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# RECORD OF PROCEEDINGS

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## Tuesday, 2 June 2009



J MICKEL
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

L J OSMOND
CHIEF HANSARD REPORTER

# TUESDAY, 2 JUNE 2009

The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. John Mickel, Logan) read prayers and took the chair.

For the sitting week, Mr Speaker acknowledged the traditional owners of the land upon which this parliament is assembled and the custodians of the sacred lands of our state.

## ASSENT TO BILLS

**Mr SPEAKER:** Honourable members, I have to report that I have received from Her Excellency the Governor a letter in respect of assent to certain bills, the contents of which will be incorporated in the *Record of Proceedings*. I table the letter for the information of members.

The Honourable R.J. Mickel, MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on the date shown:

Date of Assent: 28 May 2009

> "A Bill for An Act to amend the Crime and Misconduct Act 2001 and the Summary Offences Act 2005 for particular purposes"
>
> "A Bill for An Act to amend the Superannuation (State Public Sector) Act 1990 for particular purposes"
>
> "A Bill for An Act to enhance law enforcement in Queensland by enabling the Queensland Police Service and the Crime and Misconduct Commission to be declared agencies under the Telecommunications (Interception and Access) Act 1979 (Cwlth)"
>
> "A Bill for An Act to provide for accountability in the administration of the State's finances, to provide for financial administration of departments and statutory bodies, to repeal the Financial Administration and Audit Act 1977, to amend the Government Owned Corporations Act 1993 for particular purposes and to make consequential or minor amendments to other Acts as stated in schedule 1"
>
> "A Bill for An Act to provide for the Queensland Auditor-General and the Queensland Audit Office and the audit of the State's public finances and all public sector entities"
>
> "A Bill for An Act to amend the Parliament of Queensland Act 2001 to provide for the Law, Justice and Safety Committee and the Public Accounts and Public Works Committee, and to make amendments to other Acts as stated in the schedule"

These Bills are hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

Governor

28 May 2009

*Tabled paper:* Letter, dated 28 May 2009, from Her Excellency the Governor to the Speaker advising of assent to bills on 28 May 2009 [272].

## PETITIONS

The Clerk presented the following paper petitions, lodged by the honourable members indicated—

**Mermaid Beach, Intersection**

**Ms Simpson,** from 100 petitioners, requesting the House to review the location of the pedestrian crossing, turn lanes and location of the lights at the intersection of the Gold Coast Highway, Venice Street and Bondi Avenue at Mermaid Beach [273].

**Nerang-Broadbeach Road**

**Ms Simpson,** from 87 petitioners, requesting the House to construct an entrance from Nerang-Broadbeach Road for the residents of River Gardens and Casino Village Caravan Parks to safely enter their homes [274].

The Clerk presented the following e-petitions, sponsored by the honourable members indicated—

**Bruce Highway, Speed Limit**

**Mr Dickson,** from 174 petitioners, requesting the House to reduce the speed limit on the Bruce Highway, southbound, between Maroochydore and Caloundra Roads to 100 km [275].

**Fraser Island, Dingoes**

**Mr Sorensen,** from 256 petitioners, requesting the House to stop all culling and pelting of dingoes with sling shots and provide Fraser Island dingoes with food as their resources have been taken from them and set up feeding stations [275].

Petitions received.

# TABLED PAPERS

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

28 May 2009—

269 Response from the Minister for Primary Industries and Fisheries (Mr Mulherin) to two paper petitions (1204-09 and 1205-09) presented by Mr O'Brien from 18 and 984 petitioners respectively regarding commercial netting operations and sustainability of the local estuary and inshore fisheries in the Cooktown area

270 Quarterly Report to the Attorney-General and Minister for Industrial Relations (1 January to 31 March 2009)—Activities carried out by the Queensland Workplace Rights Office)

1 June 2009—

271 Public Works Committee: Report No. 100—Prep School Year Capital Works Program: Government Response from the Minister for Education and Training (Mr Wilson)

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Government Owned Corporations Act 1993—

277 Government Owned Corporations Amendment Regulation (No. 1) 2009, No. 59

Ambulance Service Act 1991—

278 Ambulance Service Amendment Regulation (No. 1) 2009, No. 60

Fisheries Act 1994—

279 Fisheries Legislation Amendment Regulation (No. 2) 2009, No. 61

Fisheries Act 1994—

280 Fisheries Management Plans Amendment Management Plan (No. 1) 2009, No. 62

Integrated Planning Act 1997—

281 Integrated Planning Amendment Regulation (No. 2) 2009, No. 63

Tow Truck Act 1973, Transport Infrastructure Act 1994, Transport Operations (Marine Pollution) Act 1995, Transport Operations (Marine Safety) Act 1994, Transport Operations (Passenger Transport) Act 1994, Transport Operations (Road Use Management) Act 1995—

282 Transport Legislation (Fees) Amendment Regulation (No. 1) 2009, No. 64

Transport Operations (Road Use Management) Act 1995—

283 Transport Legislation Amendment Regulation (No. 1) 2009, No. 65

Transport Operations (Road Use Management) Act 1995—

284 Transport Operations (Road Use Management-Vehicle Registration) Amendment Regulation (No. 1) 2009, No. 66

Criminal Proceeds Confiscation and Other Acts Amendment Act 2009—

285 Proclamation commencing certain provisions, No. 67

Justice (Fair Trading) Legislation Amendment Act 2008—

286 Proclamation commencing certain provisions, No. 68

Justice Legislation Amendment Act 2008—

287 Proclamation commencing certain provisions, No. 69

Building and Construction Industry Payments Act 2004, Domestic Building Contracts Act 2000, Queensland Building Services Authority Act 1991—

288 Queensland Building Services Authority and Other Legislation Amendment Regulation (No. 1) 2009, No. 70

Public Trustee Act 1978—

289 Public Trustee Amendment Regulation (No. 5) 2009, No. 71

Public Health Act 2005—

290 Public Health Amendment Regulation (No. 1) 2009, No. 72

REPORT TABLED BY THE CLERK

The following report was tabled by the Clerk—

291 Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

**Financial Accountability Bill 2009**

Amendment made to Bill

**Schedule 1 (Consequential and minor amendments of other Acts)—**

At page 92, line 7—

*Omit—*

*'2001'*

*Insert—*

*'2006'*.

# MINISTERIAL STATEMENTS

## Renewing Queensland Plan

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.33 am): This parliament has debated and often authored much of the amazing story of the development of the state of Queensland. In the week of our 150th anniversary, history calls us again to chart the next phase of the journey. The governments of Queensland, of all political persuasions, have forged the path to today, through courageous far-sighted acts and through decisions that require the sort of leadership that was often only appreciated in hindsight. Our state is unrecognisable as the colony that was granted letters patent by Queen Victoria in 1859.

Our story is one of progress, growth, prosperity and development. The need to respond to the challenges of the day in a way which moves the state forward is rarely without controversy. Today, I will outline a plan to renew Queensland's finances and grow our future investment which will reshape the Queensland economy and propel us to the next phase of our development. Like all bold measures, this plan will invite intense debate and even opposition. But it is consistent with both the immediate imperatives of our state's budget stability and the need to secure our long-time future and prosperity.

**Mr Springborg** interjected.

**Ms BLIGH:** When you are ready. The fact is that the global recession has confronted us. It has confronted us as individuals, as citizens, as employers and as employees. The crushing tragedy of unemployment is known today to more than 114,000 Queenslanders. As each month goes by, the reality of the global recession visits more households across the state.

The global recession has also confronted us as a state and as a government as the stewards of our economy and our public finances. We are confronted with the total loss of $14 billion in expected revenue over the next four years, a third of our annual budget robbed from Queensland by the global recession; confronted with a further $2 billion decline in our GST receipts since the federal budget was brought down, enough to fund our entire Police Service for a year; and confronted with the need in these tough financial times to continue the infrastructure task to build for a growing population.

Confronted with these challenges we held our nerve and, along with most governments in the world, we chose to stimulate our economy in the short term. We made what was in many ways a simple choice—to above all else keep our record building program going to protect the 119,000 jobs that it supports and to continue building Queensland's future. We have always said that it required tough decisions in the future; tough decisions to restore the state's finances to enable, not disable, future growth, to come through the global recession stronger and not weaker.

The measures I announce today are consistent with this approach. They are consistent with the platform that I and my team took to the most recent election. Prior to and during that election campaign—indeed at all times—I have been frank with Queenslanders about the financial circumstances that confront us. That is why the government announced updated budget and financial forecasts just days before the election campaign. It is why we laid bare the fact that our state budget would be in deficit because of the global recession. It is why I was clear during the campaign about what the priorities of a re-elected Labor government would be—jobs, jobs, jobs and our building program. It is why I was upfront about the need for tough decisions to secure those priorities.

At the election Labor sought and gained a clear mandate. It was a mandate to secure jobs in the short term to soften the blow of the global recession while dealing with the long-term reforms that will restore the budget to surplus over time and regain our AAA credit rating. The modern Queensland economy looks outwards, not inwards. As a flexible trading economy we are part of the global economy.

Its fate is our fate. As the world faces the single largest economic crisis since the Great Depression, we need to recognise that seismic shifts, like those occurring in the world today, require similar realignments of priorities to meet new challenges.

As our 150 years has shown us, our goals have changed as the world has changed. It was necessary at one point in our history for the state to develop and own airports in great regional cities like Mackay and Cairns. Private investment in such ventures would not have occurred and these regional centres would not have reached their potential as economies and as communities. But recently the government took the decision to sell these airports and to use the proceeds to pursue a new priority for these fast-growing communities—the need to rebuild and build their hospitals. The sales process is now complete and the private sector will invest and take these airports to their next level, creating secure long-term employment, growth and economic prosperity in Cairns and Mackay. This is a clear case, as I said at the time, of government recognising that times change, priorities change and the role that government plays must also change.

At times in our history the government of Queensland has sold beer, we have sawn and milled timber, we have retailed fish, and we have even owned 90 state owned butcher shops. In Brisbane our electricity network was not state owned until 1977, and we did not own power stations until then either. We have owned a railway but never owned a communications company. We have retailed fish and meat but we have never been greengrocers. Around Australia government ownership of different businesses is widely different and constantly changing, as it should. The demands and expectations on governments have also changed. Governments have not always provided social housing. Shamefully, support for the disabled has only been a relatively recent phenomena. State high schools became commonplace only decades ago and our prep year of schooling is only three years old.

As we look to the future expectations and our future ambitions, we must ask ourselves the most basic of questions: what is the role of government in our next 150 years? This century—a new century—presents us with challenges unforeseen just decades ago: the challenge of climate change and the need to reduce our carbon footprint and develop renewable energy technologies; the challenge of educating our citizens in a fast-changing world where knowledge is growing exponentially; the challenge of nurturing new technologies and new industries to secure our economic growth; the challenge of providing sustainable urban environments with efficient public transport and enviable livable lifestyles; the challenge of providing hospital services in an era of staggering advances in health technology and an ageing population. These are the challenges that confront us as we enter the 21st century, and they are vastly different to the challenges of the last century.

In the last century a key challenge for Queensland's growth and development was to provide the infrastructure needed to unlock our vast natural resources. For example, nurturing and creating an export capacity required us to build and operate railways and ports at a time when private investment was unable to do so. As a result, unlike any other state of Australia, our budget and our balance sheet carries the ongoing burden of both commercial infrastructure and public infrastructure more usually associated with public ownership. The time has come to reassess and realign our public asset base with the needs of Queensland this century. Government has resolved to undertake a package of strategic asset sales designed to secure the future of a number of commercial assets without the ongoing need for public investment. This frees the government's balance sheet to better support the development of public infrastructure like schools, hospitals, public transport, public housing and roads.

Our Renewing Queensland Plan will restructure our asset portfolio with the sale of Queensland Motorways Ltd, the Port of Brisbane Corporation, Forestry Plantations Queensland, Queensland Rail's above and below rail coal business and the Abbot Point Coal Terminal. Options for the sale of QR's bulk freight, intermodal, retail and regional freight services will also be investigated and offered to market in the most appropriate and feasible way. Further, we will commence negotiations with the Commonwealth for the sale or lease of QR's regional below track network to the Commonwealth government owned Australian Rail Track Corporation. However, we will retain full public ownership of Queensland Rail's passenger network.

The asset sales announced will be progressed over the next three to five years. This time frame recognises not only the complexity of the process and the need to prepare detailed plans on the sale structure but also the need to time transactions with capacity in the market. This staged program of asset sales will deliver proceeds of an estimated $15 billion and, just as importantly, it will avoid a further $12 billion in required capital investment in those businesses over the next five years. This represents a total benefit to taxpayers of almost $30 billion. The government will forgo annual estimated returns of approximately $280 million a year as a result of the sale program. However, the $12 billion in avoided capital alone will save Queenslanders around $750 million every year in interest. In total, these measures have the potential to reduce state debt by $15 billion by 2013-14.

I acknowledge that many in the community, including many in the union movement, will instinctively oppose the sale of these assets. To those with concerns, I would encourage them to look at the success of Qantas since it was privatised in 1995. It is not a dissimilar asset—a transport company—to Queensland Rail. As with Qantas, each of the assets being announced today requires

substantial capital if they are to grow. The privatisation of Qantas provided the organisation with the ability to secure the investment it needed to compete and, more importantly, to grow and to expand without a further drain on taxpayers. Qantas flourished after privatisation to become what it is today—one of the world's largest, most profitable and successful airlines. Full-time employment in Qantas has risen by 16 per cent from 29,000 to 33,700. So that decision by a Labor government in the 1990s secured the jobs of those workers and secured the long-term prosperity of that company.

To the employees of the enterprises included in today's decision, I commit to a fair process which will involve them and their representatives. As has been the case in the past with asset sales, all employees in affected government owned corporations will have the terms and conditions of their current enterprise bargaining agreement honoured for the life of that agreement. As well, employment guarantees will be put in place for two years beyond the date of the sale. Employees transferring to the new businesses will experience no interruption to their continuity of service or accrued entitlements. The government will establish an industrial relations working party to discuss the detail of transition arrangements with unions and corporations. In terms of employment, the objective of the government is to protect jobs and create viable growing private enterprises with the prospect of growth and increasing jobs, as was the case with Qantas.

Let me now address the issues in relation to each asset in more detail. When the National Party went into debt to build the original Gateway Bridge, new ground was broken in the delivery of infrastructure in this state. The debt was incurred—rightly—to deliver the Gateway Bridge for the benefit of Queenslanders in 1986 and for the generations to come. Those generations—the people who would utilise this important infrastructure—would be called upon to contribute to its cost. It was a far-sighted decision. Today, two-thirds of the second Gateway Bridge stretches across the river—the debt financed, again, on the sound economic basis that the bridge will benefit not only the current population but also Queenslanders of future generations.

The government will this year spend $6.5 billion on its state-wide road and transport infrastructure program and, in so doing, support some 39,000 Queensland jobs. Our road network today has an estimated replacement value of $72.2 billion. It is big enough to travel around the entire coastline of Australia 1.5 times, or the equivalent of Brisbane to Melbourne 20 times. Our first tolled motorway—the Gateway Bridge—was important, because it broke the mould. As was always intended, the loan undertaken in the 1980s for the first Gateway Bridge is to be paid off by the tolls collected daily over the life of the bridge, just as it is intended that the tolls to be applied on the second Gateway Bridge will service the finance raised for its construction cost. The Gateway serves as part of our National Highway and it services the port of Brisbane—an export gateway to the world.

To enhance productive capacity, to lift our export effort, there is a need to bring on construction of the planned Port of Brisbane Motorway. As part of our Renewing Queensland Plan, the government will invite offers to purchase the tolling franchise of the Gateway and the other roadways of Queensland Motorways Ltd. The bridges and roads themselves will remain in the ownership of the state. The government will look to put this opportunity to the market in 2011 after the completion of the current bridge. It is the government's intention to legislate a toll level at the point of sale and then to allow that toll to rise only with inflation post the sale. This is consistent with the approach taken in the North-South Bypass Tunnel project and Airport Link and protects road users from unreasonable toll increases.

While the investment market for greenfield tollways has been massively impacted by recent market experiences and the broader global financial crisis, there is an appetite for the established, long-run opportunities that Queensland Motorways Ltd represents. The future growth of the south-east, of our economy, of our export capacity, of Brisbane port and of Brisbane Airport make this a very attractive investment opportunity.

Further, under the Renewing Queensland Plan, the government will invite private sector investment in the Port of Brisbane. As well, a mandate to upgrade the Port of Brisbane Motorway will be offered to private investors. The Port of Brisbane has expanded as our economy has expanded. Its growth and its evolution has seen it secure private sector investment in its property holdings along Hamilton. A move to allow private sector investment in Queensland Motorways Ltd's toll assets and the Port of Brisbane is an important part of our path to recovery. But it is equally a strategic decision to free the budget long term from the debt needed to build the Port of Brisbane Motorway and grow the port. Private ownership of these assets, again, secures their long-term expansion. The Port of Brisbane Corporation also owns the Bundaberg port. I want to make it clear that today's announcement does not affect the ongoing public ownership of the Port of Bundaberg, which will now be transferred to the Gladstone Ports Corporation.

In 2006 the government corporatised the state's forestry business, creating Forestry Plantations Queensland. This was done to put it on a more commercial footing and to underpin the long-term competitiveness of the plantation timber industry. More than three years on, and Forestry Plantations Queensland is on very solid ground. Last year it achieved $93.8 million in timber sales and planted 5.8 million trees.

There was a time last century when it made a lot of sense for the government of the day to be heavily involved in the timber industry. In fact, it was a crucial first step. To get a plantation and timber processing industry off the ground required government action, because the government owned the land. Fast forward to 2009 and we face a totally different situation. We have 200,000 hectares of timber plantations and we have world-class timber processors who are internationally competitive. Selling Forestry Plantations Queensland should attract even more investment and enable this industry to grow and further develop.

As a government, we have had to ask ourselves: do we really any longer need to be in the business of managing a forestry plantation business that buys and sells wood, or would revenue from the sale be better spent maintaining the building program, reducing debt and taking a step towards restoring our AAA credit rating? The sale of FPQ would generate at least half a billion dollars to help keep the state's massive building program going.

I want to reassure Queenslanders that we will retain ownership of the land and protect access rights for the public. A condition of sale will be that recreation in state plantation forests will continue. This includes walking, cycling, horse riding, motorcycling, car rallies, photography and filming.

Importantly, we are not stepping away from the western hardwoods plan to have 20,000 hectares of hardwood plantations by 2015. We will take specialist advice as to whether the sale will include hardwood plantations. If it does, a condition of sale will be that the western hardwoods plan must be honoured.

At the turn of the 20th century, as our country was forged into one 'indissoluble Commonwealth', our Constitution contemplated the need to provide for the national interest in the running of railways. In this new century, the focus of discussion has shifted from narrow gauge and standard gauge to bandwidth and broadband. Again, it is a matter of aligning priorities with the imperatives of the day.

The evidence exists around the nation and around the world that rail systems and export chains have only developed and grown to their optimal capacity with investment from industry. Much of our rail network that must grow into the future will service the development of our resource industry. In this case, the question for government becomes not only who is best placed to deliver those expansions but what is the cost of government undertaking this work? More succinctly, if government funds the infrastructure needed in the commercial arms of Queensland Rail, what schools, hospitals and roads can we not build and what services should we cut? The plain fact is that $10 billion invested in this export chain is $10 billion that cannot be invested somewhere else.

At the turn of the century, the Queensland government decided to invest in the railways because, for the times, that was the right thing to do. Today is no different. It must always be the job of government to make decisions that are in the best interests of the community. That is why my government will offer Queensland Rail's coal network for sale and examine the potential for the sale of its bulk and regional freight, retail and intermodal assets and businesses.

That is why we will retain in government ownership and control all passenger rail assets in our state. Passenger rail plays an increasingly important role in servicing our community. Increased use of public transport is essential if we are to achieve our carbon emissions targets. These services also hold the key to reducing traffic congestion and provide the basis for sustainable new urban communities. We will not only retain control of Queensland Rail's passenger services but divesting commercial rail businesses allows greater investment in public transport.

The sale of non-passenger QR assets will contribute more than $7 billion to state coffers but, importantly, save the Queensland taxpayer around $7 billion in avoided capital expenditure. A significant portion of that capital requirement would have been used by Queensland Rail to build rail infrastructure in Western Australia as part of the company's legitimate attempts to diversify its business. That is why the sale of these QR assets is the right thing to do.

The state will take expert advice on structuring the coal infrastructure sale in a way that can maximise the efficiency of our rail-to-port network. Our revitalised and reorganised coal freight system will have the capacity to move more coal to the world, providing a greater return in royalties to the people of Queensland. For example, an integrated sale could offer the Goonyella through Newlands to Abbot Point system along with the sale of Abbot Point Coal Terminal. The private sector will build the northern missing link infrastructure that is currently being proposed, saving the taxpayer $3.5 billion in future capital expenditure. In the long term, a privately owned Queensland Rail commercial business, like Qantas, will be a stronger, more sustainable business that will continue to grow and create jobs in Queensland.

Today in this Renewing Queensland Plan, I have outlined a carefully considered program of strategic asset sales. This plan will reduce Queensland's debt, encourage investment in export infrastructure, give us the tools we need to fight the global recession in the short term and begin the process of restoring our AAA credit rating in the medium term. These are long-term structural changes to our asset base which will permanently improve the state's balance sheet and better align to current priorities. In terms of our recurrent budget we, along with most governments around the world, have

taken the decision to run deficits in the short term as a response to the global recession. However, we all understand that this situation is unsustainable in the long term and tough structural changes need to be made to restore the recurrent budget to surplus over time. We must rethink our spending, invest what we do have wisely and make sure it represents value for Queensland taxpayers.

We currently spend in Queensland more than $500 million a year in a fuel subsidy program. But Queensland taxpayers and the motoring public are not getting value for money. The recent independent Pincus inquiry identified that Queenslanders are not receiving the full benefit of what taxpayers are spending on the scheme. We also know that New South Wales motorists are crossing the border to take advantage of this subsidy. The proposal by the New South Wales government to abolish its tiered fuel subsidy scheme from 1 July will only make it more attractive for New South Wales motorists to cross the border to fill up their tanks. Queensland taxpayers should not have to subsidise interstate motorists. That does not represent value for taxpayers' money. So as part of this year's budget the government has taken the decision to end our fuel subsidy program as of 1 July this year.

**Opposition members** interjected.

**Ms Simpson:** It's a fuel tax. Tell it the way it is. You lied to the people.

**Mr SPEAKER:** Member for Maroochydore, you will withdraw that comment. It is unparliamentary.

**Ms SIMPSON:** I will withdraw, Mr Speaker.

**Ms BLIGH:** This will bring us into line with every state in the country. I do not want to diminish in any way the burden that this will place on motorists. But it will also save taxpayers more than $2.4 billion over four years and is part of our strong plan to regain our AAA credit rating and restore the budget surplus without jeopardising vital infrastructure like hospitals, schools and roads. It is a sacrifice that we are asking of Queenslanders to play their part in keeping the building program going and protecting the 119,000 jobs it supports.

The fact is that at the moment and for the next several years Queensland would need to borrow the funds necessary to keep the fuel subsidy program going. In times of difficult choices, that is simply a luxury that Queensland cannot afford. Paying off our debt faster is like paying off a home faster. This measure alone means we will save almost $300 million in interest payments over the next four years. The money saved will go into the things that are most important: running our hospitals, schools, police and other vital services.

Our Renewing Queensland Plan and the abolition of the fuel subsidy are measures undertaken with two goals in mind: firstly, keeping our building program going to support jobs now to soften the blow of the global recession; and, secondly, dealing with the long-term reforms that will restore the budget to surplus over time and realign our finances for the challenges of the future. This is what responsible governments across the world are doing because the alternatives are too awful to contemplate. Letting our building program collapse would destroy jobs and see us lag many years behind the infrastructure demands of a growing state. This is something that I am not going to let happen.

But it is not just the necessity of the times that drives these announcements. Crises often provide the impetus for fundamental rethinks. This global financial crisis has caused us to examine our asset base in light of current challenges and modern priorities. As has occurred often in our 150-year history, the circumstances we find ourselves in give us cause to rethink the role of government to ensure that our priorities and our agenda in this century align with the challenges we face in this century. The challenges of this century demand that we subsidise public transport, not the freight transport requirements of coal companies; that we invest in schools, not in forestry plantations; and that we build and run hospitals, not coal ports.

The announcements made today are made in the interests of Queensland and its working families. My responsibility as Premier, like the responsibility of every leader, is to develop new strategies when the circumstances around us change and to find ways to turn problems into opportunities. With these decisions we strategically reposition Queensland for the future and we profoundly shift the financial structure of our budget from the challenges of the past to the opportunities and demands of the future. Most importantly, we give ourselves and our state the best chance of coming through the furnace of the global financial crisis stronger, not weaker.

## Quarterly Public Hospitals Performance Report

**Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Minister for Health) (10.07 am): I table the latest *Quarterly public hospitals performance report*. This report is an example of the Bligh government's commitment to transparent reporting and has certainly provided direction about what our priorities must be over the next three years.

*Tabled paper:* Queensland Health, Quarterly Public Hospitals Performance Report, March Quarter 2009 [292].

During the March quarter the state's public hospitals admitted more than 216,000 patients and our busy emergency departments treated more than 373,100 Queenslanders—more than 124,300 people a month. The waiting times in our emergency departments have improved since the previous quarter. However, categories 2, 3 and 4, at 75 per cent, 62 per cent and 64 per cent respectively, are still below the national benchmarks and we know we need to do more. That is why during the election the Bligh government committed to emergency department upgrades and nurse practitioners to break hospital bottlenecks. The $250 million initiative will deliver emergency department upgrades in Brisbane, Logan, Redlands, Ipswich, Caboolture, Bundaberg and Toowoomba; 89 more rehabilitation beds in Brisbane, Townsville and Rockhampton; 30 new nurse practitioners with greater treating capabilities working in our emergency departments to cut down on waiting times; and regulation change so patients can be discharged by a registered nurse after the assessment and consent of a doctor. This is in addition to emergency department upgrades underway at Robina, Rockhampton, Cairns and Townsville.

During the first eight months of 2008-09 there was a 5.6 per cent increase in the number of emergency admissions—that is, 258,348—compared to the same period in 2007-08, which was 244,703. That is nearly 14,000 more patients than the same time last year. In the past five years we have seen a 21.6 per cent increase in the number of emergency admissions. Increases in emergency admissions result in some elective cases being delayed as surgeons must give priority to emergency cases. Despite this, during the March quarter 2009, 29,695 elective surgery patients were treated, including 1,461 under the Queensland government's innovative Surgery Connect program, a 10.3 per cent increase on the same quarter last year. I am advised that during the last three months there has been a concentrated effort to treat long-wait elective surgery patients. I was particularly pleased to note that in category 1 long waits halved from 259 in the April 2008 quarter to 128 this quarter and category 3 long waits have almost halved in the same period from 5,131 to 2,724.

We have seen our focus on elective surgery make genuine inroads into both the numbers of people waiting and long-wait patients, and we know we need to maintain those efforts. However, at the same time we need to look at other areas of our health system where we can make a difference. I was very concerned by the outpatient specialist appointment waiting lists. In January 2008 Queensland Health invested an additional $20 million in annual funding to address specialist outpatient waiting lists. Since then there has been a three per cent increase in the number of new specialist outpatient appointments, as well as an overall nine per cent increase in the number of appointments.

The government is investing in outpatient facilities at all of its major projects in hospitals such as Redcliffe, as well as expanding access in areas of significant population growth by investing in health precincts such as at Browns Plains and North Lakes. We have also recruited more than 2,100 doctors, more than 7,100 nurses and more than 2,700 allied health practitioners since 2005. We are working hard to recruit more clinical staff, but we are also facing a worldwide shortage of doctors and nurses.

As one of its Q2 targets, the Queensland government is committed to making Queensland public hospital waiting times the shortest in Australia by 2020. We know that we have a rapidly growing and ageing population that is increasingly burdened by chronic disease, which means more pressure on our specialist outpatient clinics and emergency departments. That is why we have also committed to cutting by one-third obesity, smoking, heavy drinking and unsafe sun exposure. Whilst we know we need to address the immediate issues in our public hospitals and we are working to do that, we also need to look at strategies to keep Queenslanders healthy and out of hospital.

## Swine Flu

**Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Minister for Health) (10.10 am): Swine flu remains a significant issue for Queenslanders, and the Bligh government is taking it seriously. As at 5 am this morning, Queensland has 22 confirmed cases of human swine influenza—that is, four in Cairns, two in Brisbane, nine at the Gold Coast, one in Mackay, one in Bundaberg, one in Nambour and three *Pacific Dawn* crew who, as they were diagnosed in Queensland, are part of the Queensland tally. Late yesterday an additional case was confirmed in Warwick. The person has recently returned from the US and is in isolation. Nationally, there have been 405 cases of human swine flu.

The Bligh government is working hard to minimise the spread of the disease to protect vulnerable Queenslanders and minimise the impact on our tourist and retail industries. This is consistent with national efforts to contain this disease. While the effects of swine flu have so far been mild in this country, we must take every precaution, and we will. This week Queensland Health worked with Catholic Education to close two schools in Cairns in response to an outbreak, St Monica's and St Mary's. The Tropical Population Health Unit briefed parents of relevant students from the two schools on Sunday and I am told that parents have been extremely cooperative.

Queenslanders themselves have continued to play an important role in stopping the spread of this illness. They have taken heed of the message from the Chief Health Officer and have been seeking medical advice when experiencing any symptoms. As of this morning over 2,000 Queenslanders have sought advice from 13HEALTH on this disease. Many others have been taking advantage of the flu

clinics now set up in Cairns and on the Gold Coast. The purpose of those clinics is to assess people with flu-like symptoms in a separate area away from our busy EDs. Every health district in Queensland has prepared for this scenario and has the capacity to open flu clinics if needed.

Across government preparations are underway should the situation escalate. Senior officials are meeting regularly and health ministers from every state are working together to monitor the progress of the disease in a national response. I have made it repeatedly clear that we will not be able to stop the ultimate spread of swine flu in greater numbers in Queensland. What we are doing is seeking to slow and contain it. Each year five per cent of the Australian population suffers from influenza and there are about 1,000 to 3,000 deaths. Inevitably we would expect to see deaths in Australia from swine flu as well, but we will work cooperatively and continue to take appropriate action to protect the health of Queenslanders. Every case that we are able to delay and prevent takes us one step closer to a vaccine being available.

## Gateway Upgrade Project

**Hon. CA WALLACE** (Thuringowa—ALP) (Minister for Main Roads) (10.13 am): This week the Bligh government's Gateway Upgrade Project welcomed its 10,000th on-site inductee and achieved a milestone of over 400,000 hours of industry training. These figures highlight the significant labour force that is required to deliver one of the state's largest infrastructure projects. Given the size and scope of the upgrade, the government required the project team to deliver training opportunities that will greatly contribute to skills sustainability in the Queensland construction industry. Since 2007, the project has engaged more than 110 trainees in various programs, including front-line management, concreting, bridge and road works, plant and machinery operation and carpentry apprenticeships. In addition to construction industry training programs, the project has provided a wide range of training and up-skilling for construction workers, technical, support and managerial staff.

The 400,000-plus training hours is a significant achievement and demonstrates a commitment to developing and improving the skills of the project's workforce. It is in line with the government's commitment to create jobs and ensure we have a trained and skilled workforce to take on tomorrow's challenges. It is helping meet our Q2 target of having 75 per cent of Queenslanders holding trade, training or tertiary qualifications. Unlike the opposition, we recognise that we must keep investing in infrastructure and jobs in times of economic downturn, not put a freeze on capital works as it did when it was last in government and faced similar economic circumstances.

The Gateway project team has also recently celebrated one million work hours free of lost time injuries. This is remarkable for a project that currently engages more than 1,600 staff and has construction activities spanning across 20 kilometres. Major construction works that began over three years ago on the Gateway Motorway, Bruce Highway, Centenary Highway, and Ipswich Motorway and right down to the Pacific Motorway at the Gold Coast represent the significant investment our government has made towards transforming the South-East Queensland road network. Soon, the hard work of planning and constructing these new roads, bridges, additional lanes and upgrades will begin to reward motorists with reduced congestion and improved travel time reliability.

## Gladstone State Development Area, Services Corridor

**Hon. SJ HINCHLIFFE** (Stafford—ALP) (Minister for Infrastructure and Planning) (10.15 am): I would like to announce more infrastructure jobs for Gladstone. Late last month the government approved the development of the Gladstone State Development Area services corridor, which will secure a 21-kilometre strategic pipeline and services corridor for the future industries of Gladstone. Today I announce that the Bligh government will immediately commence $2.98 million of design work for the project, that will lead to a $20 million construction project and the creation of 7,400 person weeks of employment in 2010. There will also be ongoing maintenance work once complete. This funding is provided via the Estates Construction Fund.

The project will deliver a strategic infrastructure link and surety of access for industry in the Gladstone State Development Area. The corridor is 110 metres wide in total and will accommodate pipelines associated with future projects including the Rio Tinto Yarwun alumina refinery expansion, the Gladstone Pacific Nickel project and the Stanwell-Gladstone water pipeline. The project is led by the Property Services Group within the Department of Infrastructure and Planning, with input from the State Development Area team and Gladstone Ports Corporation. All land required for the corridor is already owned by the state or by Gladstone Ports Corporation.

In 2009-10 design and planning for the 21-kilometre corridor will be complete and construction of the eastern eight-kilometre section will begin in early 2010. During the election the government committed to keeping the $17 billion infrastructure program going above all else. This project reiterates its commitment to that promise; a promise that applies to our regions as well as the south-east. The procurement of professional engineering services for the civil design of the project is currently progressing through a registration of interest and invitation to offer process which is expected to be completed by early 2010.

### Hinchinbrook Shire, Flood Recovery Assistance

**Hon. TS MULHERIN** (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.18 am): On 17 April the Hinchinbrook Shire Council wrote to the Bligh government seeking recovery assistance following monsoonal flooding after tropical cyclones Charlotte and Ellie. The Hinchinbrook Shire Council was seeking assistance beyond standard NDRRA measures. The council provided the government with two reports: a primary industries initial economic impact assessment and an initial business impact survey.

On 19 May 2009 I discussed the issue with Hinchinbrook shire mayor and representatives of Canegrowers. As with the additional assistance announced on 25 May for flood-affected regions in northern New South Wales, today I am pleased to announce that the Queensland government has written to the Prime Minister seeking approval to provide recovery grants for small business and primary producers impacted by tropical cyclones Charlotte and Ellie.

Whilst it has been some time since these severe flooding events, there is mounting evidence that small business and primary producers in Hinchinbrook and North-West Queensland are struggling to recover. After an assessment of the reports compiled by affected councils, I consider recovery grants are appropriate. There has been significant damage to cane crops, paddocks and haulage infrastructure in Hinchinbrook shire. There have also been extensive stock losses, damage to farm infrastructure and council infrastructure in North-West Queensland.

Likewise, many small businesses suffered significant damage due to the prolonged periods of flooding in towns such as Ingham, Karumba and Normanton. I have requested that small businesses and primary producers in the worst affected parts of the state be considered for special assistance grants of up to $15,000 for restoration activities. These areas of the state were also eligible for concessional loans for primary producers and freight subsidies in the wake of the flooding. The council areas being considered for the special assistance grants are Burke, Carpentaria, Cloncurry, Croydon, Doomadgee, Etheridge, Hinchinbrook, McKinlay and Richmond. These special assistance grants will assist the affected communities with their recovery and is proof that the Bligh government is intent on protecting jobs in primary industries and in small communities across the state.

## LAW, JUSTICE AND SAFETY COMMITTEE

### Extension of Time

**Ms SPENCE** (Sunnybank—ALP) (Leader of the House) (10.20 am), by leave, without notice: I move—

That the date for the Law, Justice and Safety Committee to report to the Legislative Assembly on a draft preamble for the *Constitution of Queensland 2001* and modernising the oaths and affirmations of allegiance, referred to the Legal, Constitutional and Administrative Review Committee on 23 April 2009, be extended from 6 June 2009 to 3 September 2009.

Question put—That the motion be agreed to.

Motion agreed to.

## RIGHT TO INFORMATION BILL

## INFORMATION PRIVACY BILL

### Cognate Debate

**Ms SPENCE** (Sunnybank—ALP) (Leader of the House) (10.21 am), by leave, without notice: I move—

That, in accordance with standing order 129, the Right to Information Bill and the Information Privacy Bill be treated as cognate bills for their remaining stages, as follows:

(a) one question being put with regard to the second readings;

(b) the consideration of the bills in detail together; and

(c) one question being put for the third readings and long titles.

Question put—That the motion be agreed to.

Motion agreed to.

# MOTION

## Cognate Debate

**Ms SPENCE** (Sunnybank—ALP) (Leader of the House) (10.21 am), by leave, without notice: I move—

That, notwithstanding anything contained in standing and sessional orders, debate on government business notices of motion Nos 1 and 2, standing in the name of the Minister for Climate Change and Sustainability, be a cognate debate, with the question for each motion being put separately at the conclusion of the debate.

Question put—That the motion be agreed to.

Motion agreed to.

# PERSONAL EXPLANATION

## Member for Whitsunday, Parliamentary Allowance

**Ms JARRATT** (Whitsunday—ALP) (10.22 am): Over the past week I have had to endure my name being dragged through the mud and my reputation seriously damaged as Steven Wardill of the *Courier-Mail* has asserted that I have spent my parliamentary allowance on myself, my family and other non-work related items. These allegations have been based on a selection of my private bank statements from one of my bank accounts and a copy or partial copy of a statement I made to police last year in relation to a matter that is soon to be before the court.

I do not know how these documents came into the possession of the *Courier-Mail*. It could be as a result of receiving stolen property or possibly in contempt of court processes. What I do know is that they are not a complete record of activity over the relevant period. No matter how Mr Wardill came to be in possession of these documents, their use by Mr Wardill and his employer has been selective, unfair and damaging to my reputation. For example, Mr Wardill correctly identified an instance where money was transferred to my husband. He did not, however, disclose that it had also been reimbursed to the account in full. Mr Wardill never identified or wrote about inflows into the account apart from the allowances.

I am required to account to the Australian Taxation Office for the expenditure of my allowances. While I am not required to submit expense claims for reimbursement of spending to this House, suffice to say that I have never paid tax on this income and have in most years actually exceeded the allowance in electorate related expenses accepted by the ATO. This means that my allowance has been spent on electorate related matters. Further, it means that I have often supplemented the allowance from my own pocket.

These are examples of relevant facts essential to any fair, honest and accurate reporting of this matter—relevant and essential facts that the *Courier-Mail* has either chosen to ignore or made no effort to elicit. The deliberate attempt to destroy my reputation as an honest member of parliament is one thing. I am, however, equally concerned about Mr Wardill and the *Courier-Mail's* interference in the judicial processes.

Mr Speaker, as a result of pending criminal proceedings and this House's sub judice convention, I am restricted in what I can say about matters before the court. But I can say that it is highly likely that Mr Wardill and the *Courier-Mail* either deliberately or with reckless disregard have allowed themselves to become the agents of an individual who is facing criminal prosecution. It is a sad day when journalists in this state disregard the legal system in order to obtain a sensational headline or newspaper article.

I have today written to the Commissioner of Police to investigate Mr Wardill's possession of my private papers to determine whether there has been a receipt of stolen property or breach of security in relation to court documents and also to establish if there has been a contempt of court by any person by the misuse of evidence provided for a criminal prosecution. Further, I have asked my legal counsel to investigate the actions of the *Courier-Mail* in relation to my rights as a citizen.

In conclusion, I would encourage all members to watch last night's report on *Media Watch*, which dealt with the *Courier-Mail*'s conduct in this matter. *Media Watch* described the *Courier-Mail*'s reporting and treatment of me as grubby journalism. I could not agree more.

# SCRUTINY OF LEGISLATION COMMITTEE

## Report

**Mrs MILLER** (Bundamba—ALP) (10.25 am): I table the Scrutiny of Legislation Committee's *Legislation Alert No. 3 of 2009*.

*Tabled paper:* Scrutiny of Legislation Committee—Legislation Alert No. 3 of 2009 [293].

## REPORT

### Office of the Leader of the Liberal Party

**Mr McARDLE** (Caloundra—LNP) (10.26 am): I table a report on the office expenses of the Office of the Leader of the Liberal Party for 1 July 2008 to 25 July 2008.

*Tabled paper:* Public report of office expenses, Office of the Leader of the Liberal Party, for the period 1 July 2008 to 25 July 2008 [294].

**Mr Lucas:** Sold off!

**Mr McARDLE:** Following your example, are we?

**Ms Bligh:** What'd you get for the Liberal Party?

**Mr SPEAKER:** That was the most sensational tabling of a report I have ever heard.

## SPEAKER'S STATEMENT

### School Group Tours

**Mr SPEAKER:** Order! Honourable members, during this morning's proceedings the following schools will be visiting parliament: Christ the King Catholic Primary School in the electorate of Murrumba, represented by Dean Wells; teachers and students from the Park Ridge State School in the electorate of Logan; and the Holy Spirit School of New Farm in the electorate of Brisbane Central, represented by Grace Grace.

## QUESTIONS WITHOUT NOTICE

### Sale of Public Assets

**Mr LANGBROEK** (10.27 am): My first question without notice is to the Premier. Will the Premier advise the House how Queenslanders can count on her to run the economy when her only plan is to sell off their assets in a fire sale and bring in a fuel tax?

**Ms BLIGH:** I thank the honourable member for the question. The first thing that Queenslanders can count on with me and this government is that we will be frank and open with them about the financial circumstances—

**Opposition members** interjected.

**Mr SPEAKER:** The honourable the Premier.

**Ms BLIGH:**—being brought to Queensland by the ravages of the global economic crisis. I will not, like the Deputy Leader of the Opposition, pretend that the global financial crisis is a figment of someone's imagination. I will talk to the people of Queensland about it and we will put forward at every turn for the people of Queensland to see and understand the effect that the global financial crisis is wreaking on our budget and on our economy.

**Opposition members** interjected.

**Mr SPEAKER:** Order! The honourable the Premier.

**Ms BLIGH:** Thank you, Mr Speaker. The other thing that the people of Queensland can count on from our government is that we are determined to modernise Queensland, to reshape Queensland as the circumstances demand, to create a strong future and not by looking to the past. The program that I outlined this morning is not a randomly chosen list to meet a short-term problem. It is a strategically identified set of assets which on any assessment are assets that would actually grow more under private ownership and private investment than from what the public purse is able to give it.

What do we see from those opposite—the great conservative parties of private enterprise? Are they telling the people of Queensland that they do not believe the private sector has the capacity to invest and grow these enterprises? Is that what they are saying? What I want for Queensland coal, what I want for Queensland Rail, is for that business to grow and expand, and create more jobs and be bigger and better. It needs investment, and I need the private sector to look to that investment so we can get on with what Queenslanders want—better schools, better hospitals, better roads and more police.

## Sale of Public Assets

**Mr LANGBROEK:** My second question without notice is also to the Premier. Will the Premier advise the House how many jobs her asset fire sale and the bringing in of a fuel tax will generate?

**Ms BLIGH:** I thank the honourable member for the question. As I outlined in the speech that I gave earlier to the parliament, there is an outstanding example of what private investment can do to previously publicly owned companies, and it is Qantas. I am very happy to advise the House—many people know it—that I was one of those members of the Australian Labor Party who was unhappy about the sale of Qantas and was opposed to it at the time. But in life you have to reassess your position when the facts prove you wrong. I was wrong to be unhappy about the sale of Qantas because Qantas has gone from strength to strength. The private sector was able to invest in new planes and grow that business. Qantas created 16 per cent more jobs. Not only has it created 16 per cent more direct jobs; it has also put in place a new airline, Jetstar, that is servicing parts of Queensland and creating an industry in tourism that would never have been possible.

I note again that the Leader of the Opposition clearly believes that the private sector in this country is not capable of running those assets. I disagree with him. The private sector is more than capable of running those assets, investing in them, growing them and creating more jobs. That is what I want for these assets. I want to see these assets grow to meet custom and demand in the coal industry.

We have to make a choice here. Every one of us has to make a choice. Do we believe that in the Queensland budget we should be spending money to subsidise the transport of coal for companies like Rio Tinto, BHP, Anglo and Macarthur, or should we be building public hospitals and schools in your electorate, his electorate and other members' electorates?

**Opposition members** interjected.

**Ms BLIGH:** I take it they want to see us put more money into funding coal transport instead of public transport. I want more money on our passenger network. I want more new railways to new urban communities. I want to see passenger rail up the coast of Queensland looking after the tourism industry. Again, we see the great party of private enterprise telling us that they cannot do it. I believe in the business community of this country. I believe they are capable, and I am confident that we will see more.

## Sale of Public Assets

**Mrs KEECH:** My question is to the Premier. Can the Premier outline for the House what alternatives to today's Renewing Queensland Plan were considered by the government?

**Ms BLIGH:** I thank the honourable member for the question. As I outlined, we have been confronted, as has every government, with a dramatic and catastrophic loss of revenue because of the global financial crisis. We have seen coal royalties drop, we have seen property taxes drop, and we have seen every single source of government revenue including GST ravaged.

**Mr Horan:** You wasted money in the boom times.

**Ms BLIGH:** I note that the member for Toowoomba South believes that spending money in his electorate is a waste of money. I do not agree.

**Mr Johnson:** That is an absolute lie.

**Mr HORAN:** I rise to a point of order, Mr Speaker.

**Mr SPEAKER:** Order! Before I deal with your point of order, I would ask the member for Gregory to withdraw the unparliamentary words.

**Mr JOHNSON:** Mr Speaker, I withdraw and I apologise to you.

**Mr SPEAKER:** Thank you.

**Mr HORAN:** Mr Speaker, I find the Premier's remarks offensive because I did not say what she said I said. I said that you wasted the money in the good times. I said nothing about Toowoomba. I find it offensive that the Premier would make up something, and I ask her to withdraw it.

**Mr SPEAKER:** It will be better for the House if the Premier withdraws the comments that the honourable member finds offensive.

**Ms BLIGH:** I withdraw, Mr Speaker, and don't you worry about that. I said, he said, Mr Speaker.

**Mr SPEAKER:** It will be far better for the House, Premier, if you withdraw unconditionally.

**Ms BLIGH:** I withdraw, Mr Speaker.

**Mr SPEAKER:** Restart the clock.

**Ms BLIGH:** As I outlined, this government, like every government in the world, has been faced with a catastrophic impact on the money coming into our budget and we have to make choices. So what were the choices? I thank the member for Albert for the question, because I think it is instructive to understand some of the options that have to be considered. Ultimately, the Leader of the Opposition will have to tell the people of Queensland what choice he would have made.

The first choice that we rejected was the plan put forward by the LNP. We rejected any suggestion that we should cut our building program. We are not prepared to do it. We reject the suggestion that there should be a three per cent cut to police, education, health, roads and every other part of services, and we reject the plan put forward by the LNP to sack 36,000 Queenslanders over the next three years.

The second option is that we could have put in place for the next three years a wages freeze. This would have meant breaking a string of existing agreements that have been made over the last couple of years with the employees of Queensland's public sector. Importantly, it would have meant a serious loss of wage relativity so that, particularly at the high-skilled end, we ran the risk of losing high-skilled doctors, losing high-skilled nurses and losing teachers to other states. We do need a new wage policy going forward, but that is a very different thing to breaching those agreements that were made in good faith.

The other option that was put to us and rejected was that we consider cutting the rebates that go to holders of a Queensland Seniors Card on everything from electricity, to water, to public transport, and we took this view: that is no way to treat older Queenslanders, no way to treat our senior citizens, and we will not do it.

As all members would know, we have across Queensland important non-government services that are run on behalf of Queenslanders. They account for a very significant part of the budget, and one option was to cut the grants to those programs. What do these people do? They look after disabled children in respite centres. Is that the sort of thing we should cut? Well, I do not agree and that is not something we would do.

I have outlined our priorities as a government. The day is coming when the Leader of the Opposition, in a budget reply speech, will have to tell people what projects he would cut, how long this wage freeze would be and where he would cut jobs—and he will not be able to do it, because they will never tell you what they are going to cut. There is not one project. I have not heard them say they want one less thing. Where is one project that you are prepared to cut? There is not one. You will not tell us one thing that you want to cut. The Leader of the Opposition does not have what it takes.

## Sale of Public Assets

**Mr SPRINGBORG:** Mr Speaker, I start by tabling Labor's election costings.

*Tabled paper:* Summary of Labor election commitments [295].

Will the Premier tell the House where she told the people of Queensland that her government would sell key public assets if her government were re-elected?

**Ms BLIGH:** I thank the honourable member for the question. Before the election campaign and during the election campaign I made it very clear to the people of Queensland that there were going to be some very tough decisions in our budget. I said that our first priority would be maintaining our building program, to build what Queensland needs. This state needs building and we will build it—119,000 jobs. Our second priority, in the middle of the worst financial crisis the world has seen, would be to protect the services that Queenslanders need, and we would not be cutting jobs.

If the member is interested in the answer, I suggest he listen. I was asked on many occasions during the election campaign what sort of tough decisions might be required. I was specifically asked whether asset sales would be on the agenda. I answered that honestly. I refer you to the *Australian Financial Review*—as one example but not the only one—on 19 March under the headline 'Bligh faces a power sale', which reads—

The Bligh government has refused to rule out the sale of more public assets to address a shortfall in taxation revenue over the next three years.

I make the point that these asset sales—

**Mr Springborg:** Where is it? This is your policy, isn't it?

**Mr SPEAKER:** Order! Deputy Leader of the Opposition, you have made your point with the piece of paper.

**Mr Johnson:** There's better people in jail than you mob.

**Ms BLIGH:** And they are all from the National Party.

**Mr Johnson:** All your paedophile mates.

**Mr Lucas:** Ready to govern are you, Vaughan?

**Mr Johnson:** I tell you what, we're ready all right.

**Mr SPEAKER:** I have asked the honourable member for Gregory several times this morning to cease interjecting. You have now forced my patience. I will have to warn you under the standing orders for continuing to interject while I was on my feet. I call the Premier.

**Ms BLIGH:** I would also point out that the document the leader, the Deputy Leader of the Opposition—one can be forgiven for being confused—is inanely waving around is the costings document for our election commitments. The asset sales that I have outlined this morning are not to fund our election commitments. Our election commitments are fully funded from those items identified in that document.

This is a three- to five-year strategy that is about the next 10 to 15 years in this state. It is a structural reposition that gives us the capacity to build what Queensland needs and the private sector the ability to do the things that it can do and which are not necessary for the public sector to do. You have the wrong document. You have the wrong idea. You have the wrong policy.

**Mr SPEAKER:** Order! Could I suggest to the honourable Premier in terms of the word 'you' that there is a degree of high tension in the House this morning, as there should be, and it would be better for civility if all honourable members directed their comments through the chair.

## Abbot Point Coal Terminal

**Ms JARRATT:** My question without notice is to the Premier. Given the announcement made this morning, can the Premier outline the future of the Abbot Point Coal Terminal?

**Ms BLIGH:** I thank the member for Whitsunday for her question. I take the opportunity, while I am on my feet, to recognise what a hardworking member she is for the people of her electorate. She is living proof that hard work at the grassroots pays off and earns respect. At every election she has secured people's respect because of her hard work and commitment.

The Abbot Point Coal Terminal, as the member for Whitsunday knows, is a very important part of the coal export supply chain. Under the program that I have outlined this morning, the Abbot Point Coal Terminal will not only continue to operate but will expand and grow. If people speak to any of our major coal companies what they will be told is that while they are enduring a drop in demand from world markets their medium- to long-term forecasts for volume have not changed—that is, they expect that the medium- to long-term demand for growth in coal to remain as strong as ever.

What that means is that Abbot Point's long-term expansion plan to go from a coal port that was exporting 25 million tonnes a year—and it is currently being redeveloped so that it can go to 50 million tonnes a year, at a cost to the public purse, I stress, of $800 million—to one that will export between 80 and 100 million tonnes a year can only be achieved with a significant new investment of funds. Those funds, in my view, are best sourced from the private sector. The private sector is in a good position to invest in the infrastructure needed to export coal. That is the business the private sector should be in. The public sector should be in the business of investing in schools, hospitals, roads and the services that people need.

Rail capacity is also needed in that supply chain. The northern missing link is a critical part of growing our export capacity. Again, it will be a huge public investment if we do it through the public sector but one which the private sector, in our view, is much better placed to do.

One option is that we could put this to market as an integrated asset so that we have a supply chain that goes across both rail and port, thereby avoiding some of the delays and bottlenecks that have been caused in the past because rail capacity has not matched port capacity or port capacity has not matched rail capacity. If that happens, then what we will see happen out of Abbot Point is the supply chain system grow to be one of the most effective, efficient and strongest coal export chains in Australia and arguably the world. That is a good thing for Queensland. It will grow local jobs. More importantly, it will grow prosperity for the whole region and indeed the whole country.

## Taxation

**Mr NICHOLLS:** My question is directed to the Treasurer. Will the Treasurer tell us the difference between a tax, a fee, a levy and a charge given that they all require taxpayers and businesses to pay more to bailout Labor's debt incurred before the global financial crisis?

**Mr FRASER:** I thank the shadow Treasurer for the question. I think it is rather concerning that the man who pretends to do this job should put that question on the public record. But nevertheless the matter speaks for itself.

Let me be really clear about what this government has said. What this government has said is that now is not the time to introduce new business taxes. Now is not the time to introduce new taxes into the economy. That is the commitment that we gave. That is what will be included in the budget that will be delivered in this parliament in two weeks time.

The reality is that right now we are facing a time in our state's development, in our state's history, ravaged as it has been by the effects of the global recession, where we need to chart a course for the long-term future of the state. That long-term future of the state requires leadership, it requires vision, it requires boldness, it requires the capacity to look to the future and chart a course.

What we have seen in this parliament this morning is leadership, vision, an agenda for the future in spades on this side of the House. What we have seen on the other side of the House is the complete bankruptcy of ideas that is being offered—a complete nonacceptance of the reality of the circumstances of the state; a continuation of the view and the opinion that they took to the people of Queensland and that was rejected by the people of Queensland.

Ultimately, we need to take tough decisions. We said that on the day that we delivered the update before the election was called. We said that consistently throughout the election campaign. We have said that subsequently. We will have to take tough decisions. The tough decisions that the Premier has outlined this morning are the sort of decisions that a government, which does not worry about the newspapers tomorrow but worries about the future of the state in 10, 15 and 20 years time, will make.

What we have seen laid out before the parliament and before the people of Queensland this morning is an agenda for the future of Queensland, an agenda that recognises the point in our history. Here we are a couple of days short of our 150th anniversary as a distinct colony—as a separate state, and, as we look to the next 150 years, mark this day down in your diary as the day when this Labor government, like Labor has throughout its history, began charting a course for the future of the people of Queensland, charted a course with vision, charted a course that was policy rich and looked to the future. That is why those opposite do not comprehend it.

## Sale of Public Assets

**Mrs SMITH:** My question is to the Treasurer and Minister for Employment and Economic Development. Can the Treasurer advise the House of the benefits to the state's finances of the Premier's Renewing Queensland future investment plan?

**Mr FRASER:** I thank the member for Burleigh for her question. In the immediate term the benefits are clear, as the Premier outlined. Some $15 billion of proceeds will go directly towards putting the state's finances on a more sustainable footing for the long-term benefit of the state, avoiding $12 billion in capital expenditure that the Queensland taxpayers and public finances in this state would otherwise be required to expend.

What does that do? It allows us as a government—it allows us as a state—to invest in the things that are important. What does it mean for the member for Burleigh on the Gold Coast? It means that we can get on with building the Gold Coast University Hospital with 750 beds. It means that we can get on with building the Gold Coast rapid transit system, finally with the support of a federal government that also recognises what leadership is in times like these. It means that we can get on with building the important Gold Coast AFL stadium which will support the tourism industry and jobs on the Gold Coast. What we have is an agenda for the long-term future. What we have here is a test of leadership, and this Premier has that leadership in spades—laid out before the parliament of Queensland, clearly laid out and put before the people of Queensland and charting a course for the long term.

But it is a test of leadership for the Leader of the Opposition as well, because I believe that the Leader of the Opposition actually has the intellectual capacity to recognise that this is a good plan. I believe that he knows in his heart of hearts that this is a carefully thought through plan that looks to the long-term future of the state. What we will see is a real test of what the Leader of the Opposition really thinks. We know that he has said in the past in this parliament that—

> It is ... our belief that the government does not have to be involved in activities that can be best performed by private enterprise.

We know that the shadow Treasurer has said in the past—

> It is important to give credit to the government for at least accepting the benefits of privatisation.

We know that the shadow minister for education has said—

> We accept the principle that sometimes we need to sell government assets in order to ensure that they are competitive and grow to the benefit of the state, but also sometimes we need to sell government owned assets in order to invest those funds in more urgently needed infrastructure that is appropriate for the government to own.

On each and every occasion the Liberal members of the LNP have got up and put it on the record. This is a big test not only for us—and we are up for it—but it is a test for him. Is he in charge or is the dill next to him still in charge, because he does not have the capacity to recognise that this is an agenda that is bold for the future of Queensland? This is a big test, and the test in part lies over there.

**Mr SPEAKER:** Before I call the member for Callide, I think the term 'dill' is unparliamentary and it would be far better for the House if you would withdraw that comment.

**Mr FRASER:** Sorry, Mr Speaker. I withdraw.

## Sale of Public Assets

**Mr SEENEY:** My question without notice is to the Treasurer. I refer to the government's latest plans to sell state owned assets, and I ask the Treasurer: since the government sold the energy retailing assets of Energex and Ergon in 2006, what long-term benefits have Queenslanders received from the $3 billion the government received from the sale price and what impact did the sale have on energy prices paid by Queensland consumers?

**Mr FRASER:** I thank the shadow minister for energy for his question, because herein lies the difference in what is supposed to be the one unified party that these people took to the last election, because his view of the world is in accord—on this occasion but not usually—with the member for Southern Downs. Members in this parliament will remember that the member for Southern Downs has advanced the proposition that all of the energy reforms that have been undertaken on both sides of parliament around Australia in the past should be scrapped and re-engineered into some Stalinist view of the world that he put forward during his time as the leader. The real question is this: do those opposite believe in the capacity of markets? Do they believe in the capacity of private sector investment? The real question is this: what has been the effect?

The shadow minister knows, when he looks through a determination of how electricity prices are set in the state, what drives it. What drives it is the generation costs—the cost of generating power. Secondly, there are the transmission costs—the investment in the network that secures the electricity supply. What is the smallest component of that? What is the smallest component of contributing to electricity price rises? It is the retail level. And why is it the smallest? Because there is competition. Just as we introduced competition into setting the compulsory third-party insurance scheme in this state, he shows contempt—contempt for the members of this place and contempt for the people of Queensland in trying to pretend that that is not actually the case as he puts forward.

The reality is this: right around the world and right around Australia at the moment where electricity retail remains in public ownership, where are prices moving? Where is the price moving in Western Australia where their beholden Liberal government has taken over the reins? Publicly owned and heading through the roof! What the member for Callide puts forward in this instance belies his own understanding. I actually give the Leader of Opposition Business a bit more credit than this, because in the past he has had the capacity to participate in these debates showing that he has the intellectual capacity to contemplate these policy problems. What the member for Callide puts forward right there shows an utter contempt for the process of this place. He knows that retail has provided that competition at that level. What is more, what it means for us is that with the proceeds of that we can invest in government priorities as we have done, as we will do, as we have done in the past and as we will do for the next five years and for many years to come.

## Infrastructure Program

**Ms STONE:** My question is to the Minister for Public Works and Information and Communication Technology. Could the minister please advise what major projects are currently being undertaken by the Department of Public Works and the importance to Queensland of maintaining this building program?

**Mr SCHWARTEN:** I thank the honourable member for her ongoing commitment to the Capital Works Program, like all members on this side of the House. In the last 10 days we have signed off $34 million worth of projects that range from Mackay to Townsville and projects that range in amounts from $4½ million to $21 million. This is very much the Capital Works Program of $8.5 billion in progress. Contrast that—

**Mr Nicholls:** QBuild? Are you putting that one up for sale?

**Honourable members** interjected.

**Mr SPEAKER:** Minister—

**Mr SCHWARTEN:** No, let me respond, Mr Speaker.

**Mr SPEAKER:** Okay.

**Mr SCHWARTEN:** I am happy to respond, Mr Speaker. In the sea of economics, there is the stonefish. Just think about that for a minute—what a stonefish does—because that is exactly where those opposite come from on this. What would they have us do? Cancel these projects? Which one of these projects do those opposite want to cancel? Do they want to cancel the $21 million new campus for SkillsTech in Townsville? Do they want to cancel that one—gone! What about in Bundaberg? The honourable member for Bundaberg has had his local developer there congratulating us on the work that we are pumping into the economy there. Do those opposite want to get rid of that one?

The reality is that they want it both ways, as they always do, like the economic stonefish over there. They want to lay on the bottom under the radar just picking up bits of debris as they come down, not getting up to the top and getting into the action. The reality is that we are faced with the worst set of economic circumstances we have ever seen. What is their response? Lay on the bottom! What are we

going to do? We are going to take the tough decisions—the hard decisions—on this side of politics to keep people employed in this state. When we came into government, what did we find? A $500 million capital works freeze and unemployment around 10 per cent. They are the objectives of those who sit opposite.

Yes, we have to take the unpopular decision to look at assets that are no longer doing what they used to do for the people of Queensland. Of course we need to do that. We do not like doing that. It is not a palatable or a popular thing to do, but doing what those who sit opposite us want to do is to put people out of work, to return us to double figure unemployment statistics and, at the end of the day, ensure that this state has no pathway forward to any sort of prosperity and back into surplus.

## Queensland Rail

**Ms SIMPSON:** My question is to the Minister for Transport. During the last sitting of parliament the minister told this House that Queensland Rail 'is not for sale'. Why did the minister mislead the parliament of Queensland and betray Queensland workers?

**Ms NOLAN:** Let me be very specific in response to this question. I took that question in this House on 21 May—on a Thursday. Some days later—on 25 May—I met with the Cabinet Budget Review Committee and at that time this matter was discussed for the first time. This is a matter that was being discussed prior to that point by the Cabinet Budget Review Committee. That is entirely appropriate, because this matter is highly market sensitive. It is entirely appropriate that these key budget decisions are made and are considered in the first instance by the Cabinet Budget Review Committee.

So I have given you a specific answer, with a specific time line, which specifically refutes—indeed dismisses, for the record—your notion that I misled this parliament. I did not. Nonetheless, the Cabinet Budget Review Committee has decided upon this course of action. Also, for the record, it should be understood that this is a course of action which I, as Minister for Transport and a member of the cabinet, fully support.

We face extraordinarily difficult financial times. As has been said in this parliament before, the global financial crisis has wiped $14 billion from the government's forward estimates for the time ahead. As such, the government has been forced to ask some very serious questions. We have been asked to consider what is the proper role of government going into the future. Is it to continue to subsidise livestock freight? Is it to continue to subsidise coal companies? Or is it to build the schools and the hospitals, to provide the disability services and to run the public transport services that we need?

That is what we will do. This decision gives us the financial security to continue to improve public transport, and that is what we will do. You were going to cut public transport services and we, as a result of this decision, are going to continue to fund and expand them. That is a decision which I fully and wholeheartedly support.

*(Time expired)*

## State Schools, Infrastructure Projects

**Mr PITT:** My question without notice is to the Minister for Education and Training. Could the minister outline for the House how the Bligh government's school building program is creating and supporting Queensland jobs?

**Mr WILSON:** The Bligh government is committed to its building program. It is committed to its building program, because we are committed to protecting and creating new jobs. We are committed to the $17 billion four-year infrastructure strategy, because it will protect and build 119,000 jobs over that time. That is $17 billion going into major projects—roads, hospitals, police stations, schools.

In conjunction with that we have the Building the Education Revolution funds from the federal government that will sit perfectly with the State Schools of Tomorrow funding of $750 million that is going to schools all over Queensland—building facilities in every electorate represented in this place and welcomed, I might say, by those on the other side.

Only last week I was with the Premier and we opened the Highland Reserve State School—$26 million, 880 student capacity, top of the class, world-class benchmark quality facilities. What would the LNP do? They would have you believe, particularly from their protestations this morning, that they are the defenders of the worker. What did they take to the last state election? It was a plan to cut 36,000 jobs in Queensland across the public sector and the government owned corporations. What do we hear them saying now? They are hiding behind this facade that they are wanting to present to us here that, no, they are the defenders of the worker. Only a couple of months ago, they would cut the throats of 36,000 jobs across four years.

We are committed to the building program. We are committed to building 120,000 jobs over the next four years. We are prepared to make the tough decisions to deliver on jobs, because you cannot give anyone anything better than a job. People need employment. We are in the worst economic crisis the world has seen in the past 70 years. Unbeknown to those on the other side, we are dealing with this crisis in the best way possible: building and creating new jobs for Queensland.

*(Time expired)*

## Fuel Subsidy

**Mr GIBSON:** My question is directed to the Treasurer. How will imposing a new fuel tax on Queenslanders, thereby making us the most expensive state in Australia in which to register and run a car, support or create jobs in regional Queensland?

**Mr FRASER:** I thank the shadow minister for his question. The reality of what we have set forward for the people of Queensland is this: our central economic plank at a time like this is to fund a massive Capital Works Program for the direct jobs it supports and the jobs it supports in the economy. The reality is: as we face the ravages of $14 billion in expected revenue taken away by the global recession, we need to make choices. We need to prioritise. Budgets are about priorities. Governments are about making decisions, and we have made the tough decisions and the tough choices about what we need to do for the future.

The pollyannas on the other side of the parliament seek to pretend that they can continue to advocate for every single service, for every single piece of infrastructure, for every single item in their own electorates; to advocate against tax increases; and to advocate against privatisation. They want it all and they want to do nothing to deliver it. They are absent of any acceptance of reality.

As I said before, if you go back and look at the record you will see that what they are carping on about today does not match with what they believe. This is a test for whether this LNP is one unified party or whether, in fact, the old Liberals—the Liberals who used to have the courage of their convictions, who used to have the intellectual capacity to look to the future of the state—still exist, or whether they got sold off when they were put together, sold off just like the Liberal Party headquarters was.

It is always good to go back to the history to find out what people truly believe in. I have here a report from the old Commission of Audit. There are people around who remember the Commission of Audit. I refer to page 177, titled 'The last time the Liberals and Nationals were working in concert in government'. Which businesses should government sell? There is a list: the Golden Casket, the TAB, rental of gaming machines, the motorway companies, Brisbane Market Trust, port authorities including airports, Queensland Forest Service, Queensland Investment Corporation, Queensland Abattoir Corporation and Queensland Tourist and Travel Corporation.

When the TAB privatisation legislation came here those opposite voted for it; when the Golden Casket legislation came here they voted for it; when the energy legislation came in they voted for it; and when the airport legislation came in they voted for it. The message here today is that you are going to get your chance to vote for it. Now it is time to stand up to see whether you have what it takes to lead this state through troubled times.

**Mr SPEAKER:** Again I would say to the Treasurer to address your comments through the chair, not to use the word 'you' and to use the third person.

## Queensland Rail, Citytrain

**Mrs SCOTT:** My question is to the Minister for Transport. I refer to the Premier's statement this morning of the government's plan to move Queensland Rail's freight business into the private sector while maintaining public ownership of South-East Queensland's passenger services. Will the minister advise the House of what this means to the Citytrain network?

**Ms NOLAN:** This move will provide the financial security and certainty to expand the rail network to cope with the unprecedented growth we are seeing on the rail network, in particular in South-East Queensland. We know that more than 1,800 people a month are moving to the south-east. In the last four years alone we have seen growth in the south-east Citytrain network of around 50 per cent. These figures are no coincidence. They are the result of this government's long-term vision and a lot of hard work by people who have been doing the thousands of jobs that we have created.

In recent years we have substantially expanded the network, building a third track between Salisbury and Kuraby, a second track between Mitchelton and Keperra and a second track between Helensvale and Robina—

**Mr Wallace:** Which they ripped up earlier.

**Ms NOLAN:**—which has substantially improved services on the Gold Coast and which we fixed after the National Party had the line ripped up.

We have built a 14-kilometre Caboolture to Beerburrum upgrade. Right now, in this year, we have a $1.953 billion public transport infrastructure expansion program which is creating 15,000 jobs. Let me tell members about just some of those. Right now work is underway on the extension of Gold Coast rail from Robina to Varsity Lakes, a $324 million program which is supporting 2,300 jobs on the Gold Coast. Right now we are nearing the end of the $189 million Corinda to Darra third track program, creating 1,400 jobs, and we are building the $390 million extension of rail from Darra to Richlands.

Right now we are also investing $790 million building new trains to provide the extra seats we need. Already we are rolling out one new train a month. Those new trains are extending capacity for more people and are actively reducing crowding on our trains. We are fundamentally committed to the provision of public transport infrastructure as a means of creating a sustainable community. That is a strong priority for us; it is something that we are continuing to do and the future will be assured as a result of this financial security.

## Sale of Public Assets

**Mr HORAN:** My question is to the honourable the Treasurer. What is the government's plan to pay off the remainder of Labor's debt after these income-generating assets have been sold in a fire sale?

**Mr FRASER:** I thank the member for Toowoomba South for his question and for coming off the reserve bench and back into the debate in the parliament. The reality is, as the Premier outlined, the suite of assets that we are proposing giving the private sector the opportunity to invest in returned $282 million to the budget through dividends. What is the rate of return on those? For FPQ it is one per cent and, for QML—Queensland Motorways—it is zero per cent, due in large part to the decisions taken by governments, including the one that the member for Toowoomba South was a member of, to drop the price of the Gateway Motorway and to abolish the toll on the Sunshine Motorway. The reality is that QR returns about just over four per cent, Abbot Point Coal Terminal through the Ports Corporation under three per cent and the Port of Brisbane Corporation 5.9 per cent.

What we are doing here is providing the balance sheet of this state with the capacity to invest in productive infrastructure, to invest in the sort of infrastructure that the state needs for the long-term future. What the member for Toowoomba South authored during his time sitting at the cabinet table was a hospital tax and a capital works freeze. He ran around the state taking away capital works investment that was planned for hospitals, hospitals represented by this side of the chamber, in one of the most brazen politically motivated capital works freezes ever—a freeze which drove a stake through the heart of the Queensland economy at that time.

What will that do? It will save interest through the pay down of debt in the general government sector that approximates—comes close to—the dividends that are received by those government owned corporations. What it does is give us capacity for the long-term future and what this state requires. This is a test where choices have to be made, where tough decisions have to be made, where one needs to accept the reality of the circumstances, stand up, make a strong decision and chart a course for the future. What this government has put before the people of Queensland in this parliament today is a course for the future of Queensland and it is a vision that has leadership stamped all over it. That is why this government will chart a course for the future of this state.

## Queensland Health, Infrastructure Projects

**Mr RYAN:** My question without notice is to the Deputy Premier and Minister for Health. Can the Deputy Premier please inform the House of the progress of the Bligh government's hospital building program that will create more jobs for Queenslanders?

**Mr LUCAS:** I thank the honourable member for his question. Unlike the member for Toowoomba South when he was last in power, the Bligh government is about building hospitals, not stopping the building of them. We have a $6 billion health capital works program which is the biggest in Australia.

**Mr Springborg:** You can't even keep mice out of them.

**Mr LUCAS:** Well, mate, you are the 'King Rat' on your side of the parliament. You are undermining him every day. That is why we are building a $1.1 billion Queensland Children's Hospital.

**Opposition members** interjected.

**Mr LUCAS:** Do you want to have another go?

**Mr SPEAKER:** Order! The honourable Deputy Premier.

**Mr LUCAS:** I will withdraw that. It is offensive to him. We have seen work on the Gold Coast University Hospital, the Cairns Base Hospital extension, the Nambour Hospital, Prince Charles Hospital, Rockhampton Hospital and Townsville Hospital. These have created 40,000 new construction jobs at a

time when Queenslanders need them most. It is not just the fabric of these hospitals that is important; it is the new doctors and nurses that we are employing as well. There will be 2,100 new doctors and 7,100 new nurses recruited under our Health Action Plan. What the Premier indicated this morning is—

**Mr McArdle:** What's the real cost? A $2 billion deficit.

**Mr LUCAS:** Let's have a talk about the man who wants fiscal rectitude. He announced a mental health policy that relied on volunteers to operate it. I tell you what, that party of yours didn't cost too much. We have a party that is well over 100 years old in a state that is 150 years old. We have not hesitated throughout the history of this state and this country to be the party of reform. Those opposite have shown over and over again that they cannot reform and govern for the future. They have shown over and over again through the history of this state that they cannot reform. They go from crisis to crisis with parties that fall apart and are formed again. The great movement in this country for reform is the Australian Labor Party. Whether it be issues such as national superannuation, whether it be issues such as floating the dollar, whether it be issues such as looking at our key priorities in the ownership of assets, when I drive across the Gateway Motorway every morning I say—

**Opposition members:** Sell, sell, sell!

**Mr LUCAS:** How embarrassing to have a chamber of elected officials who chant. Last time I saw that was at a school football match. That is their intellectual response to a serious issue. That is the height of their intellectual response. They ought to know about return on capital because their return on capital is like many of the assets that we want to sell: it is zero.

## Queensland Rail, Jobs

**Mr FOLEY:** My question without notice is to the Premier. Premier, QR's decision to seek expressions of interest world wide for rail manufacturing whilst we are in the middle of the worst financial crisis in living memory would appear to be in sharp contrast to the government's mantra of jobs, jobs and more jobs for Queenslanders. What commitments will the Premier give to my constituents that her government will not let Queensland jobs go offshore and potentially decimate our city?

**Ms BLIGH:** I thank the member for the question. I know how important the EDI workshops are to the economic prosperity of his city and region, and that he is a great supporter of them as, indeed, am I. I have visited on a number of occasions both before and during the time I have been Premier. We recently awarded to EDI workshops a multimillion-dollar contract for the construction of new rolling stock because we understand the importance of sequencing and ensuring that the work is there with plenty of forward planning. I think it is really important for us all to understand that it is just as important to make sure that taxpayers get value for money. What we are doing with the next round of contracts is putting them out to the market.

The last time I spoke to EDI management they said they would be tendering and they were very confident of being very competitive. Let us remember: in terms of overseas potential bidders, EDI has the advantage of having minimum transport costs. I expect that EDI will be very competitive. However, unless we test its price every now and then in the marketplace, we would have to seriously question whether we could be confident that we were getting the best price.

I understand that that does create a level of uncertainty. I assure the member that our local purchasing policy will apply in this round of procurement, which means that that will count to part of the decision making. For the long-term future of EDI, whether in relation to Queensland Rail contracts or to the contracts that it has recently secured—and I congratulate them—from Pacific National, it will have to have competitive pricing and that needs to be tested. EDI needs to be able to work through its own issues in terms of production and capacity.

From everything I have seen from Downer EDI Rail and its management, I know that they are among the best in the world and they are determined to provide good value to their customers, and we are one of their customers. We need to get the balance right between ensuring local production and local jobs, and not ending up in a cosy relationship where the Queensland taxpayer is subsidising a construction cost that is simply way beyond the market norm. I hope that helps the honourable member to understand our determination in relation to this issue. As I said, I am very confident that EDI will be very competitive.

**Mr SPEAKER:** Order! Before I call the honourable member for Murrumba, it is fair to say to the House that I have insisted on a line of questioning from the opposition and from the government that is largely being adhered to. I would ask the Independents in future if they could look at their line of questioning. I will not now develop a situation where we have excellent cooperation from two sides and the crossbenches are given another standard. I would say to the honourable member for Maryborough: have a look at the question, run it past the Clerk and you will see that I was very lenient towards you. The issue is important to your electorate. However, I will no longer have a different standard for the Independents compared to both sides of the House.

## Roads Infrastructure

**Mr WELLS:** My question is to the Minister for Main Roads. I ask the honourable gentleman: how will the government's road construction program provide vital infrastructure and links across the state, and create and sustain jobs for Queenslanders?

**Mr WALLACE:** I thank the honourable member for Murrumba for his very good question. The Bligh government is committed to delivering infrastructure and delivering jobs for Queenslanders. Both of those are essential to driving a strong economy with infrastructure that anticipates growth, a key Toward Q2 target for our government. This financial year we are delivering a record $3.2 billion road construction program. Our Roads Implementation Program for 2008-09 to 2012-13 provides employment for some 25,000 people on average each year; that is 25,000 good hardworking Queenslanders.

In today's harsh economic climate, tough decisions have to be made, but we remain committed to delivering infrastructure and delivering jobs. In the two months since I have been main roads minister, I have visited projects being delivered right across this wonderful state of Queensland. Our building program is being delivered right across the state of Queensland. We are standing up for North Queensland and we are delivering jobs right across North, Central and South-East Queensland.

With the federal government, we are upgrading the Pacific Motorway at a cost of $910 million. $190 million is being spent in North Queensland in Townsville for our port access road. What a great project that is, delivered by us and the federal government but opposed for donkey's years by the tories opposite. Our government is delivering $315 million for the Houghton Highway duplication project, $128 million for the Forgan Bridge duplication in Mackay and $92 million for the Bundaberg ring-road. I have seen that our building program is supporting jobs in Cairns, Townsville, Mackay, Ipswich, the Gold Coast and Brisbane. Interestingly, I have had the pleasure of opening several major road projects in the shadow minister's own region of the Sunshine Coast.

When the opposition was last in power, in far less challenging economic circumstances, it put a freeze on our capital works expenditure costing jobs at a time when we could least afford to lose them. During the election campaign opposition members proved themselves ignorant of the global financial crisis and its consequences. They wanted to slash the jobs of 12,000 public servants each year and cut our Capital Works Program. A three per cent cut to our Main Roads budget would see some $96 million cut from roads projects and cost at least 800 jobs. They would put 800 Queensland jobs on the chopping block, that is, 800 jobs that supply the bread and butter for Queenslanders. What projects would they cut? The Townsville port access road, the Forgan Bridge duplication in Mackay, the Bundaberg ring-road, the Gold Coast highway upgrade? What jobs would they cut? What projects would they cut?

## Sale of Public Assets

**Mr HOPPER:** My question is to the Minister for Primary Industries. Given there is no shortage of timber assets on the market following the collapse of Great Southern and Timbercorp, does the minister really believe that the best possible price can be achieved selling off Forestry Plantations Queensland in this current economic climate?

**Mr MULHERIN:** I thank the honourable member for his question. I take it from his line of questioning that he supports the government's proposal to disinvest in the Forestry Plantations Queensland assets. There has been recent speculation that the collapse of Timbercorp and Great Southern would affect the potential sale of Forestry Plantations Queensland. Two weeks ago Great Southern collapsed owing 43,000 investors the sum of $2.23 billion. Timbercorp, which had about 18,500 investors, collapsed owing $930 million.

Comparing the forestry assets of those two companies with FPQ is like comparing apples to oranges. The managed investment schemes were based on short-term rotational hardwood. As the member for Mirani would know, that is about planting trees and, approximately 11 years later, harvesting them, chipping them up for woodchip, taking them to a port and sending them off in a ship. They were never intended to supply sawlog timber for the construction industry. That is the difference between those two companies and FPQ. FPQ is in the business of providing logs for construction. It grows entirely different trees and has an entirely different asset. FPQ is an attractive proposition to companies looking for long-term investment. I believe that the collapse of Great Southern and Timbercorp will not affect the sale price.

**Mr SPEAKER:** Order! The time for question time has expired.

# MATTERS OF PUBLIC INTEREST

## Sale of Public Assets

**Mr LANGBROEK** (Surfers Paradise—LNP) (Leader of the Opposition) (11.30 am): This morning we have seen the people of Queensland betrayed. They have been betrayed by the Premier and her government who are turning their backs on their own principles. There is something in public life that you cannot get a way from, and that is the principles that you stand for in your party and what you believe in. Let us have a look at the *Queensland Labor—state platform document 2008*. On page 6, under the heading 'Economic management', at paragraph 1.9 it says—

Privatisation of public enterprises should not be used to solve revenue problems of governments.

That is exactly what we are seeing—'Privatisation of public enterprises should not be used to solve revenue problems of governments'. What do we hear from Labor members? Debt is in their DNA. That is exactly what we have got—revenue problems created by the last eight years because they have gone bust in a boom.

Let us have a look at the statistics. Between 2000 and 2008 Labor received $34 billion in windfall revenue. That is extra income over what it forecast each year in the budget. Labor let its spending get out of control between 2006 and 2009. We have had three Treasurers in four years. There has been no consistency in spending, no consistency in monitoring spending and spending has increased by 52 per cent over those four years. Labor borrowed and spent like there was no tomorrow during the good times—the mining boom times—but it must get its spending under control.

The Premier here this morning talked about a plan for the future, a plan that she has whipped up overnight, when clearly those opposite have no idea what they are doing. They are talking about selling an old car for a new car. We are looking at income-producing assets. The income-producing assets that the Premier announced this morning will be sold off include Queensland Motorways Ltd. The Premier ruled it out just two weeks ago but then it was revealed that she was rolled only three days later by the Cabinet Budget Review Committee. That is a fantastic example of cabinet solidarity. They let her come in here two weeks ago and hang herself because three days later after she said it was not for sale it clearly is for sale.

Then we have the Port of Brisbane being sold off; Forestry Plantations Queensland, as the honourable member for Condamine has just asked about; Queensland Rail's above and below rail coal business; and the Abbot Point Coal Terminal. But, most importantly, there will be a fuel tax—a fuel tax that this state has never had before. The Treasurer ruled it out on a number of occasions in the lead-up to the election but, because of his profligate spending, Standard & Poor's first of all downgraded the credit rating when in last year's budget the government said that it was important to maintain our AAA credit rating. It was only after Moody's said, 'If the government does not have a plan to manage its debt then we are going to downgrade its AAA rating to a AA plus,' that now all of a sudden we need a desperate plan to make sure that we try to get back our credit rating because the borrowings have gone out to $74 billion by 2012. That is the total debt outlined in the Economic and Fiscal Update released on 20 February 2009.

That is another point. The Economic and Fiscal Update revealed that before the election was called the shortfall in the budget in the years to come was already $12 billion. We hear the Premier now talking about the fact that the shortfall is $14 billion. But Labor knew when the Economic and Fiscal Update was released on 20 February 2009 that the forward projections were that there would be a $12 million shortfall in the budget. Labor members try to come in here and make out that these are issues that they have only just become aware of, when we on this side of the House have been warning about these things for a number of years.

We now have debt levels of $74 billion prospectively and every Queensland man, woman and child will owe $13,000 for Labor's profligate spending. As I say, during the election Labor said that keeping our AAA credit rating was vital. It has thrown our credit rating away. Now Labor is looking to get it back. We have seen the surplus that was predicted last year in the budget go from $809 million to $54 million by December and then it became a $1.6 billion deficit for the year ending 2009. Now we are facing a $3.2 billion deficit next year.

Debt is out of control. The story of Queensland's balance sheet is debt, debt and more debt. Yet here we have the Premier, who has never run a business, coming in here and telling us that it is like selling an old car for a new car. All these assets that the Premier has talked about this morning return income for the people of Queensland. Everyone knows that cars depreciate. We all love new cars but they do depreciate. This is more like selling the house and having to rent from now on. We are getting rid of these important assets that have been built up over the years in Queensland. We are hocking the furniture to pay the monthly bills.

Labor is addicted to debt. It craves the ability to borrow. It avoids the political pain of having to make tough decisions about saving money. But, most importantly, Labor went to the people of Queensland on 21 March and did not speak about any of these things. We have already seen the paper

proffered this morning of what its promises were. There were five line items about its future spending. Now Labor is talking about the next three to five years as part of its plan. All this Treasurer has done is thrown it all on the credit card. Since the member for Mount Coot-tha became Treasurer in September 2007, Queensland's debt has exploded from $23.6 billion to an expected $74 billion—all because he cannot muster the courage to make some tough decisions.

**Mr Springborg:** Is it any wonder that he's the most unpopular member in parliament?

**Mr LANGBROEK:** That is true. I take the interjection that he is the least popular member when we look at his primary vote at the last election. Well, 16 June 2009 will be his Waterloo. He cannot keep borrowing the way he has. He must start to cut back on this extravagant spending.

We have also seen the Labor Party throw away our credit rating for blatant political purposes—the purpose of winning an election. In February 2009 the Treasurer said that he 'would not stop borrowing to fund the infrastructure program'. Of course the next evening Standard & Poor's lowered our credit rating from AAA to AA plus. At that stage the government said that it did not care. It was only on the Thursday of the last sitting week when we got Moody's downgrade as well that suddenly it has come home to roost and this government has realised that it needs to change what it is doing. So what are those opposite doing? They are going against their very principles and saying that they are going to sell off the entities that we have heard about this morning.

The problem with the sell-offs is the way things are delivered when they are sold off. The Premier said this morning that she hoped by selling off Queensland Motorways tolling does not increase too much. I think her words were: 'The government's intention about tolls is that we prevent unreasonable increases.' All I can say is this: let us have a look at what has happened with water and electricity when either they have been sold off or the government has intended to take them over.

Water has already doubled in price in the last three to five years, and clearly there are more increases to come. Yet people are using half of the amount water than they were. So we have had an increase in the water costs. The government cannot manage the water sell-off. Last week it was talking about a different distribution network, having taken the assets from the councils. Of course with electricity we have seen massive increases in the price and more are coming. We are expecting another ruling from the courts on Friday about the Competition Authority and the increases in electricity prices. Again, we know that electricity prices have gone up by 30 per cent over the last couple of years.

Clearly the Labor government has bungled privatisation when it has tried to do it. So we do not have any faith that it is going to do any better when it sells off Queensland Motorways and the Port of Brisbane. I note that Ian Brusasco, the Chairman of the Gladstone Port Authority, said that he did not think that should be sold. We have seen, as already mentioned, the energy assets and the retail arm sold off. Today it was revealed in the parliament that the $3 billion that was supposed to make Queenslanders lives better clearly has not done that. It has been lost into some sort of future fund or building fund. It has clearly not led to what we are all about—that is, creating more jobs for Queenslanders.

Standard & Poor's stated that the comments by Fraser belying the lack of a strategy to curtail the debt binge were weighted equally with the size of the debt—

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! The member will refer to the Treasurer by his proper title.

**Mr LANGBROEK:** Sorry; the comments by the member for Mount Coot-tha belying the lack of a strategy to curtail the debt binge were weighted equally with the size of the debt in their decision-making matrix to lower the credit rating of Queensland. Had the member for Mount Coot-tha not made the blatant political comments, Queensland may have simply been placed on credit watch as opposed to losing the rating outright.

It is clear that this Labor government will say anything and do anything to get elected. It did it only two months ago. I want to make the point that we are not opposed to privatisation, but we are opposed to the poor financial management that has led to a fire sale of assets in a desperate grab for revenue to prop up the budget bottom line. This is a government that has lost control of the state's finances, has nothing left to invest and is selling businesses not because it thinks it is a good idea but because it is desperate and has no other plan.

## Infrastructure Projects

**Mr KILBURN** (Chatsworth—ALP) (11.39 am): I would like to speak today about the Eastern Busway, which will affect my electorate of Chatsworth. It is a good news story and another example of this government building infrastructure that will serve this state well into the future. The Eastern Busway is an 18-kilometre busway which will ultimately connect Buranda to Capalaba via Stones Corner, Coorparoo, Camp Hill, Carina, Carindale and Chandler. Members can see from that list that a vast majority of that busway travels through my electorate of Chatsworth.

I was briefed recently by officers of the department of transport about this particular project, and I am happy to say that it demonstrates there will be massive benefits for my electorate, particularly in transporting people from my electorate to places like the University of Queensland, the PA Hospital and the city. It will remove hundreds of buses daily from Old Cleveland Road and will improve traffic flows through that area. It will massively decrease the amount of time taken for people to travel via bus from Capalaba, eventually, Carindale shopping centre and through the areas of Chatsworth into the city. That is a commendable project.

In the short time that I have been in this job I have been fortunate to look around the Gateway upgrade with my colleague the Minister for Main Roads. I have seen the huge benefit that that project will bring to the people of my electorate of Chatsworth. It will decrease travel times which will decrease the amount of greenhouse gasses released into the atmosphere, and there will be an increased use of buses. This busway will dramatically improve the bus service, and I believe the people of Chatsworth will use buses much more than they currently do.

As I have said, I have seen the $1.2 billion Gateway upgrade. Now I am looking at a proposal that will see the next section of the Eastern Busway—the section from Buranda Railway Station to Mains Road, Coorparoo, which is in the electorate of my colleague the Attorney-General—start very shortly. It has a cost of $465.8 million. That is $465.8 million of infrastructure funding which will benefit the people of eastern Brisbane. Not only that, it will employ numerous people in the community and provide massive benefits to businesses in the area. Not only that, the proposal will build a new bus station at Stones Corner and at the Mains Road intersection at Coorparoo. That in itself will be a large urban renewal project which will bring people back into Coorparoo and the area whilst improving the transport options for people right throughout my electorate and out to Capalaba.

As I have said, in my short time here I have seen these massive projects that this Labor government is funding. I must say that it concerns me a little when I hear from members opposite about the cost cutting that they want to do. I wonder if either of these two projects is the type of project that those opposite would propose that we cut in their never-ending obsession with a budget surplus. It is quite easy to see from talking to people and meeting with people in my electorate that this is the type of project that people in my electorate expect people to provide. They expect us to provide the infrastructure of roads and they expect us to provide the infrastructure of public transport. These are the sorts of projects that we will be able to fund increasingly in the future and speed up with the well thought out plan to review the assets that this Queensland government owns. It was with interest that I quickly looked through *Hansard* and noticed a speech from the opposition spokesman, the member for Clayfield, in which he said—

The LNP believes that privatisation can provide better outcomes and better value for money than traditional modes of service delivery in certain identified and defined areas.

That is interesting because that is exactly what we have done. We have looked through the defined areas and found areas where we can provide a much better return to the people of Queensland, and that is building the infrastructure required for transport, public transport and other activities in the community. I commend this government for its spending on public transport and infrastructure and the benefits that will bring to my constituents in the seat of Chatsworth.

## Sale of Public Assets

**Mr SPRINGBORG** (Southern Downs—LNP) (Deputy Leader of the Opposition) (11.44 am): The Premier came into the parliament this morning and waxed poetic and lyrical for almost 15 minutes about where Queensland has come from over the last 150 years. It is very interesting if we contrast where Queensland is today with 150 years ago. When Queensland separated from New South Wales 150 years ago, its Treasury started out with 9d in the coffers and no debt. One hundred and fifty years later, we have a debt in Queensland approaching almost $80 billion and a $4 billion budget deficit, and the Premier and the Treasurer came into parliament today promising to sell off every public asset in Queensland if it is not bolted down. They said that even if they are bolted down they will sell them off anyway insofar as the below-rail assets of Queensland Rail are concerned. That is where Queensland has come from in the last 150 years. At least 150 years ago it had 9d in the bank whereas today we are $80-odd billion in debt.

What we see from this government is a panicked fire sale due to its own financial incompetence and reckless financial management. We are seeing this government sell off this state's great public assets to fix Labor's own financial incompetence. There is no doubt about it: debt and taxes flow through every possible aspect of Labor's DNA. If you are a Labor Party MP, you have debt and taxes in your DNA. Nothing can be more sure or certain, and it is the same for Labor wherever they are the world over.

We also know that dishonesty flows through Labor's DNA. Almost 10 weeks ago they said to the people of Queensland that they were calling an election because they wanted to establish a mandate for a range of reasons. Did they go to that particular election and tell the people of Queensland that if they

were re-elected they would privatise Queensland Rail, they would privatise the ports and they would privatise other public assets? No, they did not. Did they go to the people of Queensland and tell them they would introduce a fuel tax if re-elected? Did they go to the people of Queensland and say they were going to dupe Queensland teachers? No, they did not. Did they go to the people of Queensland and say that if they were re-elected they were going to cut the superannuation contributions and leave loading of Queensland public servants? No, they did not.

We now know why they ran to the electorate early. They wanted to hide all of this bad news. We also know that they wanted to hide the downgrading of Queensland's once-proud AAA credit rating by Moody's. That has been an interesting story in itself, because last year the Treasurer said that it is absolutely important to maintain a AAA credit rating whilst last week he said it was not important. Today he is changing his narrative. This government wanted to hide from the people of Queensland that it went broke in a boom. It does not have a mandate for privatisation. It does not have a mandate for a fuel tax.

This Treasurer could not explain to the people of Queensland this morning how $3 billion that was achieved from the sale of Energex Retail has gone up in smoke—just disappeared, just dissipated. We have heard this extraordinary dissertation from the government that because of the floods it has to sell everything. When we had the 1974 floods we did not sell anything to build the Wivenhoe Dam. Joh did not sell anything. Indeed, we built the Wivenhoe Dam and had money in the bank which was subsequently raided by Wayne Goss and Kevin Rudd when helping out the then Premier of Queensland.

This government started with a huge head start. It does not talk for one moment in this parliament about the enormous windfall it has achieved in the last four years to 2008 from the Commonwealth government—indeed, $2.765 billion of revenue from the Commonwealth over and above what it budgeted for and billions of dollars in additional payroll tax, stamp duty, land tax and royalties, which is far above anything that it is proselytising about here with regard to the impact of the global financial crisis.

We have heard an enormous contradiction in the assertions from the Premier and Treasurer. The Premier got up here this morning and said that this is for new capital works projects. The Treasurer got up here this morning and said it is for the Gold Coast Hospital, for the Gold Coast rapid transit scheme, for something else and something else. They cannot even get a consistent approach in this parliament. The simple question that people need to ask themselves is, after so many years of reckless financial mismanagement by the Labor Party and nothing left to sell, what will the next step be? It will be to tax the taxpayers.

## Climate Change

**Ms FARMER** (Bulimba—ALP) (11.49 am): I rise to speak about the challenges of climate change and the importance of community partnerships in response to this global challenge. The Garnaut climate change review draft report released on 4 July 2008 identified Queensland as the Australian state that stands to be most affected by unmitigated climate change. Many of our key sectors are climate dependent, most of our population lives on the coast and our ecologically-rich areas are vulnerable to significant biodiversity loss.

In response, the government's climate change strategy issues paper identifies Queensland's climate change challenges as: driving significant greenhouse gas emission reductions; building on Queensland's skills and knowledge base to make our cities, towns and critical infrastructure more resilient to the impacts of climate change; supporting new technologies to assist Queensland's producers and consumers; transitioning to a low-carbon economy and encourage the export of new skills and products; ensuring the costs of climate change are distributed equitably; and supporting all Queenslanders to prepare for the impacts of climate change. It is this final challenge, the supporting of all Queenslanders to prepare for the impacts of climate change and encouraging them to act to mitigate the problem, that I think is critical to addressing climate change.

Recent figures from the Australian Bureau of Statistics show that Queenslanders are responding to the calls of governments and environmental groups with a drop in net greenhouse gas emissions per person from 58.6 tonnes of carbon dioxide in 1990 to 41.8 tonnes in 2006. Whilst this drop is a step in the right direction, the same figures reveal Queenslanders to be above the 2006 national average of 27.8 tonnes. The Queensland government is committed to addressing these figures and tackling the challenges of climate change.

The Toward Q2 plan identifies addressing climate change as a priority for Queensland's future. The Queensland government has developed and is currently reviewing two different strategies of action—the ClimateSmart 2050 policy document which establishes Queensland's long-term climate change goals and provides a platform for the government, community and industry to move to a low-carbon future and the ClimateSmart Adaptation 2007-12 policy document which is Queensland's plan for increasing our resilience to the potential impacts of climate change.

The government has introduced a raft of programs and initiatives to help Queenslanders of all ages and walks of life to make climate-smart choices and reduce their carbon footprint. The only appropriate response to climate change is to engage all sectors of the population in altering their consumption to deliver a significant reduction in greenhouse gas emissions. This means that legislation alone is not enough and places the focus on an effective climate change strategy based on community education and engagement.

In order to combat climate change, change is required at the institutional, household and individual level. Of critical importance is an understanding of the environmental knowledge, attitudes and actions of young people. Dr Kelly Fielding, in the recently released 'Youth and the environment survey', acknowledges that the ways in which our future leaders act and influence decision making and policy will be important determinants of Queensland's environmental future.

I would like to draw the attention of the House to a particular community partnership in the Bulimba electorate that I believe provides a clear model for business and community education and engagement that accurately addresses the issue of climate change in our local community. The Gateway Learning Community is a sustainable learning community that connects school communities, business, parents, teachers and students to promote public education and provide enriched opportunities for improved learning for all.

The community includes Balmoral State High School and Bulimba, Cannon Hill, Morningside, Murarrie, Norman Park and Seven Hills state schools. It has enhanced educational services to approximately 2,500 students and their families and carers since 2002.

The community has formed a partnership with Greening Australia to carry out a practical environmental restoration project in each Gateway Learning Community school during 2009. The project is a partnership of schools, community groups and responsible business and has brought environmental experts to all Gateway Learning Community schools to consult with student project teams as they carry out their work. It addresses the dual community needs of practical environmental restoration and student centred environmental education.

For Seven Hills State School the aim was to establish a corridor between bushland on both sides of the school. I was privileged to witness this project. The Community is a Queensland Environmentally Sustainable Schools Initiative hub, another initiative of our government which is about moving forward in the local community.

I commend the Community and Boeing for this unique partnership. As Queensland responds to the challenges of climate change, I encourage our communities and businesses to follow the impressive example being set in the Bulimba electorate.

## Education Week

**Dr FLEGG** (Moggill—LNP) (11.54 am): This week is Education Week, a week to celebrate what our students do and the importance of the role our teachers play. Queenslanders could be forgiven if they do not realise it is Education Week. This must be the first time it has been left to the shadow minister to tell this place it is Education Week. We have heard nothing. This morning in a dorothy dixer the minister never referred to it. There has been no ministerial statement about it. There was a small press release late on Sunday night that contained no information about what he or his government were doing to sponsor the celebration of education in this state.

Teachers and headmasters are saying to me: what is going on? We have heard nothing about Education Week. There are none of the normal activities that are associated with it. I think we should be espousing and supporting education and excellence among our students and acknowledging the important role our teachers play.

There are some pretty important issues to be dealt with in education. We have just seen the production of a vital report in education—the Masters report. It contains some of the great challenges that this government has failed to rise to in terms of education. It contains information about international comparisons. For example, the TIMS study made an assessment of Queensland year 4 students in maths. It shows that fewer than four per cent can reach an advanced benchmark in maths. This compares to three times that level in New South Wales. Some 38 per cent of students reached an advanced benchmark in Hong Kong.

In the area of science, in Queensland only four per cent of year 4 students can reach an advanced benchmark. In New South Wales, Victoria and Tasmania it is three times that level. In Singapore, 36 per cent of students reached an advanced benchmark in science in year 4. That is almost 10 times the level in Queensland. Is it any wonder when 56 per cent of primary teachers say that they are not well prepared to teach the subject of science to their students. Even worse, 78 per cent are not using a textbook to teach science, so low is the priority that has been given to science.

As well as international comparisons, it also contains comparisons over time based on Queensland state tests. It shows that for the decade from 1998 to 2007, literacy levels for primary school students in this state declined. What is worse, numeracy declined even further. Geoff Masters, in his very authoritative report, refers to this as a real decline.

Right throughout this result analysis we see things that should be ringing alarm bells and should have had the minister on his feet telling the parliament what we are going to do about it. If we look at the gap between the top and the bottom in this state, it is far too wide. The top 20 per cent of year 9 students are an average 5.6 years, at the average rate of learning reading, ahead of students in the bottom 20 per cent. If we take the top five per cent compared to the bottom five per cent of year 9 students, there is 10 years difference in learning. What that means is that we have almost written off those students at the bottom.

If one looks at the gap between city and country, if you like, students in very remote areas are on average 3.5 years of learning behind their city counterparts in reading and 4.5 years of learning behind their city counterparts in numeracy. The Masters report makes it clear that teachers and supporting teachers—raising the standing of that profession, providing better morale, providing better ongoing professional training—should be a cornerstone of changing this system for the better.

*(Time expired)*

**Mr DEPUTY SPEAKER** (Mr Wendt): Before calling the honourable member for Redcliffe, I want to acknowledge in the public gallery today the grandsons of two former premiers of Queensland and members of this House—Mr David Moore, the grandson of former Premier Arthur Moore, and Mr William Forgan Smith, grandson of former Premier William Forgan Smith.

**Honourable members:** Hear, hear!

## Redcliffe Electorate, Jobs

**Ms van LITSENBURG** (Redcliffe—ALP) (11.59 am): It was a great pleasure to attend the graduation of the Kulture work placement program run by the Redcliffe Area Youth Space with funding under the Skilling Queenslanders for Work initiative. Twelve young people spent 14 weeks learning administration skills as they developed a survey to discover people's opinions about multiculturalism and culture and made a film about their findings. These were young people who were having difficulties getting work, and the opportunity they had by participating in this program meant that they finished the program with marketable skills. By the evening of the graduation, half of these participants already had jobs while several more had job interviews within a week. This is an exceptional result. This is the front line of the Bligh government's strategy to keep Queenslanders working in my electorate of Redcliffe. Because of the Bligh government's commitment to keeping Queenslanders in work, six Redcliffe residents now have work and another six have a very good possibility of a job soon. The Bligh government is keeping our promise to keep Queenslanders working, and we can see it happening on the ground.

This program was the third part of the Accelerate project, which has now seen 33 young people from the peninsula find work as a result of Skilling Queenslanders for Work in the past year. The Bligh government was elected because of our commitment to keep Queenslanders working, and similar Skilling Queenslanders for Work projects right across the state are ensuring that there are young people, long-term unemployed, mature people and carers going back into the workforce and that Australians with multicultural backgrounds and many others are able to retrain to gain up-to-date skills and get the jobs they want.

As part of her election promise, the Premier is developing a Green Army which will give work to many Queenslanders and traineeships to yet more people. This will mean many Queenslanders will gain skills in cleaning waterways, rehabilitating environmental areas and building boardwalks and other structures which could enhance an area's ecotourism capacity.

These jobs will allow many more Queenslanders the opportunity to continue working and pay their rent or mortgage, feed their families and ensure their children are able to continue going to school, learning and making the most of the opportunities open to them. Our children are still our future, and it is vital that they are able to grow up in as stress free an environment as possible.

But the Green Army gives us a double plus. While workers are earning a vital income, their work is improving our environment, giving a wider number of Queenslanders a better knowledge of environmental issues and increasing environmental infrastructure that many communities cannot afford at this time.

The Queensland government's infrastructure building program is also generating thousands of jobs for Queenslanders. But, better still, small contractors, manufacturers and other ancillary businesses have been able to continue working and producing their products. The money they have spent has kept many service and retail businesses open. Keeping Queenslanders working and ensuring Queensland has the infrastructure it needs for the future is vital.

Only a Labor government has the needs of people at the heart of its policy, and in these difficult economic times many people may be concerned about debt. We would all prefer to be in a surplus, but a responsible government must act in the best interests of its people in uncertain times. A responsible government must look for solutions that keep our state moving forward and our economy in tact. A responsible government must keep its people in jobs, and seeing young people in my electorate gaining jobs and work as a result of Bligh government funding programs is what Redcliffe people voted for.

## Noosa District State High School, Bullets Team

**Mr WELLINGTON** (Nicklin—Ind) (12.04 pm): Last night I attended the Noosa District State High School's parents and citizens meeting and also had the opportunity to visit the Noosa District State High Bullets team display. The Bullets team consists of school students Scott Bellingham from year 11, Dean Tsilfidis from year 11, Lucas Rykenberg from year 11, James Presling from year 9 and senior lecturer and Noosa technology hub coordinator Mark Presling. For the last three years this school team has been the runner-up in the national competition and this year the team was invited by the world organising committee to participate in the world championships to be held in London in four months time. To be able to participate in the world competition and represent Queensland and Australia, the students were invited to mentor and collaborate with a Canadian school team competing for the first time in this world championship. I understand this invitation was issued to Noosa District State High School students as a result of the world organising committee's recognition of the exceptional talents and initiative of our student team.

The Bullets team at Noosa District State High School is not a basketball team or associated in any way with the Bullets basketball team. Instead, it is a school team aimed at encouraging young people to consider careers in engineering and manufacturing. The competition takes the form of an innovation and design challenge in which students design, manufacture, test and race miniature $CO_2$ powered Formula One cars. The challenge is open to students from years 7 to 12 and teams must consist of three to five students. The cars must be designed using sophisticated 3D CAD software and the cars are manufactured from balsa wood using computer numeric controlled—CNC—routers. Students must be able to justify all design choices and market their design with a 20-page design folio, a verbal presentation and a display booth. The competition is run in Australia by a not-for-profit organisation called Re-Engineering Australia.

Noosa District State High School has been actively contesting this exciting and challenging competition since it began in 2004, and in 2005 it became a hub school by successfully negotiating with link industries to gain our own racetrack, starting and timing equipment, CNC routers and wind and smoke flow visualisation tunnels, and this package allows the school to host up to five other local secondary schools in a regional competition.

The Bullets have regularly received engineering awards for their manufacturing skills and unique design initiatives. The 2008 range of race cars featured ultra-lightweight CNC machined wheels and a composite body/wing construction which required five different machining programs. The Bullets also pioneered the use of subdivision surface modelling which creates a car shape with smooth flowing lines and flow-through venting. No other team in Australia has been able to duplicate the design methodology.

The Bullets have also formed unique partnerships with five different local manufacturing and engineering companies. Team members regularly work with the employees in a collaborative relationship to develop exciting and groundbreaking initiatives in the 2008 race challenge. If members would like more information about our Bullets team achievements and the partnerships they have already developed with private enterprise in the engineering and marketing fields, I urge them to visit www.rea.org.au or www.ndshs.qld.edu.au/fone.

Last night was special to the students and their families because they not only made a special presentation to interested parties but also received a cheque for $500 from the local community newspaper, the *Cooroy Rag*, to assist them in travelling to the world championships in London in September. I understand that our own department of state development has recognised the significant engineering, design and marketing initiatives created by this competition and is also supporting the students and that tomorrow the achievements of this program will be recognised at the Queensland Marketing Skills Forum. What a wonderful opportunity our students have at Noosa District State High School to learn and develop new engineering, marketing and design skills while still at school and to build those important linkages with the engineering and marketing industries.

Before resuming my seat, I again recognise Mark Presling, the senior teacher at the Noosa District State High School industrial technology department, and the students on this great team: team manager Scott Bellingham, design engineer and graphic designer Dean Tsilfidis, resource manager Lucas Rykenberg, and manufacturing engineering and graphic designer James Presling.

## Townsville, Social Housing and Renal Dialysis Hostel

**Ms NELSON-CARR** (Mundingburra—ALP) (12.09 pm): It is with deep anguish that I spend these few minutes lamenting Townsville's moment of shame. Just what has happened to those residents and elected representatives who see fit to discriminate against the sick because of their skin colour or to concurrently loudly admonish social housing anywhere near themselves. I show members an article in the *Townsville Bulletin* which says 'Urban project plans irk MP'. The first three paragraphs say it all—

Federal MP Peter Lindsay has slammed two planned developments in the Townsville region.

The two developments in question are an Aboriginal Hostels Ltd renal dialysis hostel in Rasmussen and housing commission units in Hyde Park.

Mr Lindsay said residents of the Upper Ross and Hyde Park had approached him in their 'outrage' over imminent developments in their neighbourhood.

As a former long-time resident of public housing myself, it makes me sick at heart to think that not only residents of Townsville but also the Townsville City Council and Peter Lindsay, our elected leaders, can trot out the race card and inflame prejudice which, at best, is only ever ugly. If it is not bad enough to have another councillor objectifying women and publicly advertising women up for grabs at the upcoming V8 event, we are now witnessing new lows.

At a time when the world is undergoing economic upheaval, when more than ever we need to get back to that sense of community and a fair go, we are seeing the growing seeds of prejudice and hatred in our own North Queensland backyard. Both the federal and state governments are doing everything they can to stimulate growth and create employment, focusing on projects like social housing, education and health outcomes for a better Australia. What do we hear from Peter Lindsay, our federal member, and David Crisafulli, a Townsville city councillor? We hear constant attacks directed at the state and federal governments—Labor governments—whose immediate response to tackle the global financial crisis has been to stimulate spending, create jobs with infrastructure projects and at the same time assist socially disadvantaged people by providing housing and support when they need it most.

Access to adequate housing is critical in determining health and wellbeing. For one to be socially included, they have to be participating in and contributing to civil, political, economic and social and cultural life. A person without a place to live in safety with dignity and peace is a person without basic human rights. These same human beings, whoever they are, are likely to experience worsening mental health, reduced employment opportunities, discrimination and, of course, social exclusion.

The council's only contribution is negative. What have we seen? Two substantial rate rises in 12 months at a time when people can least afford it, the slashing of social capital—the worst area to defund when times are tough—and, as I said, constant criticism of state and federal governments' fast-tracking of infrastructure and jobs but, worst of all, the whirring up of resident fear at the expense of some of the most vulnerable and marginalised in our city: the sick.

The hostel accommodation planned for the Upper Ross River Road is a well-planned project, designed by a company with a record of other successful living arrangements. Interestingly, Mr Lindsay might like to note, this project was funded by the previous federal government because, as Mal Brough has said, there is a dire need for this health support. The council has already approved its construction and it is in full compliance with land use policy. I put to Mr Lindsay: would accommodation and health provision, including dialysis services for white people, be more acceptable up in Ross River Road? I put to David Crisafulli: is living on the streets and stealing for a living a more acceptable lifestyle than having a safe place to live with case management of all of the associated problems?

Trips overseas are not high on the community's list of public life. Our job includes the ability to try to solve the problems of humanity such as poverty, disease, unemployment, homelessness, mental illness, and drug and alcohol abuse. Many people are doing it tough right now. These numbers always increase when economies go through a downturn.

My government is doing everything it can to put a roof over as many heads as it can. It is working with the Rudd government to help meet its target to halve overall homelessness by 2020. It is matching the federal government's funds, because it is the right thing to do. It is also the biggest social housing infrastructure investment since the Chifley era. But here is the rub: we are doing all we can to help the homeless, but governments alone cannot fix the problem. We need the support of the wider community. As long as there is prejudice and suspicion about social housing tenants, we face an uphill battle.

The community must be encouraged to support social housing in the neighbourhood. I ask the community to think twice before objecting. How would they be with no place to call home? Where would they turn? I say to those elected representatives in our community who are charged with providing positive leadership: shame on you. I would even go so far as to say that they are violating their obligations to the covenant of human rights. It smacks of moral emptiness. These attitudes are dishonourable to say the least. They do nothing to address the gaping hole between the haves and the have-nots, they illustrate a lack of humility and generosity of heart and they do nothing to solve the problems at hand.

*(Time expired)*

## Sale of Public Assets

**Ms SIMPSON** (Maroochydore—LNP) (12.14 pm): Transport minister Rachel Nolan's handling of the upcoming sale of Queensland Rail is a train wreck in slow motion. Minister Nolan clearly told this parliament on 21 May—

> Queensland Rail is not for sale.

But today, in defending her backflip and what the Premier had said, she indeed confirmed that key parts of Queensland Rail are about to be flogged off.

In light of the minister's backflip, Queenslanders have a right to know whether the minister has misled parliament, or whether the minister had any idea what was going on in her portfolio. There are only two choices. In an extraordinary admission of her irrelevance, the minister claimed the former defence, that she did not know about her boss's decision—Premier Bligh's plan—to flog off key parts of the Transport portfolio, key parts of Queensland Rail, until the decision was a fait accompli.

How on earth can the workers in Queensland Rail or those who understand the fundamental importance of logistics in Queensland—the need not just for short- and medium-term but long-term investment—have any confidence that this minister knows what she is doing? How can they have any confidence that this government, in a panic, desperate to plug its bottom line because of mismanagement, is really going to make choices in the best long-term as well as short-term interests of Queensland? It is a really extraordinary situation for a transport minister to come in here and tell this House that she was not going to allow Queensland Rail to be flogged off and then we see the Premier marching down that track.

The 'Bleeding Queensland Plan'—what Premier Bligh calls her Renewing Queensland Plan—will see the sell-off of key assets: Queensland Motorways Ltd, the port of Brisbane, Forestry Plantations Queensland, Queensland Rail's above and below rail coal business and the Abbot Point Coal Terminal. It seems to me that if a transport minister does not know that that is being scoped up and prepared for sale then she does not deserve to be holding that position.

Options for the sale of Queensland Rail's bulk freight, intermodal, retail and regional freight services will also be investigated and offered, according to the Premier, in the most appropriate way. I wonder if she is going to consult with her transport minister about that. Certainly, Queenslanders were not consulted about the sale, so I guess the transport minister has that in common with the people of Queensland.

Queenslanders were not consulted about this government's intention to give Queenslanders a fuel tax. Let us scrap any of this rubbish of saying that it is a subsidy. It is a fuel tax. What has operated over the past number of years has been a fuel tax rebate so that Queensland could maintain some critical edge as a low-tax state still delivering and growing.

For 150 years, Queensland has had a proud history of building up the appropriate assets of state to be available for the people of Queensland to do business and support the budget bottom line. It is a tragedy that, after 150 years, we see this state government, under a socialist Labor Premier, taking us back to the starting point where Queensland was so badly in debt.

The asset sales that have been talked about are being proposed in a way which is ill considered. Not even the transport minister has been consulted. Certainly it does not bode well for the hundreds and hundreds of workers at many sites throughout Queensland. How can they have any assurance that their interests not just in the short term but also in the long term are going to be taken into account by this government? They cannot, because the transport minister has already backflipped and said that she fully supports what her Premier is doing, even though, allegedly, the Premier did not have the courtesy or the basic professionalism to consult with the transport minister.

We need strength of leadership and a team of competent people. We currently do not see that from this government. The incompetence of this government in losing our AAA rating before anybody else is a sign that it is in a panic and is looking for any measure and any spin to justify the disgraceful way that it is handling this budget.

## Everton Electorate, Climate Change

**Mr WATT** (Everton—ALP) (12.19 pm): The Bligh government is helping Everton residents save money and save the planet at the same time. In the 20 months that this government has been in power it has stepped up to the two great global challenges of our time, arguably the two greatest challenges the world has ever faced. I am talking about the challenge of dangerous climate change, which poses more of a risk to Queensland than any other state in Australia, and the global financial crisis, which is rewriting all the economic textbooks and is threatening the jobs of millions around the state, around the nation and around the world.

Unlike the opposition, this government believes that it is up to government to help people through the tough times. We are not sticking our heads in the sand hoping that climate change will go away. We are not slashing services and leaving it to the market to work out if someone keeps their job or gets thrown on the scrap heap. This government rolls its sleeves up and does the hard work to offer people a pathway through these challenges.

I would like to outline three services that this government has introduced to help my constituents save money in tight times and save the planet in the process. At the same time, I would like to encourage any of my constituents who have not taken up these opportunities to do so—the sooner the better. The first of those services is the ClimateSmart Home Service.

**Ms Jones:** A great service.

**Mr WATT:** A fantastic service. The service costs just $50 and can save people up to $250 on their water and energy bills each year. More importantly, the service helps people save a total of up to 20 tonnes of greenhouse gases, which is equivalent to taking four cars off the road for 12 whole months. Included in the ClimateSmart Home Service is an energy audit by a licensed electrician, the installation of a wireless energy monitor, up to 15 free energy-efficient light globes, supplied and installed, a free water and energy efficient showerhead, also supplied and installed, a customised energy and water efficiency plan plus access to an online resource for more information. South-East Queensland residents, including those I represent in Everton, have led the charge to take up this service. Nearly 40,000 services have been completed in South-East Queensland already, with another 15,000 booked to be done in the future.

The second service that I would like to mention is the Solar Hot Water Scheme. Through this program eligible homeowners can access a solar or heat pump hot water system for a payment of $100 for pensioners and low-income earners and $500 for other eligible participants. We are currently implementing our election commitment to deliver up to 200,000 affordable hot water systems to households over the next three years, beginning 1 July 2009. Again Everton residents have taken up this offer with gusto. Already over 500 of my constituents have registered their interest in making the change to solar hot water. The offer remains open and I encourage my constituents to ring up and get on board.

The final service I would like to mention is TravelSmart Communities. Like most electorates in South-East Queensland, my constituents have experienced some of the growing pains that stem from our state's booming economy and population. There are many ways to address the congestion that we do experience from time to time, more roads and more public transport being the most obvious. But we have also addressed the problem in innovative ways, and none are more innovative than the TravelSmart Communities project. This program works directly with householders to provide them with assistance to reduce reliance on cars and encouraging people to use healthier, more environmentally friendly forms of travel such as public transport, walking, cycling and car pooling. But the benefits are even wider than those health and environmental benefits. Those who participate also save money on petrol. Even better, this project has created 200 jobs on Brisbane's northside. Again, northside residents, including those in my electorate—

**Ms Jones:** And mine.

**Mr WATT:** And those in my colleague's, the member for Ashgrove, have been enthusiastic participants. Audited results of the northern Brisbane project conducted recently showed that out of 74,500 homes that participated there was a 25,000 tonne reduction in greenhouse gas emissions, a 49 per cent increase in walking, a 58 per cent increase in cycling, a 22 per cent increase in public transport use and a 13 per cent decrease in car use. Put together, these three services are leading the nation in helping Queenslanders save money and save the planet. I know that other states look on with envy when they see what this government is doing to help Queenslanders meet these challenges. Queenslanders can be confident that, although tough times are ahead, this government is right beside them helping them through, and we will continue to do so.

## Albert Electorate, Infrastructure and Services

**Mrs KEECH** (Albert—ALP) (12.24 pm): The electorate of Albert is a very large and geographically diverse electorate and takes in some of Queensland's, and indeed Australia's, fastest growing suburbs. Living in the area and representing it is very exciting. It brings many new opportunities but it also brings increased demand for government services. That is why the Bligh government's election commitment to deliver and fast-track priority infrastructure projects to meet the demands of population growth is so important and very welcome to the people of the northern Gold Coast. In fact, this year when school went back three out of the four new state schools which have been opened throughout all of Queensland were opened in the electorate of Albert.

As a state member, I want to thank the police minister who recently gave an update of the new police district within the Queensland Police Service's existing South Eastern Region. This new region, which will service the northern Gold Coast, will have immediate and positive benefits to the people in my electorate. The Australian Bureau of Statistics shows that over the next few years population growth on the northern Gold Coast will be consistently above both the state and the national average. This brings responsibilities to provide a continuing high standard of infrastructure and services for this rapidly growing area. That is exactly what the Bligh government is doing. I am very proud to be a member of the Labor government that is looking ahead to the challenges of the future. We are meeting not just the current needs of residents but those well into the future. We are anticipating growth and we are staying ahead of it.

I am advised that the new Coomera police district will attract an additional 163 new police officers which means the northern Gold Coast will see a significant police boosting. More police patrolling our streets ultimately means improved safety for the people of Albert. This is in line with the Bligh government's Toward Q2 vision to create safer Queensland communities. An increase in police numbers and improvements to police services on the northern Gold Coast is part of the Bligh government's commitment to delivering world-class policing for all Queenslanders.

However, a safer Albert is just one of the benefits the new police district will bring. Construction of the multimillion-dollar district headquarters adjacent to the existing Coomera Police Station is providing very important job opportunities for Albert residents. Keeping Queenslanders in jobs during these very tough economic times is the Bligh government's priority. This is especially a priority in Albert, which is home to a significant number of young working families. When construction is complete, estimated to be around August of this year, the new headquarters will not only hold the district office but also contain a number of different branches of the Police Service. Residents of Albert will receive additional services as a result of a strengthened traffic branch, CIB branch and a child protection and investigation unit operating out of the Coomera headquarters. With the M1 going right down the middle of the electorate, additional officers will be able to respond more quickly to concerns on the M1. I thank the police minister for his response.

The Bligh government is rising to the challenge of rapid and unprecedented population growth despite the global financial crisis. We are a forward-thinking and proactive government that delivers on its election promises. In particular, I thank the Coomera Police Community Consultative Committee, its chair Stewart Proud and all of the hardworking members who attend the monthly meetings. They have been very supportive of myself and the Bligh Labor government in fighting for these new police services. I thank the CCC for its good work in ensuring that the constituents of Albert have additional police services. The safety, wellbeing and job security of Albert residents are being well catered for by the Bligh government, of which I am a proud member.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): The time for matters of public interest has expired.

## RIGHT TO INFORMATION BILL

## INFORMATION PRIVACY BILL

### Second Reading (Cognate Debate)

Right to Information Bill resumed from 19 May 2009 (see p. 309) and Information Privacy Bill resumed from 19 May (see p. 310), on motion of Ms Bligh—

That the bills be now read a second time.

**Mr LANGBROEK** (Surfers Paradise—LNP) (Leader of the Opposition) (12.29 pm): I rise to contribute to the debate on the Right to Information Bill 2009 and the Information Privacy Bill 2009. At the outset I wish to indicate the Liberal National Party's support for the bills and commend the Premier for introducing these much-needed reforms to Queensland's freedom of information laws. The Liberal National Party will support any move to improve government accountability in Queensland. It is something that I believe has been severely lacking in this state in spite of the existing right to information legislation or freedom of information legislation and a colourful history that illustrates the importance of open and accountable governance.

Freedom of information laws were introduced nationally in 1982 by the Fraser coalition government. They were one aspect of the major reforms occurring in the area of administrative law around that time. The concept of freedom of information had bipartisan support, as it has today, though a review of Commonwealth *Hansard* from 1982 suggests there were different ideas and interpretations of how freedom of information laws should apply, as indeed we will see here today. In April 1976 then Prime Minister Fraser stated—

If the Australian electorate is to be able to make valid judgements on government policy it should have the greatest access to information possible.

It marked a significant shift in the approach to official information. Prior to the introduction of freedom of information, the prevailing attitude was that governments owned information and that there was no public right to information, even where it concerned individuals. Yet the Commonwealth Freedom of Information Act 1982 signified a new way of thinking: the government no longer owned information; rather, the government held information on behalf of the people. The government became the trustee of information for the Australian people. This position is reflected in the Right to Information Bill before the House. Section 1 of the preamble states—

Parliament recognises that in a free and democratic society—

...

(b) information in the government's possession or under the government's control is a public resource ...

The preamble goes on to state that a right to information is fundamental to democracy. It is also fundamental to our constitutionally guaranteed right to freedom of political communication. In order to engage in open discussion of public affairs, it is vital that people have access to the information that will allow them to develop an informed view. The Premier stated as much in her second read speech when she said—

Public release of information about government policies and decisions enables informed debate, scrutiny and public participation. Without information, people cannot exercise their rights and responsibilities or make informed choices.

I find this a rather interesting statement from the Premier. On the one hand the Premier rightly thinks Queenslanders are unable to make informed choices without information about government policies, yet on the other hand we heard no mention of a fuel tax, electricity price rises or asset fire sales during the election. The Premier was completely silent about classifying someone who works just one hour a week a breadwinner for the purposes of her 100,000 breadwinners for 100,000 families promise.

The Premier, who is walking away from her election promises, now concedes that 'without information, people cannot exercise their rights and responsibilities or make informed choices'. There was no informed debate, scrutiny or public participation about the Bligh government's plans to introduce a fuel tax or give away the state's assets in a fire sale during the election campaign. Queenslanders have a right to feel duped. The Premier ran to an early election because she said she needed a mandate. She said she had a plan to tackle the global financial crisis but she needed a mandate. Now we discover the Bligh government has no plan. The Premier does not have a grand plan for saving jobs and getting out of debt. Instead, she wants to raise revenue by hitting Queensland families doing it tough by adding an extra $300 to their fuel and electricity bills.

In his submission to the Solomon review, the editor of the *Courier-Mail*, David Fagan, said that 'culture must be demonstrated from the top'. That means that if the Premier is serious about improving accountability she must show leadership. Like Mr Fagan, I hope that this is the beginning of a renewed interest in accountable government under which the public can have greater access to information. Since FOI was introduced into this country almost three decades ago, the founding principles have been eroded and a culture of secrecy has become entrenched in governments and the Public Service.

As I mentioned earlier, one of the achievements of the Right to Information Bill is a shift in attitude towards FOI applications. Part 5 sets down the default position for determining the outcome of access applications. The prodisclosure bias outlined in clause 44(1) states that when deciding whether to grant access to information a decision maker must start from a presumption of disclosure unless giving access would be contrary to the public interest. In the past there has been a tendency to view FOI applications from a position of nondisclosure unless there was an overriding interest in granting access.

The original Commonwealth FOI Act was based on a balance between the public's right to know and the government's legitimate interest in keeping some information secret. The secrecy provisions, exclusions and exemptions were designed to capture official information that should not be disclosed such as information on national security, intergovernmental relations or the deliberations of cabinet. Some of those exclusions and exemptions are necessary for protecting our nation. I think all Australians would agree there is a strong public interest in shielding Defence information from the reaches of FOI laws. I say this in spite of my interest in Queensland's history. Despite reading a number of historical accounts of Australia's role in World War II and a visit to the MacArthur Chambers in Edward Street, I have never been able to substantiate claims of the existence of the Brisbane Line. Whilst gaining access to strategic information would make for a good story, it is not in our national interest to divulge information that could put at risk the lives of the brave men and women who are overseas fighting for our country.

In Queensland, similar exemptions were contained in the old FOI Act, at division 2. For example, section 42 provides an exemption for matters that could reasonably be expected to compromise law enforcement or public safety. This included information that could potentially identify confidential sources or people under witness protection. I am pleased to see that this exemption has been retained in the bill, in schedule 3.

One of the key changes this bill effects is that it has reduced the number of blanket exemptions. Schedule 3 sets out the secrecy provisions—that is, information that will continue to fall outside the right to information laws. Those exemptions include some cabinet matter, Executive Council information, blue books and red books for incoming ministers, sovereign communications, information that would constitute contempt of court or parliament, information subject to legal professional privilege, information that would found an action for breach of confidence, national or state security information, law enforcement and public safety information, Investment Incentive Scheme information and disclosures that are prohibited by another act such as the Child Protection Act 1999 and the Taxation Administration Act 2001. I wish to make a few comments about some of those exemptions.

The cabinet exemption has arguably been the most contentious and certainly the most abused provision in freedom of information laws in this country. The cabinet exemption was originally designed to protect the deliberations of cabinet so as to encourage full and frank discussion of all the issues. Yet rather than being a provision to maintain responsible government, the cabinet exemption has become a farce. Section 36 of the current freedom of information regime has become a safe haven for ministers wanting to avoid taking responsibility for their actions.

We know that the cabinet exemption has been abused by governments of both creeds. Members would be well versed on the old practice of wheeling into cabinet rooms boxes full of documents that would never be read but would attract the FOI exemption by virtue of the fact that they had been to cabinet. Clearly this was not the intention of the original FOI laws. The Fitzgerald inquiry exposed how the cabinet exemption was being manipulated to serve the political interests of governments and recommended Queensland enact its own FOI laws to reiterate its commitment to accountability.

It was actually the near 'father of the House', the member for Murrumba, who introduced Queensland's first FOI laws. In bringing the bill before parliament as the then Attorney-General, the member pledged that it would change the whole culture of government in this state. That was in 1992. In 2005 the Queensland Public Hospitals Commission of Inquiry, headed by the honourable Geoffrey Davies QC, uncovered this government's abuse of FOI laws. Giving evidence to the Davies inquiry, a top Beattie bureaucrat exposed how the Labor government meddled with FOI applications to hide embarrassing information from the public. I quote from the transcripts of evidence. He stated—

I have a clear recollection of going to some trouble to obtain the use of a fridge trolley in order to deliver and subsequently retrieve from the Cabinet room in the Executive Building a number of boxes of documents associated with the Cabinet submission.

Who would have been sitting around the cabinet table at that time? The Premier for one, who was Deputy Premier at the time. The current Deputy Premier was also at the table, along with half a dozen of his current frontbench colleagues. The same people who stood in this House in 1992 heralding a change in cultural accountability sat back and allowed this abuse of FOI laws, yet Queenslanders are expected to believe that the bill before the House demonstrates their commitment to openness and transparency.

I urge the members opposite to grab a copy of the original legislation and note the date: Freedom of Information Act 1992. This act has been in force in Queensland for 17 years. Federally, FOI has been in place for 27 years. Why has it taken two decades for Queensland Labor governments to embrace accountability? As John Doyle, a former superintendent in charge of Queensland police FOI, puts it, 'It should not take some government crisis for the public to become aware of the mismanagement that is happening.'

If the Right to Information Bill is going to have half a chance of living up to its potential as stated in the preamble, it is going to require real political leadership. The Premier has to lead from the top down. I am hopeful this bill provides the catalyst for cultural change within the Queensland government and the Public Service.

I am pleased that the new provisions pertaining to cabinet documents leave the door open to greater transparency. The fact that cabinet documents will be accessible after 10 years under schedule 3, section 2(1) is heartening. It gives Queenslanders an opportunity to hold long-term governments to account. I question, however, whether more could be achieved in this area. As I mentioned previously, the original intent of the cabinet exemption was to encourage candour and frankness of advice put to cabinet. However, ministers of the Crown and public servants have a duty to provide candid advice. This point was noted by New Zealand Privacy Commissioner, Marie Shroff, who suggests that cabinet exemptions may allow for less than frank and impartial advice being given to cabinet ministers by civil servants.

Queensland's culture of secrecy is the single biggest threat to our right to information. In 2002 a Canadian study found that long-term exposure by agencies to FOI leads to the development of a resistant culture. This was confirmed recently by the Commonwealth Ombudsman in his report on the administration of the Freedom of Information Act 1982 in Australian government agencies, and it was confirmed by Australia's Right to Know group in their audit of press freedom.

Queensland's endemic culture of secrecy is something the opposition is all too familiar with. In order to obtain information—information which is held by the government on behalf of its citizens—the opposition has to make an access application like any other member of the public. My predecessor as Leader of the Opposition, the member for Southern Downs, made a submission to the Solomon review outlining the opposition's experience with FOI laws. On one occasion we lodged an FOI request with the Department of Premier and Cabinet for documents surrounding allegations of inappropriate conduct by a cabinet minister. The initial application was refused on the basis that there were no such documents in existence. After an external review, 27 documents were discovered. Clearly the initial search was grossly inadequate.

Queenslanders have reason to be concerned about the sufficiency of searches carried out in response to an access application. The courts have interpreted the Commonwealth FOI laws as requiring all reasonable steps to be taken to locate documents. Yet in some cases suspicions arise that this has not occurred. This has certainly been the opposition's experience. It illustrates why real cultural change, driven by the Premier from the top down, is vital for the success of the right to information laws.

For a start, the Premier could review the process by which an access application is handled by government departments. Queensland Health's official procedure for processing access applications requires the department to notify the minister's office within two working days of receiving the application. While the policy is silent on the role of the minister's office in determining the outcome of the application, it is fair to say that the minister's office has a very—and I highlight very—persuasive influence on the final decision.

It is also interesting that the departmental policy requires copies of relevant documents to be made on mauve coloured paper, which cannot be photocopied. No stone has been left unturned by this government when it comes to evading FOI and other accountability legislation. Labor has created an insidious culture of secrecy that has filtered down to the most junior level of the Public Service. This has to change. We cannot forget that government belongs to the people.

One aspect of the bill which the Liberal National Party is pleased to support is extending the reach of right to information laws to government owned corporations and beneficiaries of public money carrying out public functions. The tendency of modern governments to outsource, corporatise and privatise public services has meant that information which may have previously been accessible falls outside the reach of modern FOI laws.

Outsourcing and corporatisation has become another means by which governments evade their duty to provide access to information. These concerns have been raised over the past decade by the Queensland Ombudsman, and they are concerns which I have shared. In his submission to the Solomon review, the Ombudsman, David Bevan, stated—

I am strongly of the view that private entities that carry out public functions using public funds are accountable to the public for the way in which they perform those services and spend those funds, and should be subject to all the usual accountability measures, including the application of the FOI Act, and scrutiny by the Crime and Misconduct Commission, the Ombudsman and the Auditor-General.

While it is important that these government owned corporations which compete with the private sector should retain their commercial viability, the public interest test set down in schedule 4 of the Right to Information Bill ensures that commercial-in-confidence information will remain as such. Now more than ever it is important that Queensland's right to information laws extend to government owned corporations and private sector businesses to which public functions are outsourced. As the Premier and Treasurer take the axe to the state's assets, Queenslanders need to be reassured that their information access rights will not be eroded.

One aspect of the bill which the opposition does not support is the implication and application of section 54. When an access application is approved, the government intends to make this information widely available 24 hours after access is given. This is despite the fact that the information would have otherwise been unavailable to the general public. While the Premier will dress this clause up as proof of the government's openness and accountability, it is in fact a sneaky way of deterring journalists from seeking official information. This is a cynical move by the Bligh government that will effectively stop media organisations from making access applications.

Media organisations invest a lot of time, effort and money gaining access to official information. Under Labor's proposed changes, when an access application is granted journalists will have less than 24 hours to analyse the information and break the story. Given the 24/7 news cycle, there is a real risk that a media organisation will end up having to pay for someone else's scoop. Journalists simply will not invest significant time and money in accessing information under the right to information laws if they are going to lose the exclusive.

**Mr O'Brien:** I'll bet you that's not true. That will be proven to be untrue.

**Mr LANGBROEK:** I will look forward to it being proven to be untrue. I know for a fact that these concerns have been raised with the Premier, yet they have fallen on deaf ears. Where is that cultural change of which she speaks? This aspect of the bill provides another nail in the coffin for investigative journalism. At a time when quality journalism is already under threat from falling circulations and cost cutting, we should be promoting easier access for the press to government information. The media plays a vital role in keeping governments honest. What does the Bligh government have to hide?

The Liberal National Party believes that we should be encouraging quality investigative journalism. That is why I will be putting forward an amendment that will require information obtained under an approved application to be published after 30 days, not 24 hours. I will also be putting forward an amendment capping the cost of an access application to $1,000. I understand the Solomon review recommendation for a fee regime based on folio numbers would actually increase the cost of making an information access application. I believe the charges for information should be reduced so that people are not deterred from making an application under the act.

Capping the cost of charges will allow Queenslanders to have access to government information at a much lower price and prevent the government from hiding behind excessive bills and charges to receive information. In addition, the Liberal National Party will move amendments excluding the time spent searching for documents from the cost of FOI. These fees for searching for documents encourage inefficiency in the process and pass that cost on to the person who is seeking the information.

I turn to the Information Privacy Bill. This bill essentially codifies existing government directives on privacy into legislation. These principles protect Queenslanders' personal information held by governments and deal with the manner in which that information can be used. The principles are essentially sound, but there are a number of concerns the opposition has in relation to the bill. The Bligh government has chosen to implement Queensland's own information privacy principles rather than the more stringent federal national privacy principles. I am concerned that the Premier believes information about Queenslanders held by the state government should be less strictly held than information which is held by the federal government.

The opposition also has concerns about the lack of inclusion of a requirement to notify the Privacy Commissioner of an information privacy breach. In the same vein, under the Information Privacy Bill the Privacy Commissioner does not have to notify a person whose privacy has been breached.

Perhaps the greatest concern to Queensland is that this bill—a bill which is designed to protect private information—provides a mechanism for the government to sell private information for commercial purposes. Schedule 3(11)(4) states that an agency may disclose personal information if the information may be used for a commercial purpose. In addition to selling off the state's assets in a fire sale, the Bligh government is going to sell off private information about Queenslanders. The Liberal National Party opposition will move an amendment explicitly preventing the sale of Queenslanders' information for commercial purposes.

In summing up, I wish to quote from Australia's Right to Know submission—

FOI laws work poorly because a culture of secrecy continues to pervade many areas of government, to the significant detriment of good government. This culture needs to be addressed through a combination of legislative change, agency management and political leadership.

This bill represents the first step. In order for the Right to Information Bill to achieve greater openness and accountability, it is vital we see a real cultural change within the government and the Public Service. In passing these laws, the Premier has a responsibility to ensure that she leads change from the top down. As I have stated during my address, the opposition will be moving a number of amendments. Save for those, I will support the bill.

**Mr SPRINGBORG** (Southern Downs—LNP) (Deputy Leader of the Opposition) (12.51 pm): I was in this place almost 20 years ago when the then Attorney-General, the member for Murrumba, introduced the Freedom of Information Bill into this parliament. It is interesting if one looks back because the rhetoric espoused in that legislation is very similar to the rhetoric espoused in this so-called new and improved bill in the year 2009. Keep in mind that it was in 1991 that Queensland got its first freedom of information legislation. No-one can argue against the principle of freedom of information legislation, but the real problem is what happens with regard to the implementation, the application and the interpretation of freedom of information legislation by the agencies that are responsible for managing the release of that particular information.

If you look at where we are now in regard to the amendments which have come through this parliament over a long period of time and compare that to the very lofty rhetoric which came from the then Attorney-General in 1991, there has been a significant departure from the original intent of that legislation, and one would certainly hope that is not going to be the case with regards to this new bill which we are debating here today.

There has been a series of exemptions and cost and administration impediments which have been put in place over almost two decades. We have seen things such as the interpretation of what is exempt information by the various government agencies. We have seen the abuse of section 36, which has been alluded to by the Leader of the Opposition. We have seen the time frame for the processing of the initial application go from 28 days to 45 days, and the process beyond that has also blown out. We have also seen the cost of the processing of the application blow out from about $30, which was going to be the cost of the whole process, to what can be in many cases hundreds if not thousands of dollars because this government's Labor predecessor brought in time based charging. That was not about making people fully accountable for so-called fishing expeditions; it was about putting up a barrier to the release of information.

I myself have put in a number of applications over the years. One was to do with the government's fire mitigation management. After the documents had been identified, the bill which we were presented with was some $10,000 if we wanted to have access to all of that information. If you do not have the resources of an organisation that is well heeled or the media, then you may not if you are an ordinary citizen have the capability to access that information. Indeed, it becomes a very deliberate impediment.

We have also seen exemptions put in place for information which has been sent to the CMC. We know that this government and its predecessor have used the CMC as a laundering exercise to launder its own morals and its own ethics.

**Mr Dick:** That is the job of the CMC—to investigate public misconduct.

**Mr SPRINGBORG:** Go back and look at some of the cases, Mr Attorney-General. The high bar for this government has become not the issue of ministerial competence and ministerial misconduct. It has to be proven. It has shifted towards proven criminality when it always should have been a situation where if a minister was not up to the job then the minister should not have been there. The former Premier had an extraordinary gift for sending information off to the CMC. The CMC would come back and say, 'Our jurisdiction is not enlivened.' That would be in the small print. It gave a quasi clearance to somebody and says, 'Everything is right. It is all whiter than white and cleaner than clean.'

We saw an amendment where the material which had been sent off to the CMC became exempt from public disclosure for time immemorial. That is something which is also of significant concern to me and should be of concern generally to the people of Queensland. It can be very convenient for the government to send certain allegations off to the CMC. Rather than getting to the nub of the issue, it is about making sure that the information which can be gathered and sent away can never be disclosed, which can be somewhat embarrassing for the government.

The benefit of this legislation should be that it provides a greater degree of accountability for the people of Queensland in scrutinising the decisions of their government and government agencies. It fundamentally shifts the way that freedom of information legislation works in Queensland from a model where you have to extract it out to one where the information should be pushed out for people to routinely access. Once again, I raise the concern that it will be the application, the interpretation and the cultural adherence to this which will really bring about the effect of it and the benefit to accountability and openness in Queensland. We know that there are many ways in which agencies can stymie the intent of the legislation or of the parliament.

My observations are that it is not the release of information which causes the problem; it is the failure to release the information. In many cases it is the thrill of the chase that gets the media and others going. Frankly, if a lot of the information were routinely put out there in the first place on the internet and made available, then there would be no thrill of a chase and the government would not be accused of a cover-up.

I have been to New Zealand and spoken with the ombudsman responsible for its freedom of information regime. Basically, its regime is that virtually all information is available including cabinet information unless it meets some criteria with regards to national security, genuine commercial-in-confidence, or personal private information.

The other thing we need to be concerned about is that the release of information does not guarantee that people are going to be more informed. You can have oodles of information but be far less knowledgeable. It gets caught up in the rhetoric and the spin. We have seen this done particularly well by this government. I give it 100 out of 10 with regards to being able to construct a narrative where it can blame every single thing on something else occurring in the world or some other circumstances rather than elucidating that which is an internal issue.

**Ms Jones:** Is that the global financial crisis, Lawrence?

**Mr SPRINGBORG:** A classic example is the blaming of a global financial crisis for the fact that the government has actually gone broke in a boom. The first tragedy of war, they say, is the truth, and we see it so much from the Labor Party.

Let us look at the Labor Party's record when it comes to the issue of grants. Previously they sought to cover up information that should have been publicly available by abusing the cabinet exemption. I have expressed my principle concerns. I do support very strongly the Leader of the Opposition in the amendments which he is proposing. I do understand the issue of the 24-hour rule and why there is a need to give the person who has spent the time and effort to uncover that information the opportunity to be able to utilise that information in the way that they would seek.

I will conclude on this point. I have seen a practical expression in the last few years where you seek information from the government, it refuses to provide it in this parliament by way of questions on notice, and then a couple of days before it puts an exclusive drop-out to the media so you do not have access to that information the government seeks to dampen it down and put a spin on it in its favour. So there is some merit in extending that 24 hours out to a longer period.

This legislation should be good. It will very much depend upon its interpretation and the way that the culture develops around it with regard to the release of that information. Certainly I and many others will be watching it with interest.

Sitting suspended from 1.01 pm to 2.30 pm.

Debate, on motion of Mrs Miller, adjourned.

## CRIMINAL CODE AND OTHER LEGISLATION (MISCONDUCT, BREACHES OF DISCIPLINE AND PUBLIC SECTOR ETHICS) AMENDMENT BILL

### First Reading

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (2.30 pm): I present a bill for an act to amend the Criminal Code, the Public Service Act 2008, the Police Service Administration Act 1990 and regulations under that act, the Crime and Misconduct Act 2001, the Misconduct Tribunals Act 1997 and the Public Sector Ethics Act 1994 for particular purposes and to amend other acts mentioned in the schedule to update references 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:* Criminal Code and Other Legislation (Misconduct, Breaches of Discipline and Public Sector Ethics) Amendment Bill [296].

*Tabled paper:* Criminal Code and Other Legislation (Misconduct, Breaches of Discipline and Public Sector Ethics) Amendment Bill, explanatory notes [297].

### Second Reading

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (2.30 pm): I move—

That the bill be now read a second time.

I am committed to ensuring that Queensland has an open and accountable government. I expect, as the public expects, everyone who holds public office in Queensland, including ministers, chief executives and public servants, to adhere to appropriate standards of behaviour. In a group of almost 225,000, there may be individuals who choose not to meet the high ethical standards expected by the public. It is these people that this bill is aimed at.

This bill strengthens Queensland's public sector ethics regime in three main ways. Firstly, it implements recommendations made by the Crime and Misconduct Commission in its recent report concerning the investigation of a former director-general of the department of employment and training. Secondly, it introduces new measures into the Public Service Act 2008 and the Police Service Administration Act 1990 to allow investigations to continue against former public servants who abused or breached their public obligations whilst employed in the public sector. Finally, the bill makes important amendments to the Public Sector Ethics Act 1994. Most importantly, the amendments will allow all members of the Legislative Assembly, including non-government members, to seek advice from the Integrity Commissioner about conflict of interest issues.

In terms of the CMC report, this bill introduces a new offence of misconduct in public office in the Criminal Code. This will complement the existing suite of offences in the Criminal Code which relate to misconduct. The new offence will prohibit any public officer from using their position to dishonestly obtain a benefit for themselves or another person, or cause a detriment to another person. The new offence will also extend to former Public Service officers. The offence will prohibit former officers from using any information gained, because of their former positions, to dishonestly gain a benefit for themselves or another person or cause a detriment to another person.

The definition of 'interest' in the Public Service Act 2008 will be repealed. Amendments will ensure that the term will capture all interests which can lead to a conflict of interest under that act. The act will provide that the terms 'interest' and 'conflicts of interest' will have their meaning under general law and will apply to all situations in which someone's private interests could conflict with their public obligations and duties.

In addition to the above amendments, the bill also makes important changes enabling investigations to continue against public servants who move departments or where public servants or police officers cease employment before an investigation is finalised or undertaken. Queensland public servants and police officers are already governed by stringent legislative and regulatory controls. However, under existing provisions, disciplinary action can only be initiated and continued against a Public Service officer or a police officer who continues to be employed in the Queensland public sector. If an officer's employment ends, disciplinary action ceases.

Of course, criminal investigations can continue even after a Public Service officer or police officer has left the public sector. This bill will allow investigations against individuals to continue despite their employment ending. These changes will bring public servants and police officers into line with the regulations that already apply to registered teachers.

The bill provides that, if the investigation results in an adverse finding, a declaration can be made stating the finding and the action that would have been taken had the person's employment not ended. The intent of a declaration will provide a warning mechanism to prospective government employers. The amendments also create a disclosure regime to enable chief executives to make appropriate assessments of the suitability of persons who seek employment in the Public Service or Police Service or where public servants seek to transfer departments.

The bill provides chief executives with the authority to require a person to disclose any serious adverse findings following an investigation, prior to appointment or secondment. If a person fails to disclose the information, without a reasonable excuse, this may be a ground for action under the Public Service Act 2008. Furthermore, the bill enables chief executives to request and provide investigation findings between departments where it is reasonably necessary for the chief executive to determine the person's suitability for employment.

The bill also ensures that appropriate appeal mechanisms will be available to former public servants and police officers who may wish to appeal findings made by their former employer following an investigation. The Public Service Commission's appeals jurisdiction will be extended to ensure that former public servants have a right of review in relation to findings made following an investigation. Former police officers will have appeal processes reflective of those that apply to serving police officers.

The bill will also amend the Crime and Misconduct Act 2001 to ensure that the CMC can call to account former public servants and members of the Police Service who may have committed official misconduct and subsequently attempt to avoid scrutiny by resigning or retiring. The jurisdiction of the misconduct tribunals will also be expanded to ensure that relevant former public servants and members of the Police Service can be dealt with, including making a declaration of the penalty that the tribunal would have applied had the relevant officer not resigned or retired. The bill sends a strong message to the public sector workforce and the broader community that those who hold public positions cannot expect to break the rules and get away with it.

Finally, the bill amends the Public Sector Ethics Act 1994 to allow all members of the Legislative Assembly to seek advice from the Integrity Commissioner about conflict of interest issues. All members can be confronted with potential conflicts of interest and, in my view, should be able to seek the Integrity Commissioner's advice on how best to handle such situations. The bill also corrects an oversight in schedule 2 of the Public Service Act 2008 by including the Office of the Integrity Commissioner as a statutory office holder who may not be removed from office by the Governor in Council. I commend the bill to the House.

Debate, on motion of Mr Langbroek, adjourned.

# RIGHT TO INFORMATION BILL

# INFORMATION PRIVACY BILL

## Second Reading (Cognate Debate)

Resumed from p. 611, on motion of Ms Bligh—

That the bills be now read a second time.

**Dr FLEGG** (Moggill—LNP) (2.38 pm): In rising to speak in the debate on these cognate bills, I support the comments made by the Leader of the Opposition. The LNP supports a move to greater openness. Those in the opposition as well as those in the media have been frustrated by the growing culture of obturation and blockage in obtaining documents under FOI. Previous FOI provisions have been twisted and distorted in such a way as to prevent access to information rather than facilitate it and to protect government rather than the community by making that information available. Naturally, with that philosophy, we would be supporting bills brought into the House whereby the stated intention is to improve openness and accountability.

I turn to the Solomon report. Dr Solomon was quite adamant that FOI should in fact be a last resort and that governments should be open and should be providing information to members of the community as a matter of course, not keeping information non-public and forcing people to guess what information may exist and proceed through a difficult, lengthy and costly FOI process. I hope that the government has framed this bill with the intention of making FOI a last resort. I suspect that the fear of releasing information that this government appears to have had is not well founded and that in actual fact the release of information is likely in the best interests of the government as well as the community.

Solomon makes the point that the commitment of the public sector, and in particular the government, to FOI over time has waned and he has recommended sanctions and incentives to FOI officers to enter into the spirit of it—that there should be a culture of releasing information wherever possible, that it should be a pro-disclosure culture. He also makes the point that decisions, particularly decisions to refuse access, should be made only by senior officers. He says in relation to the Right to Information Bill that there should be much more information available outside of FOI.

One of the particularly important aspects of these bills and of Solomon's recommendations is in fact in relation to GOCs which, as we all know, are effectively extensions of the government and effectively extensions of ministers' departments. In one piece of legislation after another that comes through this place we see the overriding powers that ministers have in relation to their GOCs. It appears to me to be a strength of this legislation—one which I hope in practice plays out to live up to the promise that it has—that the government, in its response to Solomon, has included access to documents that are held in GOCs. There are of course quite a number of restrictions on what might be accessed from GOCs, particularly in relation to the competitive nature of some of the activities that they indulge in. One might expect, reasonably, that there would be some commercial-in-confidence aspects in that GOCs would need protection if they are in a competitive situation. But I hope that it is not a case that these sorts of protections become an excuse not to allow access to information.

To a significant extent, this bill is simply a measure to close a number of loopholes that have been gradually opening up that allow government to avoid release of information and public scrutiny. I hope—and I hope sincerely—that the spin doctors are not out there working, even as we speak in this place, on new ways of opening loopholes under this legislation to again prevent access to information.

In my view, there are three critical areas in an effective FOI regime—and I approach this subject very much as a nonlawyer but certainly as a member of this parliament who has used FOI more than most. I will set out the three elements that I would identify as being critical to an effective FOI regime. The first is speed. Members of the public will not know, unless they have had an indication from somebody, what documents may exist, but for members of parliament and for members of the media the attempt to uncover information under FOI is prompted by events of the day and is prompted by shortcomings in the administration of the state as they arise, and the speed with which an FOI application is processed is critically important. There are a number of loopholes, even within this bill, that allow applications to be bounced backwards and forwards before the time clock starts on the provision of information. I note that under this bill we have moved from calendar days to business days and that the relevant minister has 25 business days, or five weeks—presuming there are no public holidays—in which to respond to applications.

The second ingredient in an effective FOI regime from the point of view of those of us who need to use it within the public interest is the cost. I heard the comments by the member for Southern Downs and Deputy Leader of the Opposition that he has put in FOI applications and had cost estimates come

back in the tens of thousands of dollars, and so have I. There are enormously high cost estimates which in many cases have meant that, as a member of parliament attempting to act in the public interest, I have been unable to proceed with quite a number of FOI applications simply because of the cost. In effect, it appears to a user that one has to buy information that in many cases ought to be freely available to the public, and shortly I will give a number of examples of that.

The third critical element is the extent to which the legislation allows exemptions for the government—in other words, opportunities to avoid releasing documents. Sadly, that is something that has to be subjected to the test of time and to see the practices that arise. To that point, I think the concept of reviewing this legislation in two years is one that I would support, because we will not know what the pitfalls of it are until such time as we get to try it out.

The Leader of the Opposition made reference to clause 54, where an application for documents under FOI allows the minister to then widely publish those documents 24 hours after they are released to the applicant. In most cases, apart from personal applicants, the applicant is either the media or representing another member of parliament. A tremendous amount of time and work goes into these applications—a tremendous amount of resources and cost. In effect, you invest those resources and meet those costs as part of your responsibility to the public. Clearly, this is a section that the government has put in place to prevent members of parliament and the media obtaining the opportunity to make public comment on the FOI documents they obtain, by effectively releasing them to anyone who may seek to make comments on them.

I note a number of amendments foreshadowed by the Leader of the Opposition. One in particular that I want to strongly support here today is a cap of $1,000 on the expenses of applying for FOI. The sum of $1,000 is a significant amount of money that discourages any frivolous use of FOI but does allow people who feel they have a duty to pursue information in the public interest to afford to do so, and it is a substantial amount of money.

There were a number of Solomon recommendations for improving the way in which applications are processed. I think this reflects the fact that all regular users of FOI have suffered a lot of frustration about the way in which we are forced to go through with our applications for FOI, and that has obviously been picked up in the recommendations. The details are there in the bill in relation to time frames. As I say, there is opportunity there for applications to be bounced around to a certain extent, and I hope that does not become a standard in delaying access to information.

The legislation lays down the amount of time required after an initial contact before a response has to be made, the amount of time allowed before documents are provided and so forth. They are pretty generous amounts of time. I think any fair reader of this legislation would say that FOI officers in the public sector would hardly be rushed by the length of time that is provided for them under the bill. I hope FOI officers take the attitude that these are maximum lengths of time and will not become the standard lengths of time for the provision of this information.

There is considerable comment within the bill about exceptions in the area of a release of information not being in the public interest. There is also considerable information in the bill in relation to cabinet matters. I had a look at the new website for release of certain cabinet information, which, if it is used appropriately by the government and results in a release of information, is useful indeed. But I do note the words that information that is prepared for use by or advice to cabinet may be prevented from release, as opposed to the old system of bringing in the removalists from MiniMovers and trotting all the documents through the cabinet room. I hope one of the things that will be monitored when the review takes place is that this wording of any documents that are created with the intention of providing information to cabinet is not misused, because I think it has that potential.

Over the years that I have been in this place I have made many FOI applications—quite a lot of them the subject of press releases and speeches that I have given in this place. I would like to reflect on a couple of them in particular to highlight how poor the disclosure regime is and some of the pitfalls that I hope the bill before the House addresses. In my electorate of Moggill there has been a very intense community debate about the merits or otherwise of constructing a Kenmore bypass. In the course of that debate, I applied for a significant number of Main Roads documents, mostly of a technical, engineering and study nature, which there is no conceivable reason that anybody could construe were not in the public interest to release. In fact, quite the contrary; it would be very hard to mount an argument that these should not have been released in the public interest.

One such study, in the heat of a community debate about a significant new road project to relieve the appalling traffic congestion that we suffer in central Kenmore, was, in fact, a Main Roads study of the feasibility of upgrading and widening the existing road corridor through central Kenmore. We had the situation where, as part of that study, certain properties would have required resumption should we have to go down the line of widening the road corridor through Kenmore and Chapel Hill. Because this information was never publicly released, I even had the situation where people were putting in submissions, in some cases opposed to the Kenmore bypass, and their own property had been marked for possible resumption should the alternative of widening the road through Kenmore be fulfilled. I

cannot for the life of me understand why such a document should be regarded as sensitive or should not have been released to the public. It was certainly an important bit of public information for an ongoing public debate that would never have been made public except that I fortuitously came across it in the course of the FOI applications that I did on that matter.

Another FOI application relates to the Western Freeway, which connects the government's designated major population growth corridor to Brisbane, the TradeCoast and the areas where employment growth is expected to take place. For years, the Western Freeway has been a disaster. In fact, this morning it came to an absolute standstill because a bus broke down. At 6.30 this morning, cars were queued all the way back past Moggill Road on the Western Freeway. This is a regular occurrence, sometimes happening multiple times in a week.

The Brisbane City Council is attempting to put in a tunnel from the Toowong roundabout, but that would still not fix the problems of the Western Freeway. Although the government had made almost no statements publicly about the Western Freeway, presuming that somebody sometime, somewhere must have looked at the Western Freeway and realised that they have a major problem on their hands and that it will take a major project to fix, I submitted an FOI application in relation to engineering and traffic studies of the Western Freeway. To my surprise, I obtained a major study of the Western Freeway that looked at issues such as eight-laning the Jindalee Bridge, widening the road corridor for the Western Freeway, adding bus and high-occupancy transit lanes and adding priority toll lanes. All of those documents were not released publicly. I can assure members that they were released publicly after I got them under FOI, but it escapes me completely not only why they were not released to the public in the first place but also why we were left to guess whether or not Main Roads would have had a look at one of the major traffic issues for Brisbane going forward.

Likewise, at the time I occupied the shadow health portfolio, Queensland Health was—as all of us will remember—beset by one crisis after another. We obtained numerous documents under FOI that really should have been in the public domain. Had they been in the public domain, we may well have seen earlier and better government intervention in the health system.

This bill is one that the opposition is supporting, with amendments. I hope that the government will take on board particularly the amendment to limit the cost that is currently a significant flaw in relation to free access to FOI. I shall look forward with great anticipation to my first FOI application under the new legislation when it is brought into being to see if this legislation lives up to its promise.

**Mr SHINE** (Toowoomba North—ALP) (2.57 pm): I would anticipate that the honourable member will not have to make application, because under this regime the documents will be automatically released in the main. That is the thrust of this legislation—that there be automatic release without it having to be applied for.

**Dr Flegg:** We're looking forward to that one.

**Mr SHINE:** I think many people will be looking forward it. That is the reason the government has brought in these reforms. The purpose of all FOI laws is to arbitrate a balance between the rights of the community to access information on the one hand and the rights of other essential public and private interests on the other.

There has been a huge change in my working life in relation to what operates in terms of the law with respect to freedom of information in Australia and in Queensland. I started in a lawyer's office in 1967, when there were no laws in existence anywhere in the world, as far as I am aware, dealing with freedom of information—certainly not in Queensland.

The emphasis was very much on secrecy and there was no expectation at all that anyone would have the right to know what was held in government files. It would have been impertinent to ask for it, let alone to expect it. It was very much akin to what I was becoming used to as a young articled clerk with respect to the dictates of confidentiality in the lawyer-client relationship. That was very much the manner in which governments conducted their businesses as well. There was a presumption that everything was secret—that nothing was to be made public except in certain circumstances. Indeed, it would have been regarded as a breach of duty—a breach of the law, no doubt—for any information to be given without authority. There would have been many ridiculous examples of where that mentality did prevail, notwithstanding that the interests of Queenslanders probably suffered tremendously during that period.

I think it was in the 1970s that movements towards the bringing about of freedom of information laws in other parts of the planet were being developed, particularly in the Scandinavian countries and subsequently in Canada. From memory, the first movement in that regard in Australia was in the Australian Senate, probably in the early seventies, no doubt under the Whitlam government. Of course, during that period—between the seventies and the early nineties—nothing much happened in Queensland. In fact, nothing happened in Queensland; it was the period of the Joh Bjelke-Petersen government in the main. This morning I was interested to hear the Leader of the Opposition and the member for Southern Downs being critical of certain instances of the application of FOI laws in

Queensland under the Goss and Beattie governments in particular. I think that is quite ironic in light of the position that prevailed prior to the Goss government coming to power in 1989. We had 32 years of absolute drought so far as freedom of information laws were concerned.

No doubt when the history of freedom of information laws in this state is written there will be two great leaps forward that the historian can point to: one will be the introduction by the Goss government, by then Attorney-General Dean Wells, of the 1992 freedom of information legislation and the second will be this right to information legislation under the Bligh government. I am sure it will be a matter of great pride to the Premier when she looks back in many years to come on her achievements as Premier. This will be one of the highlights, because this really is landmark legislation. She has a great deal to be proud of.

The cornerstone, however, was the legislation introduced by the Hon. Dean Wells in 1992 which served this state well for a number of years, particularly as it was applied as originally envisaged—not all that dissimilar, really, to many of the recommendations of the Solomon report itself. It, however, became weakened over a period of time, particularly during that period of the Borbidge government when bad practices developed in terms of cabinet exemptions. By way of example, we all recall the story of the wheeling of cartloads of health department material into the cabinet room when cabinet was meeting in Mount Isa.

It is now 17 years since the original legislation was introduced, and the Premier has adopted what can only be regarded as a courageous attitude to bringing in reforms of the nature that we see before us today. It is courageous because it could be argued that most governments are reluctant to have their decisions and items of government discussion made public in all instances. There is a natural tendency to want to control what is released. For a government to voluntarily bring about a major reform of this nature is indeed courageous. It is courageous that the decision to go down this path was made at all.

Also courageous was the composition of the inquiry committee that was formed. The chair was Dr David Solomon AM. As well as being a very delightful person, he is highly regarded as an eminent lawyer and journalist. It was essential to the committee's recommendations being accepted that it be headed by and comprised of people of eminence—people who have the respect of not just the legal world but also, very importantly, the media world.

Dr Solomon chaired the committee which also comprised Dominic McGann, a partner in the highly respected Brisbane law firm McCullough Robertson, and Simone Webbe, a highly respected public servant well qualified in this area. There could never be any criticism of the calibre of the people who were appointed to this committee. They are people of immense ability but also integrity. I am sure that people of the ilk of John Hartigan, the head of the Right to Know coalition, would have held David Solomon in the highest regard. What we see here today in the form of the legislation before the House is the response of this government to that courageous step of forming that committee. We do see, by and large, what could be said to be the 'wisdom of Solomon' in terms of the legislation before the House.

The committee received many submissions on what people's view of the world should be so far as FOI was concerned and then ultimately it presented its report. A great deal of work was done on the formulation of the bill by the Premier and her department. The bill was put out for extensive consultation from early December last year to the end of March this year and it attracted, as I understand, about 40 submissions.

I will not go into detail about the content of the bill, which speaks for itself. The essence of it, as I said at the outset, relates to the release of information administratively as a matter of course rather than as a last resort. That is the linchpin, if you like, of this legislation as I understand it. Documents are to be released unless they would be contrary to the public interest. The public interest test is laid down with a list of factors favouring disclosure, factors favouring nondisclosure, harm factors and irrelevant factors.

The cabinet exemption area has been altered significantly from what applies at the moment. It will apply for a period of 10 years, and the automatic period for open access will be reduced from 30 years to 20 years. As has been mentioned by members opposite today, the law now will apply to government owned corporations as well, except where they operate in competition. For example, it would apply to a body like SunWater but would not apply in many instances to the operation of QIC.

Reference has also been made to the charging recommendations of the committee. The government has not changed the current practice, mainly because it will be cheaper for people to use. Eminently sensible reasoning has prevailed in that regard. The legislation will provide for an information commissioner with expanded functions.

Importantly, of course, associated with this bill is the Information Privacy Bill. For the first time we will have codified legislation. What was previously referred to as IS42 and IS42A will apply with respect to privacy matters and they will have the force of legislation behind them. They will have real teeth. Compensation of up to $100,000 will be provided in certain circumstances. It will apply not on the passage or assent of this legislation but from 1 December this year, which is when QCAT will come into being. Importantly, local government will also be subject to this legislation.

As I mentioned before, in Australia agitation has been widespread as a result of the Right to Know coalition, headed by John Hartigan of News Corp, concerned about the privilege, particularly of the media, to access information from government. That is all very well and good, and I would have thought this legislation will be in accord with what that coalition has been seeking. However, I think it is important that the media also accepts that this is a two-way path. The media has a responsibility to the public because of the privileges it gets from this type of legislation. Whether they work for the print media, radio or TV, journalists have a responsibility to present a balanced report, particularly where they are, in essence, the only media outlet in a particular location. They have an obligation to present both sides of the story. For example, this morning the member for Whitsunday explained to the House the circumstances surrounding the matter of Mr Wardill and last night's report on *Media Watch*. That should bring home to us all the responsibility that the media and the government both have. That is enough said on that topic, other than to add that it would be difficult to disagree with *Media Watch's* comment that what we have seen exhibited in the last week or so has indeed been grubby journalism.

This legislation is a very important chapter in the progress of, on the one hand, the refinement and the balancing of the rights of the community to access government information and, on the other hand, protecting the privacy of individuals and the business affairs of corporations. As I have said, it is landmark legislation and I congratulate particularly the Premier, who has been a driving force for the introduction of this legislation in Queensland.

**Mrs MILLER** (Bundamba—ALP) (3.13 pm): I rise to support the Right to Information Bill 2009 and the Information Privacy Bill 2009. I note that the member for Toowoomba North has outlined a bit of the history of freedom of information in Queensland, but I would like to go back a little further. Freedom of information legislation was first mooted by quite a number of public servants way back in the 1970s when it was brought into the federal parliament. At the time we knew we had no hope of getting it legislated because Sir Joh and the National Party were in power. However, it was mooted in the Fitzgerald report. Back then, I worked in the department of employment and my job was to analyse the Fitzgerald report and report to the then Under Secretary, Mr Ian Staib, on the impact of the Fitzgerald report on our department and its operations. I can remember the great delight with which I advised him that, firstly, no government could survive the outcome of the Fitzgerald report and, secondly, in my view freedom of information and judicial review would bring in a new era of openness and accountability in the Queensland Public Service insofar as government operations were concerned.

I would like to point out that two people—a former and a current member of this House—should be honoured for the original FOI legislation. The first is Matt Foley, who argued very strongly for FOI legislation when he was President of the Council of Civil Liberties. The other person is my good friend Dean Wells, who is in the House today. He introduced the FOI bill into this parliament in 1992.

As a public servant I know that there were absolutely huge internal cultural changes in government departments, because no longer could public servants write little notations in the margins of files. Some of those notations used to be quite hilarious. In the 1970s I started work in the department of local government, Russ Hinze's department. Some of the notations in those files, in my view, should be part of the historical record of government. You certainly would not be game to put such notations into files now.

Through many thousands of training programs, the Public Service soon become aware that it had to be open, that public servants had to be accountable for what they were writing and that, at times, they had to justify what they were putting on files. That was particularly so if an FOI applicant disputed what was on the file and sought to have their own information put on that file to correct the record. I can recall many a time when public servants were called up to see senior officers to explain why they had made certain notations. In the early 1990s departments held numerous training programs, resulting in what I believe is a much more open and accountable government today.

However, we should place on record that being an FOI officer is not easy and being a right to information officer will not be easy. In fact, I think it will be extremely difficult. We should all spare some thought for our FOI officers, because some of them have to view horrific files before making decisions on whether to release documents, particularly matters relating to the departments of the police, child safety and Justice and Attorney-General. FOI officers may have to look at murder files and suicide files, which I know can have quite an impact on them.

I was the inaugural FOI manager at the CJC under Sir Max Bingham which was an interesting role. In that era relations between the Criminal Justice Commission and the Goss government were not very good. However, Sir Max was dedicated to FOI, even in the Criminal Justice Commission.

I must admit to the House that as a member of parliament I have personally believed that some of our decision makers in freedom of information have got it wrong. I particularly refer to mental health patients who have been given their files directly, without any support or explanation. In my experience that can have a negative impact on their mental health status. I would caution our FOI officers in relation to mental health files particularly. If those files go direct to a patient who does not understand the terminology, that can actually cause their medical condition to deteriorate.

The Right to Information Bill means that openness and accountability in government is now in a new era and administrative access will be the norm. I would ask the Premier to please comment on how that administrative access will work in practice. For example, do you just turn up at the head office of a government department, go to the floor where the right to information officers are and say, 'I would like the documents on such-and-such a policy'? We have to look at the difference between a person's right to ask an information officer to give you that information and a situation that could lead to a government leak. It can put those officers in a very invidious situation. I would like RTI officers to be protected in those circumstances. Can the Premier give us some guidance as to how that is going to work in practice? How will it work in practice, particularly for some of our DPI and other officers who work in regional Queensland who simply turn up at our QGAP offices to seek access to that information?

In conclusion, what was born in Queensland out of the Fitzgerald inquiry—what was born out of what was then a corrupt, inept and secret government of the former National Party—is a new era. I would like to agree with the member for Toowoomba North. We had the freedom of information era and now we have the right to information era. Tony Fitzgerald and the pioneers of EARC I think would be very proud today that we have gone into this second phase of right to information. I think the pioneers of EARC, including Dominic McGann, the member for Toowoomba North and others, will be very happy with this bill that is going to pass through this House today.

On behalf of the officers who have trained many thousands of public servants on the principles and administrative operations of openness and accountability, I know that they have had input to this bill and that they are in fact very proud of this bill coming before the parliament. Over the next few months of course there will be quite a number of training programs conducted throughout government departments in relation to this new RTI bill. To the freedom of information officers—who I am sure will now be known as the right to information officers—who are delegated responsibility under this act: on behalf of the people in my electorate particularly, I would like to thank them for their commitment and dedication to the people's right to know.

It is not an easy job. People might think it is just paper shuffling. People might think it is just a matter of quickly having a look at a file and sending it out so that people can have a look at it. It is not simple. Weighing up the public interest test is not an easy thing to do. There is a lot of pressure put on RTI officers, whether it be from ministerial areas or departments or even other senior officers sometimes, to make a certain decision one way or another. So, on behalf of the practitioners of FOI, or RTI as it is going to be known, I thank them for their work because I think they are unsung heroes in our departments. I commend the bill.

**Dr DOUGLAS** (Gaven—LNP) (3.22 pm): The Right to Information Bill 2009 and the Information Privacy Bill have come in at a time when the Premier today made a speech abrogating much of what she went to the public with at the election—an election that had to be had early—now just 10 weeks ago. The Right to Information Bill should be the first step towards creating a world-class accountability structure in Queensland. My concern today is: will this bill be held in the same contempt in which the Premier holds the public with regard to entrusting us with what her true plans were for the state when she went to the election just months ago? That is the contrast between statements and actions.

This bill represents a major step forward by a Premier who has to restore some credibility from the failed Beattie years. These were appalling years of government by remote control. Similar methods were used by television stations responding to their ratings results on a day-to-day polling count—throw out the statements, see what works, irrespective of the content and the implications of spin, and, if there is no traction, kill it off and often do an about-face. Politics is often about what is possible. It has never been said that it was about nonsense dressed up as policy—that is, the type of spin strategy reflects more on the spokesperson and demeans the institution which they purport to represent.

Information is power. The original quote is that knowledge is power. Information and knowledge are often interchangeable terms. What is not often understood is that information is not necessarily factual. The common term is 'truth'. Much information collected is not truth. In other words, it may be factually inaccurate. Much of today's misinformation is sadly spread on the internet. Many of the principal users of that powerful tool seek to try to redress the problem by doing everything from blogging to routinely updating more authoritative information.

As a contrast to this, we have a huge number of media advisers, particularly in the government currently—primarily in the Premier's own office and at every level of government from ministerial offices to community groups—who have a seriously flawed role in disseminating and 'sterilising' information much of the time. Occasionally it is factual misinformation and sadly it is often blatantly fraudulent information. I would like to give some examples in order to explain how information can be used and misused and what this bill has to address—that is, the issue of sanitising information to misinformation to frank distortion.

An example of sanitising information, whether intentional or not, is what happened on the issue of fluoridation of the water supply. The Premier was making almost daily statements matched by often changing media releases on what actually occurred. In the end I do not even think she knew what really occurred. An example of misinformation is that the Traveston Dam has the capacity to solve all of our

water problems in South-East Queensland when the government knows that the Commonwealth is not going to allow that dam to be constructed. In other words, this dam will not solve our water woes. An example of frank distortion of information, almost bordering on fraudulent distortion, is stating that the Nerang Fire Station had been delivered when in fact a property had been acquired and a preliminary plan released. In fact, the station has not been built but will be coming in February of next year. That is what we hope.

Occasionally information can be totally useless and often destructive. This, together with fraudulent information, is probably the worst type of information. By virtue of its absolute uselessness, it may never be retrieved other than to say, 'What should not be done with it.' I invite members to read the comments of the Chief Health Officer on the recent swine flu when she stated that we needed to stockpile canned food as a matter of urgency in preparation for the forthcoming swine flu pandemic. At the time it was accepted that a swine flu pandemic may well occur, but the issues were that the swine flu denominator—that is deaths per infected case—was unknown at the time; its rate and speed of infectivity was unknown; and a chief health officer—someone who should know these things—should not raise community alarm and invoke extreme measures and suggest they occur unless there is evidence for this that is substantial and independently verified.

What are the implications of this kind of handling of information? FOI, when originally proposed in 1991—and it is interesting that Dean Wells is here today—and eventually delivered in 1992, never promised an ability to deliver truth. What by implication it was not to deliver was a complex, expensive, obstructive process to restrict the public's access to information on the workings of government and an inability to access sometimes crucial information on these people as individual citizens. Interestingly, only governments with something to hide develop strategies that make it even harder to acquire the kind of information FOI deals with. Hopefully this bill will reverse this system that has been entrenched in this Labor regime throughout its three plus 11 years of governing Queensland.

It is shameful that the Solomon review would have had to almost completely overturn much of what had been set up to obstruct and avoid release of sometimes crucial information. One of the great things that medicine has taught me is that it is the truth that sets you free. The Solomon review proposed that via its 'push' model—and that was explained by the member for Toowoomba North and I will explain it a little further—that information will, as a matter of normal process, be released and may occasionally not be released if it is against the public interest. I will not go into the issue of public interest. I think it has been dealt with by both the member for Bundamba and the member for Toowoomba North in some detail and I will leave it at that.

Sharing information should not be feared. It needs to be embraced as a matter of principle. Similarly, there is information which should remain private. As a doctor, I strongly believe that it is my role to defend the patient's right to confidentiality of medical information. This is a constant challenge, and has been every day of every year that I have been in practice, and will continue to be so.

Only today we have seen with the case of the member for Whitsunday—and this has been raised in the parliament today—the selective use of some information being used against her as an individual destructively. What should we say about this issue? The information privacy principles should mirror the national privacy principles, which are more compelling. As well, they should link more seamlessly to those primary principles embraced in all other areas of legislation administered by government.

I think the member for Bundamba has clearly explained that if we have the same set of standards across levels the officers who are entrusted to run these systems can do so effectively, efficiently and it is all the same. Democracy is built on a foundation of governments making information freely available. The promotion of any culture that denies access to information, utilising everything from trivial excuses and excessive charging for information to blatant obstruction and then resorting to falsely claiming that it is just seeking to protect the individual almost from themselves—this culture, whether the chamber wants to agree with this or not, has been promoted by successive Labor administrations—must end. One would hope this bill ends this culture forever.

Today much has been made of the boxes of often useless and sometimes unread documents wheeled into cabinet to gain exemption from FOI. The key event that led to this may have been the shredding of the Heiner inquiry documents that occurred under the Goss Labor administration. This action forever prevented this information from being available for public observation. Whether honourable members believe some extreme actions are occasionally necessary to avoid everything from incriminating evidence to just laziness regarding the actions of relevant responsible members, the destruction of information is possibly and probably the most salient issue in terms of what needs to not be done. In other words, it must not be done.

Crucial information that was known at some point in time may occasionally be necessary to avoid a future catastrophe. There is no crystal ball which predicts the future so you know what is going to happen. To force anyone or any group in society to revisit an area that needs not to be revisited is a travesty of justice and is probably antidemocratic. Progress in our society is built on our ability to use that shared information to advance both as individuals and collectively as a society.

The member for Surfers Paradise has raised the issue of clause 44. This has been discussed by a lot of speakers today. It appears to restrict the right of media to both acquire and publish information. Why would the Premier propose a bill that entrenches restrictions and secrecy that were pervasive in the previous Labor government's interpretation of FOI, now called RTI? It should remove the clause or support the amendments suggested by the opposition leader here today, because not doing so seriously flaws the bill. A seriously flawed FOI bill will lead to probably the same point that we are at now. This is the whole point of sharing and distributing information to responsible entities.

I would like to discuss the issue of GOCs and the schedule to part 2, which really limits what GOCs may not have to do under the act. I support the inclusion of GOCs in the Solomon report. He stated—

I consider that all GOCs should be subject to the FOI Act. I am strongly of the view that private entities that carry out public functions using public funds are accountable to the public for the way in which they perform those services and spend those funds, and should be subject to all the usual accountability measures, including the application of the FOI Act.

However, I am concerned with the implementation of the bill relating to the determination of what information is considered to be community service obligations and what is not, thus effectively making GOCs exempt if the determination of this information does not meet this criteria. I will not go through and list all of these GOCs, but there are two pages of them. Using information correctly, establishing facts and developing strategies are what sets us apart from all other animals on this planet. When one restricts or misinforms, it often leads to needless duplication, cost, frustration and eventually the need to redraft our joint approach. These bills appear to be a good chance to get one key plank of our modern democracy right. I support the bills, but amendments to them are critical for their eventual success. Why imperil that chance from the beginning by not doing so?

**Mr EMERSON** (Indooroopilly—LNP) (3.35 pm): I rise to support the bills. This is a very good first step by the government in terms of FOI. Having said that, I note that it has a very poor record on freedom of information. As a former journalist, I have used the freedom of information rules over many years. I was interested to hear the member for Bundamba talk about Sir Max Bingham and the CJC earlier today. I worked with Sir Max as a journalist when he was the inaugural head of the CJC and I know of his commitment to FOI.

The Goss government's FOI legislation, brought in as part of its response to the recommendations of Fitzgerald on openness and accountability of government, represented excellent laws. Sadly, the government quickly found to its concern that those laws were too good, that too much information was getting out, and quickly liberal laws were being wound back. As academic Paul Williams said, we finally got to the point where the default administrative position had moved from one where all information was free with exemptions to one where all information was off limits with exemptions granted at the government's pleasure.

Despite the Goss government's rhetoric at the time—and I note that the then Premier's chief of staff and adviser is the current Prime Minister—those laws I mentioned were quickly wound back and badly compromised. Successive governments acted as well. In the end, it concluded that secrecy was preferable to openness. The legislation was tightened up to further restrict public access to information on the inner workings of government. Cabinet exemptions were broad and abused.

As a working journalist, I saw things change. Very early on, when I was a journalist for the ABC current affairs programs *AM* and *PM*, we could get information. Very quickly we were restricted in terms of what we could get. Sadly, that situation has not improved over almost two decades. So it was pleasing to see this government initiate the Solomon report into FOI and its release in June last year suggesting that a new approach was needed to the way the public is given access to information held by the government. As I said earlier, I believe this is a good first step in making the Queensland government more accountable.

I agree with the Premier that openness and accountability are the cornerstones of good government. However, regardless of whatever laws might be in place, there also has to be a real commitment to change, and that change has to come from the top. There must be an acceptance by government departments and ministers that the community has a right to information held by the government. Providing information to the public must be seen as a legitimate and core aspect of public servants' work and there must be an acceptance by the government at the time that the public does have a right to information. As I say, this is a good first step but we still have a long way to go.

I want to talk specifically about the 24-hour rule. As my leader, John-Paul Langbroek, has mentioned, we believe that this provision needs to be amended. The government has been accused of trying to manipulate these new laws to stop it being more open and accountable. It is sad to see, given the concerns raised about this 24-hour rule, that the government has persisted with it. There has been an outcry from the media.

Having worked in the media, as I mentioned, I know that a lot of effort, energy, time and money goes into trying to seek information through FOI. Media organisations often allocate dedicated staff to pursuing this information with the expectation that, if successful, they will be able to report the information.

**Mr Kilburn:** Make money out of it.

**Mr EMERSON:** To sell newspapers, yes, and to inform the public.

**Mr Kilburn:** I thought it was out of public interest?

**Mr EMERSON:** Informing the public. I take that interjection. I am glad to see that the member does believe in informing the public. Obviously he is concerned about this legislation as well.

**Mr Kilburn:** No, I am not.

**Mr EMERSON:** He is not concerned about the 24-hour rule or the legislation about informing the public.

**Mr Kilburn** interjected.

**Mr EMERSON:** It is unfortunate that the member is not concerned about ensuring that the public is informed. As I said, it is important that the public is informed. The concern is that, if the media outlets do not consider it is worth their while pursuing these FOI hunts because within 24 hours of receiving the information it will be released by the government, then they will not pursue issues. The sad thing about that is that it seems to be an indication of a government which, while speaking rhetorically about openness and accountability of government, is not intent on ensuring that it occurs.

I believe this 24-hour rule should be changed so that it is made more attractive for media outlets to use these FOI laws to pursue information from the government and to keep the public informed. Quite often it is only the media that, along with the opposition, is pursuing the government on these issues. Media organisations can invest a lot of time, effort and money in this. I am concerned that if we do not change this 24-hour rule we will not see a full range of FOI applications being made. I think it is cynical on the government's part to impose this 24-hour rule.

As I said earlier, this is a good first step. I applaud the Premier for taking this first step. As I also said earlier, for the FOI legislation to work there has to be leadership shown from the top down. There has to be leadership from above and a clear indication to public servants that there is an expectation that the public has a right to information. It is unfortunate that this 24-hour rule is in the legislation. It does not augur well for the government's leadership on FOI.

**Ms DARLING** (Sandgate—ALP) (3.42 pm): I rise to make a brief contribution to the debate on the Right to Information Bill 2009 and the Information Privacy Bill 2009. I very much want to congratulate the Premier not just for commissioning the Solomon report but for acting on the recommendations that it was time for an overhaul of the right to information legislation.

This bill clearly states that the government should release information administratively as a matter of course and that applications under the legislation should be necessary only as a last resort. On application, documents are to be released unless release would be contrary to the public interest.

In the last term of government, the 52nd Parliament, I very much enjoyed being a member of the Legal, Constitutional and Administrative Review Committee. Our committee was able to continue an inquiry started by the committee of the 51st Parliament which was the accessibility of administrative justice. The report was handed down to parliament last year.

Many of the recommendations made in that report were ideas related to improving the Freedom of Information Act. I want to read part of the findings of the committee. It stated—

> The committee suggests that publication of government-held information should be established practice. Almost all information, 'the grist of government processes', should be available generally, without charge, without the need for a written application and without the need to resort to an application under the Freedom of Information Act. Accordingly, rather than wholly discretionary 'administrative access schemes' information should be made available via government policies regarding 'publication'. Delivery of information in this way should be evaluated and improved on a continual basis. Key measures in the evaluation should be whether all Queensland people have an equal right to access to information, irrespective of where they live in Queensland. The use of available technology will be an important element in meeting these measures.

The final recommendation under this section of the committee's report was—

> ... legislative requirements be inserted into the Freedom of Information Act for:
>
> - publication schemes, rather than administrative access schemes; and
> - in accordance with those schemes, general publication without charge and via efficient means of delivery of almost all government-held information.

There was a range of other recommendations.

I am pleased that the Right to Information Bill is part of a broader package of right to information policy reforms. The Solomon report noted, as other speakers have mentioned this afternoon, that information should be pushed into the public arena rather than waiting for FOI requests to pull it out. These reforms certainly make sure that the legislation is the last resort for people seeking information.

There will obviously need to be a change of culture. I think the key is to simplify access to information and simplify the policies by which members of the Public Service release public information as a matter of course. We need to embrace technology. I think we all hop on to the internet these days and Google away to find out whatever information we can. This will enhance what we already provide as

far as government information goes. This bill certainly enables this change. The last LCARC is pleased that its recommendations were able to help inform the government's deliberations as well. I commend the bill to the House.

**Mrs CUNNINGHAM** (Gladstone—Ind) (3.46 pm): I rise to speak to the cognate bills. The intent of these pieces of legislation would have to be supported by every member of the community. We do have as members of the state or the nation a right to information. But I guess time will tell whether the principles espoused in the legislation will be undermined or watered down in any way.

I would like to acknowledge the briefing provided by the minister's officers. Her officers were very generous with their time and information. David Solomon's review in 2008 and the government's response was about an issue that is fundamental to the community feeling that they are being served by an open and accountable government.

I note that the consultation commenced on 4 December and concluded on 31 March. Whilst it may not have been intended, it should be noted that that was heading into the Christmas period where a lot of businesses do not operate with their full capacity. At least three, if not 3½, weeks of the final part of that consultation period was when we were in election mode.

David Solomon's basic principle was maximum disclosure. As I said, time will tell how the government and this piece of legislation embraces not just the words but the spirit of maximum disclosure. I think most people will acknowledge that there are issues where access to information will undermine not only government deliberations and decisions but personal issues. In the main, information should be available to members of the community, particularly about issues that directly have an impact on them.

I note that there have been some changes to the access periods—that is, the times, the exemptions and the changes in access periods—and that cabinet web access will reduce from 30 years to 20 years.

There are just a couple of issues that I want to touch on specifically. I welcome the changes or the accessibility by the community to government owned corporations documentation. I note that a previous speaker from the LNP said that there are exemptions to the GOCs' document access, but can I say there was a degree of disquiet in the community when government departments or government enterprises were designated GOCs and were moved away from not only FOI legislation but also the application of the CMC and other accountable regimes, and it did cause disquiet. While the Corporations Act did apply, it does not address community accountability; it addresses corporate accountability. Certainly, there is an ongoing issue with a small number of people with one GOC in my electorate and I am sure that they will be exploring the extent of accountability that this will introduce. I do not believe that their intent is wrong. They feel that there is more that they want to find out and that they will explore all of the opportunities that this new legislation affords.

As the member for Bundamba said, there are areas of high sensitivity in relation to the Right to Information Bill and the Information Privacy Bill. Access to personal information in relation to mental health can be detrimental to a patient if they do not understand all of the medical implications of what they are reading and it has always been within the purview of the doctors to restrict access to that information. Providing—I have no reason to say anything negative—that doctors are acting in the best interests of their patients, and they do, then that lack of access should be a positive thing and not a negative thing. Similarly, with child safety there are a range of situations that child safety officers have to face, that families have to face and that the young children themselves have to face—not always young children but young teens at times. Those applications for FOI need to be dealt with sensitively because of the risk of vexatious applicants and the misuse of information made available, albeit for the best of intentions.

The one issue that I would seek the minister's response to on the record is whether she sees these two pieces of legislation making the role of local members more difficult. I remember when the federal Privacy Act was brought in. For a short period of time—and it could just have been a period of adjustment—there were a small number of people in the government generically where when you rang up about the constituent concerned they would cite the Commonwealth Privacy Act and refuse to discuss it with you, which was counterproductive. In almost 100 per cent of those cases, the constituent had been in and usually told you all of their information and you were trying to progress their matter or, for those who did not quite give you the full picture, it was important as a member to know if there was another side to the story so as to progress their issue or indeed to defend the government department that was handling their issue.

So I would be concerned if this Right to Information Bill or Information Privacy Bill will undermine our ability to help constituents, and I do say that with the most genuine intent. I do not believe any of us here or in government departments are looking for information to make mischief; we look for information to either assist, as I said, our constituents or to defend the department's activities, whatever they are, in relation to that constituent. So I would be interested in the minister's response, and I support the bills.

**Mr FOLEY** (Maryborough—Ind) (3.54 pm): I rise to make a short contribution to this particular bill. Along with my Independent colleagues, I went to a briefing the other day regarding this particular bill and it certainly seeks to pull back the covers on government business. We are really moving to a fundamental shift towards a philosophy of disclosure rather than a philosophy of hiding information. I read a quote recently that said that relying on government to protect your privacy is like asking a peeping Tom to install your window blinds. As we look over the last 10 or so years in our parliament, there have certainly been many people who have felt that information has been withheld from them, some to the level of utter paranoia. Earlier the member for Gladstone spoke about vexatious people, and as local members we have all had experiences in assisting our constituents in trying to find out some of the most private information.

In moving to a regime of maximum disclosure, it has really become apparent in this response to Solomon's report that we are moving towards a regime where disclosure becomes administrative rather than having to be applied for—in other words, if there is no compelling reason for people to not have access to their information, they should be simply allowed to do it. We are all cognisant of the fact that that creates a massive workload on particular people in terms of sourcing data and making particular documents available. Nonetheless, I think it goes a long way to ensuring that there is a much better regime and a much more forthcoming flow of information.

Benjamin Franklin once said that three may keep a secret if two of them are dead, so there is a sense in which for every individual the notion of privacy can be something that is completely misused on the odd occasion. In fact, earlier in this place today in a personal explanation one member said that people had access to her documents without her knowledge, and that is just not something that should happen. It is always about seeking a balance between accessing information and the right to privacy. With regard to the old notion that people have had of wheeling truckloads of documents into cabinet and because of the fact that they went into cabinet they were held secret, that will not exist in this new regime. Cabinet will not be an automatic exemption. I think that is a good example of the government putting its money where its mouth is on this particular issue.

If people are overusing this freedom of information regime, that can be then appealed to the Information Commissioner. As a result of the briefing the other day, I can certainly see that the Information Commissioner is going to have an extraordinarily pivotal role in terms of both liaising between the government and the appeal to rights and also to the everyday person in Queensland. After 10 years exempt documents can be applied for, and that is certainly a major step in the right direction. Whereas cabinet was a 30-year exemption previously, that will be brought back to 20 years. It almost becomes something of a comical situation where after 30 years we would get to read about some of our political history and some of the contentious decisions that had been made with the hope that after 30 years everyone had kind of forgotten about it and the sting was out of the bite and the momentum was lost. But it is going to be interesting, because after 20 years the documents will effectively be published because they will come within the domain of State Archives. I read with interest the public interest test, and I think that is a very descriptive and well-thought out document in terms of stopping vexatious people from causing trouble.

Time and harm are other concepts that we talked about in our briefing. Processing time has also been a source of frustration and irritation to people. The reference to 45 calendar days has been changed to 25 business days. The member for Gladstone and I queried this because, in certain situations of course, this could be a change that is not a change. With public holidays and so forth being thrown into the mix, this time could end up being the same. However, in a profitable period of time that may shorten the process significantly.

I think the schedule of documents and the cost estimates to be applied is a great facility that will let everybody know exactly where they are up to. So if someone says, 'I really want these documents,' the officers go away, pull together a list and say, 'Righto, this is the list of documents that are available'—and, obviously, that list will be defined in a short form—and there will be a cost estimate attached. Then this particular application will be on hold. As an example, if there are 25 business days in which to finalise the application for freedom of information, if that information was not forthcoming until the 23rd day then there would be only two days in which to complete the process.

I note that this legislation does not override existing legislation. That is something the member for Gladstone and I had great concerns about, because we as members of parliament have all struck the situation where there can be exchanges of information, such as information relating to child safety, involving very delicate medical information and other records held. This legislation does not override existing legislation.

I commend to all members a particular practice. If a constituent comes seeking information or making particular allegations, the first thing my office does is get that person to sign a letter of authority, which enables us to then speak freely with the appropriate department to get a free flow of information. As we all know, on issues relating to child safety for example the staff are extraordinarily limited in what they can say. But with a letter of authority, where the constituent gives you the authority to ask for a free and open flow of information, that dissolves that particular legal argument and makes for a much more efficient flow of information.

I certainly think this bill is a step in the right direction. Whilst we might all pontificate about what has occurred in the past, I would rather look forward and say that under this regime I think the state will be a better place. I commend the bills to the House.

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (4.02 pm), in reply: Can I begin by thanking all members for their contributions to the debate on what I think are two very important pieces of legislation. The right to information and information privacy bills are the culmination of an extensive review and consultation process into Queensland's freedom of information laws. The passing of the 1992 Freedom of Information Bill was a watershed moment in the political history of Queensland. As a number of speakers noted in their contributions, that moment embodied a new vision for democracy in our state and a new era of openness and transparency for the Queensland government.

I was working as a public servant for the Queensland government at the time the 1992 legislation took effect. I can attest to the fact that it not only swept through the Public Service as a new accountability measure; I think it made a big difference ultimately to the quality of information that was provided to government upon which it could make decisions and the quality and rigour of the work of public servants. It is only human nature that, when you understand that the material you are producing for government could in fact be made public and scrutinised, you will make even further efforts to ensure it is the best and most well tested it can be. So as much as it was an accountability measure, it also contributed, in my view, to an improvement in the quality of government decisions.

However, in the 17 years that have elapsed since the passing of that first FOI Bill, technological advances have significantly changed the way government is practised around the world. When Dean Wells introduced the FOI legislation of 1992 as a member of the Wayne Goss government, some of the technology that we take for granted today was simply not even conceived of. We also have seen a very remarkable evolution in world's best practice thinking in the broader application of freedom of information legislation. We are now in a position where we can completely reconceptualise how the ideals of openness and accountability in government can be achieved in Queensland today.

The two bills before the House deliver on this opportunity. As members have noted, they are the product of a comprehensive review that commenced when I appointed Dr David Solomon to review the Freedom of Information Act in September 2007. It was, in fact, the first decision of the first cabinet I chaired as Premier. The bills implement the government's response to the Solomon report. My government supported either in full, in principle or in part all but two of the 141 recommendations of the report. The two bills have been developed in a spirit of complete openness and were released as draft bills for just under four months consultation. I firmly believe that these bills will place Queensland at the forefront of the nation in terms of openness and accountability in government and that they will set a new benchmark in giving the public a right to access government information.

In the wake of our reforms, the Commonwealth, New South Wales and Tasmania have all begun their own FOI reform processes. These jurisdictions are all moving towards the model that the right to information and information privacy bills will set up in this state. The bills before us and the program of reform that brought them here can, therefore, fairly be regarded as both innovative and groundbreaking.

Let me address some of the matters raised by honourable members during the debate. The Leader of the Opposition has indicated that, while supporting the legislation, he will be moving a number of amendments in the consideration in detail stage. I will deal with the government's response to those amendments during the consideration in detail. At the outset, let me say that I thank the opposition for its indication that it will support the bills. The opposition leader raised a number of issues that do not relate to the legislation, including the fuel subsidy and other matters. This is not a appropriate forum in which to discuss those issues and I do not think members would expect me to respond to them here.

The first major issue raised by both the Leader of the Opposition and the Deputy Leader of the Opposition that relates to the Right to Information Bill is the need for strong leadership in promoting its application. I agree with both speakers in that there will be a need for strong leadership. It is the reason I have taken personal responsibility for driving this reform process and that senior officers of the Department of Premier and Cabinet have led the process to date.

The other issue raised by members opposite was about clauses 54 and 78 relating to disclosure logs. There have been all sorts of conspiracy theories about the proposal in the bill for the use of disclosure logs to publish information that is released under the bill. There have been all sorts of conspiracy theories about why the government has included this proposal, where it came from, what secret agendas there are and what hidden motives we might have. Can I remind the House that these proposals were specifically recommended by Dr David Solomon.

I will be honest: I was surprised by this recommendation in his report because, frankly, it had never occurred to me that when all of those efforts had been made to put together an FOI application that it is in the public interest to make it available for anybody else who might come along in two years time and ask the same question. It seemed like a very common-sense thing, but I can assure the House that it was not something that the government sought; it was something that was proposed by David Solomon.

The minimum 24-hour period was recommended in the Solomon report and was based on what Dr Solomon, who is a longstanding practising journalist himself, considered to be a sufficient time for the media to access and use government information that is received through RTI. I note that the clause is borrowed from similar legislation in the United Kingdom but in the United Kingdom there is no corresponding time restriction for publication. That is, in the United Kingdom the publication could be made within an hour of it being produced, rather than after 24 hours.

I think some of the comments on this clause have shown a fundamental misunderstanding of who pays for the production of this information. What an applicant—whether it is a member of the public, a member of the opposition, or a member of the media—pays for when they put forward an FOI application is the cost to the public and the taxpayer of pulling together the information from departmental files, from archives and from publications. It does not pay for the original production of all of that material. It does not pay for the research officers who did the original research that formed the report. It does not pay for the time and the cost of the filing clerks who filed the material. It does not pay for the cost of putting it away in archives and storing it properly for years and years. The people who paid for all of that were the taxpayers of Queensland—the general public. My view is that once all of that has been put together and put into the public arena the public owns it and they should have access to it.

I listened to the member for Indooroopilly say that this is all about wanting to keep the public informed. What better way to keep the public informed than to make available as much information as possible as soon as possible. I accept that this is a new part of the regime and I understand that it may cause some problems that I cannot foresee. I am very happy to put on the record my commitment that this is a specific part of the bill that can and should be looked at in some detail in the review in two years time.

I note the opposition leader's general support for the reduced number of exemptions in the bill, including the cabinet provisions, and I note his comment that this clause in the bill leaves the door open for greater accountability. That is exactly what it is designed to do. The opposition leader also raised some issues in the context of the Information Privacy Bill. In particular, the member referred to so-called more stringent privacy principles than those in the Commonwealth act. Let me assure the House that the Queensland privacy principles are based on the Commonwealth act and provide comparable protections. At a national level, the Australian Law Reform Commission has proposed a new set of unified privacy principles for adoption nationally. I understand that this proposal is still under consideration by the Commonwealth. We will continue to watch these developments closely and work with other jurisdictions in progressing a national model if appropriate.

The member for Southern Downs raised the somewhat far-fetched and again conspiratorial point that the government was somehow engaged in information laundering by referring matters to the CMC so that they could attract some form of exemption. In response, let me say that my government takes the role of the CMC very seriously and I think that the officers of the CMC understand the important investigative responsibilities they have. We do not apologise for referring matters to the CMC where there may be any concern or evidence of misconduct or wrongdoing. This is not an information-laundering exercise; it is about accountability and integrity in government.

Both the member for Southern Downs and the member for Moggill spoke about processing time frames. In relation to the comments of the member for Southern Downs, I note that this bill will reduce the processing time expected from 45 calendar days down to 25 business days as recommended by Solomon. I also note the member for Moggill's comments about processing times being extended for various reasons such as the need for consultation with third parties or where there has been agreement with the applicant. In response, I note that these extensions of time will only occur where there is a good reason. For example, it will always be important for an individual to know that information about them may be released to a third party.

When we make an application for the release of government information we may be looking for information about one thing, but in the documents there may be information about others that involves third-party citizens. Those citizens are entitled to know that that information about them is going to be made public and they are entitled to put forward a case about its release or otherwise. This is a case of striking the balance between release of government information and the legitimate protections of private citizens. The bill is very specific about the time lines for these extensions. Further, if an applicant is unhappy about the length of processing time they may seek an external review by the independent Information Commissioner. Where there is any suggestion that an FOI officer for some reason is unreasonably tardy the independent Information Commissioner can override them.

The member for Moggill also talked about access to reports by experts and used as an example reports about options for traffic management on the Western Freeway. I agree with the honourable member that there is a public interest in allowing access to information about the long-term development of this road. However, there is also a countervailing public interest in ensuring that information is not made generally available in some circumstances where it may, in fact, harm the rights of citizens. For example, if a report deals with early-stage analysis of infrastructure options that never eventuate it could have an adverse effect on an individual's property value if the preliminary information was released. The bill in my view achieves the right balance between these countervailing responsibilities.

The member for Bundamba asked a specific question about how administrative release of documents would work. Can I say in response that I expect two things to contribute to a much greater administrative release of material: firstly, a very significant change in culture that underpins this whole regime. That is a culture that says if material is material that does not require the safeguards of a right to information assessment process—that is, it is a report sitting available and easily accessed—it should be administratively provided to the applicant without the FOI or right to information process being undertaken at any cost to government or the individual in terms of either time or money.

In addition to the cultural shift, we will also be taking advantage of new technology to have significantly more material up on departmental websites. This legislation requires agencies to have a publication scheme. Members of the public will be able to go onto the website of the Department of Primary Industries or any other government agency and find a publication scheme that tells them what reports are available, what documents are held by the department, what information they might have an interest in. They can get it directly off the website. They do not need to go to a right to information process and do not need to approach a right to information officer.

Can I take up the comments made by the member for Gladstone. I understand her concern about ensuring that privacy regimes do not interfere with the legitimate and important work of local members or, indeed, Public Service officers who have a reasonable need to access information about clients et cetera in their own interest. The scheme has been put together being very mindful of that, but if the member for Gladstone or indeed any member of parliament finds that the implementation of any of this does get in the way of those things, this is a new area of work and if we need to amend it I would be very happy to look at any experiences they have in that regard.

In my view, a number of members opposite want to make this a debate about what happened in the 1980s when the Commonwealth first introduced freedom of information legislation. I would urge those members to focus on today and move with my government in supporting what I think are very forward-looking bills. As members are aware, I will be proposing a number of amendments during consideration in detail of the bill and I table the addendum to the explanatory notes in relation to those amendments. I note that the amendments and the addendum have already been circulated to members.

*Tabled paper:* Explanatory notes to Ms Bligh's amendments to the Right to Information Bill [298].

The preamble to the Right to Information Bill articulates the driving philosophy behind Queensland's right to information reforms. The preamble clearly recognises that in a free and democratic society there should be open discussion of public affairs. That open discussion should be a well-informed discussion, recognising that the community should be kept informed and that government should act to increase the flow of information it holds out to the community.

Ultimately this legislation recognises that much of the information held by government is a public resource. The Right to Information Bill will grant the public greater access to the information that the government holds on its behalf. The Information Privacy Bill will ensure that personal information that is in the possession of the government is handled with the highest regard for the privacy rights of Queenslanders as citizens. Together these bills will make the government of Queensland the most open and accountable government in Australia and will ensure the continued flourishing of democracy in this state.

In conclusion, I recognise that these are very large bills. The process and the journey to bring them into this parliament has been a very long one that has necessitated the attention of a number of dedicated and hardworking officers of the Queensland government. I want to thank all of the staff of the Department of Premier and Cabinet, particularly Christine Castley, who has worked on this tirelessly since its earliest days. I thank all of the freedom of information officers and the units of freedom of information in every government agency. They have all been active members working through how we could get more information to the public and they have made significant and important contributions to the improvement of this legislation.

I recognise the work of the Information Commissioner and the staff of that office who similarly have worked very hard to make sure that we had the best legislation possible. I also thank and acknowledge all of those members of the public and organisations who made submissions to the early Solomon review and then subsequently to the draft legislation. This has been a lengthy, careful, rigorous and exhaustive process, but it has been considerably enhanced by the thoughtful contributions of people who use our legislation on a regular basis.

In particular, I acknowledge the Right to Know coalition. Members of my department and I met with representatives of the coalition on a number of occasions. As representatives of the media, which is a regular user of our freedom of information legislation, they were well placed to comment on the practicality of some of the measures being proposed. I thank them for their contribution.

Today it is important for me and the whole parliament to recognise the work that Dr David Solomon has done on behalf of the people of Queensland in his contribution to this process. To this task David Solomon brought not only years of experience in administrative law and as a journalist in a number of well-respected Australian publications but also his own personal knowledge, history and understanding of this legislation in Queensland and the significant shifts in administrative law in our

state, around the country and, indeed, around the world. Those who know Dr David Solomon would acknowledge that he brings the 'wisdom of Solomon' to tasks like this. The documents we are considering today represent that.

It was important that I embarked on this review in a very sincere, open-minded and genuine effort to improve our relationship with the Queensland public in relation to openness and access to documents and information. In order for people to feel that I was genuine and serious in my attempts to do that, it was important to have someone of David Solomon's standing, independence, intellectual calibre and rigour overseeing the task. I thank him very much for the work he has done. In that regard I also thank Simone Webbe, who worked with him. As always, her efforts have contributed to what is an outstanding piece of work. With that, again I thank all members for their contributions to the debate and commend the bills to the House.

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

Motion agreed to.

Bills read a second time.

## Consideration in Detail (Cognate Debate)

## Right to Information Bill

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! The House will consider the Right to Information Bill first. There is a preamble, 213 clauses and six schedules. Consideration of the preamble is postponed until after the clauses and schedules have been considered.

Clauses 1 to 6, as read, agreed to.

Clause 7—

**Ms BLIGH** (4.22 pm): I move the following amendment—

**1 Clause 7 (Relationship with other Acts regulating disposal of information)—**

Page 18, line 13, '8'—

*omit, insert—*

'**13**'.

This is a technical amendment to correct an incorrect section reference.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clauses 8 to 13, as read, agreed to.

Clause 14—

**Ms BLIGH** (4.23 pm): I move the following amendment—

**2 Clause 14 (Meaning of *agency*)—**

Page 21, lines 14 and 15—

*omit, insert—*

'(b) without limiting paragraph (a) and to remove any doubt, it is declared that a school council is not a separate agency, but is taken to be comprised within the department in which the *Education (General Provisions) Act 2006* is administered; and

(c) a reference to an agency includes a reference to a body that is taken to be comprised within the agency.

(4) In this section—

***school council*** means a school council established under the *Education (General Provisions) Act 2006*, section 79.'.

One of the recommendations of Dr Solomon's report was that all existing restrictions on the application of the Freedom of Information Act 1992 be shifted from other acts and placed into the Right to Information Bill where sufficient justification exists for their re-enactment. This has been achieved in the bill and includes the repeal in schedule 5 of section 106 of the Education (General Provisions) Act 2006. However, the re-enactment of the effect of section 106 was inadvertently omitted from the bill.

The effect of this amendment is that any access application under the bill or access or amendment application under the Information Privacy Bill in relation to school council documents will be dealt with by the Department of Education and Training rather than the school council. This is really just common sense. We all know that school councils are voluntary organisations. They do not have a massive capacity to generate their own FOI processes. They are made up of volunteers who tend to change from year to year. This means that if an applicant makes an application it will be dealt with and

the people responsible for dealing with it will be staff of the department of education rather than a voluntary parent committee that may be significantly different to what it might have been when the documents being sought were created.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 to 53, as read, agreed to.

Clause 54—

**Mr LANGBROEK** (4.25 pm): I move the following amendments—

**1 Clause 54 (Notification of decision and reasons)**

Page 55, line 21, '24 hours'—

*omit, insert—*

'30 days'.

**2 Clause 54 (Notification of decision and reasons)**

Page 55, line 29, '24 hours'—

*omit, insert—*

'30 days'.

This is the matter of '24 hours' being replaced with '30 days'. As the Premier mentioned in her summing-up, the government is not willing to consider this amendment. When an access application is approved, the government intends to make this information available to the public at large 24 hours after access is granted under a right to information application. We believe this should be 30 days. The most frequent users of the current FOI regime are the media and the opposition seeking official information. These applications require a significant amount of time, as the honourable member for Indooroopilly pointed out, if you are a member of the fourth estate, and resources come with high price tags.

Media organisations invest in FOI so that they maintain exclusivity over the content. As it stands, clause 54 will prevent this from occurring. I note that the Premier said it was a specific recommendation of David Solomon, but of course Geoff Davies QC made a number of specific recommendations after Bundaberg and I do not think the government implemented all of those. Pincus also made some recommendations about bringing in a fuel tax, and it has taken some time for the government to come around to his position.

Under this section the government can release information to which access was granted under the right to information laws within 24 hours of the application being approved, despite the fact that the information would otherwise have been unavailable to the general public. There is a chance that the released documents will be uploaded to the internet before a hard copy is received by the applicant. We believe this is a way of deterring journalists from making access applications under the right to information laws. A broadcaster or publisher is not going to spend thousands of dollars in access fees and charges, not to mention the staff costs, if the information gained will benefit all media. There is a real risk that a media organisation will end up having to pay for someone else's scoop. It effectively closes off yet another avenue for investigative journalists seeking information. We understand that journalists play a vital role in keeping governments and parliamentarians honest. I am concerned that the Premier is seeking to prevent news organisations and, indeed, the opposition from making information access requests under these new laws.

**Ms BLIGH:** As I indicated in my summing-up, the government will not be supporting these amendments. I understand the same amendment is proposed for clause 78 and the government will be taking a similar approach in that regard. As I noted, this clause implements a specific recommendation by Dr Solomon, who himself is a practising journalist. Releasing information on a disclosure log after 24 hours is intended to achieve a balance between the rights of the applicant and the rights of the general public. I do note that the clause provides that the department 'may' provide it after 24 hours. It does not say that it must. I would expect that, in the normal course of things, it may take more than 24 hours before these things get up and running.

The government recognises that when an applicant, whether it is a journalist or a member of the public, has gone to the trouble of making a request and paying for access, he or she should be entitled to that information first. This must be weighed against the general public's right of access to information that the general public paid for. The general public paid for the creation of it. They may not have paid for it to be collated in a FOI request, but they paid for its creation. The public own this information—not the government and not the person or individual who applied for it to be put together. The recommendation for a 24-hour delay was designed to balance those rights.

I note the member for Surfers Paradise says that the media should have an exclusive right to this, but he does not put forward any policy justification for that exclusivity. I would suggest to everybody operating in this field that it will work both ways. A member of the public who makes a request and has that information put on the website 24 hours later may well find that something they paid for becomes a front-page news story. I do not imagine I am going to get a complaint from either the Leader of the Opposition or a member of the media if they get a story that is embarrassing to the government put up after a right to information application by a member of the public.

As I said, this information is public information. It does not belong to the people who paid for the FOI application. It belongs, in my view, to the people who paid for it to be created, and that is the taxpayers of Queensland. I do not believe it will interfere in any way with the ability of journalists to use this information. But I repeat, as I have said in my summing-up, this is one of those areas that I will watch closely in its implementation. I think it is one that will actively be considered as part of the review that this legislation will be subject to in two years time.

**Mr LANGBROEK:** I am interested in some of the things that the Premier had to say about policy justification. Her argument was that, regardless of whether the person who made the application is a member of the media, a member of the opposition or a member of the public, the information belongs to the public. So there is no reason for any charges and all information should be released all the time anyway. That is what the Premier was basically saying.

**Mr Springborg:** It's an incongruous argument.

**Mr LANGBROEK:** It was an incongruous argument. I take that interjection by the member for Southern Downs. The Premier is saying that that is information owned by the public anyway. So why do we charge for it at all? That is my question. If someone has made the effort to look for some information then there is no particular reason for it to be available to the public after 24 hours. I note the Premier says that she will watch that and see what happens. But, as I say, if a media organisation has applied for information which otherwise would not be made public anyway—it would not have been released because no-one would have asked for it—clearly that gives them an opportunity to look into something and someone else will get the benefit of their inquiry. Similarly with the argument about whether a member of the public is going to ask for something, I think that is very unlikely. It is a specious argument anyway.

**Ms BLIGH:** I think I do need to answer those comments from the Leader of the Opposition. With the information that we are talking about that is held by government in relation to a right to information application, there are really two costs. For all of the information that government holds, regardless of whether anybody ever applies for it, there is the original cost of creating it. Say it is a research report. There is the cost of the research that was done. There is the cost of the consultancy fees or the engineering fees or the geotechnical surveys or whatever it was. That is intellectual property. So there is the cost of that. Then, if it is printed, there is the cost of producing the document, whether it is printed or photocopied or printed from a computer. Then there is the cost of the computers that created the document and all of the infrastructure that backs that up. Then there is the cost of filing it. A filing clerk somewhere has had to make a decision and protect the material and file it. Then, depending on the nature of the information, it may well have gone into the archives. So there are archivist fees and the money it costs to run a comprehensive, well-run State Archives to store information properly. So all of those are creation costs of the information that is being sought. An FOI application fee does not pay for any of that. The FOI application fee pays what it would otherwise cost the taxpayer for someone to go through all the files to find the information.

**Mr LANGBROEK:** Mr Deputy Speaker, I rise to a point of order. I think the Premier is speaking to the wrong clause here. This amendment is talking about 30 days instead of 24 hours, not costs.

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! The Premier is answering your question and she is perfectly within order.

**Ms BLIGH:** Thank you, Mr Deputy Speaker. I am specifically answering the question that he asked. So there is a difference. It does go specifically to this clause because this clause is about who owns the information. The person who applies for the information owns the right to get the information collated as a result of paying a right to information fee. But the creation of this material was funded by the Queensland taxpayer and it is their information.

**Mr SPRINGBORG:** It is truly an incongruous and bizarre argument from the Premier. If we look at the basics of what the Premier is asserting, we will then find that all of this information from day 1, from the moment somebody had a thought, is actually owned by the people of Queensland. It is actually owned by the taxpayers of Queensland. It is their province. It is something which they have invested their money in. So, therefore, if we follow that argument all the way through, why would we have any legislation which sought to put a bar on the release of that information or the process to get that information out there when it is actually owned by those people who are the masters of the government—that is, the voters and taxpayers of Queensland? It does not make any sense whatsoever.

The Premier is saying that this information right from the very start has been owned by the taxpayer, through all its stages of creation to the filing and archiving of it, and that it does not belong to the person who put in the application. It does not make any sense. The whole point is—and the Leader of the Opposition made this point very lucidly before—that that information was never going to be released or was unlikely to be released unless somebody else put in an application at some future time for the information to be identified, compiled and therefore released. All we are saying is that in those particular circumstances there should be an element of exclusivity because that particular person has taken the time and made the effort due to their concerns to put in an application to generate that process, to facilitate the release of that information which would otherwise not have been released unless another person decided to go searching for that information. If the Premier's argument is absolutely right and absolutely pure—if there is such a belief in the fundamental tenet that that information is the province of the electors at large, of the people of Queensland—then why have any process at all which seeks to stymie the release of information based around a certain set of disqualification criteria? It just makes no sense.

People do need to have an element of exclusivity if they are going to put their resources and effort into chasing something. This sort of 24-hour approach, in my humble opinion, could be a constraint or a deterrent or a barrier to people seeking information, particularly investigative journalists, because they know full well that there is little point in getting that information out there if somebody else will be able to access it probably at the same time as they can in many cases, through the electronic versus hard copy notification, and use it for some other purpose.

I do have some difficulty in understanding the Premier's assertions on this. I understand quite clearly the intent of the legislation and other explanations that the Premier has given. But on this it does not make any sense from go to whoa. I think there is legitimacy in supporting an amendment that recognises the importance of the investigative process and that recognises that there is a certain intellectual property that goes with the idea of actually pursuing information vis-a-vis the creation of the information. If the intellectual property was collectively held from the creation of that information then it would be put out there in the first place, but that is not happening.

Division: Question put—That the Leader of the Opposition's amendments be agreed to.

**AYES, 34—**Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Gibson, Johnson, Knuth, Langbroek, McArdle, McLindon, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Sorensen, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Messenger

**NOES, 50—**Attwood, Bligh, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Foley, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Kiernan

Resolved in the negative.

Non-government amendments (Mr Langbroek) negatived.

Clause 54, as read, agreed to.

Clause 55, as read, agreed to.

Clause 56—

**Mr LANGBROEK** (4.48 pm): I move the following amendments—

**3 Clause 56 (Meaning of *processing charge*)**

Page 59, line 7, 'searching for or'—

*omit.*

**4 Clause 56 (Meaning of *processing charge*)**

Page 59, after line 9—

*insert—*

'(2) The charge prescribed must not include an amount for searching for the document.'.

This is to do with search fees. The current FOI laws provide a charging regime that allows the government or an agency to charge applicants a search fee. I note that this bill extends the current threshold from two hours free search time to five hours. We propose that no search fee should be included in the cost of processing an FOI application.

As the Premier has just mentioned, this is information owned by all Queenslanders. In this case Queensland is seeking access to information held by the government on behalf of the people. It is a service provided by the government. We do not bill patients for the time they spend with a doctor in our public hospitals. We do not bill our children for the time our teachers spend in the classroom. We do not bill victims of crime for the time it takes our police and crown prosecutors to secure a conviction. So

there should be no reason why we bill Queenslanders for the time it takes a public servant, who is paid by the public purse and whose job it is to facilitate access applications, to find documents. It is double dipping.

In addition, the current charging regime which this bill seeks to continue fosters inefficiency. The longer it takes to complete the task, the higher the revenue the state collects in FOI costs. I do not think it sends the right message to the Public Service and the community.

**Ms BLIGH:** The government will not be supporting either of these amendments. Under the bill, access to personal information is free of charge, as I think it should be. The right to information regulation will set out the relevant fees and charges and will provide that applications that are processed under five hours will be free. This is an increase from the current first two hours free.

This charging approach is about balance. It is about balancing the right of the public to access information at minimal and reasonable costs and the need for government to ensure that there is not an undue impost on the public purse where the processing of an application requires significant time and costs. Let us be very clear: the right to information is a very important part of government and accountability, but every dollar that is spent on right to information costs is a dollar not being spent on other priorities. We need to get the balance right between the need to fund our Police Service, our hospitals and our schools and the need to fund right to information.

We make no secret of the fact that part of the effect of some of these fees is to discourage fishing expeditions that tie up massive amounts of public resources at significant cost to the taxpayer. We had some shocking examples of it prior to these fees being put in place.

We need to get the balance right, and that is what we will be doing. The original proposal from Dr Solomon in relation to having a more consistent regime for charging was to charge a per page amount. This was a good example of where frequent users of the FOI regime pointed out that easy to access documents were often very expensive. It might be a 500-page document but it is sitting on the shelf and someone only has to pick it up and give it over. Whereas a four-page document might take two weeks of archival searching.

We spent a lot of time in the consultation process looking at a better way of ensuring affordability and consistency. The Commonwealth government has extended its first two hours free to five hours free but only for media organisations. Frankly, I cannot see why we would make it cheaper for the media than for other applicants. In my view, the public and the opposition have the same right as the media to the same charging regime. The first five hours free should actually make most general and reasonable requests very affordable. The government will be maintaining that regime.

Division: Question put—That the Leader of the Opposition's amendments be agreed to.

**AYES, 34—**Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Gibson, Johnson, Knuth, Langbroek, McArdle, McLindon, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Sorensen, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Messenger

**NOES, 50—**Attwood, Bligh, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Foley, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Kiernan

Resolved in the negative.

Non-government amendments (Mr Langbroek) negatived.

Clause 56, as read, agreed to.

Clauses 57 to 60, as read, agreed to.

Clause 61—

**Mr LANGBROEK** (5.00 pm): I move the following amendment—

**5 Clause 61 (Amount of charges)**

Page 60, after line 21—

*insert—*

'(3) The total of the amounts payable for the processing charge and the access charge for an access application must not be more than $1000.'.

This refers to the access charge for an access application not being more than $1,000. One of the most significant limitations to accessing information is the cost burden. I know the Premier has made reference to it. I note that the opposition has made a large number of FOI applications over the last 12 months. A number of these have been returned with a bill for over $10,000 and one even came in at over $100,000. As I have mentioned and as the Premier has mentioned, the right to information is a service provided by the government, but the information is held by the government on behalf of the people of Queensland.

FOI officers are not required to create the document themselves; they are only required to find them and, as such, this service should be provided at a minimal cost to applicants. We propose that the cost of making an application under the right to information legislation should be capped at $1,000. This amount is enough to deter vexatious applicants as well as recoup some administrative costs such as printing and photocopying. However, it will not deter a bona fide applicant from getting the information they require.

**Ms BLIGH:** I do not think the opposition will be surprised to know the government will not be supporting this amendment. I refer the member to the comments I made earlier about the importance of ensuring that the cost to the taxpayer of running an RTI regime is adequately funded. If we do not ensure that people who are using considerable resources to get this information are paying a reasonable cost for it, then we will have to find these funds at the expense of other government priorities. Whether it is funding tourism campaigns or funding the Police Service or funding the health service or building water pipelines, it will have to come from somewhere. I am sure the member is well intentioned in his comments, but I do not believe it is workable.

I would draw to the attention of the House that the member for Moggill indicated that he had got a quote for an application under FOI that he said went to tens of thousands of dollars. This material is charged for at the rate of $5.80 for every 15 minutes, so it is around $23 an hour. I ask members to consider how many hours might have been involved in a request that generated a bill or a quote of somewhere in the tens of thousands of dollars. If they are the sorts of resources that are being taken up—

**Mr Lawlor:** Four hundred hours.

**Ms BLIGH:** Four hundred hours, according to the member for Southport, let alone a $100,000 bill. If someone is asking for material that takes that kind of public resources to put together, then I think it is very hard to argue that the taxpayer should be footing the bill. I do not know what the member for Moggill was asking for, but I would suggest it has a smell of a fishing trip about it to me.

Non-government amendment (Mr Langbroek) negatived.

Clause 61, as read, agreed to.

Clauses 62 to 77, as read, agreed to.

Clause 78—

**Mr LANGBROEK** (5.04 pm): I move the following amendments—

**6 Clause 78 (Disclosure logs)**

Page 72, lines 13 and 14, '24 hours'—

*omit, insert*—

'30 days'.

**7 Clause 78 (Disclosure logs)**

Page 73, line 2, '24 hours'—

*omit, insert*—

'30 days'.

These are consequential amendments but, as I have already had a response from the government, I do not intend to speak to them and I already know the outcome.

Non-government amendments (Mr Langbroek) negatived.

Clause 78, as read, agreed to.

Clauses 79 to 97, as read, agreed to.

Division 4A—

**Ms BLIGH** (5.05 pm): I move the following amendment—

**3 After clause 97 (Conduct of reviews)—**

Page 82, line 21, '4A'—

*omit, insert*—

'**5**'.

Amendment agreed to.

Division 5—

**Ms BLIGH** (5.05 pm): I move the following amendment—

**4 After clause 109 (Exception for successful challenge of s 55(2) notice)—**

Page 89, line 6, '5'—

*omit, insert—*

'**6**'.

Both of these are technical amendments to correct an incorrect division number.

Amendment agreed to.

Clauses 98 to 109, as read, agreed to.

Clause 110—

**Ms BLIGH** (5.06 pm): I move the following amendment—

**5 Clause 110 (Decision on external review)—**

Page 89, line 14, after 'remove'—

*insert—*

'any'.

This is a technical amendment to insert a missing word.

Amendment agreed to.

Clause 110, as amended, agreed to.

Clause 111, as read, agreed to.

Division 6—

**Ms BLIGH** (5.07 pm): I move the following amendment—

**6 After clause 111 (Correction of mistakes in decisions)—**

Page 90, line 15, '6'—

*omit, insert—*

'**7**'.

This is a technical amendment to correct an incorrect division number.

Amendment agreed to.

Clauses 112 to 213, as amended, agreed to.

Schedule 1, as read, agreed to.

Schedule 2—

**Ms BLIGH** (5.08 pm): I move the following amendments—

**7 Schedule 2 (Entities to which this Act does not apply)—**

Page 146, line 14, 'its'—

*omit, insert—*

'QR'.

**8 Schedule 2 (Entities to which this Act does not apply)—**

Page 146, line 18, 'its'—

*omit, insert—*

'QR'.

These amendments are made for clarification purposes to better describe the nature of QR Ltd's businesses. It does not change the effect of the QR Ltd or the QR Ltd subsidiaries exclusions.

Amendments agreed to.

Schedule 2, as amended, agreed to.

Schedules 3 and 4, as read, agreed to.

Schedule 5—

**Ms BLIGH** (5.08 pm): I move the following amendments—

**9 Schedule 5 (Amendment of Acts and Regulations)—**

Page 173, line 9, '146I, note'—

*omit, insert—*

'**146I(2), editor's note**'.

**10 Schedule 5 (Amendment of Acts and Regulations)—**

Page 174, line 13, after 'Act'—

*insert—*

'; or'.

**11 Schedule 5 (Amendment of Acts and Regulations)—**

Page 174, lines 20 to 22—

*omit, insert—*

**'Part 8A Transitional provision for Right to Information Act 2009**

**'325A Effect of regulation amendment'.**

Each of these amendments is a technical amendment to correct an incorrect reference in relation to amendment No. 9, to insert a missing word in relation to amendment No. 10 and to renumber a clause in relation to amendment No. 11.

Amendments agreed to.

Schedule 5, as amended, agreed to.

Schedule 6—

**Ms BLIGH** (5.09 pm): I move the following amendments—

**12 Schedule 6 (Dictionary)—**

Page 196, after line 30—

*insert—*

'***QR freight operations*** means the freight operations of QR Limited ACN 124 649 967 and its subsidiaries other than—

(a) ARG Risk Management Ltd ABN 76 535 579 451; or

(b) On Track Insurance Pty Ltd ACN 095 032 670; or

(c) QR Surat Basin Pty Ltd ACN 122 385 568.'.

**13 Schedule 6 (Dictionary)—**

Page 197, line 18, before 'part'—

*insert—*

'chapter 3,'.

Amendment No. 12 is an amendment that is made for clarification purposes to better describe the nature of QR Ltd's businesses. Amendment No. 13 is a technical amendment to insert a chapter reference.

Amendments agreed to.

Schedule 6, as amended, agreed to.

Preamble, as read, agreed to.

## Information Privacy Bill

Clauses 1 to 11, as read, agreed to.

Clause 12—

**Mr LANGBROEK** (5.12 pm): I move the following amendment—

**1 Clause 12 (Meaning of *personal information*)—**

Page 16, after line 12—

*insert—*

'(2) To remove any doubt, it is declared that information about an individual includes the individual's biometric data.'.

I am seeking clarification about whether 'personal information' includes biometric data such as fingerprints and iris information. I note that the bill states—

***Personal information*** is information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

This is just seeking clarification that that clause includes biometric data such as fingerprints, DNA, face recognition, eye recognition, hand measurements et cetera—and if not, why not?

**Ms BLIGH:** I thank the honourable member for this amendment. I understand why the member is putting this amendment forward. I think it has been put forward in a very genuine attempt to ensure the clause covers what it needs to. The advice I have is that the current definition of 'personal information' includes any information that could identify an individual and that would include biometric data such as iris scans and DNA. The government is reluctant to support this amendment, not because we do not agree with the sentiment but we are concerned that, if we put these things in when we have advice that the definition already includes it, if we reference this technology it might limit the clause, and I think the member's intention is to expand it.

**Mr Langbroek:** Yes.

**Ms BLIGH:** The advice I have is that that is not necessary and that to mention some technology and not others might have an inadvertent effect of limiting the bill.

I thank the member for what I think is an important clarification on the record that this sort of data is included in the definition of information which could identify an individual. The advice I have is that it is better not to specify it in that level of detail, given the nature of the definition in clause 12.

Non-government amendment (Mr Langbroek) negatived.

Clause 12, as read, agreed to.

Clauses 13 to 51, as read, agreed to.

Clause 52—

**Ms BLIGH** (5.13 pm): I move the following amendment—

**1 Clause 52 (Application outside scope of Act)—**

Page 40, line 9, after 'agency'—

*insert*—

', or a document of a Minister,'.

Clause 52 provides for a notification requirement if an entity decides that an application is outside the scope of the bill. It was intended to refer to documents of an agency or a minister. However, clause 52 refers only to a document of an agency. The amendment ensures it also includes the documents held by a minister. I will take action to ensure the explanatory notes are tabled very soon. They have been circulated and I will ensure they are formally tabled to satisfy the requirements of the House.

Amendment agreed to.

Clause 52, as amended, agreed to.

Clauses 53 to 68, as read, agreed to.

Clause 69—

**Ms BLIGH** (5.14 pm): I now table for the benefit of the House the explanatory notes to the Information Privacy Bill.

*Tabled paper:* Explanatory notes to Ms Bligh's amendments to the Information Privacy Bill [299].

I move the following amendment—

**2 Clause 69 (Information as to existence of particular documents)—**

Page 59, line 26, '200'—

*omit, insert*—

'199'.

This is a technical amendment to clause 69(2) of the bill that replaces an incorrect reference to a section 200 with section 199.

Amendment agreed to.

Clause 69, as amended, agreed to.

Clauses 70 to 75, as read, agreed to.

Clause 76—

**Ms BLIGH** (5.15 pm): I move the following amendment—

**3 Clause 76 (Particular notations required to be added)—**

Page 63, line 28, 'agency's'—

*omit, insert*—

'document holder's'.

If information with a notation is disclosed to a person, the document holder must ensure the person is advised that the information is claimed to be inaccurate, incomplete, out of date or misleading and the particulars of the notation. The amendment to this clause is a technical one to ensure if a document with a notation is given to a person the accompanying statement may include a minister's as well as an agency's reason for refusing to amend the document.

Amendment agreed to.

Clause 76, as amended, agreed to.

Clauses 77 to 101, as read, agreed to.

Clause 102—

**Ms BLIGH** (5.16 pm): I move the following amendment—

**4 Clause 102 (Participants in external review)—**

Page 78, line 2, 'government'—

*omit, insert—*

'government,'.

Members will be pleased to note that this is a technical amendment to correct the omission of a comma. The amendment, however, I have to insist is necessary to make it clear that the clause refers to a government and an agency rather than just a government agency.

Amendment agreed to.

Clause 102, as amended, agreed to.

Clauses 103 to 110, as read, agreed to.

Division 4A—

**Ms BLIGH** (5.17 pm): I move the following amendment—

**5 After clause 110 (Conduct of reviews)—**

Page 82, line 24, '4A'—

*omit, insert—*

**'5'**.

This is a technical amendment to correct an incorrect division number.

Amendment agreed to.

Clauses 111 to 122, as read, agreed to.

Division 5—

**Ms BLIGH** (5.18 pm): I move the following amendment—

**6 After clause 122 (Exception for successful challenge of s 69(2) notice)—**

Page 89, line 11, '5'—

*omit, insert—*

**'6'**.

This is a technical amendment to correct an incorrect division number.

Amendment agreed to.

Clause 123—

**Ms BLIGH** (5.19 pm): I move the following amendment—

**7 Clause 123 (Decision on external review)—**

Page 89, line 19, after 'remove'—

*insert—*

'any'.

It is a technical amendment to insert a missing word.

Amendment agreed to.

Clause 123, as amended, agreed to.

Clauses 124 to 197—

**Ms BLIGH** (5.19 pm): I move the following amendments—

**8 After clause 124 (Correction of mistakes in decisions)—**

Page 90, line 19, '6'—

*omit, insert—*

**'7'**.

**9 Clause 190 (Non-official documents in Queensland State Archives etc.)—**

Page 124, line 7, after 'agency'—

*insert—*

'or a document of a Minister'.

Amendment No. 8 is a technical amendment to correct an incorrect division number and in relation to amendment No. 9, clause 190 provides for the availability of non-official documents in the custody of the Queensland State Archives or a public library. It was intended to refer to documents of an agency or a minister. However, it only refers to a document of an agency. The amendment ensures that it includes the document of a minister.

Amendments agreed to.

Clauses 124 to 197, as amended, agreed to.

Insertion of new clause—

**Mr LANGBROEK** (5.22 pm): I move the following amendment—

**2 After clause 197—**

Page 129, after line 11—

*insert—*

**'197A Advising of breach of privacy principles**

'(1) If an entity becomes aware that it has failed to comply with the privacy principles in relation to an individual's personal information, the entity must give the information commissioner written notice of the noncompliance.

'(2) If the information commissioner becomes aware that an entity has failed to comply with the privacy principles in relation to an individual's personal information, the information commissioner must give the individual written notice of the noncompliance.'.

This inserts a new section after clause 197, 197A. The bill establishes the role of the Privacy Commissioner who is effectively deputy to the Information Commissioner. The bill outlines the roles and responsibilities of the Information Commissioner. The Information Commissioner is responsible for ensuring the Information Privacy Bill is being observed and enforced. It makes sense therefore that if an agency becomes aware of noncompliance they should be required to notify the Information Commissioner.

Self-reporting occurs in many aspects of business and public life. For example, if a legal practitioner becomes aware of an irregularity in the maintenance of the firm's trust fund, the Legal Professional Act places a positive duty upon them to report to it the Queensland Law Society. These self-reporting mechanisms are also used in carrying out root cause analyses of incidents which can occur in hospitals, emergency departments and other departments. Therefore, we believe the Information Privacy Bill should place a positive duty on agents to report suspected breaches or noncompliance to the Information Commissioner. This will enable the Information Commissioner to establish whether or not a breach has occurred and allows its officers to take steps to minimise the likelihood of further breaches occurring. I also believe that the Information Commissioner should have a positive duty to inform members of the public whose privacy is breached by government or their agencies.

The bill provides a remedy for persons whose privacy is breached under the law. Where a person's privacy has been seriously breached the bill provides for compensation up to $100,000. In instances where a breach of privacy occurs within government or its agencies, the bill should require the Information Commissioner to inform victims of their statutory rights.

**Ms BLIGH:** Again I believe that the Leader of the Opposition is genuinely motivated in this amendment. As a medical practitioner he understands, I think, the very personal nature of the information that government holds about people and the importance of us protecting it. One of the reasons why the bill in its current form does not mandate that breaches would need to be notified in the way that he suggests is because of the breadth of the nature of what a breach could be. It would not be, for example, difficult to imagine a minor breach where one page of someone's personal information has been misfiled in the folder of another person who might have a similar name. That might be identified during an audit of the files. That information could have been inadvertently accessed by officers without authorisation. Those are the sorts of things that should be fixed immediately. Someone should just put that piece of information into the right file. If we have the Information Commissioner's time and resources caught up with that sort of work then he will not be getting on with serious obligations where there have been serious concerns, which is why the government will not be supporting this proposal to mandate it.

I will take on board the member's concerns and suggest that the way for this to be dealt with in the first instance is for this matter to be specifically countenanced in the guidelines being prepared by the Information Commissioner in relation to what constitutes a serious breach and what should be

brought to the attention of the commissioner. I am happy to ensure that that happens and to ensure that the Leader of the Opposition is provided with a copy of the guidelines with that reference. This again could be something that we look at in the review that happens in two years time. It really is about trying to find that balance. The Information Commissioner's responsibilities are serious and they should be applied to serious breaches.

As I said, I believe that the Leader of the Opposition is genuinely motivated. It is an issue that we have to find some way through. I suggest in the first instance that the government will look to asking the Information Commissioner to make reference to this in the guidelines that the Information Commissioner is preparing in relation to these and other relevant matters.

**Mr LANGBROEK:** I thank the Premier for that assurance. I look forward to receiving that information. I am also interested, though, in the Premier's comments about whether the Information Privacy Bill will provide the vehicle for the establishment of a tort of invasion of privacy down the track.

**Ms BLIGH:** My understanding is that this is a matter that is the subject of national consideration as part of the national privacy principles. We will keep the opposition informed as that process rolls out through the federal government's processes.

Non-government amendment (Mr Langbroek) negatived.

Clauses 198 to 211, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Schedule 3—

**Mr LANGBROEK** (5.27 pm): I move the following amendment—

**3 Schedule 3 (Information privacy principles)—**

Page 146, lines 4 to 32—

*omit, insert—*

'(4) The agency must not disclose an individual's personal information under subsection (1) if the information may be used for a commercial purpose involving the relevant entity's marketing of anything to the individual.'.

We have serious concerns about this provision in the schedule. Schedule 3, information privacy principle 11(4), of the Information Privacy Bill states that an agency may disclose personal information if that information may be used for a commercial purpose. It then sets out some of the requirements for doing so. We often hear about companies selling off the contact details of their clients for commercial gain and, of course, many of us unwittingly end up the target of telemarketers. I am interested in what circumstances the Premier believes that government and its agencies should be selling off the private information of citizens. I seek clarification as to what type of information will be used for commercial purposes. I do find it extraordinary that a bill that is designed to protect private information also provides a mechanism for government to release private information for commercial purposes.

**Ms BLIGH:** I thank the member for the question. I think the member is honestly confusing the purpose of this provision. The purpose of this provision is to actually restrict this practice rather than facilitate it. The bill sets limits on the disclosure of personal information by agencies, including additional safeguards for individuals where an agency believes that information may be used for commercial purposes. Information privacy principle 11(4) is based on the provisions in the Commonwealth national privacy principles relating to the use of personal information for marketing by the private sector. It will not encourage or specifically authorise disclosure of personal information for marketing purposes. Instead, it provides that information will not be disclosed without certain criteria being met.

For example, people who receive marketing material must be given an opportunity to easily opt out of any future marketing at any point. For the purpose of this discussion, I should note that there is already some personal information that may be publicly available through other legislation of this parliament and sometimes used for commercial purposes. I think the most common example is the Valuation of Land Act 1944 that allows for the use of bulk electronic valuation and sales data by approved licensees. The use of valuation and sales data plays a very important role in ensuring the ongoing viability of the property and real estate industry. It is the basis of property valuations. This information is used by finance companies and brokers. If it were not available, potentially there would be a very significant negative impact on the property industry. It is an act of the parliament that authorises that information to be used by the property industry under the Valuation of Land Act. This principle provides that there needs to be some safeguards around the release and outlines what those safeguards are.

Non-government amendment (Mr Langbroek) negatived.

Schedule 3, as read, agreed to.

Schedule 4—

**Mr LANGBROEK** (5.31 pm): I thank the Premier for that explanation about schedule 3. I move the following amendment—

**4 Schedule 4 (National privacy principles)—**

Page 151, lines 29 to 33 and page 152, lines 1 to 22—

*omit, insert—*

'(5) The department must not use or disclose personal information about an individual under subsection (1) for a commercial purpose involving the marketing of anything to the individual.'.

This a consequential amendment and obviously has the same result as amendment 3.

Non-government amendment (Mr Langbroek) negatived.

Schedule 4, as read, agreed to.

Schedule 5—

**Ms BLIGH** (5.31 pm): I move the following amendments—

**10 Schedule 5 (Dictionary)—**

Page 165, line 13, before 'information'—

*insert—*

'personal'.

**11 Schedule 5 (Dictionary)—**

Page 167, line 15, before 'part'—

*insert—*

'chapter 3,'.

The first amendment corrects an incorrect reference in paragraph (b) of the definition of 'prescribed information' in schedule 5 of the bill. This definition should refer to personal information and not simply information. The Solomon report recommended that an agency should be able to respond to a request for personal information by neither confirming nor denying that a document containing the personal information exists. The correction will ensure that this is accurately implemented in the bill. Amendment No. 11 is a technical amendment to insert a chapter reference.

Amendments agreed to.

Schedule 5, as amended, agreed to.

### Third Reading (Cognate Debate)

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (5.32 pm): I move—

That the bills, as amended, be now read a third time.

Question put—That the bills, as amended, be now read a third time.

Motion agreed to.

Bills read a third time.

### Long Title (Cognate Debate)

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (5.32 pm): I move—

That the long titles of the bills be agreed to.

Question put—That the long titles of the bills be agreed to.

Motion agreed to.

## INDUSTRIAL RELATIONS AMENDMENT BILL

### Second Reading

Resumed from 23 April (see p. 173), on motion of Mr Dick—

That the bill be now read a second time.

**Mr SPRINGBORG** (Southern Downs—LNP) (Deputy Leader of the Opposition) (5.33 pm): The LNP will be supporting the principle of the legislation before the parliament today. It is very important that the Queensland industrial relations system is of a contemporary nature and is able to meet the aspirations not only of business but also of workers in Queensland. Certainly in recent years in

Queensland there have been some dramatic shifts and changes, some as a result of amendments through this parliament and, more recently, because of what has happened in the federal parliament, firstly, with Work Choices and now with the manifestation or the derivation of what was brought in by Minister Gillard. It is also fair to say that in Queensland we are entering a rather interesting period, which in the past 10 years was probably unforeseen insofar as the industrial landscape is concerned. Potentially we are moving towards industrial disputation and major industrial chaos. I suppose this is what happens when the Labor Party and its union mates decide to turn on each other. That is why the role of the Industrial Relations Commission in Queensland will become more important over the next few weeks and months.

This state government went to the last election campaign refusing to be honest with its own membership about its intentions to negotiate with teachers in the first instance and then, flowing on from there, the Queensland Public Sector Union. We have seen some degree of outrage from those unions directed at their Labor Party political masters in this place. Frankly, some of that outrage might be crocodile tears, particularly if we look at the likes of Alex Scott who has proven himself to be a little quisling when it comes to standing up for the interests of his members and making that subservient to his own political aspirations of becoming a Labor Party member of parliament. In the lead-up to the last state election he was unprepared to stand up and ask the Labor Party about its intentions in negotiating a new pay deal in Queensland. He did not bother to ask whether, if re-elected, the Queensland Labor Party would slash superannuation contributions or make a major assault on the hard-fought conditions relating to leave loading for public servants.

If we look at the interplay between the Labor Party and the union movement in Queensland, I believe we will soon see a major break-out of industrial disputation such as one can see only when the Labor Party is in power and has a falling out with its union mates. Previously we have seen this sort of thing federally and we saw it in the very early period of the Beattie government in Queensland. It is very interesting to note that in recent decades some of the greatest periods of industrial relations harmony have occurred when a non-Labor side has been in power in this state and also nationally with the previous federal government. Those governments were prepared to sit down and negotiate in a fair dinkum manner so that the unions knew where the incumbent government really stood.

We want to know what sort of role the government would foresee for the Industrial Relations Commission in Queensland, either in arbitration or mediation, because we will see these sorts of disputes roll on. The Queensland Teachers' Union has promised further industrial disputation, because it feels as though its members have been let down by the Labor Party in this state—

**Mr MOORHEAD:** I rise to a point of order. The bill before the House deals with a mechanistic change to the responsibilities for the administration of the commission, between the president and the vice-president. It has nothing to do with the broader role of the commission.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! That is not a point of order.

**Mr SPRINGBORG:** Thank you, Mr Deputy Speaker. As I indicated earlier on, in Queensland the roles of the Industrial Relations Commission and the Industrial Court are extremely important when it comes to the administration of a harmonious industrial relations environment. Of course, that deals with the issues of the arbitration of industrial disputes and the setting of awards and conditions, which are extremely important if you are looking at the relationship between the unions and this government and the important role of the Industrial Relations Commission.

As I indicated a moment ago, conceivably the role of this commission is going to become even more important over forthcoming weeks and months as it may be given responsibility for mediating and arbitrating, particularly the major disputes in Queensland brought about by the government's intention to privatise significant arms of public infrastructure in Queensland—namely, the ports, the railway infrastructure, the running of the rolling stock on that particular infrastructure and also the government owned forest plantations in this state. Indeed, today the rail unions in Queensland have been out there talking about a series of rolling strikes. I would be very surprised if people do not believe that there is a role for the Industrial Relations Commission in arbitrating and mediating that. There will be a greater role as we go on from here.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Member for Southern Downs, I have given you some latitude. I draw your attention to the name of the bill. The long title states 'an act to amend the Industrial Relations Act 1999, for particular purposes'. This bill specifically discusses issues associated with the president and his role. I would draw your attention to those facts and I would ask you to make sure that your comments are in relation to this bill.

**Mr SPRINGBORG:** In the not-too-distant future the president and the commissioners are going to be arbitrating the dispute between the teachers and the government. There is no doubt about that whatsoever, because there is a level of disharmony and a level of distrust with regard to the government and its engagement with that important arm of the public sector in Queensland.

Specifically, there is a number of changes to the legislation. One of those relates to the President of the Industrial Court and his or her particular role with regard to the day-to-day administration of the Industrial Relations Commission in Queensland. That was notably due to changes which were made by an earlier industrial relations minister in Queensland, namely then Minister Nuttall, who set about taking away the responsibilities for the day-to-day administration of the court from the president and actually placing that with the deputy president of the Queensland Industrial Relations Commission. On the surface there may have been some degree of sense in that particular proposition. However, it is true that it has manifested itself—that is, it has created a great degree of administrative confusion for the president and a lack of authoritative expression on behalf of the president of the commission when he or she engages with peers around the nation about state industrial relations matters and also about the potential integration and assumption of responsibilities under the relevant federal legislation of the time.

This legislation seeks to give the president of the Industrial Relations Commission responsibility for the day-to-day running of the commission. That basically means the registry and those particular matters from which the president has been removed as a consequence of earlier amendment in this place. That is probably very sensible and something which the LNP can support in parliament.

The other aspect of this bill with regard to its potential integration into the national system is that it is envisaged that the Commonwealth legislation may be administered by the state government upon request. The recent provisions of Fair Work Australia opened the way for that to happen if the Commonwealth government actually requests the Queensland government to do this. In reading and understanding the legislation and the explanatory notes I found it a little bit interesting that the government seems to be preparing the way for the Commonwealth government to actually ask it to conduct certain business under Commonwealth legislation, but there have been no formal discussions on this to date. In many ways it is a bit like a woman buying the wedding ring and the wedding dress before she has been proposed to. It may well be that there is a proposition at some stage, but there has not even been a formal courting.

We are going to have to wait and see whether the Commonwealth is going to make that particular approach to the Queensland government and whether it is prepared to request that the Queensland government uses the resources of the Queensland Industrial Relations Commission to actually deal with matters which are now the province of the federal industrial relations system with regard to assumption of control of certain matters under the corporation powers in recent times and also what may have existed prior to that. We are going to have to wait and see how that plays out. I would have thought that it would be far more sensible to actually get confirmation from the Commonwealth government or to have been asked by the Commonwealth government to actually do these things beforehand. I suppose it is reasonable to assume that the Commonwealth is going to make those requests of Queensland, but to date there has not been a formal process put in place to actually do that.

The other concern is the role of the Industrial Relations Commission in Queensland in a contemporary environment as a lot of its matters are now fairly and squarely in the federal jurisdiction. Of course that happened with the expression of the previous Commonwealth government under Work Choices, where it used corporations powers to basically take any business which was a company and deal with its workplace relations matter in the federal jurisdiction. That of course leaves behind state awards—that is smaller businesses in Queensland—and also of course public servants, which are the province of the state system.

There is a small number of state matters which are still left to be dealt with by the Industrial Relations Commission in Queensland. The Queensland IRC is a little bit at sixes and eights in trying to define its role in the new federal landscape of industrial relations. Under this legislation one would hope that, if this government does assume the responsibilities that it envisages the Commonwealth will ask it to assume and assist with, the IRC will actually find some meaning and some purpose beyond the smaller number of matters which it has actually been left with in recent times.

It is going to be very interesting to see how the industrial landscape plays out in Queensland over the next little while. It is going to be particularly interesting given that the ACTU is having its convention in Queensland this week. It is going to be particularly interesting to see whether we will see any chair throwing or feeding frenzies among the Labor mates at the Labor conference this weekend. We will be watching with a great degree of interest.

**Mr JOHNSON** (Gregory—LNP) (5.47 pm): I join with the Deputy Leader of the Opposition, the member for Southern Downs, in supporting this piece of legislation. I think it is very opportune to be debating a piece of industrial relations legislation on a day such as today when the Premier has made some very rash statements in the House in relation to the future of some of the government owned enterprises in this state. I see my good friend the member for Brisbane Central. She would take a lot of interest in what will happen next weekend. I know that she is an advocate for the union movement. I think the union movement has a lot of merit and does a lot of good things. At the same time it has been treated with contempt by this government today. There is no doubt about that. We will watch this space in future to see how things progress.

**Opposition members** interjected.

**Mr JOHNSON:** I cannot take 20 interjections at once. Which one do you want me to take? I will take them all night. No doubt there are a few nervous Nellies opposite. I was watching that bunch in the corner opposite this morning when the Premier was making her ministerial statement. I do not know whether they were mummified or about to pass out.

**Mr Springborg:** Stupefied!

**Mr JOHNSON:** Stupefied! I take the interjection from the member for Southern Downs. I think that was the problem.

The piece of legislation we have before us now is about coinciding with federal reforms and Fair Work Australia. When we talk about Work Choices, which the former federal government instituted, I think there are a lot of people in the union movement who wish to God that Work Choices were still in place.

**Government members** interjected.

**Mr JOHNSON:** No, I have to say that there are a lot of people who are concerned about their jobs and their future. Those opposite might laugh, but a lot of those people are railway people—and good operators at that. They are people who every election give the Labor Party donations towards their cause. I have spoken with a couple of their people today who are very upset to think that in this great state Queensland Rail will be privatised. I know, Mr Deputy Speaker, that is very close to your heart, too. Sometimes the truth hurts, and that is what happened here today.

This bill contains an amendment whereby we see the president of the Industrial Relations Commission having more power than the vice-president has had. It is ensuring there is uniformity with other states in the Commonwealth. According to the explanatory notes, the bill seeks to remove any impediments to the Queensland Industrial Relations Commission's ability to cooperate with the Australian Industrial Relations Commission and Fair Work Australia. However, none of this has been confirmed. It is hypothetical at the moment, with no commitment from the Rudd government as to a national industrial relations system. I think that will continue to feed frenzy into the minds of a lot of people.

If we are going to have a positive outcome in industrial relations, we need to ensure it is fair to both sides. I am a stickler for making certain that the employee gets a fair go, but the employer also needs to be able to manage a situation, especially in the current economic climate. Times are tough and our approach has to be realistic in terms of our needs. We buy what we need, not what we want.

There has been a lot of hype in the media and in different channels in recent times about the amount our age pensioners are getting. I will come back to the bill, Mr Deputy Speaker. I can see that you are getting agitated again. Every time I get up you get agitated, Mr Deputy Speaker. Is there something in that seat that is making you jump around? I am not here to antagonise you, Mr Deputy Speaker, but one thing I want to say is that we need to have fairness in the equation. I call on the new Attorney to make certain that any new industrial relations laws we adopt are fair. The most important factor is a balance between employers and employees for positive outcomes.

**Ms Grace:** There is no balance in Work Choices.

**Mr JOHNSON:** Oh, yes there was. They were able to negotiate. I take that interjection from the member for Brisbane Central, because there was fairness there. A lot of those people were able to negotiate and get an outcome that was advantageous to their long-term employment. You know that, too. She is cunning, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Member for Gregory, you will not refer to the member as 'you'. Please refer to the member by her seat.

**Mr JOHNSON:** The member for Brisbane Central, I said. I have not said anything damaging to her or about her yet. If you keep going, Mr Deputy Speaker, I probably could. I have great respect for the woman, but at the same time I want to come back to Work Choices. It was an integral part of the former federal government's industrial relations reforms, and there were some very good issues there that were very advantageous to a lot of people.

Look at the unemployment rate under the former federal government. It was pretty damn good. Look at the dollars that were generated for the economy of this state. They were pretty good, too. What have we seen happen since? We have a $320 billion debt in this country because of some of the ill-conceived reforms of the current federal government, the Rudd Labor government.

We will be questioning a lot of issues as time passes. I have a lot of faith and confidence in the new Attorney of Queensland because he has shown some initiative in different areas. In areas like superannuation and leave loading, will our employees get a fair go?

Another issue that I want to talk about momentarily in relation to this government is that the government has failed to outline any of the so-called stakeholders it consulted with. The explanatory notes state—

There has been consultation with key stakeholders in the preparation of the Bill.

I would like the Attorney to comment on who those key stakeholders were. Are they employer groups? Are they unions? Are they people outside the movement or outside government? This is a very important issue when it comes to our industrial relations reforms. It is all very well to say that we are having reforms, but it is absolutely paramount that we take both sides into account to get a genuine outcome for long-term productivity and long-term gain.

Numerous times in recent weeks in this parliament we have heard the Premier talk about how tough the financial situation is, but it is absolutely paramount that we protect not only the jobs of employees but also the rights of employers. A lot of those people have to go to the bank every Friday and borrow a few more bob to try to pay employees. This is something we must remember about people who run businesses. I have been an employer myself, and you have to find money to pay wages, to pay superannuation, to pay workers compensation. All these things are an integral part of the ongoing viability of our system.

While I am on the issue, if I can reflect on that for a moment, there is one area about which I have a lot of concerns. I have had a lot of shearers come to me in my electorate. They are probably some of the hardest workers in the country. I say to the Attorney today that there are subcontractors who are not paying superannuation contributions into their accounts. That is something that you need—

**Mr DEPUTY SPEAKER:** Member for Gregory, I refer you back to the long title of the bill, which reads 'an act to amend the Industrial Relations Act 1999, for particular purposes'. It particularly discusses in the explanatory notes the objectives of the bill. I would ask you to stick to those particular clauses in the bill.

**Mr JOHNSON:** I am sorry, Mr Deputy Speaker, but it is an issue that came to mind and the Attorney is here, and it is a very valid one. If you were an employee, Mr Deputy Speaker, you would concur with what I am saying. It is set in granite, in law, and it is something that I believe we should all uphold.

The bill has been drafted in accordance with the fundamental legislative principles prescribed by the Legislative Standards Act 1992. All current members of the AIRC will be reappointed to Fair Work Australia. That is a very good initiative, but I hope we see fairness in those appointments. When the reforms are passed, I hope the president makes absolutely certain that the Queensland outcome will be advantageous to employees and also to employers. It is something I have a real concern with and it is something that is not going to go away. I hope that the Attorney-General has consulted with employer groups about the reforms that are being introduced here.

The simple fact is that this bill corrects the mistake made in 2002 whereby the running of the Industrial Relations Court was split. We cannot afford to have those splits. At the same time, it is very important that we see uniformity right down the line. I know where the federal government is coming from and where the state government is coming from in trying to get one set of rules across the nation. I agree with that.

I trust that my contribution will be taken on board by the Attorney and we see some good outcomes from this legislation. The one thing I will say is, yes, we will see a lot of unrest among the unions if they do not get the outcomes they desire and the government rides roughshod over of them. We heard what the Deputy Leader of the Opposition said a while ago in relation to people like Alex Scott. If they are fair dinkum representatives of their unions then they should be out their trying to get the best outcomes and the best accords possible. That is something that I think is not happening at this point in time.

**Mr EMERSON** (Indooroopilly—LNP) (6.00 pm): I rise to contribute to debate on the Industrial Relations Amendment Bill. I note from the explanatory notes that the bill seeks to remove any impediments to the Queensland Industrial Relations Commission's ability to cooperate with the Industrial Relations Commission.

Clearly, the bill is designed to create industrial harmony and get a consistent framework across Australia. I guess that will be fairly pertinent given the events of today with the government announcing its asset sales and a union already indicating strongly that it is looking for industrial action. I do note Ron Monaghan, the president of the Queensland Council of Unions, said that the issue will be debated at this weekend's Labor Party conference. 'We didn't know the size of the sale being contemplated and we were gobsmacked,' he said. 'We don't believe that is the end of it,' he said. I guess that means that his indications are that there will be significant union disputation about this issue. This bill is about ensuring a consistent approach across all of Australia and ensuring that there is industrial harmony.

I notice that Peter Simpson from the ETU has also raised concern about industrial action as a flow-on from today's announcement. He has indicated that the ETU has built up substantial campaign funds to defend their jobs and promote community values. He says that they will direct that towards the Labor government when they believe it is not acting in their interests. Again, this is an issue of industrial harmony and this is what this bill is designed to achieve.

The Australian Services Union secretary, David Smith, says that it will also campaign hard against any proposal to privatise government owned corporations such as Queensland Rail and the port authorities. Again, this is an issue coming forward for this weekend for my colleagues across the chamber. Obviously it will be debated at the weekend. I know many of them have spoken to me already about how much they are looking forward to this weekend's debate. It will obviously be strong and robust.

This legislation is clearly designed to hopefully ensure a much more harmonious working of the industrial relations system across Australia. I do note that the Attorney has indicated that there was consultation undertaken with regard to this legislation. The government has again failed to outline, as the member for Gregory indicated earlier, any of the stakeholders that were consulted. Given its history, I suspect not many were consulted and it was only its mates that were.

**Ms Grace:** That's John Howard, not us.

**Mr EMERSON:** I heard the member for Brisbane Central's interjection. I know she will be giving a strong contribution at the weekend's conference supporting the government's decision today and calling for industrial harmony in the face of threats of a concerted industrial campaign against this government. I would obviously urge the unions not to strike and take industrial action but I can understand their anger. Clearly they have not been consulted. I am sure they will demonstrate their anger at the ALP conference on the weekend.

As I said earlier, the government has failed to outline what consultation it has undertaken. More importantly, this bill deals with the Industrial Relations Commission's ability to cooperate with the AIRC. This is all hypothetical. None of this has been confirmed. There is no commitment from the Rudd government to a national IR system. I guess that is the same as no commitment being given by this government in terms of asset sales. At least it said it was not going to sell off assets and now it is. I understand the concerns amongst the members here as they go back to their branches and their unions to discuss this.

As I said, this is a short contribution to this debate. I do call on the members on the other side to have robust discussions about this at their conference on the weekend, speak at length on the government's privatisation sale and consult strongly with their membership and their union colleagues on this issue.

**Mr MOORHEAD** (Waterford—ALP) (6.05 pm): I rise to speak in support of the Industrial Relations Amendment Bill. While on the face of it this is not a complex bill, it provides important measures that ensure that the regime of industrial tribunals in Queensland are adapting to the new fair and balanced industrial relations system introduced by the Rudd government to replace the draconian Work Choices regime that the opposition here has supported for so long. The member for Gregory came out and showed his true colours tonight. He put on the record his support for Work Choices and the effect that that had on the working people of Queensland. This is despite the fact that those policies and Work Choices were clearly rejected by the people of Australia in November 2007.

What has also been exposed tonight is some fundamental misunderstandings on the part of the opposition spokesman, the member for Southern Downs. He missed such a basic point about the jurisdiction in which government owned corporations operate. The shadow spokesperson for industrial relations probably needs to go back to the basics and understand that since John Howard's changes on 27 March 2006 our GOCs have been dealt with by the federal industrial relations system rather than by the QIRC.

The proposals by the federal government represent a move to a fairer industrial relations regime—one which supports employment growth and provides job security for Australian workers. What a great circumstance we find ourselves in where we must amend our legislation to cooperate with federal industrial relations laws that are worth supporting.

The Rudd government's Fair Work Australia provides a one-stop shop for federal workplace relations. This legislation will ensure that our Queensland Industrial Relations Commission can work hand in hand with Fair Work Australia to provide a simple and cooperative regime of industrial tribunals. Traditionally, there has been a strong, cooperative relationship between the Australian Industrial Relations Commission and the Queensland Industrial Relations Commission. This has been facilitated by both state and federal governments through the convention of dual appointments, ensuring appointees to one commission are also made appointees to the other industrial commission. This cooperation has allowed industrial matters to be resolved with a minimum of technicality and cost.

The Queensland Industrial Relations Commission has a proud history of providing quick, effective and inexpensive resolutions of industrial disputes and injustices in the workplace for almost 100 years. Industrial relations in Queensland during the final decades of the 19th century were a torrid affair. The sugar, wool and maritime industries were beset by industrial action, the jailing of striking workers and, on occasions, people getting shot.

While the Commonwealth and other states established conciliation and arbitration boards and tribunals from 1903, Queensland moved only to establish wages boards in 1908—not providing conciliation and arbitration but providing regulation of wages in a limited number of industries. Interestingly, during the 1908 debate of the wages board bill one of the only matters on which the House agreed was the need to keep lawyers out of industrial tribunals. Unfortunately, the effectiveness of wages boards was limited by the inability to provide resolution of industrial disputes.

The failings of the wages board system became evident during the sugar strike of 1911—a torrid dispute between the colonial sugar refineries and the then Amalgamated Workers Association—and the general strike of 1912 which brought Brisbane to a standstill. Given the effect of these great strikes on both workers and employees, the Queensland parliament passed the Industrial Peace Act 1912. This was a bill designed to avoid strikes by bringing industrial parties together.

The Industrial Court established by the act had the power to convene a conference for the purpose of preventing and settling disputes, the power to summons parties to this conference, and the power to make decisions binding on parties. These were the first steps towards a system of arbitration and conciliation which, with adaption and update, has served us well in the 20th century and the 21st century. This system of arbitration has provided methods of dispute resolution flexible to particular industries, particularly the sugar and rail industries. The QIRC has been able to recognise arrangements which are particularly Queensland focused and have suited workers and employees in these industries. While there are much more complex arrangements in the Industrial Relations Act 1999, the simple principle of bringing disputing parties together and providing a quick resolution contained in the Industrial Peace Act 1912 continues today. Quick, effective and inexpensive dispute resolution is still the high-quality service provided by today's Queensland Industrial Relations Commission.

This bill will ensure that in the operation of the QIRC the responsibility for liaising with other tribunals and the responsibility for the administration of the QIRC are merged into the functions of the president of the QIRC. At present, while the president is responsible for liaising with other commissions, it is the vice-president who is responsible for managing the operation of the QIRC. The change is necessary and is not by any means a reflection on the great contribution made by Vice-President Linnane to Queensland industrial tribunals. Both President Hall and Vice-President Linnane have contributed to Queensland industrial relations as members of the QIRC and as barristers specialising in industrial law prior to their appointment. For a number of years now Vice-President Linnane has managed the operations of the commission procedures and hearing lists, ensuring that industrial parties are provided with effective dispute resolution in a timely manner. In my time before the QIRC, I occasionally was on the wrong side of Vice-President Linnane's efficiency in running a call-over hearing list, but I know that this meant that the workers that I represented were getting justice that was not delayed.

This legislation will see the president take over the administration of the QIRC. I want to take this opportunity to recognise the lengthy and ongoing contribution of Vice-President Linnane to industrial tribunals and industrial relations in Queensland. Vice-President Linnane was appointed to the reformed Queensland Industrial Relations Commission in 1999 as the first vice-president under the Industrial Relations Act 1999. As many members would remember, this legislation remedied the mischief of Santo Santoro's Workplace Relations Act 1997 which attempted to strip workers' conditions in emulating Peter Reith's Workplace Relations Act 1996.

Vice-President Linnane had also through this time held a dual appointment as the deputy president of the Australian Industrial Relations Commission. Prior to her appointment, the vice-president had a strong practice at the Queensland bar from 1988. During this time, the vice-president had represented parties in state and federal courts as well as industrial and anti-discrimination tribunals. I was always quite bemused by then opposition spokesman Santo Santoro's misguided and misinformed criticism of the appointment of the vice-president when as a barrister Vice-President Linnane had clients including such well-known left-wing organisations as Qantas, the Queensland Police Service and Queensland's coalmining employers. During her time at the bar, Vice-President Linnane's contribution also included her directorship of major Queensland companies such as CS Energy, Queensland Corrections, the Ports Corporation of Queensland, the Toowong Private Hospital, as well as being the deputy chair of Queensland Rail. The vice-president's appointment brought both experience in industrial relations and experience in some of Queensland's biggest employers to the tribunal.

Vice-President Linnane also contributed to our state as a member of the Queensland Building Tribunal and a legal member of the Queensland Nursing Council, as well as lecturing in employment law at the Queensland University of Technology and the Queensland Bar Practice Course. Vice-President Linnane began her life in industrial relations as a senior industrial officer and then vice-president of the Queensland branch of the Federated Clerks Union, and also worked as an industrial officer for the ABC staff union before going to the bar. For those who were aware of the litigious nature of the battles for the Federated Clerks Union during the early eighties and the numerous court proceedings, it is no surprise

that both Vice-President Linnane and Her Honour Magistrate Callaghan ended up with prominent legal careers. I want to thank Vice-President Linnane for her administration of the QIRC over recent years, and I am sure that this will continue under the safe stewardship of President Hall.

I am delighted that the Queensland parliament is in a position to have Commonwealth workplace relations legislation that justifies facilitating the cooperation provided in this bill. This measure will mean that we can continue to promote the resolution of industrial matters quickly with a limit of expense and, much to the disappointment of some in this House, without lawyers unless absolutely necessary. I commend the bill to the House.

**Mr POWELL** (Glass House—LNP) (6.14 pm): I rise to add to the debate this evening on the Industrial Relations Amendment Bill 2009. My understanding is that the bill amends the Industrial Relations Act 1999, and this act provides the powers and structure of the Queensland Industrial Relations Commission and the Industrial Relations Court. As the explanatory notes outline, the primary purpose of the bill is to clarify the roles of the president and the vice-president of the QIRC. In doing such, it aims to remove ongoing confusion about their respective roles and responsibilities with regard to the administration of the commission. The explanatory notes go on to highlight that the bill will ensure that the head of the state tribunal has the authority to deal with matters of interjurisdictional cooperation and make arrangements about the utilisation of state tribunals with the head of the Commonwealth Industrial Relations Tribunal.

If I can dwell for a moment on one of the policy objectives of the bill, specifically that of removing any impediments to the QIRC's ability to cooperate with the Australian Industrial Relations Commission and Fair Work Australia. Whilst the concept of aligning state and Commonwealth IR commissions is commendable, as others have raised, it is really only a hypothetical exercise at present, with the current Prime Minister making no specific commitment to a national IR system to date, as acknowledged by the minister himself in his second reading speech.

Another objective of the bill is to strengthen the administration of the QIRC by removing some ongoing confusion associated with the president and vice-president having various administrative responsibilities. Like the Deputy Leader of the Opposition and others before me, I find it fascinating that this clarification is required because of the current government's own amendments in 2002. Those amendments put forward by then Minister Gordon Nuttall were all about giving the vice-president the responsibility for the administration of the commission and the orderly and expeditious exercise of the commission's jurisdiction and powers. Those amendments were said to be required to improve the operations of the QIRC, yet seven years later the same government is amending those previous amendments to remove the ambiguity and confusion created—yet another example of the inability of this government to get anything right.

I do note that the bill outlines the functions of the president in that it states—

The president is responsible for ensuring that the court, the commission and the registry perform their functions and exercise their powers in a way that—

(a) is efficient; and

(b) adequately serves the needs of employers and employees throughout Queensland.

As the member for Glass House, which is home to 80 per cent of Queensland's pineapple production and 70 per cent of Queensland's strawberry production, it is my hope that the QIRC's federal equivalent takes a similar approach to its powers when considering the submissions made recently by the Horticulture Australia Council and the Queensland Strawberry Growers Association with regard to the proposed Horticultural Award 2010. It is clear, as has been conveyed to me by many horticulturists in the electorate, that the new modern award which brings together 11 individual awards, including our own state's Fruit and Vegetable Industry Award, does not adequately serve the needs of employers and employees throughout Queensland, as the bill states. By asking employers to pay casual pickers time and a half on Sunday, the award imposes an enormous cost on producers. As recorded in HAC's submission to the AIRC, for a Queensland strawberry grower employing up to 700 people during peak harvest period, increases in casual rates will alone result in an increased wage bill of approximately $92,568 during a three-month period.

Given that the horticultural industry is a price-taking market, increases in costs cannot be passed on to the customer and cost increases will directly translate to a reduction in profit for growers, many of whom estimate losses. Surely this is not a case of, as the bill states, adequately serving the needs of Queensland's employers. As the HAC submission continues—

Given the importance of daily picking and packing across much of the horticulture industry, adjustments in Saturday and Sunday penalty rates will produce a variety of negative outcomes for employers, including significantly increased costs, poor quality produce and a reduction in hours for employees. In a nutshell, poor outcomes for Queensland employers and employees alike.

As we all know, work on Saturdays and Sundays is an inherent feature of the horticulture industry and is necessary because of a range of external factors, including matters such as the weather, ripening of the product, transport and consumer demand.

What is more, the proposed award does not adequately serve the needs of Queensland's employees. Employees in that same horticulture industry have already raised with me their desire to continue working over weekends so that they can take advantage of banking and retail services during the week.

The bill also aims to cover a few other aspects, including ensuring that the status and seniority of the president's position is appropriately acknowledged and that the QIRC aligns with the administrative structures of industrial tribunals in most other jurisdictions, that it clarifies the role of the president and the vice-president within the commission without interfering with the independence of the QIRC or changing the nature of the QIRC's powers or fettering their use, and inserts a number minor amendments to clarify the intention of provisions and to correct drafting anomalies.

In short, the bill is designed to streamline the functions of the president to be in charge of both the Industrial Court and the commission and its administration—functions and powers that should rightly be vested with the president.

**Mr CRANDON** (Coomera—LNP) (6.20 pm): I rise to make a small contribution to the debate on the Industrial Relations Amendment Bill 2009. This bill appears to right the wrongs of amendments to the Industrial Relations Act 1999 that occurred in 2002 when the then minister gave certain administrative responsibilities to the vice-president. It is unfortunate that these powers were not given to the president with the right for the president to then have the authority to delegate that power to the vice-president. We now find ourselves debating this matter with hope in our hearts that the Rudd Labor government may see fit to grant a degree of cooperation between the Queensland Industrial Relations Commission and the Australian Industrial Relations Commission, because at this point that is all it is: it is all hypothetical at the moment. That being said, assuming the Rudd government agrees, we may find that there will be a benefit to our system.

As has been alluded to previously, despite the government trying to talk up the Rudd IR changes the structure of this bill is simple. Each of the clauses deals with the deletion of 'vice-president' from a role and inserts the 'president'. A question that comes to mind is that of consultation, as it is not certain where the consultation took place. As the member for Gregory and others have stated already, the government fails to outline any of the so-called stakeholders it consulted with. It would be helpful to know if the consultation was indeed as widespread as has been implied.

The reality is that the bill is intended to streamline the functions of the president to be in charge of both the Industrial Court and the commission and its administration and it can be argued that the powers should rightly be vested with the president. The simple fact is that this bill corrects the mistake made in 2002 whereby the running of the Industrial Relations Court was split. I commend the bill to the House.

**Ms GRACE** (Brisbane Central—ALP) (6.22 pm): I rise to speak in support of the Industrial Relations Amendment Bill 2009. I draw to the attention of the House that these amendments came about following the report of the review of enterprise bargaining in the Queensland public sector in September 2002. It was a determined that there would be some benefit from clarifying the management and administration of the Queensland Industrial Relations Commission—the QIRC—including the capacity to establish panels for particular industries. As a result, the Industrial Relations Act 1999 was amended. These amendments revised arrangements for the management and administration of the QIRC, including deleting reference to the commissioner administrator and allowing for the appointment of two deputy presidents. It also placed the responsibility for the administration of the commission and its jurisdiction and powers with the vice-president—and, as one of the previous speakers alluded to, Vice-President Linnane took on those responsibilities—and provided for the vice-president to establish panels for particular industries.

Although that process was considered appropriate at the time, it is now necessary to take the present circumstances into account and make the changes that are proposed in the bill to meet those circumstances. The reality is that the Commonwealth government's Fair Work Act 2009 is to commence on 1 July 2009 and the Commonwealth government is proposing a national industrial relations system to include all states and territories.

As an aside, I find some of the comments made in the House today from those opposite breathtaking. They clearly have no understanding whatsoever of industrial relations. By mixing the federal jurisdiction with the state jurisdiction and mixing whether the Rudd government is going to give certain powers for two presidents to confer clearly demonstrates that they have no idea. They are Work Choices supporters. They will never change and they are here advocating that time and time again. Just like they lost the last federal election because of Work Choices, they are going to continue on this road. You can be sure that they will be on the opposite side of the House for many years to come.

Similar to other states, Queensland has made it clear to the Commonwealth government through the Workplace Relations Ministers Council that if Queensland joins a national system there should be a place for state tribunals in the delivery of services in that system. The members opposite talked about whether the commissions were working together. I know for a fact that already Queensland based QIRC

commissioners are taking cases in the federal jurisdiction. Currently, the federal jurisdiction is two commissioners down with the retirement of Commissioner Ken Bacon and I know that only just last week one of the Queensland commissioners was hearing federal jurisdiction matters.

Clearly the members opposite have no idea about how the industrial relations system works. All they are really interested in is stripping workers of their entitlements, which was clearly what they did under Work Choices. That was not done at a time of economic downturn, but at a time of economic boom. When workers really should have been partaking of the benefits of the economy at that time, what did the Howard government do? It stripped them of all of their rights and entitlements and instituted the ability to unfairly dismiss them—harshly dismiss them, unjustly dismiss them, and strip away entitlements to a bare minimum of five. Yet the members who sit on the other side of the House claim they want to look after the workforce! They are still in this House advocating the benefits of Work Choices and—

**An opposition member** interjected.

**Ms GRACE:** I take that interjection. When unemployment was at its lowest and workers could have benefited, what did the Howard government do? It stripped them of those rights. The members opposite sit there proudly advocating that, even though they lost the federal election quite clearly on that issue. The same old Nationals, the same old Liberal Party.

**Mr Crandon** interjected.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Member for Coomera, if you wish to interject you must return to your seat.

**Ms GRACE:** The states recognise that state tribunals such as the QIRC are uniquely placed to provide the services that will be required in the national industrial relations system because of their expert local knowledge and experience combined with the efficiencies that they have developed over many years and, as we know, that has already occurred only just last week—that is if the members opposite keep up to date.

This bill transfers the relevant administrative functions that are presently vested in the vice-president through the 2002 legislation to the president. It is really as simple as that. This bill will give the president of the QIRC the ability to participate and cooperate with the president of the Commonwealth industrial tribunal to be called Fair Work Australia, if required, as the president of the Commonwealth industrial tribunal may only discuss interjurisdictional matters and enter into written agreements with the heads of other tribunals. That is the reason for the change.

While positioning the QIRC to take advantage of any opportunities that present themselves in the new order of things, the bill also strengthens the administration of the QIRC by removing any ongoing confusion associated with the president and vice-president having various administrative responsibilities but will not interfere, of course, in the independence of the QIRC. The bill amends the 2002 arrangements to fit the present circumstances and allow the QIRC to work even more effectively with its counterparts elsewhere in the country.

When it comes to consultation, I can guarantee the members on the other side of the House one thing: this government would have consulted much more widely with the stakeholders than Howard ever did when it came to Work Choices. I commend the bill to the House.

Sitting suspended from 6.28 pm to 7.30 pm.

**Mr MESSENGER** (Burnett—LNP) (7.30 pm): I rise to speak to the Industrial Relations Amendment Bill. The first thing that I have noticed about this bill is the speaking list. I should table the speaking list for the parliamentary record. There are three members of the Labor Party speaking to a bill called the Industrial Relations Amendment Bill. There are three members out of 50-odd members who could make a speech about industrial relations—

**Mr Horan:** They are a bit bruised from this morning.

**Mr MESSENGER:** Yes, I think they are.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): I would ask the member for Burnett if he could relate what he is presently speaking about to the actual bill.

**Mr MESSENGER:** It is just a brief point that I make. Three members of the Labor Party—

**Mr DEPUTY SPEAKER:** You have made your point and it is not relevant to the bill. Thank you.

**Mr MESSENGER:** Thank you, Mr Deputy Speaker. The bill before the parliament, the Industrial Relations Amendment Bill, fundamentally changes the way that industrial relations is run in Queensland.

**A government member** interjected.

**Mr MESSENGER:** It is a fundamental change because it has the potential to link the Queensland industrial relations system to the federal system. I would say that that is a fundamental change.

I commence my contribution by saying that I am a union member, I am a member of the MEAA, so obviously this is not going to be a union-bashing exercise on my behalf. The bill has been introduced to make amendments to the Industrial Relations Act 1999 which was introduced by the Beattie government to replace the Workplace Relations Act 1997. According to the explanatory notes, the bill seeks to remove any impediments to the Queensland Industrial Relations Commission's ability to cooperate with the Australian Industrial Relations Commission and Fair Work Australia. Many speakers on this side of the House have made the point that so far there is no commitment from the Rudd government for a national IR system, so the need to implement particular clauses in this legislation seems rather hypothetical at this stage.

The explanatory notes claim that the legislation will strengthen the administration of the QIRC by removing some ongoing confusion associated with the president and the vice-president having various administrative responsibilities. I note from the minister's second reading speech that part of it will be a name change. It states—

... a national industrial relations system to replace Work Choices. The Commonwealth's Fair Work Act 2009 codifies the current situation in which the President of the Australian Industrial Relations Commission—to be renamed Fair Work Australia ...

I like the addition of 'fair work'. The subject of industrial relations receives respect and close attention from many of the business owners and workers of the Burnett electorate. Their livelihoods and their ability to put food on the family table and a roof over their heads depends on the ability of business owners to understand and work within the rules governing industrial relations. Now more than ever we must have an industrial relations system that not only works but works effectively and efficiently. This legislation is another step in an evolving industrial relations system and, as the shadow minister has indicated, it is a step in the right direction, so we will be supporting it. It is an industrial relations system which is complicated to the average person as it is split between the state and federal authorities. At a recent meeting of horticulturists an overview of our complicated and evolving system of industrial relations was given which reminded us that the modern system could be broken down into three main eras: the Keating, the Howard and the Rudd periods.

Under Keating we had unfair dismissal regardless of the number of employees, collective agreements with a no-disadvantage test, and most employers were covered by the Queensland state system and operating under Queensland awards. Under Howard there was the introduction of AWAs, unfair dismissal only if there were more than 100 employees, collective agreements, no test at all, a minimum wage provision, and all companies were moved to and were covered by the federal system. They copied Queensland awards and then called them federal awards.

Under Rudd AWAs were abolished on 27 March 2008. We had collective agreements, but as of 27 March 2008 that was collective agreements without a no-disadvantage test, unfair dismissal for employers with 15 or more employees from July 2009, companies staying in the federal system and operating under federal awards, new awards to be introduced on 1 January 2010, national employment standards on 1 January 2010. And the future? Well, in the future there could be paid maternity leave, sole traders and partners transferring to the federal system.

Just looking at an overview of some of these changes from 1 July 2009, in relation to new unfair dismissal laws there is a provision which has caused concerns to be expressed to me by employers and that relates to increased union right of entry. On 1 January 2010 we will have new modernised awards and national employment standards. There are concessions in relation to unfair dismissals for businesses with 15 or less employees. Some people confuse unfair dismissal with unlawful dismissal, but unlawful dismissal applies regardless of the size of the business—that is, dismissing someone for age, race, sex, pregnancy et cetera.

On 1 January 2010 there will be new awards for all industries. Of particular concern to fruit and vegetable growers in the Burnett, the horticulturists, is that the Fruit and Vegetable Growing Industry Award 2002 will be replaced with the Horticulture Award 2010. Of course, we have our national employment standards on 1 January 2010: 38-hour weeks plus reasonable overtime, annual leave, public holidays, parental leave, personal leave, carers leave, compassionate leave, long service leave, notice of termination and redundancy, community service leave, flexible working arrangements and fair work information statements. The award foreshadowed under the federal structure in 2010, which we could sign up to but once again it is a hypothetical—

**Mr DEPUTY SPEAKER:** Member for Burnett, I have been fairly tolerant. This is a very, very limited bill and I would like you to point to what in the bill relates to federal awards. This is to deal with the jurisdiction of the QIRC. Could you please point me to the relevancy?

**Mr MESSENGER:** Most certainly, Mr Deputy Speaker. The whole point of one of the provisions of this bill is to prepare the way or, if you like, plough the ground so that there is a possibility of handing over Queensland's industrial relations system to the federal system. Once again I refer to clause 6, which talks about the functions of the president. It states—

The president is responsible for ensuring that the court, the commission and the registry perform their functions and exercise their powers in a way that—

(a) is efficient—

I am trying to make the point about efficiencies for my growers and the industrial relations system. It continues—

(b) adequately serves the needs of employers and employees throughout Queensland.

Under this legislation, I would have thought I would have the latitude to talk about employers and employees, especially as the employers of my area grow $400 million worth of produce and employ a significant number of employees. Those growers are concerned about the restrictions that are being placed on their operations. They are concerned about the operating efficiencies that this bill talks about. I seek your ruling on that, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! Member for Burnett, could you point to where in the bill the matters that you have just raised are talked about?

**Mr MESSENGER:** Clause 6, new section 246A, which states 'adequately serves the needs of employers and employees throughout Queensland'. I remind the Deputy Speaker that we have been told that, in speaking to this legislation, latitude would be given in the debate on the second reading of the bill.

**Mr DEPUTY SPEAKER:** Please come back to the bill.

**Mr MESSENGER:** As those opposite have quoted time after time, we are facing an unprecedented downturn in economic activity that we have no control over. Although we did have the power to plan for a downturn and save for a rainy day, this government chose not to plan for a rainy day. This downturn threatens the viability of many businesses and the jobs of thousands of workers. Another factor that threatens the viability of businesses and jobs is an inefficient or dysfunctional industrial relations system. Unlike the current world economic activity that we have no control over, we do have control over our IR system. Once again, this bill is about introducing efficiencies into our industrial relations system.

**Mr Finn:** That is right.

**Mr DEPUTY SPEAKER:** Order! I remind members that any rulings in relation to what has been said will be made from the chair. That refers to both sides of the House.

**Mr MESSENGER:** Our IR system should reflect the best parts of Australian culture. 'Fair go' is a phrase that comes to mind. Many of the employers in my electorate would agree with the current Speaker and former minister for industrial relations when he said, as on opening remark to last year's Estimates Committee F hearing, 'Every worker has a right to a fair day's pay for a fair day's work in a safe working environment.' I think that last sentence neatly summarises and captures the essence of what a good industrial relations system will produce for employees. Every worker has a right to a fair day's pay for a fair day's work in a safe working environment.

The new award handed down by the Australian Industrial Relations Commission, the AIRC, could increase labour costs to my growers by up to 40 per cent, with big changes in overtime arrangements, the removal of flexibility and a 200 per cent Sunday penalty rate. It is predicted that it will threaten my local horticultural industry, which, as I have said, is worth $400 million. Bundaberg Fruit and Vegetables Growers Association executive officer Peter Peterson has expressed concerns that the new award will cost jobs. He also warns that pitfalls attached to the Fair Work Bill will mean that on 1 July unfair dismissal rules that are currently applicable to companies with 100 or more staff will apply to businesses with 15 staff.

An online poll conducted by the Bundaberg *NewsMail* shows that 80 per cent of those who participated in the survey felt that the new horticultural award will threaten their business. The article by Bundaberg *NewsMail* journalist Janette Young warns that growers not currently impacted because the federal changes affected only proprietary limited businesses should also be aware. She writes—

The question of whether Queensland hands its industrial relations responsibilities to the federal government will be discussed at the Workplace Relations Ministers Council next month.

Of course, this bill will be part of the facilitation process of handing over our state's industrial laws and system to a federal system. Tonight I raise with the Attorney-General comments made by Peter Peterson. He wants this question asked of the Attorney-General: is the state going to relinquish its IR powers to the federal arena? That is a key question associated with this bill and it has a direct impact on my growers. Tonight it would be good if the Attorney-General could confirm or deny that so that the horticulturists and the farmers who take the risks, who lay awake at night wondering if they are going to get the money to pay their workers, can have a bit of certainty. They need certainty so that they can plan for their futures and create wealth for their families, their community and this state. They have heard rumours and believe that the government is discussing this issue. Now is the time for the Attorney-General to ease the growers' fears. This legislation will mean massive changes for the people of the Burnett and the whole of Queensland. Basically, my growers are looking at having to pay double time on Sundays and overtime after 6 pm, which will place significant financial pressures on them.

In Queensland industrial relations has always been a political battleground. I am tempted to say that industrial relations will always be a political battleground. After listening to the contribution of the member for Brisbane Central, I am convinced it will always remain a political battleground. However, because of the serious nature of the economic crisis we now face and the unprecedented level of public debt—Queensland alone owes $74 billion, the federal government owes $320 billion; $3 billion a year—

**Mr DEPUTY SPEAKER:** Member for Burnett, you have been warned on relevance. This is not relevant to the bill. It is a very specific bill and if you persist—

**Ms Nolan:** Sit him down.

**Mr DEPUTY SPEAKER:** I would remind members that I am making a ruling. If the Minister for Transport wishes to make a comment, she should return to her own seat. Member for Burnett, either you come back to the bill and be relevant or I will rule that it is irrelevant and you will sit down.

**Mr MESSENGER:** Thank you, Mr Deputy Speaker.

**Mr Wettenhall** interjected.

**Mr MESSENGER:** The point I was making that is relevant to the bill—

**Mr DEPUTY SPEAKER:** Order! The member for Waterford will keep his comments to himself, thank you.

**Mr Finn:** Hear, hear!

**A government member:** It was Barron River.

**Mr MESSENGER:** The point that I would make is that the Industrial Relations Amendment Bill—

**Mr DEPUTY SPEAKER:** Member for Burnett, please sit. Member for Yeerongpilly, your actions were totally out of order and are a reflection on the chair. Please withdraw.

**Mr FINN:** I withdraw, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER:** Thank you.

**Mr MESSENGER:** Clause 6 of the Industrial Relations Amendment Bill, which inserts new section 246A, functions of president, talks about making our industrial relations system efficient and ensuring it adequately serves the needs of employers and employees throughout Queensland. As a state we no longer have the luxury of using workers' pay and conditions as a reason to score political points. We are in this together. We are battling for survival. There are people right now being handed redundancy cheques and being told, 'See you later.' We have to make sure that our industrial relations system is fair, equitable and flexible. We cannot forget that particular point—that it is flexible. Throughout the last 20 years we have seen time and time again examples of union officials not doing the right thing by their union members, going out there and scoring political points and grandstanding when they should have been taking care of their members' needs, cares and wants instead of pursuing their own agendas.

**Mr FINN** (Yeerongpilly—ALP) (7.50 pm): Lead us not into temptation. I rise today to support the amendments to the Industrial Relations Act 1999 and address the provisions of this bill. This bill is a very narrow bill and addresses some very specific terms. Before I go on to that I should make a couple of comments.

Firstly, when speaking to this bill, the member for Gregory lectured us about fairness—about needing to have an independent umpire in order to have fairness. This is coming from the conservative parties who introduced the Australian Fair Pay Commission, which was required to not consider fairness when it made decisions relating to minimum wages, terms and conditions.

**Mr Roberts:** They took away the SEQEB workers' superannuation. That is the party we are talking about.

**Mr FINN:** That is right. We have heard talk from a number of members about the modern award, and the previous speaker spoke about the horticultural industry and the growers industry. The modern award in this industry introduces for the first time ever a 38-hour week for workers in this industry. It introduces for the first time penalty rates for workers in this industry who work on Sundays. There are workers in this industry who have worked for 30, 40 or 50 years and who have never been paid penalty rates, unlike their family members, for working on Sundays. They have gone out to work on Sundays and have not had that reward for working through those family times. That is what these people on the opposition side stand up and say is wrong with our system.

This legislation clarifies the role of the president and vice-president of the Queensland Industrial Relations Commission and removes ongoing confusion about their respective duties and responsibilities. The amendments in the bill ensure that the head of the state tribunal has the authority needed as the head of an independent umpire to deal with matters of interjurisdictional cooperation and to make arrangements about the utilisation of state tribunals with the head of the Commonwealth industrial tribunal.

The Commonwealth Fair Work Act 2009 commences on 1 July this year. It is wrong for members opposite to say that the Rudd government is not introducing a robust federal industrial system. It is wrong to say that there are not any moves in this country towards an efficient federal industrial system. However, those are not matters that come into this bill.

The member for Burnett, a self-described union member—and I am a proud union member, too—came in here and talked about union officials apparently politicising issues. For him to run that line when the opposition came in here, saw the title of the bill, Industrial Relations Amendment Bill, and ran all of the same old dogma about anti-unionism belies his comments.

In Queensland the head of the QIRC is the president. However, most of the administrative functions of the tribunal are vested in the vice-president. This means that the president of the Commonwealth industrial tribunal does not have the authority to discuss such matters or enter into arrangements with the person in Queensland who is presently responsible for such matters. This bill simply transfers the relevant powers to the president and overcomes the jurisdictional difficulties. The changes will ensure that the QIRC is ideally placed to take advantage of any national industrial relations system which may emerge from discussions between the Commonwealth government and the states about such a system. I think that the Rudd government is to be commended for its cooperative work with the states and territories to come up with a robust federal industrial system.

I could spend quite a bit of time in this discussion diverting from the provisions of this bill to go through, speaker by speaker, how the description of the industrial system by those opposite was not accurate nor in accordance with any of the directions that industrial relations is taking in this country. However, I shall not divert from the bill to do that.

This bill is about ensuring that cooperation continues at the highest level, that we can facilitate communication lines between the heads of the main industrial relations adjudicators at the state and federal level. The other states and Queensland have made it clear to the Commonwealth government through the Workplace Relations Ministers Council, that if we—and the other states—are to join a national system there needs to be a place for state tribunals in the delivery of services in that system. Contrary to the claims of the opposition, this amendment actually makes the system more efficient. It is about the efficiency of the industrial relations system. The amendments that we are making tonight will assist that efficiency. I commend the bill to the House.

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (7.57 pm), in reply: At the outset I thank all honourable members for their contribution. I particularly want to thank the members for Waterford, Yeerongpilly and Brisbane Central for their very considered comments in this debate. Their comments reflect a deep and long understanding of the industrial relations system in this state and in this country. Regrettably, it does appear that members opposite do not yet understand the interrelationship between the state and the Commonwealth, the interrelationship between the state industrial relations system and the national industrial relations system and how they have transformed over time and are transforming as we move to a new national industrial relations system.

As I said in my second reading speech, the Industrial Relations Amendment Bill 2009 clarifies the roles of the vice-president and president within the Queensland Industrial Relations Commission without interfering in the independence of the QIRC or changing the nature of the QIRC's powers or fettering their use. The bill transfers the relevant administrative powers from the vice-president of the QIRC to the president of the QIRC to enable the QIRC to be in the best possible position to take advantage of any national industrial relations system that may emerge over the coming months.

The opposition has attempted to draw into this debate questions about current industrial issues and the government's announcement today to protect Queensland's future. I will not delay the debate any further, but I would observe that the Premier, the Deputy Premier, the Treasurer and other members of the government, in particular the Minister for Education, addressed those issues fairly and squarely in this House this morning. They also fairly and squarely addressed the opposition's considerable failings in that area.

The member for Southern Downs and a number of his colleagues raised some concern that there had not yet been a formal request from the Commonwealth in relation to Queensland's involvement in the new national industrial relations system. In the event that the Queensland government were to decide to engage with that new national industrial relations system for the private sector, which I would remind all honourable members is to commence on and from 1 January 2010, the work of the president in directing the commission would be undermined if we did not pass this bill now, if we did not change the arrangements within the commission to allow the president to engage with the head of Fair Work Australia. We would effectively undermine the role that we need to play in any national industrial relations system and we need to set the framework so we can proceed.

Under the Commonwealth Fair Work Act 2009, the president of Fair Work Australia may only discuss matters of cooperation and enter into written arrangements for providing administrative support with the president of state industrial tribunals and commissions. The president of Fair Work Australia

can only relate and engage with the president of state industrial relations commissions and tribunals. As a result, it is considered necessary to vest all administrative duties in the president in advance of progressing any consideration of the national industrial relations agenda.

If we were to accept the propositions put forward by the member for Southern Downs and his assertions that we should wait for a formal request, it would mean that when such a request came Queensland would be unable to fulfil that request and the opportunity to provide further work to the Queensland Industrial Relations Commission would be lost. This government is being proactive, as we seek to be proactive in a whole range of areas of government responsibility, in changing the industrial relations environment in this state to ensure that matters can be expeditiously dealt with as they arise in the future rather than adopt the wait-and-see approach proposed by those on the opposition benches.

In the context of that flawed approach proposed by the opposition, I would note that the steps taken by those of us on this side of the House in respect of industrial relations reform occur in the context of a commitment to cooperative federalism—a commitment to working to strengthen the rights and roles of Queensland workers within the federation. That draws a very stark contrast with the position taken under the Howard government. What did the Howard government do? It took a directive, unproductive, top-down approach—some would say dictatorial—supported by those members opposite during those long and bitter years for workers in this country. It is an approach that saw discord, disunity and disenfranchisement of some of Australia's most vulnerable workers, and it is to the eternal shame of those opposite that they sought to support that sort of approach.

Can I just say three words: forward with fairness. That was the policy that the Australian Labor Party took to the nation during the last federal election—a policy that was endorsed overwhelmingly by the people of this country and the people of this state. It was an election that saw the election of a Queensland Prime Minister—the first Queensland Prime Minister for many, many years, overwhelmingly supported by his fellow Queenslanders. That is the approach that this government will take in respect of industrial relations. We will move forward but always with fairness.

The member for Gregory asked what stakeholders were consulted in the preparation of the bill. The key stakeholders consulted were the president and the vice-president of the commission. They are the people most impacted by these amendments. This bill relates to the form and not the function of the court and the Industrial Relations Commission. Both of those were of course consulted. I am also advised that there were some further and formal consultations undertaken with industry associations. I assure all honourable members that, where the government would propose reforms that impact upon the substantive rights or abilities of parties appearing before the commission, including employees and employers and their representative bodies, formal consultation with those groups would of course occur. I pledge myself to doing that in any substantive reform bill that might come before the parliament.

I would also like to acknowledge a matter raised by the member for Gregory. He raised in his speech the failure by some employers to pay appropriate superannuation entitlements to some of his constituents. I would encourage the member for Gregory to approach me with details of those workers and the employers who are not paying those workers—those shearers, I might indicate—their lawful entitlements. I will undertake, upon that approach by the member for Gregory, to ensure that wrong is righted to the best of my ability and they are paid their proper entitlements.

The amendments contained in this bill will enable commissioners of the Queensland Industrial Relations Commission to be more productively utilised within the new national industrial relations system set to commence throughout the Commonwealth in 2010. We are getting the framework right so we are able to engage with the new national industrial relations system.

In conclusion, I would like to acknowledge the hard work of officers of the former department of industrial relations—officers of the now Department of Justice and Attorney-General, particularly those in the division of private sector industrial relations. I would like to particularly acknowledge Ms Pamela Scott-Holland for her work in preparing the bill and other officers of the department, and Mr Rhett Moxham of my office for his work on this bill.

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 13, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (8.06 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. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (8.07 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

### Second Reading

Resumed from 19 May (see p. 350), on motion of Mr Wilson—

That the bill be now read a second time.

**Mr SEENEY** (Callide—LNP) (8.07 pm): I rise to make a contribution to the Mines and Energy Legislation Amendment Bill 2009. The bill before the House is in itself not terribly contentious, and there are very few parts of the bill that the opposition has any difficulty supporting. However, the bill does touch on areas that have been considerably controversial of late, and I will make some comments about those areas as we consider those particular parts of the bill that relate to them.

At the outset of consideration of the Mines and Energy Legislation Amendment Bill 2009, I will—as I always do when such bills come before the House—take the opportunity to remind members of the importance of the mines and energy sector to the Queensland economy. It is an issue that every member of this House should always remember. The importance of this sector to the Queensland economy is something that none of us should ever forget and should ever underestimate. Not just the members who sit in this House but every Queensland should be aware of the importance of the mines and energy sector and the great contribution it makes to the Queensland economy, and the great contribution that it has made over so many years to strengthen the Queensland economy to make us the envy of other states throughout Australia.

The mines and energy sector, especially the mining sector, has been treated as something of a cash cow by the Labor government over the last 10 years. Members know that I have spoken at length about that in this place on a great number of occasions. But it is worth reminding members again that this is an industry that contributes an enormous amount of money to the state Treasury. It is an industry which the Labor government has sought to use as a source of cash every time it has found itself in economic difficulty.

I well remember the last budget that was introduced into this House. It will be interesting to see how the industry is treated in the budget that we will see in a fortnight's time. The last budget that was introduced into this House had a figure for mining royalties that I believe was plucked out of thin air. It was a figure of $3 billion put in there simply to balance the government's budget.

**Mr Horan:** It doubled the royalties.

**Mr SEENEY:** It was an enormous figure. As the member for Toowoomba South points out, it involved an increase in the royalty rate that came as a complete shock to the industry and was made in spite of the assurances the government had made that it would consult with the industry about any change to the royalty regime.

It is important when we consider a bill about mining and energy that we do so from a perspective that recognises the importance of the industry to the state. It is a very important industry in my electorate especially. The electorate of Callide, as most members would know, is one of the electorates that covers the Bowen Basin and the mining areas of Central Queensland. The mining industry is integral to the people I represent. It is integral to my communities; almost every family has a member who is employed in the mining industry in one form or another. Therefore, it is almost second nature to us to recognise the importance of the mining industry.

That is why I take the opportunity every time this House considers legislation about the mining industry to remind those members who represent the massive number of electorates in the south-east corner that they too have a very important stake in the mining industry and they too should share my passionate interest in the future of that industry and ensure that it is not treated as a cash cow, ensure that the legislation that we consider in this place that affects the industry does not impact on the industry unnecessarily and threaten its ability to provide those economic benefits in the future. It is those economic benefits that are to the advantage of every Queenslander.

So it is with the energy sector of the economy—the second sector that is mentioned in the long title of this legislation. Queensland's energy sector has always been a source of great competitive advantage for our economy. Those mouth of the mine, coal fired power stations that have for years provided cheap electricity to Queenslanders for domestic consumption and to Queensland industries to make them competitive are something that few people realise are there and most people take for granted but everybody in this parliament who considers legislation that impacts on the energy sector should pay due regard to.

Obviously, in my electorate we have the Callide power stations. I am very proud of the contribution that they make to the energy sector. Almost 10 per cent of Queensland's electricity is generated within a stone's throw of Biloela, where Callide B and Callide C are the main stations. Callide A was the original power station. It is interesting to look at that old power station and see how far the energy sector has come since the early days in Queensland.

Interestingly enough—if I may divert for a second—Callide A is the site of a project that is aimed at ensuring that clean coal technology becomes part of Queensland's energy future. Enormous amounts of money are being spent there—money that is being contributed by industry mainly but also by the government—to ensure that clean coal technology can be an integral part of Queensland's energy future. That is indicative of the direction that the energy sector is going. It is one of the things that will hopefully ensure that our energy industry can, in generations to come, still provide that comparative advantage that has been provided by the big coal fired power stations located at the mouth of the mine at Callide, Tarong, Swanbank, Millmerran and places such as that.

In relation to the energy sector of the Queensland economy, there is also a need to recognise the emerging opportunities. The gas industry, the coal seam gas industry in particular, has enormous potential for Queensland's future. It has enormous potential not just as an export opportunity. The export opportunities are vast. I think most members hopefully would be aware of the proposals that are at being developed at the moment for liquefied gas projects at Gladstone which will enable the export of Queensland gas to markets in the world.

They are huge projects. There are actually four of them being considered at the moment. Even if one of them comes to reality it will be an enormous capital investment in that area of Central Queensland. There is also enormous potential for the coal seam gas sector to provide energy for Queensland's future. Gas fired electricity does have some advantages—the extent of the advantage is arguable—but I think the most commonly accepted figure is something like a 40 per cent advantage in terms of the current coal fired technology with regard to emissions. If we are looking to a low-emission future then we need to look at a massive increase in gas fired electricity as well as supporting that clean coal technology that I spoke about earlier that is being developed in places like Callide A.

The mines and energy sector that this legislation affects is an exciting sector for Queensland's future. It has been a major part of the building of Queensland's economy. It should never be taken for granted by any member who sits in this place. Every member who comes to this parliament seeking to have a school built, seeking to have a police station built, seeking to have a road upgraded or seeking to have any one of a number of things that all of us as local members want for our constituents needs to recognise that a significant proportion of the money that any Queensland government will have will be generated by the mines and energy sector that this legislation deals with tonight.

Let me deal with the detail of the bill. The bill seeks to transfer responsibility for the economic regulation of the Mount Isa-Cloncurry electricity distribution network—often referred to as the Mount Isa network—from the Queensland Competition Authority, the QCA, to the Australian Energy Regulator, the AER. There are lots of acronyms in this legislation. The first thing the bill does is seek to transfer the regulatory responsibility for the Mount Isa network from the QCA to the AER.

It also supports the establishment of the Australian Energy Market Operator, the AEMO, as the single energy market operator for both electricity and gas markets in eastern Australia. It seeks to align the workplace health and safety provisions in the mining and petroleum acts with recent amendments to the Workplace Health and Safety Act 1995 and implements some of the recommendations from the Ombudsman's 2008 report titled *The regulation of mine safety in Queensland: A review of the Queensland Mines Inspectorate*. Finally, it clarifies and improves the administration and operation of the petroleum regulatory framework. Those provisions that it clarifies and improves could fairly be described as relatively minor.

Let me deal with the first of those four provisions. The first provision relates to the Mount Isa-Cloncurry network. The Mount Isa-Cloncurry network is the electricity network that serves Mount Isa and Cloncurry and the surrounding areas and is isolated from the main electricity grid simply because of the isolation of that area.

Ergon Energy Corporation owns the Mount Isa network as well as the distribution networks that are part of the national grid. The national grid is an interconnected network that extends continually from Cairns to Adelaide, but the Mount Isa network is obviously separate and not connected to that national grid. Mount Isa, of course, is one of the more important areas in Queensland in relation to the mining activity that is carried out there. Being from Central Queensland, I suppose it is understandable that when I talk about the mining industry my focus is on the coalmining industry, because it is such an enormous part of the electorate that I represent and the communities throughout Central Queensland. But we should not forget the great history of places like Mount Isa and the minerals that have been mined there for many years now and the great contribution that that has made to the development of Queensland. Because of its isolation and the distance from the coast and the distance from the national grid interconnecter that I spoke about earlier, it does have not only its own network but its own power station that supplies both Mount Isa city and a large number of mines in the vicinity.

There is a growing recognition that somewhere down the track for the future of the development of that north-west minerals province there has to be some sort of a permanent solution found to connecting that area to the national grid. It will be a huge project, and no-one underestimates the size of the project. However, it is a project that, sooner or later, will have to be tackled by a government that is interested in the future of the people of Queensland and the future development of that north-west minerals province. It is not unlike the issue of the provision of a baseload power station in North Queensland. Those of us who either come from North Queensland or travel to North Queensland regularly, especially to Townsville, will be familiar with the lobbying effort that is made by people in North Queensland and Townsville enterprises especially. Every time I go there, it is the first issue that they raise with me—that is, the issue of the baseload power station in Townsville. It is an issue to which the Queensland government has to find a solution if there is to be sustainable long-term regional development in North Queensland.

I think it reflects rather poorly on the current government that it does not appear to me to be addressing or putting any great effort into addressing that issue. Rather, it appears to me to be relying on strengthening that long extension cord that runs from Stanwell Power Station near Rockhampton all the way up to Townsville and Cairns and on to Port Douglas. It is an enormously long length of transmission line and it is subject to all of the vagaries of North Queensland weather, especially during the cyclone season which is part and parcel of living in that part of the world. I think that there has to be a recognition across parties—there has to be a recognition by everybody who sits in this parliament—that for the future of North Queensland a long-term solution has to be found to that issue.

Without going into the detail of the North Queensland baseload power station here tonight in any great length, I know it is a difficult issue. I know it is a difficult issue to achieve the economic parameters that are needed, but it is very much connected to the situation in the north-west province in Mount Isa. That whole northern area of Queensland has to sooner or later be provided with the sort of cheap baseload power that we in the southern part of the state have enjoyed for so long and that has been such an important part of the development of the southern part of the state. That is a challenge. It is a challenge for the current minister; it is a challenge for the current government; and it is a challenge for ministers and governments who will come in the future. But for the long-term future of that whole northern area of Queensland, a long-term solution needs to be found.

The bill before the House tonight seeks to, as I said, make that isolated network that currently exists in Mount Isa subject to a different regulatory regime. Since 2001 the QCA has regulated both the Mount Isa network and the national grid connected distribution networks in Queensland in accordance with the national electricity rules. The QCA regulation process that has been in existence for that Mount Isa network and for the other interconnected networks in Queensland is one that has come under a deal of scrutiny of late, and rightly so. It is one that I think has been grossly misrepresented by the minister and the government for their own base political purposes. There is a provision within the Electricity Act that is the reason that the QCA has the regulatory authority that is being passed on to another regulatory authority tonight.

That provision allows or provides for the minister to each year set a regulated price for electricity in Queensland. It is called the regulated price or the gazetted price. It is probably better understood as the default price. It is a price that the minister has the responsibility to set each year and the minister has the power to delegate that responsibility. The reason that the QCA is involved in this legislation before the House is that the QCA is the body that the minister has, up until now, delegated that responsibility to. However, it has become a controversial issue of late because of the extent to which that delegated power to the QCA allows for the price rises in Queensland that we have seen amount to something like 30 per cent over three years. These are quite extreme price rises, quite unacceptable price rises, I believe, but they are price rises that have come about because of the minister's delegation of that power

to a process that then allows it to be challenged by the two main retailers in the market—the only two retailers in the market some would say—AGL and Origin, who combined to challenge the methodology in the court and won.

There has been considerable debate over recent days about the effect of competition or the role that competition should play in ensuring that Queenslanders continue to enjoy the economical supply of electricity that I spoke about that has been such an integral part of Queensland's development, and there has been considerable focus on whether the deregulation process that the government put in place some years ago really provided the cheap electricity that we were all promised at the time. I do not believe that the provision that is included in this bill that transfers that delegated power from the QCA will address any of those concerns. The delegated power that relates to the Mount Isa network that is being transferred tonight is only the first step in the process.

Under the Australian Energy Market Agreement that was agreed to during the COAG agreements, the major networks that Ergon and Energex currently operate will be transferred as well by 2010. But it is important as we consider those transfers to also consider the bigger picture and how that delegated power to set that regulated price, be it by the QCA or be it by some other organisation—in this case, it will be to the AER, the Australian Energy Regulator—will affect the price of electricity in Queensland. There needs to be an effort made by whoever it is that occupies the minister's seat in the parliament here and the minister's office in the government to ensure that the consumers of Queensland continue to enjoy the benefits of that great natural resource that makes up our energy sector.

Whether it is the coal fired sector that has been the traditional source of that energy or the new, emerging gas fired electricity from the coal seam gas assets that I spoke about earlier, they are assets that all Queenslanders should benefit from. The way we benefit from them is not just by their exploitation and sale to others; it should be by our continued enjoyment of an economical supply of safe, reliable electricity. Unless that regulatory regime is right, that is by no means guaranteed. That is the concern that I express as we consider this bill tonight—this transfer of the minister's delegated power from the QCA to the AER, the Australian Energy Regulator—that the minister seek to address some of that concern that has been expressed in recent days.

A lot of it goes back to the so-called privatisation or deregulation of the electricity market, which happened during 2005 and 2006. This morning in this House I referred to that when I asked the Treasurer a question about the benefits that have accrued to the people of Queensland from the sale of those assets. The sale of those assets began in November 2006, when the Australian Pipeline Trust was purchased by Allgas Energy as part of the natural gas distribution network. In February 2007, Origin Energy purchased Sun Retail Pty Ltd, which was the former retailing arm of Energex, which had about 840,000 electricity customers around Brisbane's CBD and inner northern suburbs and areas south and west of Brisbane in South-East Queensland and about 55,000 LPG customers in South-East Queensland.

Also in February 2007, AGL purchased Sun Gas Retail Pty Ltd—the former natural gas retailing arm of Energex—with around 70,000 industrial, commercial and residential natural gas customers in Queensland and northern New South Wales plus about 140 commercial and industrial customers in Victoria. In March 2007, to complete the process, AGL purchased Powerdirect Australia, which had about 390,000 customers in Brisbane's outer northern suburbs, the Sunshine Coast and the Cooloola and Kilcoy shires. They were Ergon Energy's existing competitive retail business. They were mainly commercial and industrial customers, but they also had some existing Victorian, South Australian, and New South Wales customers of Powerdirect Pty Ltd.

Origin Energy and AGL are obviously publicly listed companies on the Australian Stock Exchange and they are companies of substantial size and experience in gas and electricity retailing in Australia. As I indicated this morning, the Queensland government raised just over $3 billion from the sale of its energy retail and gas distribution businesses. It is a fair question to ask what happened to that $3 billion. Where did that $3 billion go? The government at the time said that the sale proceeds were placed into the Queensland Future Growth Fund. Supposedly, they were placed in that Queensland Future Growth Fund for major economic infrastructure projects such as water, clean coal technology and other transport and energy infrastructure—just what the government wants to build today. The government should have that $3 billion, plus the interest that it has earned, available to it to invest in its infrastructure building programs today.

But, of course, the government does not. The money that it received from the sale of those energy retail assets has, like so many other financial windfalls that Labor governments have received, been frittered away on patching up their mistakes, fixing up the crises that they continually get themselves into.

Not only that, over that period we have seen that horrendous 30 per cent increase in electricity prices, which undermines the fundamental strength of the Queensland economy. It erodes that competitive advantage that Queenslanders have always had, and should always have, because of the

wonderful energy assets that exist in our state in the form of the enormous coal deposits in the Bowen Basin and the emerging coal seam gas fields right throughout Central Queensland and the Darling Downs.

So it is important that we understand that although the minister's power, through this bill, is being passed to a different organisation—to the Australian Energy Regulator instead of the Queensland Competition Authority—the process will still be the same. Unless we are vigilant, unless the minister is vigilant, unless somebody goes in to bat for Queensland consumers, we will continue to see that competitive advantage whittled away by this process.

Indeed, there is nothing in this bill that gives me any confidence that there is any recognition by the Labor government of the impact of the changes. It could be argued quite logically that the changes that begin in this bill with the transfer of the Mount Isa network from the QCA to the AER, which will then be followed by the transfer of the Ergon and Energex networks similarly from the QCA to the AER, will further distance that decision-making process from the responsible minister. The responsibility will go from the QCA, which, as the Queensland Competition Authority, is a local Queensland entity, to the Australian Energy Regulator, which, by definition, is further away and a national organisation and, therefore, one would expect would be harder to influence.

I believe that the minister has an obligation not to treat that power of delegation lightly. I believe that the minister has an obligation to, if he must, use the threat of the withdrawal of that power of delegation to ensure Queensland consumers are protected. It is regrettable in the debate that we have had over the past three or four weeks that we have seen no indication from the minister, or anyone in the government, that they are prepared to go in to bat for Queensland consumers.

We cannot blame the retailers in the marketplace for trying to maximise their opportunities. AGL and Origin have certainly come together to undertake that court action to maximise their opportunities to make a profit. It is the minister who has failed to protect Queensland consumers and, to me, it is the government that has the responsibility to counter the efforts of the retailers and to ensure the interests of Queensland consumers are protected.

Under the Australian Energy Market Agreement—or the AEMA—responsibility for regulating Queensland's national grid connected district networks will transfer from the QCA to the AER commencing with the next regulatory period, which is 1 July 2010 to 30 June 2015. The AEMA is an intergovernmental agreement that was signed in 2004 and amended in 2006 under which first ministers of the Commonwealth and the states and territories agreed to a range of reforms to the national energy markets, including the economic regulation of the national electricity grid.

This bill proposes amendments to transfer the regulation of the Mount Isa network to the AER at the same time as the national grid connected networks to maintain consistency with the current arrangements. Separate regulation of the Mount Isa network would be inefficient for both Ergon Energy and the regulators involved. We certainly agree that there needs to be that sort of consistency and that sort of efficiency.

The bill is intended to capture all parts of the Mount Isa network that are currently considered to be under the QCA's Mount Isa-Cloncurry distribution network pricing determination and all future extensions of the network. It will be the forerunner of the transfer of the entire state network. The Australian Energy Market Operator is an entity that was the creation of the Council of Australian Governments agreement on 13 April 2007, when it moved to establish a single energy market operator for gas and electricity in order to strengthen the character of national energy market governance. It was part of the Ministerial Council on Energy's ongoing energy market reform program. It is a step in the right direction.

In 2007 COAG recognised the extent to which energy markets were becoming national. With the interconnection between the transmission systems in each state and the expanding gas pipeline network it was obvious that the energy markets were becoming national and the regulatory arrangements had to be expanded to cover that ongoing change. COAG agreed that the AEMO would assume the functions of the National Electricity Market Management Co., which we have all come to know as NEMMCO, which still operates the wholesale electricity exchange and the retail market of the Queensland region of the national electricity market.

The AEMO will also assume the functions of the various jurisdictional gas market operators, including Queensland's gas retail market operator. Under this process the existing market operators will be absorbed by the AEMO. In addition, it was agreed that the AEMO would adopt some new functions. The first new function would be the national transmission planner for electricity. That is a function that has not existed before. There has not been a national planning activity for the national transmission system. Given the move towards the national interconnection that I spoke about earlier, it makes common sense that there be a national transmission planner. The absorption by the AEMO of these functions allows it to perform that function as well. There was also the new function identified for the

AEMO of being the Gas Market Bulletin Board operator, once again in response to the increasing national interconnection of the gas supply network. It also had a new function of being adviser to the National Gas Emergency Response Advisory Committee and responsible for the preparation of the proposed gas market statement of opportunities.

While the AEMO will adopt all of those new functions—especially the important function of being a national transmission planner—for us here in Queensland the biggest change will be that the AEMO will take over the role that NEMMCO had as the transmission network operator and the operation of the spot market. The operation of that spot market is very important to electricity generators. I well remember the concept when it was introduced. It was greeted with a degree of scepticism and doubt—not just by market participants, but by many market watchers and observers—that that spot market process that was going to be operated by NEMMCO could conceivably work and provide any particular benefit at all to Queensland's power industry. I think history has proven that it has.

I think history has proven that NEMMCO, in its operation of the spot market, has provided opportunities for a range of generators to fulfil particular niche functions in the electricity market, notably among which would be the opportunities that it has provided for gas fired power stations that are able to react very quickly to changes in the spot market to become established in the Queensland market. We have a number of those in Queensland now. They are relatively small in comparison to the traditional mouth of the mine baseload power stations. We have a number of relatively small gas fired power stations that can take advantage of that great gas resource that is becoming ever more evident in Queensland's coal seam but can also operate economically in the market because of the efficient operation of that spot market that NEMMCO has had in place for some years.

Moving on to the third part of the legislation where it seeks to align the workplace health and safety provisions in the mining and petroleum acts with recent amendments in the Workplace Health and Safety Act and to implement some of the recommendations from the Ombudsman's 2008 report that looked into the regulation of mine safety in Queensland, the Ombudsman's report contained some 44 recommendations of which only four are dealt with in this legislation before the House. There is a range of other recommendations that will be adopted in a number of different ways, but it is worth noting that the government is adopting all 44 recommendations in the Ombudsman's report even though only four of those recommendations are dealt with in the legislation here tonight.

The first of those four recommendations provides protection for people who report or make complaints about safety matters. That change is modelled on provisions that have been part of the workplace health and safety legislation for quite some time. The second recommendation creates the statutory position of the Commissioner for Mine Safety and Health to prepare and deliver an annual performance report to the minister on mine safety and health issues and report on mine safety and health issues as they arise.

I was somewhat concerned when I first read about the creation of this new position, but I have been reassured by the briefing that was provided to us by the staff from the minister's department in regard to the position of the Commissioner for Mine Safety and Health of the reason that the Ombudsman has made that recommendation and the government has accepted that recommendation. I am comforted by the fact that we are not creating a separate position. This government has form in regard to creating particular positions for its union or Labor mates who have passed their use-by date in other roles.

**Ms Grace** interjected.

**Mr SEENEY:** If the member for Brisbane Central is around here for long enough she will know exactly what I am talking about. Those of us who have been here for a while have seen it happen over a number of years. I can assure the member for Brisbane Central that she will never have to create such a position for me.

**Mr Robertson:** Because we have standards.

**Mr SEENEY:** I say to the minister that I have standards as well. I am gratified that the creation of a quasi-position is not what is being considered in this legislation before the House tonight. The Commissioner for Mine Safety and Health is a position that was part of a recommendation that was made by the Ombudsman and it separates the executive director of the department from the responsibilities of making those decisions about commencing prosecutions under the mining safety and health legislation.

There were four main reasons given for the recommendation in the Ombudsman's report and four roles identified: first, chairing the Coal Mining Safety and Health Advisory Council and the Mine Safety Advisory Council; second, advising the minister on mine safety issues; third, reporting to parliament on the performance of the Queensland Mines Inspectorate, and I look forward with some anticipation to reading those reports; and fourth, and probably the most important one, I believe: making decisions about commencing prosecutions under the mining safety and health legislation.

The other recommendations that were accepted in the Ombudsman's report and which are being enacted tonight are empowering the Executive Director (Safety and Health), Department of Employment, Economic Development and Innovation to report directly to the minister on mine safety issues and transferring the statutory power to commence prosecutions under the mining and petroleum safety and health legislation from the chief executive to the newly created position of Commissioner for Mine Safety and Health. Those provisions are in response to the report that the Ombudsman produced. There are a number of other minor provisions which provide that consistency with the workplace health and safety provisions. I think it is sensible that there is that sort of consistency between the safety provisions in the mining legislation and the safety provisions that are encompassed in the workplace health and safety legislation.

At this point in the consideration of the legislation it would be remiss of me if I did not reinforce the support that we all have for the concept of a safe workplace. While the changes that are made in this bill are relatively minor and could be described as administrative, in total they draw our attention once again to the issue of workplace health and safety and the safety standards that have improved so much over the time I have been involved in public administration and, indeed, have participated in workplaces, and so it should be.

One of the great success stories of the mining industry in particular is that it has been able to achieve such levels of workplace health and safety in what will always be an inherently dangerous business. If we look back over history we see that the activities of the mining industry have been the cause of an unacceptably high number of injuries and deaths, not just in our mining industry but in mining industries all around the world. One of the great successes of the Australian and the Queensland mining industry is that we have been able to lead the way in achieving increased levels of safety. That has the support of all in this parliament and all involved in the industry.

From the direct contact I have with people who work in the mining sector, I know that the safety issue has become almost the point from which every task is addressed. When my youngest son, along with a number of his contemporaries, started an apprenticeship in the industry, he came home and told me about the safety training that had taken up the first week of his time at the workplace. While that was something of a frustration to him because he wanted to get in and play with the tools and do something worthwhile, to his mother and me it was a great comfort that they had spent a week instilling in those young people the importance of safety, the importance of contingency planning and the importance of looking for danger and potential accidents before they occurred. All of those things are part of the move towards a safer workplace, which the Queensland industry can be very proud of. That needs to be recognised every time we consider legislation that makes changes.

As I said, the changes in this bill are not major changes. They are regulatory changes, they are minor changes and they are incremental changes, but all those little changes collectively will not only maintain the high level of safety that the industry has been able to achieve but also improve it. The concept of nil harm is one that the whole industry aims at, and one day we will see it achieved. That will be an enormous achievement.

The last issue the legislation deals with clarifies and improves the administration and operation of the petroleum regulatory framework. In doing so it makes a number of relatively minor amendments to the petroleum legislation. I will not go through them in any great detail. Only one is worthy of any comment at all and it relates to providing for the common use of pipeline corridors when agreements are in place.

The issue of the common use of pipeline corridors is one that is particularly pertinent to me at the moment. Probably few people realise the degree of planning for pipeline construction that is going on in Central Queensland. Currently, four proponents are developing proposals for liquefied natural gas plants at Gladstone. Of course, we are talking about quite large amounts of gas being transported from the coal seam gas fields from Chinchilla north to Moranbah. That is a huge stretch of Queensland. At least initially, it is projected that the biggest percentage of gas will be drawn from fields from Chinchilla and Miles north to Taroom. All of that gas has to be piped to Gladstone.

At the moment there are four proponents in the field and there are four pipeline corridors being proposed. If one looks at the map of that part of Central Queensland one sees four lines drawn on the map. Because of the unique geography of that place, all four of those lines traverse my electorate from top to bottom. An inordinate number of my constituents are currently coming to grips with the fact that there is a pipeline company surveying and planning to build pipelines through their particular piece of Queensland.

To one extent or another, all of those pipelines will run down the Dawson Valley to one of the few possible places where the Dawson Highway and the railway line cross the Callide Range, east of Biloela and heading towards Gladstone. The government has recognised that there is an issue in relation to how those pipelines will get from a point at the top of the Callide Range down to Curtis Island, where it is proposed to build the liquefied natural gas plants.

To its credit—and I have supported strongly the decision that it has made—the government has identified what the minister or the Premier referred to as the gas superhighway; that is, the identification of a 200-metre-wide corridor from Curtis Island to the top of the Callide Range to allow each of those pipeline proponents to co-locate their pipelines within that corridor. Certainly, there is a case to be made that the gas superhighway should be extended considerably further, which would take away a lot of the current duplication in terms of route selection.

As the local member, I find it very difficult to explain to my constituents why they have one, two or three different pipeline routes running through their particular piece of Queensland. The pipelines may be running through their properties at different angles and in different places. It is difficult to explain why they cannot all be constructed on the one right of way. I would urge the minister to look at that. The local Banana Shire Council and Mayor John Hooper have raised this issue with me and the government. Of course, it does not affect just me as the local member, my constituents and their properties; it also affects council infrastructure and the interrelationship between the companies that will be constructing the pipelines and the councils.

The legislation before the House deals with the concept of a common corridor in a slightly different context. It raises for the parliament's and the minister's consideration the issue of the extension of that common corridor and whether or not that would benefit the moves that I think we all support to establish the liquefied natural gas industry in Central Queensland and to see capital investment in Gladstone sooner rather than later. We all want to see that happen.

From the government's point of view, if it is at all serious about creating the 100,000 jobs that its members talk about, the coal seam gas projects of Central Queensland have probably the greatest potential in Queensland at the moment to provide for massive expansion in construction jobs. The emergence of that new industry will provide a significant number of the 100,000 jobs that the government seeks to create. The emergence of that new industry would certainly provide opportunities for a great many people who have seen a contraction in the mining industry with the global financial crisis and who, unfortunately, have seen a contraction in the mining project that was previously providing their employment, be it as a full-time employee or as a contractor. The concept of ensuring that, wherever possible, a common corridor is used is something that I not only support but I urge the government to look at in more detail. I urge the government to look at extending the provisions for that. In relation to the common corridor, I know that it has already identified that; it terms it the supergas highway from the top of the Callide Range down to Curtis Island.

There is a compulsion for companies seeking to build pipelines through that coastal plain to use that corridor. Whether that sort of compulsory use of a common corridor is appropriate as those pipelines are constructed further to the west is an issue that at least warrants consideration and discussion, because of the concern of my constituents and councils in that area about the almost spaghetti junction of lines on the map. I see the Minister for Infrastructure on the other side of the House. I am not sure where the responsibility lies or whether it is shared between him as Minister for Infrastructure and the mines and energy minister. It is something I would urge them both to consider and I would urge them to take the time to consult with the people who are directly affected in central Queensland as landholders, as council representatives and, of course, as people involved in the companies trying to make these projects a reality.

As I said, the bill before the House does not in itself contain any real contentious issues. It does provide us with an opportunity to reflect on issues which certainly have been contentious in the regulation of the mines and energy sector. It certainly provides us with an opportunity to remind all members of this House, especially the new members, how important this sector is to the Queensland economy. It provides us with an opportunity to reflect on the great contribution that the mines and energy sector has made over the years and the great part that it has played in ensuring that Queensland is the envy of other states and ensuring that Queensland does have that economic base which provides us all with the lifestyle that we have come to enjoy as Queenslanders.

As we debate this legislation it is also beholden on us to consider, just as we should every time legislation that affects the minerals and energy sector comes before this House, whether this legislation makes it easier or harder for those industries to continue to provide those benefits to generations of Queenslanders. Those opportunities will become increasingly important to generations of Queenslanders. They will become increasingly important to the state Treasurer as he ponders over the next two weeks how he is going to make any sense out of a Queensland budget that has been blown to smithereens by the financial mismanagement of successive Labor governments. He will, as have formers Treasurers have who have sat in this place on budget day, be looking to the minerals and energy sector for some cash to try to plug up the holes, to try to ensure that the budget has some degree of respectability. Successive Treasurers have done that. They have done that by reaching out for increased mining royalties, as the member for Toowoomba South and I spoke about earlier. They have done that by dipping into the energy sector for increased dividends from the government owned corporations that operate in the energy sector.

The government owned corporations that have been at the forefront of our generating capacity for so long have provided not just the electricity that the people of Queensland need but also the dollars that the Treasurer needs every budget day. How many billions of dollars have places like Tarong, Swanbank, Callide and Stanwell provided to successive Queensland Treasurers every time they get into a bit of a fix come budget day? There has been a move to sell those energy corporations. I went into some detail in the consideration of this legislation about the benefits that the government should have received from the sale of the electricity retailing corporations when it received $3 billion for the sale of Energex retail and that portion of Ergon Retail which related to the non-contestable customers and their gas customers. That $3 billion was frittered away. It has gone. Also gone is the opportunity to receive the income that those government owned corporations would have provided. It has gone as well. I note in the government's asset sale plans that were outlined in the House this morning that there was no mention of selling the government owned corporations in the generation sector of the electricity industry. Those government owned corporations, those generators, have been an enormous source of income for successive state Treasurers.

**Mr Robertson:** Or the Gladstone port.

**Mr SEENEY:** Or the Gladstone port. I would say to the minister that the Gladstone port has also been a very successfully run enterprise and provided enormous economic benefits to the state not just in terms of the direct benefits but also the cash income. That is the problem with selling assets. While we get the one-off cash boost, while we receive the 'get out of jail free' card from the capital income, we also lose the recurrent income that we have benefited from year after year.

I welcome the opportunity to consider the legislation before the House. I ask the minister to consider some of the points that I have raised quite genuinely in this debate. I urge all members, as I do every time we consider such legislation, to always remember the contribution that the minerals and energy sector makes to every Queenslander who is represented by every member who sits in this House.

Debate, on motion of Mr Seeney, adjourned.

## ADJOURNMENT

**Ms SPENCE** (Sunnybank—ALP) (Leader of the House) (9.07 pm): I move—

That the House do now adjourn.

### Police Resources

**Ms BATES** (Mudgeeraba—LNP) (9.08 pm): I rise this evening to speak on behalf of the residents of Mudgeeraba who are demanding an increase in local police and a 24-hour police station that has the counter manned. Last sitting a petition with over 2,500 signatures for more police and increased counter services in Mudgeeraba and Nerang was tabled in parliament by the shadow minister for police, Vaughan Johnson, on my behalf as the principal petitioner.

The state Labor government and the police minister have consistently misled the public for too long by claiming that Mudgeeraba and Nerang police stations operate 24 hours a day when the counter service only operates from 8 am until 4 pm. This petition is not about taking a uniformed officer off the beat; it is about more police for our area and about the public perception that no-one is home at the station after 4 pm and no-one answers the phone after 4 pm. Residents would be far more likely to report criminal activity if they knew they were contacting their own station. Law and order is a huge issue in the Mudgeeraba electorate, which is evidenced by the number of signatures collected.

On the eve of the 2006 state election, this Labor government promised a new police station in Reedy Creek, which was quickly claimed by the former member in the dying days of the election campaign. Not only is the police station not in the electorate of Mudgeeraba; this station will be policing half of the Gold Coast, including Burleigh Heads, Varsity Lakes, Robina and Reedy Creek on both the eastern and western sides of the M1.

The state average of police per resident is one per 434, and on the Gold Coast it is one per 628. In the electorate of Mudgeeraba, with 28,000 residents and currently 24 police shared between the Nerang and Mudgeeraba stations, the ratio is more like one per 1,166. The minister confirmed our suspicions in the *Gold Coast Sun* on Wednesday, 27 May 2009 that the 24-officer station will be staffed by 14 officers who will be relocated from Palm Beach, Broadbeach and Mudgeeraba stations.

Unlike the Labor Party, the LNP has a tough-on-crime attitude. Labor is soft on crime, soft on hooning, soft on graffiti and has failed to stand up for the residents and the police to provide a safer community for Mudgeeraba. The residents of Mudgeeraba and surrounding areas are sick and tired of being treated like second-class citizens, and this latest attempt to dupe the electorate is just another slap in the face to locals, who have had enough of the thin blue line being stretched along with more empty promises from this Labor state government.

## TOMNet

**Mr SHINE** (Toowoomba North—ALP) (9.11 pm): TOMNet, The Older Men's Network, is a not-for-profit community organisation that offers a range of support services for older men in regional, rural and remote locations in Toowoomba and South-West Queensland. Established in 2001, TOMNet is comprised of older men aged 50 years and over. Its aim is to identify and connect with isolated older men and establish peer support networks and services to improve their physical, mental, emotional and social wellbeing and to provide a sense of belonging.

The president is Noel Hannant; Joe Short is the vice-president; Ian Yates is the secretary; Neil Geddes is treasurer; and the committee members are Bill Woodside, Rod Murray, Michael Booth, Trevor Slater and Don Longmore. The committee organises social outings and other activities, mentoring program information, advice and access to social support services, and provides a source of friendship and a sense of belonging.

TOMNet has been instrumental in establishing men's peer support groups in 10 rural communities in South-West Queensland with continued ongoing support. TOMNet acknowledges the Bligh government's willingness to fund and support its work representing and serving the needs of older men. However, good use could always be made of additional support. TOMNet supports a membership of over 170 older men in Toowoomba alone. Annual funding from the Department of Communities of $56,000 is stretched to allow them to meet the increasing needs and demands for their service, especially in rural and remote communities. They are keen to ensure that any government review of its current allocation of funding accurately reflects the level and types of professional service provided to ensure the sustainability and capacity of the organisation to meet the complex needs of the target group.

The Commonwealth government has made a commitment to develop a national men's health policy that will ensure that the future planning and delivery of health services better meet the needs of older men. I hope the Commonwealth's policy will manifest itself in tangible support for the critical work done by TOMNet, especially in the regional and rural areas of South-West Queensland.

TOMNet is encouraged by the inclusion of a minister and ministerial portfolio that recognises women. As an organisation responsible for addressing the specific and increasing health needs of men, TOMNet notes the absence of a minister and ministerial portfolio responsibility for addressing the needs of men. TOMNet was also pleased to hear of the inaugural women's symposium held in Roma as a new conduit for rural women to have access to government and its decision-making process. However, it noted the absence of a forum or consultation process to provide rural men with a similar conduit and the opportunity to speak out.

Promoting older men's health is about service providers, government and society working collaboratively to make the community as conducive to the health and social wellbeing of older men as possible. Making appropriate levels of funding and resources available to community groups such as TOMNet is vital to effectively coordinate health and community services to provide the necessary care and consideration for this portion of the Queensland population.

*(Time expired)*

## St Rita's Fete; Southern Regional Water Pipeline Alliance

**Mr DOWLING** (Redlands—LNP) (9.14 pm): I rise tonight to thank Simon Eagan and his hardworking committee for their work in organising the school fete held at St Rita's last weekend. It was a fantastic day which raised much needed money to support the school community. It was a tremendous day enjoyed by many of my constituents. The success of the day was ensured through generous support shown by businesses in the area that provided many of the prizes and auction items. One in particular, Daryl Pattemore, the owner of Pattemore Butchers, Alexandra Hills, donated all the meat for the barbecue, the mobile cold room and staff for the barbecue. Congratulations to Principal Steve Dunne, Father Leo and all who helped out on Saturday to set up the event, who worked at the event and who packed up on Sunday.

I would also like to advise the House of a most unpleasant experience endured by Mr and Mrs Hainstock at the hands of the Southern Regional Water Pipeline Alliance and the Eastern Pipeline Interconnector works across their property at Cornubia. They entered into, in good faith, an agreement with those entities to allow work on their property. What a disaster. Not one deadline has been kept. Most of the work has had to be redone two and three times, and I have some photos that I will table that will show that.

Items that were agreed upon upfront have not been delivered. Some areas have been left almost unusable and useless unless you are a mountain goat. They feel as if they are being bullied into submission by accepting 30 pieces of silver now or the offer is gone. That is not how business should be conducted in this state. The Hainstocks are at their wits' end, and they have no formal recourse.

The water pipeline alliance appears to be the judge, the jury and the executioner when it comes to any complaints process. The latest defence by representatives of the alliance is that they have no money left. What they have offered so far is next to nothing. They have refused to provide any information to my office. They have also refused to explain or make up any excuses as to why they have left this family in the state they are in. It also makes me wonder what they are hiding when they refuse to return phone calls et cetera.

I conclude by advising the House that this is only one of a number of complaints that I have received in the two months or so that I have been in office. It is an appalling state of business. I table some documents and supporting evidence provided by the Hainstocks, and I hope that we can get some good out of it in this House.

*Tabled paper:* Bundle of documents relating to the Eastern Pipeline [300].

## Rural Fire Brigades

**Mr HOOLIHAN** (Keppel—ALP) (9.16 pm): We look around Queensland with great pride at those people in orange overalls who are members of the SES. In my area we have an even larger number of people who get around in slightly different coloured safety gear, and they are members of the rural fire brigade. On the weekend of 16 and 17 May this year, they held Exercise Capricornia 2009 at Yeppoon. There were 20 teams including a team of urban firies who actually did not win the prize for the weekend. The teams came from as far south as 1770 and as far west as Emerald, and there were teams from right across the Central Queensland region.

The overall team winner for the weekend was Cawarral No. 3, which took out nearly every prize. Many thanks go to the volunteers of our rural fire brigade. Bear in mind that they give their whole weekend with no wages and sometimes at a cost to themselves because they have to forgo work that they could be carrying out. That is of great assistance to their own communities, but also the expertise they gain and the work they undertake in these exercises means the safety of many of our rural communities is never at risk.

They really put their time and effort into it. Their meals were catered for by the Yeppoon Indoor Bowls Association, which, on a slightly different note, is celebrating its 40th birthday this year. I would like to thank regional officer John Fisher, rural training officer Laurie Colgrave and, more particularly, Gordon Ryan, who is the first officer of Belmont rural fire brigade. Gordon was the training officer for the whole Keppel brigades but there was a palace coup. Gordon has worked very hard and tirelessly to advance the rural fire brigade in my area. I think the many people who have worked with him who have enjoyed his hard work and his camaraderie will thank him. Next year the exercise is being held in Emerald. If anyone thinks they have rural fire brigade teams that are better than those in Keppel—I have 47 rural fire brigades and they are all excellent—they could nominate and come to Emerald.

## Kawana Electorate, Schools

**Mr BLEIJIE** (Kawana—LNP) (9.19 pm): I rise in this chamber tonight to speak about the quality of education administered by this state government and its bureaucrats. Last Thursday, 28 May, I had the pleasure of launching the Kawana electorate school safety month. This safety campaign came about as a result of the overwhelming number of complaints I have received and issues that have been raised with me by various P&C groups in my electorate.

The meeting was a tremendous success with attendees including local principals, P&C representatives, Queensland Police Service representatives and representatives of the Morcombe Foundation. While addressing the topic of safety around our schools, which includes pedestrian safety and also traffic awareness, many other issues were also raised including school overcrowding. Recently the department of education released figures indicating that some schools in Queensland were well over capacity. In my electorate, one school in particular fell into this category sitting at 109 per cent capacity and another school at 97 per cent of its estimated capacity.

I am dismayed at the fact that the Bligh state government is continually dropping the ball in matters concerning our students' education. It failed to negotiate an amicable pay arrangement with the Queensland Teachers Union that would not only see teachers at public schools in this state paid a comparable wage to those in other states but also attract back many of the quality teachers who have left the profession. NAPLAN results also indicate that Queensland students are almost on the bottom of the ladder when comparing their literacy and numeracy skills to those of students in other states in Australia. Last night we heard that Queensland has the highest rates of internal child bullying in our schools.

The safety of our children around schools has been compromised by the lack of planning from this government for parking, drop-off zones and traffic infrastructure around our schools. But I have some exciting news this evening. I call upon all of the members opposite to listen very carefully. I am glad they are so enthusiastic.

The state government has committed to building a new school at Bundilla on the Sunshine Coast. This is a chance for the government to finally get it right. Prior to laying the foundations of this new school and other schools announced in Queensland, I would urge the minister and the Premier to sit down with the principals and the P&Cs—not the George Street bureaucrats but the people delivering grassroots education in this state.

It does not work to plonk a prep to 12 school on a small road, with inadequate drop-off zones and road infrastructure surrounding it. It does not work to plonk a primary school in a cul-de-sac that school buses cannot turn around in. All of these issues could have been avoided if this state government had planned and discussed them with local stakeholders.

It pains me to say it, but if only the government had a plan for improving education standards like it seemingly has a fix for the dire state of the economy—sell, sell sell; going cheap, going cheap—then maybe we would have a proactive approach to this topic rather than the usual reactive one by this incompetent and uncaring government.

## Pumicestone Country Music Club

**Mrs SULLIVAN** (Pumicestone—ALP) (9.22 pm): Pumicestone Country Music Club is a not-for-profit incorporated association based on Bribie Island but welcomes many visitors from the wider community. Age is no barrier for this club's membership ranges from 16 to 93 years. The objectives of the club are: first, to foster and support amateur musicians; second, to encourage participation in country music within the community and other clubs with similar aims and objectives; and, third, to provide entertainment for charitable organisations.

The club was founded in 1996 from an idea of the late Mrs Lois Ogilvie. In June this year, 2009, it will celebrate its 13th birthday. The club practises on Tuesday nights at the public library and on the fourth Sunday of each month hosts social events at the recreation hall featuring club artists, visiting artists from other clubs and an invited guest. Over the years the club has been proud to present as guests national and international recording stars and songwriters such as Ian B McLeod, Roland Storm, Graham Roger, Desree-Ilona Crawford and Lee Conway. As the club patron, I have entertained the crowd on a couple of occasions and welcomed the opportunity to sing publicly.

Members of the club entertain at nursing homes in the region and often perform as guests at other country music clubs and the annual well renowned local Urban Country Music Festival. In addition to making regular donations to appeals such as Lions, cancer appeals, the breast cancer foundation and many more, the club often holds benefits for specific appeals such as: the Bribie Island Surf Club, $2000; last year's Mackay mayor's flood relief appeal, $3000; and, more recently, the Premier's, Anna Bligh's, disaster relief appeal for the victims of the North Queensland floods, $4000.

Like a lot of clubs, the Pumicestone Country Music Club has many volunteers working countless hours to ensure its successful and smooth running. Special mention goes to the club's canteen workers: Carmel Robson, Joan Bick, Brenda Lewis and Lois Shoebridge, canteen convener Yvonne Parry, and fundraiser and doorkeeper Queenie Lodge. Yvonne has recently launched her first country music CD with close friend Lindsay Scott. Both Yvonne and Queenie and 93-year-old Vera McGregor will be presented with their 10-year membership badges at the club's 13th birthday social in June this year.

Volunteer band members include Eileen Weston on keyboard, Michael Edge on rhythm guitar, Winston Black on steel guitar, Owen J Oxley on bass guitar—who incidentally is a direct descendant of the explorer John Oxley—Keith Pavy on lead guitar and Mark Bishop on rhythm guitar. They not only perform themselves but provide backing for other members and guests.

I would like to personally thank the president of the club, Mr Bill Rye, and member Lindsay Scott for the information on the club's history and their efforts in ensuring that the club is the best of its kind in the state.

## Toowoomba Second Range Crossing; Radar Fines

**Mr RICKUSS** (Lockyer—LNP) (9.25 pm): I rise to speak about two things this evening. One is the Toowoomba second range crossing. I am sure my learned friend on the government benches will support me on this. The other is the Queensland Police Service defending radar fines.

In terms of the Queensland Police Service defending radar fines, I am curious as to why it is importing an external expert from Victoria. Thomas Malcolm Mulcare is being flown up to Brisbane from Victoria for court cases. He is then being flown to places like Roma or is hiring a car and going to places like Roma. I am curious as to why taxpayers are paying for Mr Mulcare to come to these court cases. Mr Mulcare is not even registered in Queensland as is required under the Professional Engineers Act 2002. I am curious as to why funds are being wasted on this sort of thing. Why do we not have an expert in Queensland who can assist with these cases? I hope there are no malicious prosecutions going on here.

I turn now to the Toowoomba second range crossing. I mention that I have a pecuniary interest in that I own a minor share in a house on James Street.

**Mr Shine** interjected.

**Mr RICKUSS:** You are involved too. I am just raising it to make sure that those people who like to dig up dirt do not raise this. I have seen what has happened in the papers recently. I table an article about a toddler who ran into a truck tyre on James Street.

*Tabled paper:* Article, dated 23 May 2009, titled 'Toddler runs into truck tyre' [301].

It is really concerning that something like 3,000 B-doubles go down James Street and through the city of Toowoomba every day. This is dangerous for every resident of the city of Toowoomba and it is one of the reasons that we need the Toowoomba second range crossing.

The village of Withcott is in my area. I would get a complaint a week from residents in the village of Withcott about the fact that it is very unsafe for schoolchildren to cross the road in Withcott. It is a real concern. I am sure the member for Toowoomba South would support any assistance from the other side of the House to have the Toowoomba second range crossing on the priority list for development. It would make Toowoomba safer. It would make the Lockyer Valley safer. It really needs to be done. I am disappointed that the member for Toowoomba North is not coming out harder on this issue and supporting those of us on this side of the House who have been supportive of the Toowoomba second range crossing.

## Gold Coast Broadwater, Humpback Whale

**Ms CROFT** (Broadwater—ALP) (9.28 pm): On Saturday, 30 May 2009, a small humpback whale approximately eight metres in length was reported to be swimming slowly within the Gold Coast Broadwater. Queensland Parks and Wildlife Service rangers responded and found the whale to be alive but in poor condition, drifting with the tide in shallow water. A specialist veterinary examination of the whale by Sea World staff revealed that the whale was in very poor condition. Three Queensland Parks and Wildlife rangers stayed overnight on a vessel following the whale to ensure that no vessels collided with it and to monitor its health.

Unfortunately, the whale did not survive its journey. Further assessment of the whale carcass by specialist Sea World vets revealed a significant abscess on the tail of the whale which was estimated to have been up to six weeks old and likely to have been as a result of an entanglement in a rope or a net. It was concluded that the whale had become entangled in a rope or a net many weeks ago for a prolonged period of time. This caused significant injury to the whale, affecting its ability to swim and feed properly. The whale's condition is likely to have deteriorated over several weeks, eventually resulting in its death.

In the Broadwater area, the local traditional owners, the Kombumerri people, have a deep respect for everything in the ocean. The arrival of whales in the area forecasted the availability of food such as mullet and pilchards. I am pleased that the rangers from the Queensland Parks and Wildlife Service worked to meet the request of the Kombumerri people to bury the whale on country in recognition of the importance of whales to Aboriginal culture. I want to commend the dedicated work undertaken last Saturday by the department of primary industries, the staff of the Queensland Parks and Wildlife Service and water police in conjunction with Sea World's marine research team lead by Trevor Long and the coastguard in doing everything that they possibly could to assist the whale. I know that the department of primary industries and Sea World have worked extremely well together to develop marine animal rescue techniques and equipment.

Like many Gold Coasters, I am saddened by the tragic end to this whale's journey and life. This whale's story serves as a reminder to us all that our marine life is precious and that it really does bear the brunt of increasing boating and angling activities on our waterways. Discarded fishing line, netting, lost crab pots and rope, boat strikes and rubbish, in particular plastic, can have a devastating effect on our local marine life and we need to constantly promote how anglers and boaties can enjoy their recreation without hurting the marine life and the environment. We need to protect our environment for future generations to enjoy and to learn from.

## Beaudesert Electorate

**Mr McLINDON** (Beaudesert—LNP) (9.31 pm): Tonight I rise to raise a very serious issue in the town of Beaudesert, which is only 60 minutes from the CBD, and that is the fact that expectant mothers do not have access to a maternity ward in the Beaudesert electorate. Some 800-plus babies are born annually. The Labor Party decided to rip that maternity ward out in 2001, yet history shows that babies were being delivered successfully there more than 45 years ago in the 1960s. I ask the Minister for Health to please reinstate the maternity ward. We have seen a 74 per cent increase in roadside births in the last five to six years. My brother works at the Ipswich Base Hospital, which was already at capacity yet receiving mothers in childbirth, as was the Logan Hospital. It is absolutely dire to live in a Western democracy only 60 minutes from the CBD yet we cannot even get the basic services that we see in most parts of Africa. It is absolutely disgusting. This government has to put the second largest growing region in Queensland back on the map.

The second issue that I want to raise tonight is the proposed relocation of a drug and alcohol rehabilitation centre to Mount Tamborine, where there are five wineries and two pubs. That is the most ridiculous place to put it. It is 45 minutes from the Gold Coast, where it is currently situated in Parklands. There is no public transport there. There are no 24-hour emergency services. It was a contempt to the public of Mount Tamborine that the government signed the contract to relocate the rehab centre there and only then decided after the contract was signed on 27 November 2008 to go out to public consultation for only two weeks in the lead-up to Christmas to see what the public thought of that. As we know, Tamborine is 45 minutes from the CBD in an isolated region. Unfortunately, the Salvation Army was left to pick up the pieces and defend the government's poor decision. Some 300 residents met on top of Mount Tamborine to oppose this decision. I urge the Minister for Health to intervene and to keep this service based at Parklands on the Gold Coast. With a catchment of 400,000 people, the rehab facility would be best suited to that area.

Finally, I want to mention the Wyaralong Dam which is a two-year project currently under construction and, according to the Queensland Water Infrastructure website, the government said that it was willing to take tenders from local businesses. The definition of 'local' is yet to be determined. However, countless businesses have come through my office in the last couple of weeks to say that they have not had an opportunity to put their contracts forward and that they have been neglected and machines have come from overseas. I guess that, given globalisation, could be considered local, but unfortunately they have been short-changed. Those businesses that want to keep those dollars in the local economy have been given a backhand. I would urge the government to reconsider just what local subcontractors will be brought into the Wyaralong Dam over the next two years. Of course, not very much local expertise was sought considering that it was built on sandstone. I look forward to the government creating local jobs in that local area.

### O'Brien, Mr J

**Mr MOORHEAD** (Waterford—ALP) (9.34 pm): I take this opportunity tonight to record my sincere sympathies on the recent passing of local Logan identity and broadcaster Jim O'Brien. Jim passed away on Friday, 22 May at the Princess Alexandra Hospital after a heart attack. His funeral was held last Wednesday, 27 May in the chapel at the Mount Gravatt Cemetery. Mr O'Brien will be remembered as a dedicated broadcaster who was well known in my electorate and who had a large on-air following in the Logan community. He was a man who enjoyed the widespread respect of those he worked with, many volunteers and those who knew him from the wider community. Jim was the secretary and presentation coordinator of 101FM, Logan's local community radio station. Jim hosted the popular *Morning Magazine* show. Over the last 12 months I have had a regular spot on Jim's show. Jim was always interested to see that listeners would be aware of what was happening in their local area. This monthly show was not only informative but also a fun time, and it was great to work with the bright character of Jim O'Brien.

He was often described by those around him as having a wonderful, fun sense of humour. Jim was renowned not only for his bright character but his bright shirts, as I am sure the member for Coomera will attest to. Without doubt, every month Jim would have a brighter shirt than the month before. Jim was a one of a kind who made a great contribution to the Logan community. Jim was born in the UK, starting his career on pirate radio in the UK in the 1960s. Jim came to Australia in 1964—

**Ms Spence:** He might have been on the boat that rocked!

**Mr MOORHEAD:** He may well have been. He arrived in Australia in 1964 and moved to Logan in 1974. Apart from his radio interests, Jim was a devoted family man who will be sorely missed. I take this opportunity to extend my sympathy and that of this House to Mr O'Brien's family, friends and his colleagues at Logan's 101FM.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.36 pm.

## ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson