond a total of two years from the time the first order is made, unless the court is satisfied it is in the best interests of a child.

Consistent with the commission of inquiry findings, the bill also introduces a new type of child protection order—a permanent care order—that will grant guardianship of a child to a suitable person until the child turns 18. The care order represents an additional tool in the suite of options available to find the best fit for a particular child and family. Importantly, the bill also contains important safeguards including that the Children's Court may only make a PCO if it is satisfied that the order is appropriate and desirable for the child's protection, the child's wishes have been made known to the court and the protection sought to be achieved by the order is unlikely to be achieved by an order on less intrusive terms.

Permanent care orders garnered much comment and scrutiny during our committee inquiry, and rightly so. Child protection law by its nature is intrusive. It interferes with and sometimes reallocates rights and responsibilities—responsibilities that should ordinarily rest with a child's family. Foster Care Queensland considered the introduction of permanent care orders 'a significant and positive addition to the hierarchy of orders'. Micah Projects raised the importance of providing adequate and early support services to achieve reunification with biological parents as being of paramount concern. Micah, along with Queensland Advocacy Incorporated and a number of other submitters raised reservations with the introduction of permanent care orders as they would operate in conflict with this principle.

The department advised the committee that the introduction of permanent care orders provides an option for a Children's Court to put in place a more permanent family-like, long-term arrangement for a child. The bill does not change the current approach whereby the chief executive must take steps that are reasonable and practicable to help a child's family meet the child's protection and care needs. Above all, child protection is about its namesake; it is about making the safety, wellbeing and best interests of the child paramount. I believe that these orders provide an important additional tool—one that should be used only in an appropriate and limited way, and I support the safeguards contained in the bill to see that this occurs.

I turn now to the amendments contained in the bill that go to the Aboriginal and Torres Strait Islander child placement principle and right to self-determination. As we have heard, of the approximately 9,000 children in care across the state, approximately 4,000, or 41 per cent, are Aboriginal or Torres Strait Islander children. The child placement principle recognises that Aboriginal and Torres Strait Islander people have the knowledge and experience to make the best decisions concerning their children and the importance of each child remaining connected to their family, community, culture and country.

The child placement principle was developed by Aboriginal and Torres Strait Islander people in the late 1970s. It recognises that Aboriginal and Torres Strait Islander children should be raised in their own families and communities and, if placed in out-of-home care for protective reasons, should be placed with Aboriginal and Torres Strait Islander carers to retain connection to community and country. Queensland, like other jurisdictions, adopted the child placement principle in legislation to varying and often limited degrees. This bill, inserts a new section to require the chief executive, litigation director or an authorised officer to comply with the child placement principles when making a significant decision under the act about an Aboriginal or Torres Strait Islander child. The bill also strengthens the requirement to place an Aboriginal or Torres Strait Islander child with a person who is a member of the child's family group.

I was very passionate about the committee travelling as part of our bill inquiry to hear firsthand from those most affected by this bill. I thank my fellow committee members for so readily supporting, and feeling similarly about, the importance of this travel. The committee held public hearings in Brisbane, Mount Isa, Townsville and Palm Island. We not only heard from peak bodies and stakeholders in Brisbane, Mount Isa and Townsville, but had the opportunity to sit and hear firsthand from the mayor, councillors, elders and community on Palm Island. Their message was very clear: they know their community best and they want to be empowered and resourced to make decisions about what is in the best interests of their local children and families. They wanted key community stakeholders to be able to assume more authority regarding child protection matters on the island than the current legislation provides for.

I would like to take this opportunity to thank those individuals and organisations who lodged written submissions and appeared at the committee's public hearings and forums. In particular, I would like to acknowledge and thank QATSICPP, the Injilinj Aboriginal and Torres Strait Islander Corporation,


and witnesses in Mount Isa and Townsville. On Palm Island, I pay particular thanks to Mayor Alf Lacey and the councillors of Palm Island Aboriginal Shire Council, Aunty Rachel Atkinson from the Palm Island Community Company and the Palm Island community elders for their welcome and passionate advocacy on behalf of their community and culture. The committee sought to diligently and faithfully reflect their feedback in our report and I hope the community will feel that we did them justice.

I believe that this is a very important bill, both in terms of its endeavour to provide greater permanence to vulnerable children and in respect of its recognition of the right of Aboriginal and Torres Strait Islander people to greater self-determination under the act. I believe it is a bill that has followed much consultation and it is a bill that has been respectful and honouring of that consultation and the views espoused by stakeholders. I would like to commend the minister, her office and department for their diligent work in this regard.

In closing, I would like to acknowledge the assistance and advice provided by the parliament's Indigenous Liaison Officer, Brett Nutley. I thank him and Hansard reporter Mandy Benn for their assistance during our travel. I would like to acknowledge our committee secretariat, particularly the research director, Karl Holden, who always does an exemplary job.

Finally, I would like to thank the deputy chair and my fellow committee members for their contributions during the examination of the bill. I make special mention of my colleague the member for Thuringowa, who I think is single-handedly sending the book *Saltwater* by magistrate Cathy McLennan to No. 1 on the best seller list. His passion for his region, for his community and for the youth justice issues canvassed in that book were mentioned in every hearing and in almost every conversation had between here, Mount Isa, Townsville, Palm Island and back again. Yes, member for Thuringowa, I am reading my copy of the book.

The committee made one recommendation, that the bill be passed. I commend the bill to the House.

 **Mr McARDLE** (Caloundra—LNP) (5.39 pm): I rise to make a very short contribution to the bill before the House. I start by acknowledging the members of the committee, secretariat staff and all those who made submissions and appeared as witnesses before the committee during the consideration of the bill.

Firstly, a permanent care order is established under the terms of the bill whereby a permanent guardian is appointed for a child until the child turns 18 years of age. In considering whether to make an order, the court will consider the wishes or views of the child in relation to the application. The court will weigh that evidence against a range of factors, including the age and maturity of the child and the circumstances in which the words were said, the point being that the court will consider the child's wishes. This is the general principle that applies in matters that result in orders impacting on where and with whom children live and who they have contact with. My concern relates to clause 38, variation and revocation of a permanent care order.

The clause only allows a litigation director to seek such an order, and only if that person is satisfied that the child has suffered significant harm, is suffering such harm, or is at risk of such harm. The clause goes on to state that the application can also be made if the permanent guardian is not able and willing to protect the child. The point is, however, whilst acknowledging the intent of a permanent care order, clause 38 only gives the right of variation or revocation to the litigation director. It removes forever the right that would automatically vest in the child through the proper person or a parent or family member to seek a review. In the case of a child, to so restrict a fundamental right is a very serious step.


If you look at the situation where a court may make a permanent care order in relation to a child who is eight years of age and place that child with a person outside their extended family, what happens if the same child, upon reaching 15 years of age, simply walks out of the home of the permanent guardian and goes to live with their parents or extended family? That family is in technical breach of the terms of the order. We know that when dealing with matters of this nature the court is reluctant to enforce them against the child for a number of reasons if the child will not comply with them. Yet at the same time, in this case the child's family could be in breach of the order if the child stays with them. However, it is the right of the child that I am concerned about; not the processes involved. This is the right that clause 38 removes.

In my opinion, there are two considerations which could be looked at: firstly, a provision that gives a direct right to a child, parent or family to seek a review coupled with provisions as to what the court is to consider in reaching a determination. The second option would give a right to seek the leave of the

court to file an application for review. These are provisions the court needs to consider in determining whether to allow the application to proceed or not. The second option continues the ideal of a permanent care order but allows the right of review to continue to exist in at least the child in these circumstances.

The other concern with the permanent care order is that the use of the word 'permanent' has caused some submitters, including Child Protection Peak and Foster Care Queensland, to state that the order brings back fear of the stolen generation and associated 'experiences and generational trauma'. These are not my words but the words of submitters, and they should raise concerns that need to be addressed by the department and the government.

The final point is the word 'self-determination' as it appears in clause 7. The meaning of that word, from my time listening to and speaking with people in public meetings, is that they anticipate they will have sole control of the outcome, and that is not what is reflected in the intent of the bill. This is also a point the department and the government need to be mindful of and address going forward. I support the bill.

 **Mr HARPER** (Thuringowa—ALP) (5.44 pm): I rise to make a contribution to the Child Protection Reform Amendment Bill 2017. At the outset can I say that child safety is a priority for our government in this state. I thank the minister for her work in terms of employing more child safety officers in Queensland. Our state has some 9,000 children in care. Of these, almost 4,000 are of Aboriginal and Torres Strait Islander descent. As a regional member, I am very happy to see that the priority amendments include the safe care and connection of Aboriginal and Torres Strait Islander children with their family, community and culture. This is something that the committee certainly heard in our public briefings in Mount Isa, Townsville and Palm Island in particular. I will talk about some of the feedback we received from those communities and community members. Needless to say, their comments were invaluable with regard to permanency of care and self-determination. I know that all members of our committee gained significant insight into those communities. We know the importance of ensuring that we get it right with our work in child safety with good, effective policies that will make tangible changes in those communities.

Other amendments to the bill are with regard to permanency and stability for children in out-of-home care now and throughout their lives, including after-care support. This means that care does not end at 18 years of age, with policies now in place to ensure that we provide young people with support through to 25 years of age. I have met some of these young people who have turned 18 and are about to start the next phase of their lives. They shared stories about their upbringing. One young lady in particular at Riverway spoke of the dozen homes she had been in until finding the perfect family some seven years ago, and they were there supporting her. That young lady's very personal story reinforced and highlighted the need for children themselves to also have a say in care arrangements. That certainly is an important aspect of this bill before us today.

I have said on a few occasions during our public hearings that we must acknowledge and thank those families who take in children with a range of backgrounds for the love and support they show in raising children into their adult lives. As a relative of family members who are involved in child safety—albeit in another state—who have five children from a range of backgrounds I personally know about their experience with permanency of care, which has been adopted in other states like New South Wales. It has provided that family with certainty to provide a loving and supportive environment for some pretty vulnerable children who entirely deserve a better start to their lives. To all Queensland foster carers—and we heard from Foster Care Queensland in our briefings—I say thank you. In my book, you are each quite amazing.

With regard to permanent care orders, this bill introduces a new permanency framework which includes introducing and defining the concept of permanency as the experience of having stable relationships, including living and legal arrangements, and amending the act's paramount principle to provide for the safety, wellbeing and best interests of the child, both during childhood and throughout his or her life.

In relation to the safe care and connection of Aboriginal and Torres Strait Islander children to their families, communities and culture, I want to particularly mention Palm Island and thank Mayor Alf Lacey and the elders very much for their contributions. They were indeed insightful. They want to have self-determination in their community. I support them. I support the bill before the House, and I commend the minister for getting on with this particular bill.



Mr CRAMP (Gaven—LNP) (5.47 pm): I rise to contribute very briefly to the Child Protection Reform Amendment Bill. The primary objective of this bill is to amend the Child Protection Act 1999 to implement key recommendations of the commission of inquiry into child protection. These changes particularly include better long-term outcomes for children entering the system and safe connections of Aboriginal and Torres Strait Islander children with communities and cultures. The changes will also allow for improved information sharing to focus on the child's safety and wellbeing.

In July 2013 the Queensland Child Protection Commission of Inquiry released its report *Taking responsibility: a road map for Queensland child protection*. The previous LNP government committed to the reform program set out by the commission of inquiry. There were 121 recommendations made to reform the child protection system over the next decade. Unfortunately, these reforms have taken more than two years to come to parliament under this government. The majority are changes that the LNP, when in government, endorsed as part of the road map for reform over 10 years.

The changes to the bill focus on promoting positive long-term outcomes for children, permanent care orders, promoting safe care, and also to promote the connection of Aboriginal and Torres Strait Islander children with their families, communities and culture and making changes to the information-sharing regime. The bill amends the paramount principle for administering the act to refer to the safety, wellbeing and best interests of children through childhood and for the rest of the child's life. Under the changes to the bill, a new permanent care order will also be available to offer a more permanent arrangement than a long-term guardianship order without permanently severing a child's legal relationship with their birth family. This will enable an application to be made for a cohort of children that are already subject to long-term order to be provided with a more stable care arrangement.

The bill adds new principles that recognise the rights of Aboriginal and Torres Strait Islander people to self-determine and applies the five elements of the child placement principle—prevention, partnership, placement, participation and connection—to the administration of the act for Aboriginal and Torres Strait Islander children, something which the committee heard many times during its public hearings in Indigenous communities. Very importantly, the chief executive will now be able to share information with interstate and New Zealand child welfare authorities to enable them to perform functions under their child protection laws.

Whilst the LNP is not opposing this bill, it cannot be denied that Queenslanders have lost faith in this current Labor government's ability to protect children in need. The former LNP government supported these changes and yet this Labor government has waited over two years to do anything—a period in which we have literally had children die whilst in care. Every day in this state there are more than 9,000 children in state care and case officers with case loads that far exceed the 15 recommended by the commission of inquiry. More and more we are seeing cases of suspected child abuse being closed with no action or outcome recorded, investigations dragging on longer than the required time frames, 3,000 child abuse cases caught in the backlog that turned out to be confirmed cases of abuse and neglect, and a record number of carers walking away from the system. We clearly have a child safety system in crisis and a minister in government unwilling to do anything about it.



Dr ROBINSON (Cleveland—LNP) (5.50 pm): I rise to speak to the Child Protection Reform Amendment Bill 2017 and to make a very brief contribution due to time constraints. The LNP will not be opposing the bill. There is much that I could say, but time constraints mean that I will make only a few brief comments on a couple of selected areas.


The stated policy objectives of the bill have already been canvassed and much has been said about them. I support all of these objectives for the children of our state and the Cleveland district of Redland city. Broadly speaking, the primary purpose of the bill is to amend the Child Protection Act 1999 to implement key recommendations of the commission of inquiry into child protection to provide better long-term outcomes for children entering the system and safe connections of Aboriginal and Torres Strait Islander children with communities and cultures. The changes will also allow for improved information sharing that is focused on the child's safety and wellbeing.

I turn now to permanent care orders. The purpose of the new permanent care order is to offer a more permanent arrangement than a long-term guardianship order without permanently severing a child's legal relationship with their birth family. It offers other features as well that are important and I do generally support that measure. However, there is one note of caution in terms of one aspect of permanent care orders. The intent, as I am led to believe, is not for permanent care orders to replace all long-term guardianship orders, current and future. This is important particularly when there are cultural considerations. My point is this: when the committee visited Mount Isa, Palm Island and Townsville—I was not there for Mount Isa but for Palm Island and Townsville—to gain further regional

and Indigenous cultural feedback on the bill, some Indigenous leaders and organisations expressed high levels of concern about what might be the result of permanent care orders in Aboriginal and Islander communities and with Aboriginal and Islander children.

The fact that an Aboriginal or Islander child might be placed under a permanent care order and never be reunified with their family caused some concern. This is understandable given the history in past generations of the removal of children from their families. Further, on Palm Island the feedback was that the island community wanted more say with respect to children being removed from the island and taken to the mainland as opposed to finding other long-term solutions on the island for their own children. The view was that the children who remained on the island were more likely to be reunified with their own family on the island at the appropriate time, where possible, provided that the safety and protection of the child was still guaranteed in remaining on the island. The principle of self-determination and more flexibility and options with the selection of recognised entities may assist with this. Requiring the case plans for Aboriginal and Islander children to include details about how the child will be supported to develop and maintain connections with the family, community and culture will also help. Cultural sensitivity should be further aided by facilitating the participation of the child and the child's family in decision-making.

My support of this bill is in part conditional upon the permanent care orders being sensitively and cautiously used when it comes to Aboriginal and Islander children and families. Should the department not use this measure wisely and with due cultural care, I will reconsider my support for the use of permanent care orders in Aboriginal and Islander cases at a future time in this House. Generally speaking, I support the bill.

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (5.54 pm), in reply: I want to thank all members for their contributions to today's debate. As many members in this House have acknowledged, the introduction of the suite of permanency reforms will allow children and young people to achieve stability earlier to allow them to thrive and reach their full potential in adulthood. The commission of inquiry understood that supporting a child's family does provide stability and certainty for a child. As noted by the Carmody report—

Ultimately, the aim of any case planning for children and young people in the statutory care system is to achieve a permanent, stable home for children. It is only through stability that children can form the attachments necessary to rebuild their lives. It is preferable that this permanent and stable home is with the child's own family whenever it is safe for the child to be at home.

To this end it is incumbent upon the department to work with families to build their capacity to parent their child at home. As such, the bill's new permanency principles provide that the first preference for achieving permanency for a child will remain for a child being cared for by their family. However, the bill also recognises that in some cases timely reunification with family will not be in the best interests of a child. In these circumstances, the bill supports early planning for alternative permanency outcomes for children and young people, including the option of a new permanent care order.

I extend my thanks to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for its thorough examination of the bill and its extensive consultation, reaching Mount Isa, Palm Island and Townsville. I also want to thank all honourable members who contributed to today's debate. I also want to thank the many stakeholders who have contributed to this committee process and those who participated in the review of the Child Protection Act and the development of the bill before the House. I also thank all of the hardworking staff in my department, especially Megan Giles, Executive Director, Legislative Reform, Policy and Legislation, and of course the team in my ministerial office, especially my child safety adviser, Shane Bevis. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 63, as read, agreed to.

Clause 64—



Ms FENTIMAN (5.57 pm): I move the following amendment—

1

Clause 64 (Insertion of new s 159NA)

Page 64, lines 3 to 11—

omit, insert—

- (1) Despite sections 159MA to 159N, information may not be shared under this part to the extent it relates to—
 - (a) a conviction included in a person's criminal history—
 - (i) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
 - (ii) that is not revived as prescribed by section 11 of that Act; or
 - (b) an expunged conviction or expunged charge.
- (2) In this section—

expunged charge see the *Criminal Law (Historical Homosexual Convictions Expungement) Act 2017*, schedule 1.

expunged conviction see the *Criminal Law (Historical Homosexual Convictions Expungement) Act 2017*, schedule 1.

I table the explanatory notes to my amendments.

Tabled paper: Child Protection Reform Amendment Bill 2017, explanatory notes to Hon. Shannon Fentiman's amendments [2143].

Amendment agreed to.

Clause 64, as amended, agreed to.

Clauses 65 to 87, as read, agreed to.

Insertion of new clause—



Hon. SM FENTIMAN (5.58 pm): I seek leave to move an amendment outside the long title of the bill.

Leave granted.

Ms FENTIMAN: I move the following amendment—

2 After clause 87

Page 83, after line 27—

insert—

Part 4 Amendment of other Acts

Division 1 Amendment of Adoption Act 2009

88 Act amended

This division amends the *Adoption Act 2009*.

89 Amendment of s 312 (Evidentiary provisions for proceedings under this Act)

Section 312(3)(g), from 'a recognised entity' to 'adoption of—

omit, insert—

an independent Aboriginal or Torres Strait Islander entity for

90 Amendment of s 314 (Confidentiality of information obtained by persons involved in administration of Act)

Section 314(1)(a)(v)—

omit, insert—

- (v) an independent Aboriginal or Torres Strait Islander entity, or member of an independent Aboriginal or Torres Strait Islander entity, for an Aboriginal or Torres Strait Islander child;

91 Amendment of s 318 (Meaning of appropriate Aboriginal or Torres Strait Islander person)

Section 318(2)(b)—

omit, insert—

- (b) an independent Aboriginal or Torres Strait Islander entity for the child; or

92 Amendment of s 321 (Protection from liability)

Section 321(3)(d)—

omit, insert—

- (d) an independent Aboriginal or Torres Strait Islander entity, or member of an independent Aboriginal or Torres Strait Islander entity, for an Aboriginal or Torres Strait Islander child.

93 Amendment of sch 3 (Dictionary)

(1) Schedule 3, definition recognised entity—
omit.

(2) Schedule 3—
insert—

independent Aboriginal or Torres Strait Islander entity, for an Aboriginal or Torres Strait Islander child, means an entity that—

- (a) is an independent Aboriginal or Torres Strait Islander entity for the child under the *Child Protection Act 1999*, section 6(1); and
- (b) the chief executive is satisfied is an appropriate entity to consult about a matter relating to the child's adoption.

Division 2 Amendment of Public Guardian Act 2014**94 Act amended**

This division amends the *Public Guardian Act 2014*.

95 Amendment of s 13 (Functions—relevant child, etc.)

Section 13(1)(k), 'a recognised entity'—

omit, insert—

an independent Aboriginal or Torres Strait Islander entity for the child

96 Amendment of s 86 (Prescribed entities)

Section 86(p)—

omit, insert—

- (p) an independent Aboriginal or Torres Strait Islander entity for an Aboriginal or Torres Strait Islander child;

97 Amendment of sch 1 (Dictionary)

(1) Schedule 1, definition *recognised entity*—
omit.

(2) Schedule 1—
insert—

independent Aboriginal or Torres Strait Islander entity, for an Aboriginal or Torres Strait Islander child, see the *Child Protection Act 1999*, schedule 3.

Amendment agreed to.

Third Reading

Hon. SM FENTIMAN (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (5.58 pm): I move—

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

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. SM FENTIMAN (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (5.59 pm): I move the following amendment—

3 Long title

Long title, from 'Child' to '2016'—

omit, insert—

Adoption Act 2009, the Child Protection Act 1999, the Director of Child Protection Litigation Act 2016 and the Public Guardian Act 2014

Amendment agreed to.

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

Motion agreed to.

MOTION

Emergency Services Personnel



Mr MANDER (Everton—LNP) (6.00 pm): I move—

That this House calls on the Palaszczuk Labor government to adopt the LNP policy on protecting front-line emergency services workers in Queensland.

Nobody supports our front-line emergency support personnel more than the LNP. Our police, our firefighters and our paramedics are hardworking people who go out and literally put their lives on the line to protect Queenslanders. We on this side of the House believe that those workers need to be protected. Time and time again we hear about these front-line emergency personnel being assaulted whilst doing their jobs. I ask members to imagine paramedics—people not trained to be able to defend themselves—being assaulted while they are trying to do their job.

The number of assaults that are taking place is increasing. In the past two years Queensland paramedics were assaulted more than 400 times. The figures show that from July 2015 to March 2017 ambulance officers were deliberately attacked 414 times. We constantly hear of these attacks against paramedics and particularly the police on a daily basis.

In my regular meetings with representatives of the Queensland Police Union they have said that their greatest priority was to make sure that their workers were protected—to make sure that when our police officers went out to do their job there was a clear signal to the community that you do not touch a police officer whilst they are doing their work. Unfortunately, that continues to happen.

The penalties against these assaults are simply not severe enough. For example, Douglas Asiata committed a serious assault of a police officer. He coward punched a cop during a drunken brawl. His penalty sparked outrage among police. This 25-year-old pleaded guilty to affray and serious assault. What happened to him? He received no jail sentence. He received an 18-month probation order and 100 hours of community service. We on this side of the House think that is not good enough. We think that penalty does not send a clear message to the community.

We have listened to the police, we have listened to the paramedics and we have listened to the firefighters. If we are fortunate enough to win government, our policy is that if a person is found guilty of serious assault against one of our front-line emergency personnel they will spend a minimum of seven days behind bars and, of course, if the case is serious, longer than that. We call on the government to support that.

What did this minister say in response to this policy? He wrote letters to the editors of papers throughout the state. In that letter he said—

Currently, a charge of serious assault against an emergency services officer already carries a penalty of up to 7 years in prison, and up to 14 years if it includes aggravating circumstances.

The minister brags about that, but it was the LNP's policy to impose those penalties. The minister continued—

So when I read that the LNP would change the law to ensure that those who seriously assault our emergency services workers would only get seven days (yes seven days) in prison, I thought it was a sick joke.

I will tell members what is a sick joke: this minister continuing to mislead the public. He has deliberately misled the public about our policy. As if anybody was going to get only seven days for this offence! The minister has a record of misleading the public. The minister misled the people of Townsville when he promised 20 extra RAP squad members. Now we find that that is not an additional figure. The minister misled Gary and Leanne Pullen when he led them to believe that their son's killers would not get parole under the new policy.

Tonight I challenge the minister to ensure that any person who commits a serious assault against a police officer, paramedic or firefighter will spend time behind bars. The LNP is the only party that will ensure that will happen to send a clear message that we value our front-line emergency services personnel.

(Time expired)



Hon. MT RYAN (Morayfield—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (6.05 pm): I move the following amendment—

That all words after 'House' be deleted and the following words inserted:

'notes that the Palaszczuk Labor government has adopted policies to protect front-line emergency services workers in Queensland, including:

- the provision of an additional 225 ambulance officers with 115 more this financial year;
- initiating the Paramedic Safety Taskforce and adopting all 15 recommendations, including additional situation awareness training and covert duress alarm systems installed in all ambulances;
- increasing the number of police officers by more than 300, bringing the total number of permanent police positions to 11,880 as of August 2017;
- the rollout of 5,400 QLites to the QPS;
- a commitment for 1,000 new and replacement police vehicles;
- funding for 5,100 body worn cameras for the QPS;
- investing resources to build greater police officer skills, including active armed offender training;
- expanding the QFES to 3,280 FTE positions, including the placement of 27 extra QFES self-funded front-line firefighters to the reserve roster;
- the allocation of \$3.8 million to fund fuel and maintenance for our Rural Fire Service—RFS—brigades; and
- fully funding the Accelerated Rural Fire Fleet Program to replace 60 RFS vehicles this financial year.'

Mr SEENEY: I rise to a point of order. The amendment that the minister refers to is clearly out of order. It fundamentally changes the motion before the House in a way that is indisputable. The motion before the House calls for a debate on the LNP's policy. The government is quite at liberty to reject that motion if it so desires. The amendment seeks to outline the government's claimed credits. The government can move that motion if it so desires, but it cannot move it as an amendment to the motion before the House.

Mr HINCHLIFFE: I rise on the point of order. Mr Speaker, as you know it has been the practice of the government to canvass any amendments that it might seek to make to motions during the 6 pm debates with you and seek your guidance. As has occurred on this occasion, it has been drawn to your attention that the amendment seeks to improve the motion in the way that it deals with the issue of adopting policies to protect front-line emergency services workers, which is, in essence, what the motion is about and, in essence, what the amendment is about. It is an improvement to the motion and not a negation, which is an issue that you have made rulings on in the past.

Mr SPEAKER: Thank you, members. I have considered this matter. I find that it is an amendment. It is not a negation of the motion that has been moved.

Mr RYAN: There is nothing more important to me than the safety of the brave, hardworking people for whom I am responsible as the minister. It is a fundamental duty that I take very seriously. It informs every possible funding decision that I make as minister, as confirmed by the record resourcing that the Palaszczuk Labor government has provided for our emergency services since taking office.

I am very proud to be the minister for the men and women of the Police Service, Fire and Emergency Services and Corrective Services, who every day put their lives on the line to protect us all. I love my job, because every day I get to talk to these real-life everyday heroes. To suggest that the Palaszczuk government has not done everything in its power to protect our front-line workers is not just offensive; it is demonstrably wrong.

This government has maintained the tough penalties against the perpetrators of assaults against our police officers and emergency services workers and our Corrective Services workers. We have invested more than \$46 million in front-line skills training facilities, such as the counterterrorism and community safety training centre at Wacol. We have provided our police with the necessary training and protective equipment that they need to do their jobs, such as weapon mounted light systems, improved holsters and tactical first-aid training. We have invested in the rollout of body worn cameras, which we know will deter further violence against police.


Currently, a charge of serious assault carries a penalty of seven years in prison and up to 14 years if it includes aggravated circumstances such as biting, spitting, bodily harm, or pretending to be armed. The LNP's new-found concern for the safety of our front-line emergency service staff would be more believable if it were not out there doing dirty deals with One Nation, advocating for weaker firearms laws, denigrating the Queensland Police Service's Weapons Licensing branch and consulting

on the LNP's policy with a renowned gun law anarchist. Of course, I refer to the infamous interview by the member for Everton that he did recently with the Shooters Union of Australia—an international affiliate of the US pro gun lobby, the National Rifle Association, which has the stated goal of destroying John Howard's National Firearms Agreement.

The member for Everton's confusion about community safety has him both attacking the Palaszczuk government for being too soft on crime, apparently, and in the next breath complaining about having too many prisoners in jail. The member for Everton even blamed the uncomfortable conditions inside prisons for prisoners wanting to escape. Perhaps if the member for Everton ever visited a correctional centre he would know that they are not very nice places, and nor should they be.

The LNP has absolutely no credibility when it comes to following through on the many ill-conceived promises it makes from the safety of opposition. The LNP talk big, but only the Palaszczuk government has a record of fulfilling the commitments it makes to the people of Queensland. Let us have a close look at what we have delivered over our term in government that supports our police and emergency services workers. We have rolled out body worn cameras to our front line. Our rollout of body worn cameras is the third biggest in the world. What did those opposite do when they were in government? They forced our police officers to buy their own body worn cameras, forcing our front-line officers to invest their own money to keep them safe.

Our government backs our front line and our government backs them with safety devices like body worn cameras. We have also rolled out new equipment to our police officers, including new holsters, new long arms, magazines and additional tasers. We continue to support our police officers in that respect. We back our firefighters. We have guided legislation through this House which provides presumptive legislation for our firefighters to ensure that if they have a fire related cancer they will be covered with compensation. This is a government that does not talk the talk; we walk the walk. We fund our commitments. Those opposite never fund their own rhetoric. They come in here pontificating. They never deliver for the front line. They never back it up.

 **Mr CRAMP** (Gaven—LNP) (6.11 pm): I rise to speak in support of the motion moved by my colleague the member for Everton. Without a doubt, one of the most important roles we will have as legislators is protecting our front-line emergency services workers in Queensland. It is with great pride that I stand here tonight as a former ambulance officer and now as part of a LNP team that for the past three years has fought to bring in tougher legislation and stop the senseless violent attacks on our police, paramedics and fire officers—the very people who place the safety of others ahead of their own every single day. For 14 years I have watched these officers in the Ambulance Service do exactly that.

It is disappointing that for the past 2½ years it has only been the LNP that has stood up for our emergency services workers. Labor has done nothing but talk about this issue. It is funny to hear a minister saying that we are the ones talking. I say to those opposite that their softly-softly approach, talk and filibustering are failing our front-line emergency services workers. While they talk about this issue, over 400 ambulance officers have been deliberately attacked in the past two years.

An opposition member: Shame!

Mr CRAMP: I take that interjection from the member. It is the action and pressure from the LNP that has seemingly forced Labor to even acknowledge this critical issue. The fact remains that it was I, along with my colleagues the members for Surfers Paradise and Mudgeeraba, who stood outside the Nerang Ambulance Station in December 2015 condemning the horrific attack on my former colleague, paramedic Brad Johnson, and launching a petition requesting the Labor government to allow paramedics to be equipped with body worn cameras to record threats of aggression and violence against them and to put in place a public education and awareness program.

While this pressured the Labor government into a public awareness campaign, what did they do about the body worn cameras? Labor did what they do best: they advised that they were going to review the matter. Surprise, surprise! In August 2016, after waiting for what seemed like an eternity for this do-nothing Labor government to protect them, we saw Queensland ambulance officers, through their triple 0 tolerance initiative, work with my LNP colleague Ros Bates to petition the Labor government to implement minimum mandatory sentencing of six months for assaulting a public officer. What was the reply from the Attorney-General? It was just more talk about forming another council to have more reviews instead of Labor just doing its job and protecting our front-line officers. I will admit, though, that the Attorney-General did mention one action: increasing the maximum penalty to 14 years imprisonment for assaults against a public officer. However, as we all know, this was an initiative of the LNP.


In May 2017, after continued inaction by this Labor government to protect our front-line officers, I again questioned the Minister for Health and Minister for Ambulance Services about the continuing assaults on officers in the Ambulance Service. Apparently this issue is so important to the minister that he could not even provide me all the figures. Instead, he sought to buck-pass to another minister for further statistics.

Mrs Stuckey: He is not even listening.

Mr CRAMP: No. That is right. I do take that interjection, member for Currumbin. He does not listen so it is not surprising, when I look at the minister's track record of activity in this House. He is out of touch. His failure to care about front-line officers has been there for all to see.

Here we are, nearing the end of a full term of this do-nothing, incompetent Labor government, and still we have no tough laws and, especially, no minimum mandatory sentencing for perpetrators who assault public officers. What will the legacy of this Labor government be—a government known as a do-nothing government, known for its inaction and for having review after review? Time and time again they are given the opportunity to do the right thing by Queenslanders and every time they turn their back. The fact is that only an LNP government has the fortitude to introduce minimum sentencing penalties for serious assaults on our front-line emergency services workers. Only the LNP has the experience and track record on standing up for victims of crime. We will ensure we have the strong penalties needed as a deterrent to protect Queenslanders from violence.

We have a shadow minister who at least is interested in going to speak to front-line officers. The current Minister for Police seems more interested in speaking with criminals and unions than front-line officers. I say to those opposite: just once during this term, stand up and be counted. Adopt the LNP's policy so that our front-line emergency services workers have the protection they so desperately need.

 **Mr CRAWFORD** (Barron River—ALP) (6.16 pm): The member for Gaven comes in here and uses the words 'ambulance officer'. He hides behind the technical term because what he was is an ambulance employee. I was an ambulance paramedic. There is a big difference between the member for Gaven and the member for Thuringowa and me.

Opposition members interjected.

Mr SPEAKER: Pause the clock. Members, I am having difficulty hearing the member speaking. I certainly hear the Deputy Leader of the Opposition.

Mr CRAWFORD: As a former paramedic with the Queensland Ambulance Service, no-one is more aware than I am of the risks faced by our front-line emergency services workers every single day.

Opposition members interjected.

Mr SPEAKER: I am going to invite the member to start again. I cannot hear him because of the members who want to try to speak over the top of the member. Can we restart the clock? I call the member to start again.

Mr CRAWFORD: I rise to support the government's amendment to the motion. As a former paramedic with the Queensland Ambulance Service, no-one is more aware than I am of the risks faced by our front-line emergency services workers every day. The member for Thuringowa and I were paramedics working on the front line. Unlike the member for Gaven, we actually faced people. We took the threats. I have been assaulted many times. I still have many friends in the service and this is a very personal issue for me and a very personal issue for all of Queensland's paramedics. I think it is very offensive for anybody to use this issue purely for political force.

To suggest that I would be part of a government that did not place the greatest importance on the safety of my friends and former colleagues is offensive. Indeed, I am extremely proud that the Palaszczuk Labor government has invested \$1.3 million to protect our paramedics from the violence they are sometimes confronted with. The Palaszczuk government also accepted all 15 recommendations of the Paramedic Safety Taskforce and have invested further resources, including training all staff in situational awareness and conflict avoidance, with training refreshed every 12 months.

Mr Harper: I did that.

Mr CRAWFORD: I take the interjection from the member for Thuringowa, who did that training. It also included training staff to use the sedation drug droperidol to sedate aggressive and dangerous patients; installing a covert duress monitoring system in all ambulances to allow paramedics to alert authorities of dangerous situations in the back of an ambulance; and ensuring triple 0 calls are rigorously screened and interrogated for potential danger for paramedics, with staff strongly encouraged to report all assaults.

Mr Cramp interjected.

Mr SPEAKER: Pause the clock. Member for Gaven, I understand that we will go to the adjournment debate once this debate is over. I have the option of warning you at this late stage of the week's sitting. I choose not to, but if you persist you will be warned.

Mr CRAWFORD: We have developed a statewide central victim support unit framework to support health workers after any violent incident and with any associated court processes. We have revised security guidelines for the first time in 16 years to reflect current practices.

Unfortunately, amongst many other things, the previous LNP government failed to recognise the impending ice drug epidemic. Instead, they cut services and staff that would have lessened the devastating impact that that drug now has on so many Queensland families and communities. In government, the LNP's idea of law reform was to cut funding to services, sack front-line staff and sell off our public assets. They abolished 106 senior police officer positions. They moved officers from the front line to desk-bound jobs in the PSBA. They reneged on a commitment to provide \$20 million for extra police and police training to patrol safe night precincts. They forced police to buy their own body worn cameras and they set up the PSB Agency as part of a sneaky plan to privatise, civilianise and outsource watch houses, speed camera operations and police academies in Townsville and Brisbane.

Those opposite are no friends of the emergency services workers in this state. All of the firefighters, the paramedics, the police, the nurses and the doctors remember what the LNP did to their colleagues during those three years. I remember the Newman government throwing the chequebook at discrediting paramedics on the stand at the Queensland Industrial Relations Commission. I remember the LNP accusing Queensland paramedics of fraud and of claiming meal overtime provisions that they were not entitled to.

I remember them going after a good friend of mine, a Metro South advanced care paramedic who had done nothing more than defend his entitlements. They tracked his movements. They spied on his movements. They used CCTV footage. They took photos. They used location devices and case records to try to prove that he was a fraud and they failed. He is a great paramedic and he did not deserve that. It gets better, because they even went after me. The LNP, those opposite, embarked on a mission to completely discredit my character. They labelled me a fraud and a thief. They accused me—

Mr SPEAKER: Pause the clock. Deputy Leader of the Opposition, my understanding is that the member is talking about his own experience. If members want to interject, they will interject from their seat. I understand that he is talking about his own experience. It is not hearsay; it is his own experience. I find it relevant to the motion and the amendment we are debating in the House.


Mrs FRECKLINGTON: I rise to a point of order. With the greatest respect, the speaker was not talking about his own experience; he was referring to a colleague.

Mr SPEAKER: My apologies. I thought the member was referring to his own experience. Irrespective, the issue is that he is not being provocative and it is relevant to the point.

Mr CRAWFORD: Those opposite embarked on a mission to completely discredit my character by making accusations that I had intentionally defrauded the system to make money. They put arguably the best barrister the Newman government could buy against me on the stand for four hours. They challenged the integrity of all Queensland paramedics that day. They sent investigators to Cairns. They interrogated Cairns communications records. They tried to prove that, after I went to a scene where a person died, somehow I had committed fraud and stole money from the QAS, but they failed. When they failed, the LNP created a spark in me that sent me to this very House to do the job that I do.

What we have from the LNP is complete hypocrisy and I will not stand for it. I do not believe they have it in their DNA to help or support emergency services workers at all. Our emergency services workers can see right through the hollow promises of the LNP and what they stand for. Only the Labor government will stand up for emergency services workers.

(Time expired)

 **Mr CRIPPS** (Hinchinbrook—LNP) (6.24 pm): I rise to speak in support of the motion moved by the shadow minister and member for Everton. Emergency services workers protect our communities in a range of circumstances: under the law in the case of police officers, protecting life and property in the case of firefighters, and looking after our health and wellbeing in the case of our paramedics. Emergency services workers provide public services paid for with taxpayers' money. In many ways, while they are in uniform providing those services, those emergency services workers are representing us. When police officers enforce the law, they are representing our will. When firefighters respond to


an emergency, they are representing our intention to protect the community. When paramedics turn up to save someone's life, they reflect the fact that service is important to the community. For that reason, our emergency services workers should reasonably expect that the uniform they wear as part of that job should command a level of respect from the rest of the community. They should not be expected to be physically assaulted while they are doing their job, especially when they are representing us. An assault on them is not just an assault on them; it is an assault on us. That is the way that we should be considering this particular matter.

The increasing number of violent incidents against emergency services workers is a real concern. It is very clear to me that this is unacceptable behaviour and that strong measures are required to protect those who protect us. For example, figures released by Paramedics Australasia indicate physical attacks on its members across Queensland have increased by almost 20 per cent compared to five years ago. In the first four months of 2017 alone, 176 ambulance officers were assaulted statewide. In the area of Queensland that I come from, in the Townsville region, 26 deliberate physical attacks were reported on QAS personnel in the 2015-16 financial year. For the same period in the Cairns and hinterland region, 22 deliberate physical attacks were reported on QAS personnel. Between July 2016 and March this year, 20 physical attacks against QAS personnel were reported in Townsville. In the same period, 19 physical attacks were reported against paramedics in the Cairns and hinterland region.

Periodically, there are calls to strengthen penalties in an effort to deter acts of violence against our emergency services workers. The previous LNP government responded to those calls because we were listening to the expectations of the community. We increased a range of penalties to strengthen the deterrent and protect the victims of those crimes—that is, our emergency services workers. The maximum penalty for serious assaults on police officers was doubled from seven to 14 years. That was also extended to public officers, including other front-line emergency services workers. Sadly, physical violence against emergency services workers continues. While sentencing penalties are not the only thing that can or should be done to deter offenders, they must be amongst them to send a clear message to those people who think it is okay to commit those assaults.

The LNP will continue to listen to the community and act accordingly to introduce minimum penalties for serious assaults on our front-line emergency services workers, should we be given the opportunity after the next election. Under the LNP policy, someone convicted of the serious assault of an emergency services worker will be sentenced to a minimum of seven days jail—a minimum, not a maximum—to ensure that the message gets through. This policy will apply to offences against our hardworking police, paramedics and firefighters who are on the front line protecting the community from harm. The LNP has a demonstrated track record of standing up for victims of crime, including strong penalties to act as a deterrent and protect emergency services workers from violence. We are prepared to commit to doing that again and we are articulating that commitment through this motion in the House tonight.

I support the motion moved by the member for Everton and I oppose the amendment moved by the Minister for Police, because, with all things that the Minister for Police's amendment contains, it contains nothing about protecting front-line emergency services workers from assaults. It includes dot points about 225 supposed additional ambulance officers. It contains dot points about supposedly increasing the number of police by more than 300. It contains dot points about supposedly increasing the number of QFES front-line firefighters by 27. However, it contains nothing—not a single thing—about the penalties to be imposed on criminals who assault front-line emergency services workers. That is the issue that is before the House tonight. It is the reason I support the motion and not the amendment.

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (6.29 pm): I rise to speak in favour of the amendment this evening. The Palaszczuk Labor government takes its responsibility for the protection of our front-line workers very seriously. As the Minister for Ambulance Services, I would like to take this opportunity to pay tribute to our ambulance officers for their commitment and their courage in rendering assistance in situations that often put their own safety at risk.

Unfortunately, there are times their extended hand of compassion is met with the closed fist of aggression. There are times when our ambulance officers are threatened with harm by those they are trying to help. Still they go out, day and night, to the scene of the accident, to the street of the brawl, to the home of the violence, to the site of the overdose—always to those in need, often into the fray, frequently into harm's way.

Our government's message to our front-line emergency staff is that we stand with you. That is why the Palaszczuk Labor government invested \$1.35 million into a public education campaign to raise awareness of the issue of violence aimed towards our paramedics and has accepted all 15 recommendations of the Paramedic Safety Taskforce—a task force our government established. Unlike those opposite who did absolutely nothing for three years and saw this problem grow in our community and in our hospitals, our government takes the safety of front-line workers seriously.

That is why we accepted all 15 recommendations of the task force, which the member for Barron River has already articulated. What a terrific contribution tonight by the member for Barron River. The LNP government sought to blacken the name of the member for Barron River. They sought to denigrate his work as a paramedic, but he was up to the task and beat them and made his way into this parliament. I commend him for his service as a paramedic and for his service to the people of Barron River.

Compare the work of our government to the ideas promoted by the LNP which thinks the answer to every difficult and complex social issue is mandatory sentencing. The member for Everton included in his motion the extraordinary proposition that the Palaszczuk government should adopt the policies of the LNP—policies that decimated front-line services; policies that saw 14,000 public sector workers sacked, including 4,400 health workers; policies that were a complete betrayal of the people of Queensland; and policies that were utterly rejected by the people of our state at the last election.

Having witnessed the verdict of the Queensland people on the policy agenda of the LNP at the last election, taking advice on policy from the LNP is like taking advice on loyalty from Tony Abbott. The Newman government, elected with the largest majority in Queensland history, was turfed out after one term—the greatest political flop since Joh for PM. What is the sage wisdom we get from the member for Everton? It is that we should adopt their policies. My advice to the member for Everton is to stick to the leadership plotting and leave policy to the grown-ups.

Actions speak louder than words. Every emergency service worker in this state knows the difference between the Palaszczuk government and the LNP—we back them and they sack them. I commend the amended motion to the House.

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

AYES, 41:

ALP, 40—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

INDEPENDENT, 1—Gordon.

NOES, 40:

LNP, 39—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

PHON, 1—Dickson.

Pairs: Farmer, Sorensen; Lauga, Janetzki.

Resolved in the affirmative.

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

AYES, 41:

ALP, 40—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, D'Ath, de Brenni, Dick, Donaldson, Enoch, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

INDEPENDENT, 1—Gordon.

NOES, 40:

LNP, 39—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Springborg, Stevens, Stuckey, Walker, Watts, Weir.

PHON, 1—Dickson.

Pairs: Farmer, Sorensen; Lauga, Janetzki.

Resolved in the affirmative.

Motion, as agreed—

That this House notes that the Palaszczuk Labor government has adopted policies to protect front-line emergency services workers in Queensland, including:

- the provision of an additional 225 ambulance officers with 115 more this financial year;
- initiating the Paramedic Safety Taskforce and adopting all 15 recommendations, including additional situation awareness training and covert duress alarm systems installed in all ambulances;
- increasing the number of police officers by more than 300, bringing the total number of permanent police positions to 11,880 as of August 2017;
- the rollout of 5,400 QLites to the QPS;
- a commitment for 1,000 new and replacement police vehicles;
- funding for 5,100 body worn cameras for the QPS;
- investing resources to build greater police officer skills, including active armed offender training;
- expanding the QFES to 3,280 FTE positions, including the placement of 27 extra QFES self-funded front-line firefighters to the reserve roster;
- the allocation of \$3.8 million to fund fuel and maintenance for our Rural Fire Service—RFS—brigades; and
- fully funding the Accelerated Rural Fire Fleet Program to replace 60 RFS vehicles this financial year.

SPECIAL ADJOURNMENT

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Leader of the House) (6.41 pm): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 14 November 2017.

Question put—That the motion be agreed to.


Motion agreed to.

ADJOURNMENT

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Leader of the House) (6.42 pm): I move—

That the House do now adjourn.

Condamine Electorate, Agriculture Industry

 **Mr WEIR** (Condamine—LNP) (6.43 pm): I rise to speak about the importance of the agriculture industry in the electorate of Condamine. This part of Queensland is one of the most fertile and productive agricultural areas not only in Australia but would hold its own when compared with any agricultural area in the world. From the Clifton and Felton area in the south, through the central downs and into the Jimbour Plain on the outskirts of Dalby in the north, this is truly magnificent country, growing cereal grains, pulses and legumes, and cotton.


Condamine is also home to the largest concentration of intensively fed livestock in this country. Pork produced on a large scale in the Clifton and Pittsworth district is renowned far and wide. It would be a little known fact that McLean Farms at Pittsworth and Halls from Millmerran are the largest egg producers in the Southern Hemisphere. Condamine is also home to a number of the state's largest cattle feedlots such as Grassdale, Beef City and Kerwee, to name just a few. The towns of Clifton, Pittsworth, Oakey, Dalby and Crows Nest all rely on agriculture for their existence.

Having spent my life working on the land in crop and cattle production, I know only too well the challenges that a life on the land brings, but the primary producers and associated industries not only in Condamine but across Queensland have another challenge foisted upon them by this Labor government. I speak of the absence of a standalone agriculture minister. It is almost three weeks since the member for Rockhampton stood down for health reasons from the position of minister for agriculture. We currently have the agriculture portfolio resting with Minister Lynham, who is now the Minister for—wait for it—State Development, Natural Resources and Mines and Acting Minister for Agriculture, Fisheries and Rural Economic Development. What an embarrassment and insult to our agricultural sector!

We have heard the Premier stand in this place and speak in glowing terms of the returns to this state from the agriculture sector, yet she cannot find the time or perhaps anyone from the Labor benches with the ability to fill this vitally important role. The acting minister demonstrated his lack of understanding of the role in question time yesterday when he said that it was the first time a question

had been asked about agriculture. I have heard the member for Burdekin ask many questions regarding agriculture, and questions about electricity, water and transport are all vital issues for agriculture. Premier, we do not know how much longer you will dither and procrastinate about an election date, so get on and appoint an agriculture minister as a matter of urgency.

Chatsworth Electorate, Cost of Living

 **Mr MINNIKIN** (Chatsworth—LNP) (6.46 pm): I rise this evening proudly to give a voice to the hardworking residents of the Chatsworth electorate in this House. For too long Queenslanders have been used as a cash cow for this do-nothing government. Instead of trying to balance the books, the Premier and her government continue to take, take and take. Queenslanders are now paying more than ever for electricity, with prices increasing by 109 per cent compared to 10 years ago. Electricity costs are now increasing faster than the rate of inflation and wages growth. This is simply unsustainable.


Results of my recent Chatsworth's biggest survey showed almost 95 per cent of respondents are concerned about Queensland's growing cost of living. That is right—95 per cent. I have been told by locals that they are now being forced to make the decision of turning on the air conditioner at night or buying certain items on their shopping lists. They have to choose between the two. More than 60 per cent of locals have been forced to cut items due to the rising cost of living. This is not a little issue. This is big, this is widespread and this needs to be addressed.

It is clear to me and many residents of the Chatsworth electorate that this do-nothing government is not making life easier for Queenslanders. It is not adequately lowering the cost of living, and it is making it harder for Queenslanders to get ahead. No—this government would rather enforce impractical, ideological policies with very little care for the battling Queenslanders.

This Labor government has continued to treat electricity as a secret tax by stealth—firstly, when it loaded our energy businesses with billions in debt; secondly, when it introduced an unrealistic renewable energy target; and, thirdly, when it gave with one hand simply to take with another—typical Labor sleight of hand. What sort of cruel and twisted government offers a \$50 rebate one day to simply lug Queenslanders with a \$200 increase the next?

The constituents of Chatsworth have quite simply had enough. Almost 90 per cent of residents are concerned at this government's attitude towards debt. Indeed, they believe this government should start lowering the cost of living and reducing debt. Almost 87 per cent of residents also want to see the car rego freeze reintroduced. I am proud to say as a member of the LNP that we will do just that. Car registration has already increased by more than \$50 in two years, making Queensland one of the most expensive states in which to own and run a car. The residents of Chatsworth are tired of debt growing and growing while this government continues to falter. Queenslanders deserve better. My good burghers in the great electorate of Chatsworth deserve far better.

Chapman, Mr D


 **Mr SAUNDERS** (Maryborough—ALP) (6.49 pm): I mention the name Duncan Chapman. A lot of people in the chamber would not know who Duncan Chapman is. Duncan Chapman was the first man to step foot on Gallipoli, and he comes from Maryborough. He was born and bred in Maryborough. We are putting up a monument to Duncan Chapman. We have a statue there now. We are telling the story of Duncan Chapman and the battles of World War I.

I would like to congratulate three members of the community who have made this possible in Maryborough. They are fantastic people. Nancy Bates was the editor of the *Fraser Coast Chronicle*. She was the first female editor of APN newspapers. She was there for many, many years. Nancy has been very proactive with this. She led the committee to get this organised. Another member of the committee is Greg Bolderow. I worked with Greg for many years in radio. He was one of my bosses when I was a young, fledgling radio announcer. We call him 'Mr Maestro' around Maryborough. Greg has worked absolutely tirelessly to get this project off the ground. It will be a game changer for Maryborough. It will be part of the military trial that we are having on the Fraser Coast, and it will start in Maryborough at the Duncan Chapman memorial.

The third member of the committee is Jason Scanes. Jason is the CEO of the Maryborough RSL Club. Jason has done a marvellous job with this club since being appointed as the CEO. He is a former soldier who has served in Afghanistan. He is back now running the RSL club and getting it back on its feet. He has gone to great lengths since taking over as manager of that club. Last Saturday night we celebrated 100 years of continuous service of the Maryborough RSL Club to the returned veterans and the people of Maryborough.

The person I really want to thank is the Premier. The Premier has been absolutely amazing in getting this project off the ground. The Premier has come to Maryborough and talked to committee members. The Premier has really pushed hard to get this project for Maryborough because she knows the significance of this project for the Maryborough electorate, particularly for Maryborough city. As the member for Maryborough but also as a resident, I would like to thank the Premier because she went out of her way and took the time to come and make sure that this project got over the line so that Duncan Chapman is remembered by all. As a resident and taxpayer of Queensland, I would like to say thank you to the Premier because she came, she listened and she talked to the community. As all Labor governments do, we have funded this absolutely wonderful thing for Maryborough city—the remembrance of Duncan Chapman, the first man to step ashore at Gallipoli.

Cleveland Electorate

 **Dr ROBINSON** (Cleveland—LNP) (6.52 pm): It is an honour to work for the families of the Cleveland electorate, as I have done for the last eight years as an LNP MP. We are building a better Cleveland district by providing the best education possible for the children. We have achieved much, like the \$3 million Bay View State School hall in Thornlands, the \$9 million to \$10 million Cleveland High year 7 building, the rollout of flashing lights in school zones, and now delivering the \$6 million Cleveland High school hall. LNP federal funding to every school in the Cleveland district will also be warmly received.


We are building a better Cleveland district by improving health services at Redland Hospital for our growing and ageing community. The LNP government did much. We completed the \$18 million emergency department upgrade, provided new paediatric short-stay and mental health areas, a new dedicated palliative care service, reduced emergency department waiting times, elective surgery and dental waiting lists.

We are building a better Cleveland district by ensuring our families and communities are safer by passing tougher laws on criminals, boosting local police numbers which brought crime rates down, and restoring domestic violence funding to victim court support cut by Labor. We are building a better Cleveland district by ensuring investment in our public transport and congested state roads. In government we upgraded Cleveland station, provided 450 extra seats on peak time trains and halved Labor's annual train fare increases. Sadly, Labor's failure to hire train drivers resulted in painful cuts. Forty-two services were cut on the Cleveland line. Cleveland and Birkdale station park-and-ride spaces were taken. Labor also ignored calls for road funding for Cleveland-Redland Bay Road for upgrades to Shore and Wellington streets. Labor's roads fail is clearly seen at the intersection of Shore and Wellington streets. The federal LNP has put up \$3½ million for a state intersection. The Labor government has done nothing in three years, has made excuses and even blocked the project.

We are building a better Cleveland district through improving our coastal lifestyle on Moreton Bay, whether for fishing, sailing, boating, swimming, diving or other marine endeavours. We have delivered Wellington Point boat ramp upgrading and resurfacing, the new William Street boat ramp, floating walkways and channel dredging, new boats and engines for local VMRs, new artificial reef and structures, a breakwater wall at Cleveland ramps, whale-watching facilities at Straddie, and Moreton Bay dive wreck sites are needed.

North Stradbroke Island is going through a very difficult time since Labor closed mining early, all without a plan. Much more funding is needed in the economic transitional strategy or there will be major problems. We are creating jobs and opportunity. It has been my pleasure and honour on behalf of the Cleveland district to serve here as the member of parliament. Once the election is called, I will have more to say about my local plan under an LNP government.

Redland IndigiScapes Centre

 **Mr BROWN** (Capalaba—ALP) (6.55 pm): I remind the member for Cleveland that he and the federal member for Bowman promised to fully fund the upgrade to Shore Street and then he delivered only a quarter of the funding. Now he is asking us, cap in hand—

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

Mr SPEAKER: The member has taken personal offence.

Mr BROWN: On a factual issue?

Mr SPEAKER: No, the accepted position is that you withdraw.


Mr BROWN: I withdraw. I would also like to remind the member for Cleveland that he took the opposition leader all the way over to Straddie from Clayfield to announce nothing. They have no plan. We are the only ones in government who are putting up a \$29 million transition strategy. They went over there and announced nothing. For the Straddie transition they have announced one thing—one wi-fi centre. That is really going to get the jobs coming into Straddie! I cannot wait for them to roll out more plans for Straddie.

I rise tonight to talk about a fantastic facility in Redland city in my electorate of Capalaba, and that is Redland IndigiScapes Centre. Redland IndigiScapes Centre is Redland City Council's environmental education centre opened in 2000. It is an information centre that displays fact sheets, walking trails, guided tours and has knowledgeable staff who are always handy to answer all the questions. It is a botanical gardens that plants only plants native to the Redlands. The gardens have many different themes and provide living examples of how people can use native plants in landscaping in their own backyards.

The centre includes over 14 hectares of bushland and offers many walking trails and bush tucker gardens. The centre also has a 400-year-old Tallowwood tree which is a hit and an attraction for the centre. Events are run each year with a particular focus on involving children and developing a sense of wonder and interest in the natural environment, such as the IndigiKids Club at the centre for kids between the ages of eight and 12 who are interested in conservation of the local environment.

That is why I am so proud that the Minister for Local Government has announced \$100,000 in the first round and now \$900,000 in the second round to subsidise the \$3.7 million upgrade to IndigiScapes—another perfect example of our government getting on with the job and partnering with councils. This will create 16 jobs. There will be 15 ongoing jobs and, as the Minister for Aboriginal and Torres Strait Islander Partnerships would be pleased to hear, five Indigenous ongoing jobs. It is expected to create an extra 8,000 visitors to the centre each year—a much needed boost to our local economy. I want to thank Minister Furner for coming out and announcing it. I also thank him for working with Mayor Karen Williams to create such a great feature for my local community. I cannot wait to see the ongoing construction and completion of this centre.

Highfields

 **Mr WATTS** (Toowoomba North—LNP) (6.58 pm): I want to talk about a region in my electorate, Highfields. As their strong local voice, I am working hard to build a better Highfields, whether it is building the high school out there and ensuring that the sports facility will be complete with an indoor recreational hall, whether it is turning the ambulance station to 24 hours so that people have the coverage they deserve, or getting funding for the Mary McKillop high school to go ahead.

One of the things that is concerning some of the residents at Highfields at the moment is their electricity supply. This has been a serious problem. I am not sure whether the government are running a test on the unreliable future they will have or whether it is just poor management. On 2 and 3 October, there was an outage of more than 12 hours and people were massively inconvenienced. It was a foggy night and the traffic lights were not working. It took 12 hours before the power came back on.


I have had people come into my office about this. Mervyn came and saw me and he had all the times written down. He said that the power was out from 9.08 pm until 9.20 am the following day. It again went out from 7.20 pm to 8.40 pm. Then on 16 October power was lost from 6.05 pm until 9.30 pm. I do not know why they cannot get reliable power. I do not understand what this government are doing. I am not sure whether it is some sort of trial on unreliable power going forward or if it is just incompetence.

What we do know is that the former member for Toowoomba North, Kerry Shine, did not even want this area in the electorate. He wanted it kicked out of the electorate and its representative to be from Kingaroy. He did not want to represent the area because he knows it is too hard. He knows he could not deliver the high school and that the LNP delivered the high school. He knows he could not get the ambulance station. It took him nearly nine years to get part-time coverage, and we got it to 24-hour coverage. We have also upgraded the fire station out there and we have invested money into a sports and recreation park.

I look forward to helping the people of Highfields build a much better Highfields going forward. It is one of the fastest growing places in Queensland and it has been consistently for over 10 years. As it experiences those growing pains, we will be building the roads and we will be building the infrastructure. We will make sure they have the community facilities, the education facilities, the health facilities and the transport facilities they need to be able to be a successful suburb and realise their dreams for Highfields.

I recently had to get involved in a massive fight out there to try to protect some open green space in the centre of town. We have had great success working with the council in achieving that. Unlike the former member, who wants to run away and desert this area, I intend to work hard to represent them to make sure they get the services and facilities they need and deserve into the future.

One Nation, Policies

 **Mr DICKSON** (Buderim—PHON) (7.02 pm): I rise to speak on two issues. One of the most frustrating aspects of politics is the way the two major parties distort, misrepresent and seek to undermine the sound policy initiatives of other parties such as One Nation. The misrepresentation by the government and the opposition of One Nation's Keeping Families Connected policy has been outrageous. There has been no obvious effort to examine or digest what our policy seeks to do, and they have encouraged the media to demonise One Nation.

Let me be very clear about our policy. Domestic violence in any form cannot be tolerated. One Nation is seeking to put the issue of family breakdown under the national spotlight. We need to look behind what is happening in this country. As politicians, we have an obligation to make the system work better. Our policy is aimed at keeping families connected. Current legislation provides poor support for male victims of domestic violence. We do not wish to take any support away from women. We believe that the preamble to the domestic violence act must be amended to make it gender neutral. I table One Nation's Keeping Families Connected policy.

Tabled paper: Document, undated, titled 'One Nation Keeping Families Connected Policy—October 2017' [\[2144\]](#).


The second topic is a parliamentary e-petition titled '\$5.4 billion funding to be reallocated to benefit all of Queensland'. I am sure that both the government and the opposition are very familiar with the dollar amount, having both supported the \$5.409 billion for the Cross River Rail. We know that the funding allocation for that expensive project is just a ploy for Jackie Trad to retain her seat of South Brisbane. The Infrastructure Australia CEO has confirmed that the cost of this project is likely to exceed its benefits. On 23 October 2017, evidence to the Senate Rural and Regional Affairs and Transport Legislation Committee indicated that Cross River Rail was not an immediate problem that needed to be solved.

The people of Queensland now have the opportunity to voice their opposition to the \$5.4 billion ALP-LNP plan to save Brisbane commuters just six to 15 minutes travel time. They can support One Nation's plan to benefit the entire state of Queensland by allocating: \$1.5 billion towards a 1,000-megawatt coal-fired power station in Far North Queensland; \$1.95 billion towards dams, weirs and raising dam walls; \$700 million towards the Borumba Dam; \$850 million towards the duplication of the Beerburrum-Nambour railway line; and \$400 million to upgrade the Mount Lindesay Highway. This petition was launched late yesterday and it already has several hundred signatures.

With the looming state election, all parties know that the people are judging them on their policies and actions. One Nation is ready for the campaign. I do not think the ALP and the LNP are facing up to this yet with the same confidence. One Nation has a plan for the future of Queensland. Both major parties have absolutely lost their way. We will continue to put the people before politics. Mr Speaker, it has been an absolute pleasure working with you. I wish you the best in the future if there is an election called before we come back.

Mr SPEAKER: Thank you.

Woodridge Electorate

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (7.05 pm): All Queenslanders would be well aware during State Education Week that state schools are great schools. Last week I had the opportunity to visit a great state school in the Woodridge electorate that is leading the way in vocational education. Mabel Park State High School, under the leadership of principal Michael Hornby, has established itself as an innovator in vocational education, traineeships and apprenticeships. Last Friday I was pleased to officially launch their new certificate III course in aviation (drone pilots).


Mabel Park State High School is the first school in Queensland to offer this course. It is being taught by experienced former pilot and Mabel Park teacher, Gavin Jones, who has written the curriculum for this course himself. Thirteen year 11 students from Mabel Park State High School and Woodridge State High School are taking part in the course—an initiative harnessing the technology of today to prepare students for the jobs of tomorrow. Those jobs will be in a range of industries—from workplace health and safety, ambulance services, mapping and exploration to parcel and pizza delivery. The sky is literally the limit for the students of the Woodridge electorate.

Last week I was also delighted to drop in on the team from Legacy Brisbane, Tradelink and the 6th Battalion, Royal Australian Regiment to thank them for their work cleaning up the yard of Woodridge resident Queenie Budd. Queenie's husband, Raymond, was a corporal in the British Army. He became a prisoner of war on the fall of Singapore during the Second World War and was forced to work on the infamous Burma Railway. Raymond sadly lost his life in his 40s, leaving behind Queenie and four children. I am proud to say that Queenie and her family have lived in Woodridge for 50 years. It was great to see Legacy, including local Logan Legacy volunteers, Tradelink and the 6RAR team giving their time to help Queenie manage her garden—one of a number of houses around Brisbane and Logan where the Legacy team have lent a helping hand.

Finally, Metro South Health last week delivered free dental treatment to more than 100 refugees at the Logan Central Community Health Centre—many of whom had never received dental treatment at any stage in their lives. The Refugee Dental Fair is an important initiative for Logan, which has one of the highest rates of refugee settlement in Australia. Many of our refugees come from countries where there is limited access to health care, so providing a check-up and on-the-spot treatment means we can address any current dental problems they may have and help them enjoy a healthier future.

The dental fair was staffed by volunteers from Metro South Health and supported by partners Tzu Chi Foundation, Multicultural Development Association, Red Cross Australia, Access Community Services, Mater Health Services and the Brisbane South Primary Health Network. I want to thank them all for their contribution to our community.

Lottoland

 **Mr KATTER** (Mount Isa—KAP) (7.08 pm): I rise to speak in the House on an issue that has the potential to devastate some Queensland businesses, just as Uber did when it came into the market unchecked. I am speaking of online gaming and Lottoland. In recent years we have seen an explosion in online gambling companies, with advertising and marketing permeating every part of our day-to-day lives in every form of media. We cannot switch on the footy or any sporting event these days without being bombarded with ads for online betting agencies.


These online gambling companies are now expanding their reach and are pushing into the area of lotto. This is starting to severely affect our newsagencies across the state. The rise of online lottery betting, or Lottoland, is putting at risk more than 800 small businesses and over 3,500 directly employed jobs in Queensland. Lottoland sell bets on the outcome of overseas and domestic lottery draws, rather than actual tickets in the draws. As a result, they pay no lottery taxes in Queensland and do not contribute to local small business jobs and communities. They are a company based in Gibraltar, with a Northern Territory sports betting licence that operates in Queensland.

Customers are now being diverted from buying actual retail lottery tickets from their local newsagency through the heavy marketing of Lottoland. This will be used to sell other forms of online gambling to customers, which, mark my word, will drastically increase the risk of problem gambling. Every member of this House with a newsagency in their electorate should be well aware of this issue and the effect it will have.

In effect, Lottoland is the Uber of lottery gaming and it is causing similar disruptions to newsagents as the app based ridesharing service caused to taxis when it was welcomed by the government to come into the state without impunity. Now we see the devastating effects that has had on the taxi industry. The South Australian government has seen the potential danger and has stopped all gambling companies accepting bets on the outcome of a lottery. The Victorian, Tasmania, New South Wales and Western Australian governments have also announced plans to outlaw betting on lottery results. The Queensland government has instead called for federal government intervention.

This is a chance for the government to show some leadership and move to protect Queensland businesses and jobs. It is a chance to help those people in small businesses and stop those taxes going overseas. That revenue and those taxes could then be retained in Queensland. We could then preserve very precious small businesses that are holding on very precariously in today's environment. They are a very critical part of the state economy. We need action from this parliament, from this government. Rather than asking for a response from the federal government, we need this government to act—like South Australia has—assertively and to stop this from happening.

Liberal National Party

 **Hon. M FURNER** (Ferry Grove—ALP) (Minister for Local Government and Minister for Aboriginal and Torres Strait Islander Partnerships) (7.10 pm): I rise to bring to the attention of the House the failures of the Liberal National Party at both the state and federal levels when it comes to the

announcement of our first nations people. Under the previous Queensland LNP government, significant funding cuts were made to front-line government agency services aimed at supporting Aboriginal and Torres Strait Islander people, communities and families. In 2013 the LNP government cut more than \$1.1 million in funding from non-government organisations in the community sector that provides support to Aboriginal and Torres Strait Islander people. The funding was stripped away from some of the most disadvantaged communities in Australia. Organisations like the Cape York Remote Area Aboriginal and Torres Strait Islander Child Care Advisory Association had more than \$180,000 stripped in funding cuts by the LNP. An amount of \$280,000 was cut from the Townsville Aboriginal and Islanders Health Services and nearly \$180,000 was cut from the Palm Island Community Company in the electorate of the member for Townsville.

What is clear is that these essential front-line services will be the first to go if the LNP is ever returned to government, particularly if they are in coalition with Pauline Hanson's One Nation party. The member for Clayfield will continue his record of cutting, selling and sacking. When it comes to the Leader of the Opposition's masters in Canberra, let's say that the rotten apple does not fall far from the tree. In fact, only today we have seen a desperately divided federal LNP government walk away from the most important constitutional reform. The Uluru statement was a road map for further reconciliation and national unity, a message from the heart of the nation.

We have a weak Prime Minister controlled by dog whistlers and also obstructionists in the extreme right wing of the party. On constitutional reform, Malcolm Turnbull said that it would be 'too ambitious' and that he would not support their push for a constitutionally protected Indigenous voice to the Australian parliament. Fifty years ago this nation voted—and recorded a 90.77 per cent yes vote—to recognise Aboriginal people in our Constitution. Mr Speaker, can you imagine the now deceased Dr Evelyn Scott not having the ambition to continue down that path, claiming it was too ambitious to make that decision? Where would we be now as a nation? I was so proud to be in the company of the Premier, Minister O'Rourke, Minister Enoch and also the member for Townsville and the member for Thuringowa in Townsville not long ago at Dr Evelyn Scott's state funeral. I was proud to be part of that ceremony and celebration of her life in this country and in this state, who made our first nations' plight so much better for not only Indigenous people but also all Australians.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 7.13 pm.

ATTENDANCE

Bailey, Barton, Bates, Bennett, Bleijie, Boothman, Boyd, Brown, Butcher, Byrne, Costigan, Cramp, Crandon, Crawford, Cripps, D'Ath, Davis, de Brenni, Dick, Dickson, Donaldson, Elmes, Emerson, Enoch, Fentiman, Frecklington, Furner, Gilbert, Gordon, Grace, Harper, Hart, Hinchliffe, Howard, Jones, Katter, Kelly, King, Knuth, Krause, Langbroek, Last, Leahy, Linard, Lynham, Madden, Mander, McArdle, McEachan, Miles, Millar, Miller, Minnikin, Molhoek, Nicholls, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Perrett, Pitt, Powell, Power, Rickuss, Robinson, Rowan, Russo, Ryan, Saunders, Seeney, Simpson, Smith, Springborg, Stevens, Stewart, Stuckey, Trad, Walker, Watts, Weir, Wellington, Whiting, Williams