

~~To my many mentors who have taken the time to teach me and to guide me: without you all, I would never have had the confidence to try. Thanks to the union movement, particularly my first union, the ATPOA, which gave me the opportunity to be involved, recognised in me the seeds of an activist and took the time and resources to teach me and train me, inspire me and motivate me.~~

~~To all the people who gave me time, good advice, inspiration and much needed motivation, thank you. To Jo Justo, Kate Ward from Canberra, Sharon Valles, Ian McCarthy, Tom Brown, Carl Ratana, Dave Anderson, Bob Macintosh, Shane and Angie King, Iris Ashton, Terry Armstrong, Michelle Burgett, Graeme Russell, Joy Seiffert, John Targuse, Bob Kline, Senator Claire Moore, Emily's List and every other fabulous person who donated money, stuffed envelopes, did endless letterboxing or bought a raffle ticket or other ticket for fundraising, thank you.~~

~~In every working woman's life, there is another woman they rely on to assist in family emergencies and tribulations, and for me that woman is Chris Scarcella. She always steps in to help me in any situation and we could not manage without her. Thank you, Chris. It is not only me that relies on you, and you never let us down.~~

~~Thank you also to Kevin and Michelle in my electorate office. I literally could not manage without you, your hard work and wealth of knowledge and your unflinching good humour.~~

~~Lastly, may I congratulate all the staff here in Parliament House for the friendly, efficient and professional assistance they provide me. This is a great comfort to me as I look forward with pride and a sense of privilege to representing the constituents of Kallangur. My message to the people of Kallangur is that the values that have animated and strengthened me in my life—compassion, empathy and collectivism—the values that have been instilled in me by my friends and family, now impel me to work hard to build our community.~~

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

018

WATER AND ANOTHER ACT AMENDMENT BILL

First Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Acting Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.19 pm): I present a bill for an act to amend the Water Act 2000 and to make a consequential amendment to the Public Service Act 2008. 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: Water and Another Act Amendment Bill.

Tabled paper: Water and Another Act Amendment Bill, explanatory notes.

Second Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Acting Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.20 pm): I move—

That the bill be now read a second time.

I am pleased to introduce into this House the Water and Another Act Amendment Bill 2009. The Queensland Water Commission, established under the Water Act 2000 in June 2006, is an independent statutory body responsible for ensuring sustainable water supplies in the South-East Queensland region (SEQ region) and other designated regions. The Queensland Water Commission has played a crucial role in securing our water supplies both in the short and the long term. The commission's jurisdiction is currently limited to the SEQ region. However, it can be expanded to further designated regions in Queensland if the need arises.

The planning and regulatory functions carried out by the commission are critical for the continued implementation of regional water supply security within the SEQ region. The commission's achievements in South-East Queensland to date place it at the forefront of water sector reform in Australia. The commission's most notable achievements include—

- strategic water supply planning through development of the SEQ regional water security program and the draft SEQ water strategy;
- establishing the SEQ water grid, including the SEQ water grid entities, the system operating plan and water grid manager contracts;
- SEQ water market development and enforcement as the market rules administrator;

- establishing and implementing a regional water restriction regime for business and domestic water use including a drought exit strategy, resulting in a water consumption drop from over 300 litres per person per day to under 140 litres per person per day for over three years; and
- monitoring and reporting on infrastructure and demand management projects, water efficiency management plans, retrofit programs and water use.

On 12 March the government announced a major public sector reform program which included an independent review of Queensland government boards. The Weller-Webbe review recommended that the QWC be abolished and its functions transferred to the Department of Environment and Resource Management. In the government's view, the commission continues to have a significant role in water supply and demand management, and we did not support the Weller-Webbe recommendation at that time.

In light of this, the government has considered options for organisational change in the context of broader arrangements for water related functions as part of the structure of the new Department of Environment and Resource Management. The government, on recommendations provided by the commission and submissions from key stakeholders, is implementing significant reform through restructuring the water sector and reducing the number of entities involved in managing SEQ's water supply. This significant reform has delivered improved regional coordination and management of water supplies, a clearer responsibility and accountability framework, consistent levels of service and improved water supply security.

With a significant part of the restructuring of the SEQ urban water arrangements in place, it is a timely opportunity to consider rationalising the structure of the Queensland Water Commission. Structural change at this point will not impact on the ability of the commission to continue the implementation of the stage 2 reforms creating new SEQ local government owned retail and distribution businesses.

The Water and Another Act Amendment Bill 2009 forms part of the government's implementation of its response to this element of the Part B Report—*Brokering balance: a public interest map for Queensland government bodies—an independent review of Queensland government boards, committees and statutory authorities*.

This bill proposes structural change to the commission through amendments to the Water Act 2000 to establish a 'single commissioner model' for the commission. The Water Act currently requires the commission to comprise a chairperson and at least two other commissioners appointed by the Governor in Council. The current terms of the chairperson and the two other commissioners expire on 18 June 2009.

The single commissioner model will replace the current board model and retains the appointment by Governor in Council of a third party, external or internal to government, as the commissioner to undertake the existing statutory and regulatory functions of the commission. This simplified governance structure will deliver associated cost savings for government and is consistent with the Part B report recommendation that, where statutory authorities are required, consideration should be given to whether board governance is required. The bill does not propose any changes to the current arrangements for the commissioners' duration of appointment, terms and conditions, resignation and termination of appointment.

Currently the Water Act provides the arrangements for meetings, associated quorum, related governance requirements and other business. Under the new arrangements, with only a single commissioner, provisions for meetings and other business are not necessary and, accordingly, the bill proposes to omit these provisions.

The bill amends the Water Act to require the commissioner to disclose to the minister—previously the chairperson—any direct or indirect pecuniary interest in a matter which may conflict with the proper performance of the commissioner's functions. In the event of disclosure of a conflict of interest, the commissioner is prohibited from performing or continuing to perform functions related to the matter. Other arrangements are in place such as the appointment of an acting commissioner which would allow the ongoing function of the commission in this circumstance. The bill also makes provision for the minister to appoint an acting commissioner in circumstances where the single commissioner is unable to perform his or her duties or is absent from office for any reason.

Under the proposed arrangements, the commission will remain a separate statutory body with independent reporting requirements under the Water Act. All of the commission's current functions and powers remain the same including the same geographical jurisdiction, and the ability to employ staff and establish advisory bodies.

The structural changes to the commission are consistent with the government's public sector reform program, which aims to deliver reduced bureaucracy and improve efficiency and maintain integrity and security of necessary regulatory functions. The changes to the commission are only in relation to its composition, rather than its establishment and ongoing operation, and will provide for

associated cost savings for government in the future. The bill will not commence the new arrangements until after the 18 June 2009 expiry date of the current commissioners' term.

I would like to take this opportunity to thank water commissioners Elizabeth Nosworthy, Jamie Quinn and David Green, who have been at the forefront of the unprecedented initiatives undertaken by the commission and have made an enormous personal contribution. I commend the bill to the House.

Debate, on motion of Mr Langbroek, adjourned.

MOTION

Order of Business

~~Hon. CR DICK (Greenslopes ALP) (Acting Leader of the House) (12.27 pm): I move~~

~~That government business order of the day No. 1 be postponed.~~

~~Question put That the motion be agreed to.~~

~~Motion agreed to.~~

TELECOMMUNICATIONS INTERCEPTION BILL

Second Reading

~~Resumed from 22 April (see p. 75), on motion of Ms Bligh~~

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

~~Mr LANGBROEK (Surfers Paradise LNP) (Leader of the Opposition) (12.27 pm): I rise to speak to the Telecommunications Interception Bill 2009, which will introduce telephone tapping powers in Queensland. There is a very comprehensive brief from the Queensland Parliamentary Library, which has updated a previous one of a couple of years ago. I will be using some of the comments from that brief because it is a very good brief. New members would be well advised on some of these issues to have a look at what the library produces, because it is a great help in doing research for these sorts of matters. Lawrence Springborg, the member for Southern Downs and former Leader of the Opposition, has introduced private members bills on this issue over the last few years, and I look forward to his contribution on this bill.~~

~~I want to indicate that this bill is longstanding Liberal National Party policy, and it has been introduced into parliament during the last three sittings and we will be supporting it. I note that the library brief states—~~

~~The Commonwealth Telecommunications (Interception and Access) Act 1979 or, TIA Act, seeks to establish a comprehensive national scheme for the lawful interception of telecommunications.~~

~~This bill will enable the Queensland Police Service and the Crime and Misconduct Commission to apply for telecommunication interception warrants under the Commonwealth T(IA) Act for the investigation of serious offences.~~

019

~~We are the only jurisdiction not to have had such legislation. So the absence of such legislation has meant that the Queensland Police Service and the Crime and Misconduct Commission cannot be declared interception agencies. Only an interception agency can obtain an interception warrant under the T(IA) Act. Neither the QPS nor the CMC can currently obtain a warrant to authorise the interception of telecommunications to assist them in the investigation of serious offences within Queensland.~~

~~It is pointed out in this research brief that over the years law enforcement agencies in Queensland have had to use alternative detection and investigation measures rather than depend on being allowed access to information intercepted by their interstate or Commonwealth counterparts. For example, the Queensland Police Service, under the Police Powers and Responsibilities Act, has used surveillance devices which include listening devices, visual surveillance devices and tracking devices to investigate indictable offences. The Public Interest Monitor created under the Police Powers and Responsibilities Act is allowed to appear at applications for warrant hearings to represent the public interest.~~

~~I note that part 2 of this bill is where the Public Interest Monitor's position is codified. It is interesting to read about the Public Interest Monitor in this brief. The position was established in 1997 by the then coalition government under the Police Powers and Responsibilities Act as an independent statutory office holder to, among other things, appear at hearings of applications for various surveillance warrants in order to represent the public interest.~~

~~Obviously, up until now the police and the CMC have been limited in their use of surveillance devices vis a vis telecommunications interception. Listening devices can only pick up one side of the conversation. Of course, telecommunication interception can capture both sides of a telephone conversation, or facsimile communication, or email between computers all in real time.~~