

~~Works Committee or the Public Accounts Committee. If we work from the premise that both committees have worked hard and diligently and the staff involved likewise it is obvious that by combining these two committees the new committee will look at half the number of financial issues that should be looked at and half the number of major projects that should be looked at. If it still looks at the same number of issues then it will be a more superficial, not as in depth and not as investigative look as it should be.~~

~~There are two major issues that government is responsible for. One is the money of the state and how it is spent. The multimillion dollar or multibillion dollar projects that are undertaken need to be scrutinised in terms of their project management, tendering processes, cost controls, cash flow processes and how variations are arrived at during the course of the projects. Those things need to be examined if we are going to have a very sound and successful scrutiny process. That will be diminished by 50 per cent in each case because of the combining of these two most important committees.~~

~~**Ms BLIGH:** I think this issue has been canvassed, as the member intimated. I think the answers I have given on a number of occasions have addressed his concerns. But he has continued to repeat an assertion in relation to the western corridor recycled water pipeline which is simply wrong. I let it go when he made his previous remarks, but I think that, as he has repeated it again, I need to address it.~~

~~The western corridor pipeline did not have a cost blowout. The western pipeline was increased in size and increased in capacity. That is what contributed to the additional part of the budget. We made a decision to allocate more funds to it so that it could produce more water. That was the decision that was taken, as was advised to this House on many occasions.~~

~~To finalise my answer in relation to the point raised previously by the member for Hinchinbrook, I should note in the context of my previous answer that the Travelsafe Committee was never entrenched in the legislation and had to be re-established with every new parliament. That has persisted since the Goss government. Those committees, while they are not entrenched in legislation, can actually become an entrenched part of the operation of the parliament. But the mechanism by which they are established is a different one, I guess because it gives some flexibility about what the committee might do.~~

~~It was remiss of me not to thank the member for Hinchinbrook for his warm welcome when I had the opportunity to visit Ingham the other day for the Italian Australian Festival. I am sure he would agree with me that the work that his community was doing for that festival was outstanding, even more so given that they so recently suffered such serious flooding. I beg the indulgence of the chair to congratulate the community on a great festival again this year and for their remarkable recovery in the face of a very serious natural disaster.~~

~~Clause 10, as read, agreed to.~~

~~Clauses 11 to 16, as read, agreed to.~~

~~Schedule, as read, agreed to.~~

### **Third Reading**

~~**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (7.54 pm): I move That the bill be now read a third time.~~

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

~~Motion agreed to.~~

~~Bill read a third time.~~

### **Long Title**

~~**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (7.54 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.~~

## **MINES AND ENERGY LEGISLATION AMENDMENT BILL**

### **First Reading**

**Hon. GJ WILSON** (Ferny Grove—ALP) (Acting Minister for Natural Resources, Mines and Energy and Minister for Trade) (7.55 pm): I present a bill for an act to amend the Coal Mining Safety and Health Act 1999, Electricity Act 1994, Electricity—National Scheme (Queensland) Act 1997, Explosives Act 1999, Gas Supply Act 2003, Mineral Resources Act 1989, Mining and Quarrying Safety and Health Act 1999, Petroleum Act 1923 and Petroleum and Gas (Production and Safety) Act 2004 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

*Tabled paper:* Mines and Energy Legislation Amendment Bill.

*Tabled paper:* Mines and Energy Legislation Amendment Bill, explanatory notes.

## Second Reading

**Hon. GJ WILSON** (Ferry Grove—ALP) (Acting Minister for Natural Resources, Mines and Energy and Minister for Trade) (7.55 pm): I move—

That the bill be now read a second time.

The Mines and Energy Legislation Amendment Bill 2009 seeks to amend various acts administered within the mines and energy portfolio to:

- implement safety and health recommendations made by the Ombudsman including establishing a commissioner for mine safety and health;
- align mines safety and health legislation with other workplace health and safety legislation;
- legislate Queensland's support for the establishment of the Australian Energy Market Operator; and
- transfer economic regulation of the Mount Isa-Cloncurry electricity distribution network from the Queensland Competition Authority to the Australian Energy Regulator.

Further amendments are also proposed to clarify and improve the administration and operation of mining and petroleum regulatory frameworks to create efficiencies for industry.

The bill proposes amendments to mines safety and health legislation in response to a report by the Queensland Ombudsman in June 2008 about the Queensland Mines Inspectorate. This review was undertaken as part of the Ombudsman's normal business processes to review Queensland's regulatory agencies. Its main focus was to ensure the inspectorate's compliance activity is supported by a robust administrative framework. I am happy to advise that the Ombudsman did not find any evidence of undue influence by the mining industry within the Mines Inspectorate. However, the report does recommend changes to strengthen independence, in particular the creation of an independent statutory position of Commissioner for Mine Safety and Health.

The commissioner's role, will include: providing advice to the minister on mine safety and health issues; chairing the Coal Mining Safety and Health Advisory Council and the Mining Safety and Health Advisory Council; and reporting to this House on the performance of the Mines Inspectorate. This will be in the form of a written report tabled by the minister responsible for mines and energy.

While the government conducts regular audits and inspections at mining sites to assess whether risks to persons are at an acceptable level, members of the public may also report safety concerns. Therefore, the bill implements another of the Ombudsman's recommendations to create an offence for someone who causes detriment to a person providing information about a safety concern. It is exceptionally important that where it is necessary for individuals to report unsafe or illegal practices they can do so without fear of retribution or victimisation. Individuals should not be penalised for doing the right thing, especially when doing so can prevent serious injury or even the loss of a life.

The amendments to implement the Ombudsman's recommendations represent a milestone. In less than 12 months since the Ombudsman released his report on the Mines Inspectorate, the Bligh Labor government has put forward this significant legislation to create a position of Commissioner for Mine Safety and Health and to offer protection to those who report on mine safety concerns. The current legislation limits the possibility for prosecution in cases where the Coroner's inquest reveals new evidence after 12 months. The amendments proposed in this bill will permit safety inspectorates to commence a prosecution within two years following the completion of a Coroner's inquest where the inquest reveals new evidence.

The bill also proposes amendments that will offer greater protection to statutory officials from civil liability. Currently, statutory officials are protected from civil liability under mining health and safety legislation for an act done, or omission made, honestly and without negligence. The bill seeks to amend relevant legislation to clarify that an act done can refer to giving information or advice. It is important that officials can go about their duties with the confidence that they have protection from civil liability.

The bill also includes amendments to complement national laws which will establish the Australian Energy Market Operator, or AEMO, which will commence operations on 1 July this year. AEMO will assume the functions of the existing gas and electricity market operators, including those operating in Queensland—for electricity, the National Electricity Market Management Co., NEMMCO, and for gas, the Queensland Gas Retail Market Operator. Amendments to the National Electricity Law and National Gas Law have been introduced into the South Australian parliament following unanimous

agreement by the Ministerial Council on Energy. The Commonwealth amendments supporting the national operator are already enacted.

The bill contains supporting amendments to allow AEMO to carry out its functions in Queensland. For electricity, this will mean a name change of the existing market operator to the Australian Energy Market Operator. For gas, it means that the market operator for the Queensland gas retail market will now, similar to the electricity regime, be established under the national scheme laws as opposed to state legislation. Importantly, current consumer protection measures in the Queensland Gas Industry Code will continue to operate. However, the code will be amended to remove the Gas Market Retail Rules, which will become Retail Market Procedures under the new national framework. This means that Queensland market participants will see only minimal changes in market rules and procedures operating within this jurisdiction. Retail gas market participants will now also be brought under the compliance and enforcement regime of the Australian Energy Regulator in place of the Queensland Competition Authority. The benefits of a single market operator include ongoing improvements to efficiency and competitiveness in gas and electricity markets and making sure Australians retain secure, well-managed energy markets and the lowest possible prices.

The bill also contains amendments to transfer responsibility for the economic regulation of the Mount Isa-Cloncurry electricity distribution network, owned and operated by Ergon Energy, from the Queensland Competition Authority to the Australian Energy Regulator. The amendments in the bill essentially continue the current regulatory arrangements applying to the Mount Isa-Cloncurry network and will maintain consistency with regulatory arrangements for Ergon Energy's national grid connected networks. From 1 July 2010, the Australian Energy Regulator will take over responsibility for the regulation of Ergon Energy's grid-connected network under changes made to the national scheme laws in 2007. It makes good regulatory sense to transfer the regulation of the Mount Isa-Cloncurry network to the Australian Energy Regulator at the same time. In the absence of the proposed amendments, a separate regulatory process would need to be developed. This would introduce additional costs for Ergon Energy that would likely be passed on to customers. Amendments provided in the bill minimise the regulatory compliance burden for Ergon Energy by maintaining a common regulatory framework across Ergon Energy's two largest networks. Ergon Energy has expressed strong support for the proposed amendments and both the Australian Energy Regulator and the Queensland Competition Authority are comfortable with provisions contained in this bill. I commend the bill to the House.

Debate, on motion of Mr Langbroek, adjourned.

## ~~QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL BILL~~

### ~~First Reading~~

~~Hon. CR DICK (Greenslopes ALP) (Attorney General and Minister for Industrial Relations) (8.03 pm): I present a bill for an act to establish the Queensland Civil and Administrative Tribunal, to provide for the making and reviewing of particular decisions by the tribunal, and for other matters relating to the tribunal. I present the explanatory notes, and I move —~~

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

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

~~Motion agreed to.~~

~~Bill read a first time.~~

~~Tabled paper: Queensland Civil and Administrative Tribunal Bill.~~

~~Tabled paper: Queensland Civil and Administrative Tribunal Bill, explanatory notes.~~

### ~~Second Reading~~

~~Hon. CR DICK (Greenslopes ALP) (Attorney General and Minister for Industrial Relations) (8.04 pm): I move —~~

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

~~This bill establishes the Queensland Civil and Administrative Tribunal. It represents the most significant structural reform to Queensland's justice system since the re-establishment of the District Court in 1959. This bill is to be debated as a cognate bill with the Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Bill 2009. The jurisdiction provisions bill amends 216 pieces of legislation to give QCAT jurisdiction for a wide range of matters. Together, the bills amalgamate jurisdiction from 23 bodies, 18 of which will be abolished, to create a one-stop shop for the community to access justice services.~~

~~This Labor government, in its previous term, gave a commitment to establish a new modern, efficient and accessible system of civil and administrative justice for Queenslanders. Several reviews and reports over the years, including the Fitzgerald report, have recommended that Queensland's~~