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THURSDAY, 4 JUNE 2009

The Legislative Assembly met at 9.30 am.

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

SPEAKER'S STATEMENT

School Group Tours

Mr SPEAKER: Honourable members, during this morning's session, the following schools will be visiting the parliament: Albany Creek State School in the electorate of Everton, Oakey State School in the electorate of Condamine and Raceview State School in the electorate of Ipswich.

PRIVILEGE

Unauthorised Appropriations

Mr NICHOLLS (Clayfield—LNP) (9.32 am): Mr Speaker, it is a longstanding principle of the Westminster parliamentary system that there should be no raising or levying of taxes without lawful parliamentary authority. It is a similar longstanding principle that the expenditure of moneys raised not be done so by government without lawful authority of the parliament. In Queensland these principles are stated in the Constitution of Queensland and previously in the Financial Administration and Audit Act and now in the Financial Accountability Act.

In Queensland we pass a budget each June authorising expenditure for the forthcoming financial year. At the end of each year a report is tabled detailing additional expenditure not authorised by parliament but by Governor in Council. Legislation, however, does require an authorising appropriation bill to be passed subsequently. This has occurred for at least each of the last five years. This has not happened for the 2007-08 budget. There is some \$2.1 billion of expenditure that has not been authorised or appropriated by this parliament. Mr Speaker, I believe this should be of great concern to members. I ask that you refer this matter to the Members' Ethics and Parliamentary Privileges Committee for investigation, and I shall be writing to you in that vein.

Mr SPEAKER: Order! I will await the honourable gentleman's letter to me under standing order 269(2).

PETITIONS

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

Nambour Connection Road

Mr Wellington, 2 petitions, from 659 petitioners in total, requesting the House to ensure the intersection of Blackall Street and Nambour Connection Road, Woombye remains open; reduce the speed limit; install traffic lights and fixed speed cameras [\[323, 324\]](#)

West End Community Markets

Ms Bligh, from 479 petitioners, requesting the House to review the State Government's recommendations relating to the West End Community Markets in order to maintain this important tourist attraction and the enterprises it supports [\[325\]](#).

Petitions received.

TABLED PAPERS

MINISTERIAL PAPER TABLE BY THE CLERK

The following ministerial paper was tabled by the Clerk—

Minister for Education and Training (Mr Wilson)—

[326](#) Public Accounts Committee: Report No. 81—Review of the Auditor-General Report 7 for 2007—Addressing Skills Shortages in Queensland: Government Response

MEMBERS' PAPERS TABLED BY THE CLERK

The following members' papers were tabled by the Clerk—

Member for Woodridge (Mrs Scott)—

[327](#) Non-conforming petition from 60 petitioners requesting free public transport for Senior and Concession Cardholders between the hours of 9.30am and 3.30pm on Monday to Friday and all weekends and public holidays

Member for Pumicestone (Mrs Sullivan)—

[328](#) Non-conforming petition from 58 petitioners relating to the introduction of new schedules for the Bribie Island Coach Company

MINISTERIAL STATEMENTS

Great Barrier Reef

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.34 am): Without doubt the Great Barrier Reef is the backbone of Queensland's tourism industry, but it is reeling under an onslaught of nutrients from fertilisers, toxic chemicals used to control pests and weeds and eroded soil which blocks the light crucial to the reef ecosystem and adds even more nutrients.

Mr Johnson: Are you going to sell it too?

Mr SPEAKER: Order! The honourable for Warrego and the honourable member for Gregory, your comments so far are already disorderly. I am not going to tolerate what happened yesterday when at times it degenerated to what was nothing more than a wall of sound. The honourable the Premier.

Ms BLIGH: Thank you, Mr Speaker. I rise today to speak about the protection of what I believe is without doubt Queensland's, and arguably Australia's, greatest natural treasure, and I am very disappointed to see the behaviour from those opposite on this issue.

An estimated 32,000 tonnes of fertiliser nutrients from farms in the adjoining catchments find their way onto the reef every single year. That not only harms the reef but costs the farming industry about \$32 million annually in wasted fertiliser—and that is just the fertiliser.

I am 100 per cent committed to doing everything possible to protect and conserve Queensland's greatest natural treasure. Millions of dollars are dedicated to the health of the reef, and thousands of people are working on projects every day to find solutions and deliver the results that are needed—unlike those opposite who claim to represent them as many of those people working to deliver a better result for the catchment and for the Great Barrier Reef are in fact farmers and rural producers, and I commend them for their efforts. The result that needs to be delivered is fundamentally the improvement of the water quality entering the reef.

Reef Rescue is a \$200 million Rudd government initiative containing a number of different measures to help protect the reef. In addition, since 2003 the state government has invested about \$125 million through the Reef Water Quality Protection Plan. Already this term we have introduced a moratorium under the Vegetation Management Act on the clearing of all native regrowth vegetation within 50 metres of identified watercourses in the priority reef catchment areas. Water quality improvement plans are being completed by regional natural resource management groups, including rural producers and farmers, to identify regional targets for water quality improvement and the management actions needed to reach those targets in specified time frames.

The Queensland Wetlands Program has delivered more than 38 projects in the last five years, including a range of mapping, information, best management practice guidelines and other decision-making tools to help land managers and regional bodies to protect and manage wetlands. But I believe that we can and should do more. I was not satisfied with the level of progress that all of these measures together were making towards improving the reef's water quality, particularly the voluntary approach that we have adopted for the farming industry over the last five years.

Members will recall that we released scientific data last year that showed that, despite the efforts of many good people working to improve in this area, we were continuing to see unacceptably high levels of nutrient in water quality. We called a summit of experts and stakeholders in this parliament this year, and out of that we have gone through a process of developing a better response. That is why at the last election I promised the people of Queensland that I would introduce regulations that would aim to reduce the amount of sediment, nutrients and pesticides entering the reef by 50 per cent in four years. This week we make good on that commitment.

Today, the Minister for Climate Change and Sustainability will introduce the Great Barrier Reef Protection Amendment Bill. The bill will build on all of the work by government and the farming community so far, but it will speed up the improvements we need to see in the catchments. To ensure the results are delivered quickly enough to protect most of the important values of the reef, the bill targets water pollution control at its agricultural origin with legislative and regulatory force.

I accept that many sugarcane growers and cattle graziers in these areas are doing the right thing by their farms and the reef. But what is abundantly clear is that we need more farmers to follow the example of those who are doing the right thing and to do that without delay. This bill that we will introduce today will make sure that that happens. Once again, we will see the LNP tested on whether, when it counts, it will stand up for the Great Barrier Reef.

Investment in Science and Research

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.39 am): We live in a go-ahead state where we are fortunate enough to have some of the best and brightest in the country. Members will remember that last year I announced it was time to increase our investment in those best and brightest as we moved our Smart State investments from bricks to brains.

Our investment in the science and research infrastructure over the last 10 years was about laying the foundations and putting those bricks in place. World-class infrastructure provides the essential facilities that top-class researchers need. Now it is time to move forward and invest in the people who have the know-how and the ability to take us forward. We will continue to support Queensland researchers, who are the best at what they do, and increase the funding available for them to undertake their valuable research. We also welcome researchers from across the globe who are now being drawn to our outstanding world-class facilities and our collaborative approach to research and development.

Today it is my very great pleasure to announce that Professor Colleen Nelson of QUT's Institute of Health and Biomedical Innovation has been awarded the Smart Futures Premier's Fellowship of \$1.25 million over five years. Professor Nelson is a world leader in prostate cancer research and her work is helping us to treat and better understand the most common cancer contracted by Australian males. Professor Nelson is a good example of what our investment in our Smart State facilities has delivered to the people of Queensland. For those of you who have not met her, I can say that Professor Nelson is a Canadian researcher who moved here a number of years ago with her family and young children to make Queensland her home, and she came because of our Smart State research opportunities.

One in nine men will develop prostate cancer in their lifetime, and almost 3,000 men die of prostate cancer every year in Australia. Professor Nelson's groundbreaking work is attempting to pinpoint more effective treatments for advanced prostate cancer and explore the disturbing links between diabetes and obesity in males and prostate cancer. Professor Nelson's work will also include expanding the prostate cancer awareness message across Queensland, especially in rural and remote areas. I encourage those members who represent rural and remote electorates to understand that the incidence of prostate cancer is much higher in men in those areas than in metropolitan Queensland. Professor Nelson's work will also include a considerable expansion of clinical trials here in Queensland to enable more men suffering from the disease to access the latest treatments and therapeutics. This is important work that has enormous potential to improve the lives of not only Queenslanders but men across the world.

Today I will also present funding grants to 12 other recipients to undertake groundbreaking research on a host of projects. Today is about further delivering on our Q2 vision for a stronger, greener, smarter, healthier and fairer Queensland. In 2006 Professor Ian Frazer was awarded a Premier's Fellowship and as we all know he went on to develop the world's first cervical cancer vaccine. Not to put too much pressure on Professor Nelson, but indeed we have seen that by making significant investments in science and research we can deliver real health outcomes across the globe. I look forward to presenting the Smart Futures Premier's Fellowship to Professor Nelson at a reception at Parliament House later today.

Queensland Week

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.43 am): This Saturday is Queensland Day, marking the start of a week of celebration and commemoration throughout the state. Queensland Week runs from this Saturday, 6 June, to 13 June and my government is coordinating a variety of activities to honour and celebrate what it means to be a Queenslanders.

This year there is even more reason to enjoy Queensland Week as it marks our 150 years of independence from New South Wales. A special citizenship ceremony at South Bank on the weekend will feature more than 500 new citizens, representing nearly 70 nations, who have chosen Queensland

Day to make a pledge of commitment to their newly adopted nation. They will become Australian citizens and new Queenslanders on a memorable day in our history. With this citizenship celebration, we also celebrate the multicultural nature of Queensland and the great strength that has brought to our state.

Queensland Day will also be big in Mount Isa, when the Q150 Shed will get its first unveiling and the Q150 Steam Train will be in town for a huge celebration, helping ensure the party extends right across the state. All Queenslanders love a barbecue and there is no bigger barbecue than the Queensland Week RACQ Big BBQ on Sunday at Roma Street Parkland in Brisbane. Even top chef David Pugh will be there on the day lending his culinary expertise to the free sausage sizzle.

Queensland Week is also an opportunity to honour our Suncorp Queenslanders of the Year and our Queensland Greats, who are the people who help make our state special. I encourage all Queenslanders to use Queensland Week as an opportunity to connect with other Queenslanders and to recognise and celebrate our achievements. We reflect on our past as we join together to build an even brighter 150 years in the future.

Queensland Sporting Victories; Moreton Bay Volunteers

Hon. AM BLYTH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.45 am): As we go into Queensland Week, I think we can all agree that last night was a great night for Queenslanders. Our Maroons hung on for a thrilling 28-18 win—a 10-point win—in the Melbourne State of Origin opener. Victory aside, full credit goes to the young Blues team who fought back from 24-6. As always it made for an exciting game with its controversial moments, but in the end Billy Moore's Queensland spirit prevailed. On behalf of all loyal Queenslanders, I extend congratulations to Darren Lockyer, coach Mal Meninga and all the team. An origin series win this year would be the icing on our 150th birthday cake. Bring on games 2 and 3.

It was not just rugby league that had a big night out in the world of sport last night. Overnight Queensland Samantha Stosur claimed a spot in the semifinals of the French Open after defeating Romania's Sorana Cirstea in straight sets. Samantha is a Gold Coaster who has done us all proud. She beat Cirstea to a 6-1, 6-3 win. This win is the biggest in Samantha's career. Her appearance in the final four will be the first time in 12 years that an Australian has made the semifinals at Roland Garros. Fellow Queensland Pat Rafter made the last four in 1997 and Samantha is the first Australian woman in 21 years to make the French Open semifinals. The last Australian woman was Nicole Provis in 1988. We all wish Sam well when she plays either world No. 2, Serena Williams, or Russian seventh seed, Svetlana Kuznetsova, in the semifinal.

While I am talking about great Queenslanders, I make mention that tonight I will host a reception to thank the many volunteers who gave their time to the Moreton Bay clean-up earlier this year. Moreton Bay is a spectacular part of Queensland's natural heritage and the oil spill that occurred there affected kilometres of pristine coastline. But in true Queensland spirit, volunteers came from far and wide to assist in restoring the bay, and tonight is the state's opportunity to thank them for their efforts. They did an outstanding job, despite having to do it in the heat of an election campaign, when many of them came in for unwarranted criticism. More than 1,100 people are expected to attend the reception at the Brisbane Convention and Exhibition Centre, including a number of members of this House and Mayors Bob Abbott and Allan Sutherland. On behalf of all Queenslanders, I say thank you to each and every one of those volunteers.

Swine Flu

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (9.48 am): As of this morning, there were 28 confirmed cases of human swine flu in Queensland. Nationally, there are 635, with 521 of them coming from one state, Victoria. While the effects so far have been mild, we remain committed to taking every precaution to contain this illness. That is why yesterday afternoon the Queensland government acted on clinical and Commonwealth advice to add Victoria to the list of jurisdictions where there is sustained community swine flu transmission. This means we have added Victoria to the list of jurisdictions—Japan, US, Mexico, Canada and Panama—to which the state currently applies a policy of voluntary exclusion from school for children returning from these areas.

I would like to make it very clear that Queensland will not be stopping people from travelling to Victoria, nor will we be stopping people from Victoria travelling to Queensland, nor have we stopped people travelling from or to other countries where there is sustained community infection. The decision to apply the exclusion policy where students will be asked to voluntarily stay at home for seven days after returning from these areas is based on the best national and international clinical advice. The Australian Health Protection Committee provided us with this advice late on Tuesday. This was reinforced by a letter from the Chief Medical Officer to the Prime Minister the following day, and I table a copy of that letter.

Tabled paper: Letter, dated 3 June 2009, from Professor Jim Bishop AO, Chief Medical Officer to Hon. Kevin Rudd MP, Prime Minister, relating to the management of pandemic influenza in Victoria [329].

As well as Queensland, New South Wales, South Australia, Tasmania and the Northern Territory have all acted on this advice. I know this will cause inconvenience, but the best clinical advice tells us this is the most appropriate action to take to contain the spread of the disease while we wait for a vaccine that will protect our most vulnerable population. I have asked employers to be understanding in these circumstances.

I, like health ministers in other states and the Commonwealth, take my advice from leading public health clinicians and from our Chief Health Officer. The advice is that this is a new virus and it is believed the community has no immunity to it, and the clinical evidence is that children contract this illness more easily and once they have it are more contagious. This combined with the fact that children in schools and child-care centres are in constant contact with one another means the best precaution to stop the spread of this illness is a voluntary exclusion of children who might be at risk of having contracted and therefore spreading the disease.

Leading clinical advice is that countries that have been successful in managing the spread of this illness have used this strategy of containment. The only people who are required to remain at home are any confirmed cases, close contact with a case, and anyone who has been told by health authorities that they are suspected to be a case. Anyone else is able to go about their normal business. This is a proportionate response to minimise the impact on the community, and of course things will change as circumstances change.

As of 5.45 am this morning Emergency Management Queensland has 13 personnel at Brisbane Airport and personnel at airports across the state. They are meeting flights arriving in Queensland from Victoria to provide advice directly to passengers travelling with children on the new arrangements. This is only a temporary measure in place to aid those parents with children returning from State of Origin or other visits who may not have noted the extensive media coverage or been advised by their schools. Schools are circulating advice to all parents today.

This is about listening to the advice of our most qualified public health clinicians. I know there are a host of others, medically qualified or not, who have myriad opinions on what we should or should not be doing, and that is not unusual on these sorts of things. But it would be very unfortunate if people did choose to ignore the best advice and Queensland found itself in a position where a large number of schools needed to be closed. This would disadvantage a lot more people than the students returning from Victoria or overseas.

Swine Flu

Hon. GJ WILSON (Ferry Grove—ALP) (Minister for Education and Training) (9.51 am): I would like to take this opportunity to update the House on the management of human swine influenza cases in Queensland schools. Two Queensland state schools are closed today to protect against the spread of the illness. Based on advice from the Chief Health Officer, Education Queensland has decided to close Warwick and Cairns state high schools. Both schools currently plan to reopen on Tuesday, 9 June after the public holiday provided no additional cases are reported.

The decision to close Warwick State High School is a precautionary measure after a school student whose sibling has been confirmed as having human swine influenza showed symptoms suggestive of illness. The closure of Cairns State High School came after a student was confirmed as having human swine influenza. Education Queensland began contacting parents and staff from both schools last night, and alerts are being put out through the media. A public forum will be held at Cairns State High School today at 11 am to provide information to the school community. I understand that local authorities are aiming to organise a similar forum in Warwick.

Measures are being put in place to minimise disruption to student learning. Warwick State High School students are entering an exam period next week and will use the time away from the classroom to review their work and prepare for the block testing. School work will be provided to Cairns State High School students via the school's email network and website to ensure they can continue learning. We know these closures are an inconvenience to parents, and we thank them for their patience and understanding. I believe parents understand the need to take these measures to protect the public and to try to contain the spread of this illness.

We have also acted on medical advice to ask that all Queensland students returning from Victoria stay away from school or early childhood centres for seven days. Victoria has now been added to the list of affected areas along with Mexico, the United States of America, Canada, Panama and Japan, as reported previously by the Deputy Premier. Schools will implement measures to minimise disruption to student learning.

We have been working closely with the federal government and Queensland Health, along with independent and Catholic school bodies, to protect the health and safety of students and staff. These are important public health measures, and I thank all those involved for their hard work in helping to minimise the disruption to families as much as possible.

Electricity Prices

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (9.53 am): Electricity is essential to our Queensland lifestyle. It powers our homes, and keeps our businesses and industry running. Queensland electricity prices continue to be among the lowest in Australia, but improving network reliability and expansion to meet increasing demand for electricity unfortunately comes at a cost. As our population continues to increase, and we all use more energy-hungry appliances like home air conditioners and big screen televisions, our electricity demand skyrockets.

Between 2005-10, Queensland will have invested almost \$9 billion on electricity transmission and distribution infrastructure to cope with increased demand. Unfortunately, the cost of producing and transmitting electricity has also risen sharply in recent years right across the nation, and Queensland is not exempt. Generating electricity at power stations, distributing it through Queensland's vast transmission network and delivering it to our homes makes up over 90 per cent of the cost of supply. That is why claims that the sale of the retail sectors has driven electricity price increases cannot be substantiated. As the independent Queensland Competition Authority has publicly reported, it is the rising cost of coal and other fuels used to produce electricity that pressures the regulated tariff and the price we pay for electricity.

Rising transmission and distribution costs are also forcing electricity prices up across Australia. For example, New South Wales recently announced price increases for 2009-10 of around 20 per cent. Western Australia has just increased prices by 15 per cent with a further 10 per cent from 1 July. The Northern Territory will also see price rises of around 18 per cent next financial year.

The independent Queensland Competition Authority is currently finalising the regulated electricity tariff for 2009-10. The Bligh government remains committed to supporting Queenslanders with their electricity bills including subsidising electricity prices for regional Queenslanders. Last financial year, we contributed over \$600 million to ensure all Queenslanders pay the same rate for domestic electricity no matter where they live. We also pay rebates for pensioners and lower income earners, and we help households to save energy and money through programs such as our Climate Smart Home Service.

While the Bligh government will do all it can to keep electricity price increases as low as possible, unfortunately price rises are inevitable. But artificially capping electricity price rises below the true cost of producing, distributing and retailing electricity will only result in either the need for massive subsidies to be paid to electricity entities or an underinvestment in the security, reliability and growth of our energy grid.

Queensland Economy

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.56 am): Yesterday's national accounts have shown that Queensland's state final demand, which is a partial indicator of the state's economy, fell 1.4 per cent in the March quarter in trend terms. Nationally, demand declined by 0.3 per cent. The national growth figure was positive, with net exports offsetting the collapse in private investment. State final demand is a measure that does not include the effect of net exports at the state level. The result underscores the challenge before the state.

Underneath the headline result we see the data showing the very concerning declines in private investment. Declines in construction, in machinery and equipment, and in the housing sector all contributed to the negative result. The data shows that private investment plummeted 4.5 per cent in the quarter in Queensland.

Offsetting this is a strong contribution from government investment. State and local government investment was strongly positive at 3.7 per cent. In fact, it was the biggest counterweight to the drop in private demand. While the overall result underscores the challenge, it underlines how important our continued commitment to the building program is to our economy right now. Our economy would be substantially worse without that investment.

It is important to place on the record of the House that yesterday's figures—providing a negative result for state final demand—do not amount to the traditional economists' definition of a recession of two consecutive quarters of negative growth. The previous two Queensland state accounts recorded positive growth figures of 0.1 per cent for the September quarter and 0.3 per cent for the December quarter. In contrast, nationally growth in the December quarter was negative. The March quarter Queensland state accounts are due late this month. However, leave to one side the technical definition. As I have consistently stated, both in the parliament and outside the parliament, the more relevant yardstick is the rise in unemployment. Any esoteric debate about definitions of recession denies the plight of the 28,000 Queenslanders who have joined the unemployment queue since September last year.

The fact remains that that toll—the human toll—will continue to rise. The definitions used by economists matter little in this context. What matters is keeping people in work, putting food on the table and supporting Queensland families. Our response to the global financial crisis has been steadfast. We have maintained the Capital Works Program, which supports jobs and stimulates local economies. The data released yesterday shows just how important that strategy is.

We will not let Queensland stand still. In the face of the global recession, we are determined to provide the short-term measures to support the economy, while delivering the reform that will put Queensland on the path to future prosperity. In tough times we are making the tough decisions to ensure that Queensland comes out of this stronger, not weaker.

Queensland Fire and Rescue Service

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (9.59 am): In December 2007 the Queensland Fire and Rescue Service notified Queensland Health of five cases of cancer among firefighters working at the Atherton Fire Station. At the request of the Queensland Fire and Rescue Service, Queensland Health completed an epidemiological investigation.

The Queensland Health study found that the incidence of brain cancer amongst Atherton firefighters did fit the definition of a cancer cluster. However, the study also found that there were no identified hazards at the station that were linked to causing brain cancer. Queensland Health's study made nine recommendations, including that the fire service consider conducting further studies into the incidence of brain cancer amongst firefighters.

Monash University was commissioned to conduct the cancer study. The main findings of the university's Queensland firefighters' cancer incidence study included that: the overall cancer incidence in male active firefighters was not higher than expected; the incidence of malignant brain tumours was not higher than expected in male active firefighters; and melanoma incidence was found in a borderline statistically significant excess in male active firefighters. The incidence of other malignant tumours was not higher than expected in male active firefighters. For benign brain tumours, there was a doubling of the expected number in men, but this was based on only three observed cases, versus the 1.5 expected, and was not statistically significant. The employment records indicated that none of these cases had ever worked at Atherton. Overall cancer incidence in women who were active firefighters was not higher than expected. As the numbers of individual cancer types in women were small, no further analysis of cancer subgroups could be performed.

The report stated the overall cancer incidence was as expected for the males and females in the cohort and no individual cancer type or group was found to be significantly in excess for men. It also stated the study provided some reassurance that no excesses of cancer have occurred in Queensland firefighters since 1995, although the stated limitations of the study affect the strength of this conclusion to some degree.

The Queensland Fire and Rescue Service has acted decisively on this matter. This morning, as a courtesy to officers working at the Atherton Fire Station they will be provided with copies of the report and briefed on its findings and recommendations. The Queensland Fire and Rescue Service is working closely with the United Firefighters Union and other representative bodies throughout Australia and New Zealand to further examine the issue. Work on a second longitudinal study into the incidence of cancer among firefighters is ongoing. I look forward to keeping the House informed on its findings.

I thank Monash University for the professional way in which it conducted this investigation. I table the *Final report on Queensland firefighters cancer incidence study* prepared by the Monash Centre for Occupational and Environmental Health.

Tabled paper: Report titled *Final report on Queensland fire fighters' cancer incidence study*, date June 2009, from the Monash Centre for Occupational and Environmental Health, Melbourne [330].

I move—

That the House authorise the publication of the report.

Question put—That the motion be agreed to.

Motion agreed to.

McLachlan, Mr B

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (10.03 am): Today I would like to recognise the late Bruce McLachlan, a true Queensland and Australian horseracing legend. Bruce sadly passed away on Tuesday aged 67. He is survived by his wife, Lorraine, and sons, Ian, Grant and Jason.

Bruce was born a battler. The son of a hardworking shearer, he rose from very humble beginnings. It was during his time as a police officer in Mount Isa that he caught not only the bug for training but also his wife, Lorraine. Following his time in Mount Isa he moved with Lorraine to Cribb Island, which was later reclaimed for the Brisbane Airport. It was at Cribb Island where he showed his true Queensland battler qualities, hand building his stables and establishing his training operations.

After Cribb Island he moved to Ipswich and then Eagle Farm before building a private training complex, Thornhill Park, at Caboolture. In 2004 he moved to Caloundra and set up McLachlan Place, opposite Corbould Park racecourse.

Bruce is recognised as one of the first modern trainers in Queensland with a large string of horses and some of Australia's biggest businessmen as owners. He was not pretentious. He was as at home rubbing shoulders with Australia's richest as he was enjoying a beer and a pie or two with punters at the track.

He raced horses at all the major racing carnivals, having satellite stables in both Melbourne and Sydney at various times. His hard work and dedication resulted in significant track success, having only this year trained the Golden Slipper and Magic Millions winner, Phelan Ready. His other group 1 winners include: Planet Ruler, With Me, St Jude, Chortle, Sublimate, Picaday, Al Mansour and Virage de Fortune. He trained three Magic Millions winners: Phelan Ready, St Jude and Our Fiction.

His racing acumen does not end there. He won 16 Brisbane trainers' premierships, the first in 1978-79, and he trained more than 3,000 winners. He was an inaugural member of the Queensland Racing Hall of Fame and has been nominated for the Australian Hall of Fame. However, his proudest racing moments came most recently when he established a very successful racing partnership with his son Jason.

I am sure everyone here today will join me in sending our thoughts and best wishes to Bruce's family—his wife, Lorraine, and sons, Ian, Grant and Jason. Certainly the big man of Queensland and Australian racing will be sadly missed.

Honourable members: Hear, hear!

Box Flat Bridge

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.05 am): As part of celebrations to mark Queensland's 150th birthday as an independent state, my department has been running the Q150 bridge naming project where people were invited to nominate names for new and unnamed bridges. With this Saturday being Queensland Day, I am pleased to announce today the first bridge name selected by the community.

The new bridge over Bundamba Creek on the Centenary Motorway will be named Box Flat Bridge. This name commemorates the proud mining history of the area, in particular Box Flat mine.

Mrs Miller: Hear, hear!

Mr WALLACE: I thank the member for Bundamba for her interjection. She certainly knows the importance of naming this bridge. Box Flat was a significant coalmine in the network of mines which once operated at Swanbank near Bundamba Creek. It operated from 1969, when South-East Queensland relied on the coal sourced from local excavations to generate electricity through the old Swanbank Power Station.

Unfortunately, on 31 July 1972, 17 miners lost their lives after a major gas explosion occurred at the Box Flat mine. Another man tragically died of his injuries at Box Flat some months later. Following this disaster, the tunnel mouths were sealed and mine operations ceased. Box Flat Bridge will not only recognise the proud history of this area but also commemorate those lives lost.

This bridge forms part of the \$366 million Centenary Motorway extension project, which will provide better connectivity to the Cunningham Highway-Ipswich Motorway route and link Springfield and Yamanto. This fitting name was recommended by Ipswich local Mr Lloyd Bird whose suggestion was selected out of 192 submissions made for metropolitan region bridges. Mr Bird is a tireless ambassador for the history and natural environment of the area and was awarded an Order of Australia Medal in 1993 and a Centenary Medal in 2001 in recognition of his service to botany and conservation.

This bridge, along with four others built on the new Centenary Motorway extension, will be officially named when we soon officially open the motorway. This is what the Q150 bridge naming celebrations are all about—Queenslanders sharing their pride in the things that make our state unique and having the opportunity for them to be recognised in significant road structures. I look forward to making further bridge naming announcements during this year's Q150 celebrations.

Gold Coast, Beauty Industry Audit

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.08 am): The Bligh Labor government has a strong record of protecting workers' rights, and it remains one of our key priorities. Standing up for Queensland workers is vital to our commitment of protecting Queensland jobs and securing the state's economy. While most employers do the right thing by their employees, there are some who fail to provide a fair day's pay for a fair day's work. Certain industries have been identified by my department as repeat offenders.

The beauty therapy industry is unfortunately one such industry. A recent audit of 48 beauty therapy businesses in southern Brisbane and Gold Coast suburbs, between January and March this year, uncovered almost \$45,000 in unpaid wages and superannuation for employees. The offending employers were forced to rectify the situation, boosting the pay packets of the 186 beauty therapists and nail technicians who were affected. One worker alone received an extra \$4,400 in arrears after the audit. Some of these workers are extremely vulnerable to exploitation. That is why our industrial relations inspectors continue to monitor businesses to ensure workers are protected and supported.

Many of these businesses did not necessarily underpay their workers deliberately. Nonetheless, the effect of unpaid wages on vulnerable workers can be huge. These wages help Queenslanders to provide for their families, to pay their bills and also to stimulate our economy. In these tough economic times it is vitally important that workers receive the correct pay they are entitled to. Standing up for Queensland's most vulnerable worker in particular is a major part of our Toward Q2 commitment to fair, safe and caring communities.

We are constantly working with businesses and unions to educate employers and employees about their rights and obligations under Queensland's industrial laws. Any employee with claims of underpayment of wages or non-payment of superannuation contributions should contact industrial inspectors through our Wageline service on 1300 369 945. This government will continue to take action to ensure workers are protected and that they receive their lawful entitlements.

Airport Link

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.10 am): Despite all of its major work sites being hit by last month's flash flooding, the Airport Link projects have passed another important milestone: two million hours of work have now been completed. To reach two million hours just six months after the start of construction is a massive achievement. I congratulate the 1,500 workers on site. Overall, the Airport Link project is expected to generate about 10,000 direct and indirect jobs. It is further evidence of the government's continued commitment to our \$17 billion building program which is protecting jobs during these tough economic times—evidence that we are making the tough decisions to respond to these tough times.

The two million hours of hard work completed is obvious to anyone driving along the project's route. The members for Brisbane Central, Clayfield and myself have all seen in our own communities the quite significant impact it is having on those areas. I once again thank those local communities for their patience in the face of Australia's largest infrastructure project. Roads have been repositioned and huge pits excavated. Approximately 14 piling rigs are drilling and 12 cranes are working across the major project sites. Two road headers are working around the clock excavating underground at Bowen Hills and Truro Street. The Truro Street road header is excavating between three and six metres a day and has already excavated 30 metres deep and 100 metres of the so-called mid-point access tunnel. The road headers will eventually excavate two main line tunnels for the road, busway and tunnel ramps.

On all other construction sites works are continuing to ramp up. Large holes or box cuts are currently being dug to house the massive tunnel boring machines that will arrive later this year. When the project is complete in 2012 the Airport Link will provide a high-speed underground road transport link through Brisbane's inner northern suburbs offering motorists significant travel saving times both now and well into the future.

Taxi Hotline

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.13 am): The Bligh government is committed to a fair Queensland as we head Toward Q2. We want to support a safe and caring community and we need the services in place to make this happen. Queensland's taxi industry has come under intense scrutiny during the past few weeks. Maintaining high service standards for all modes of passenger transport is a priority for this government. To help inform me about the state of the taxi industry in Queensland I asked the Department of Transport and Main Roads to establish a taxi hotline and invite members of the public, as well as taxi drivers and owners, to provide feedback on the industry.

The hotline started on 11 May and so far 144 calls have been logged. The types of concerns received by the hotline have been broad ranging. The main themes emerging are that people are concerned about a drop in standards, a lack of local knowledge and general inexperience of some taxi drivers. The Bligh government is all about listening and responding to the concerns of passengers, drivers and owners to ensure a better service for all Queenslanders. This new hotline is just one of a number of ways in which this government is keeping up to date and informed on these and other issues for the industry.

During the coming month the Department of Transport and Main Roads will write to every taxi driver in the state in an effort to get them more involved in developing and improving standards for the industry. The findings and feedback gathered will then be used by the department when considering a range of reforms for the taxi industry. I would like to assure members of the House that this government will be taking whatever action is necessary to ensure that Queenslanders and visitors to our state can be confident of a high level of service and safety when catching a taxi in Queensland. We want services in place to ensure a fair Queensland as we head Toward Q2.

Young Volunteer Awards

Hon. KL STRUTHERS (Algerger—ALP) (Minister for Community Services and Housing and Minister for Women) (10.15 am): The Bligh government has set a bold target to boost the number of volunteers in Queensland by 50 per cent by 2020 and we are off to a flying start. We have put out a call for nominations for the 2009 Queensland Young Volunteer Awards. One third of young people in Queensland are volunteers and they are making a real difference to people's lives. Young volunteers are vital to our target; they are the volunteers of the future. We have volunteer resource centres right around the state—in Cairns, Townsville, Gladstone, Mount Isa, Bundaberg, Sunshine Coast, Gold Coast, Logan and Toowoomba—to put people in touch with local volunteering opportunities. We have also put out a call to nominate seniors who have given up their time and energy to help others so that their efforts can be recognised as well and we are supporting Volunteering Queensland with its new Golden Gurus initiative. We are looking for Queenslanders over 50 with business skills. We are encouraging them to sign up as Golden Gurus so that they can pass on their skills and experience to others. Golden Gurus was the brainchild of Ernie Peralta, a Brisbane man who had a vision of older people using their business nous to help community groups and small businesses. Ernie pitched his idea to the National 2020 Ideas Summit and Queensland, I am proud to announce, is the first state to turn Ernie's vision into reality.

We want Queenslanders to get behind our volunteering efforts. In these tough economic times their work is more important than ever. Whether it is helping out at the local hospital, working as a volunteer firefighter or simply reaching out to someone in their time of need, volunteers can make a real difference to people's lives. I also send a big thank you to the hundreds of volunteers who helped out with the Moreton Bay clean-up and I wish them well at their celebration tonight.

Building Services Authority

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.16 am): Recently there have been a number of complaints in relation to builders' performances and the BSA's handling of these issues. This is not unusual. Honourable members would be well aware that problems can develop when building your dream home. In fact, over the past three years the BSA has received 14,890 complaints. Of these 14,342 were resolved representing a 96.3 per cent success rate. These figures speak for themselves.

BSA has achieved this remarkable success rate by instituting a number of strategic initiatives over the past year to educate builders and consumers throughout the state. These have included a media campaign to promote consumer confidence; an aggressive compliance program; regional contractor seminars; trade specific seminars on waterproofing, tiling and subsidence; and financial and business advice seminars attended by more than 3,000 contractors and consumers this year.

Last month I was a guest on the *4BC Real Estate Show*. Callers to the show raised six BSA related issues which I instructed the BSA general manager to investigate. The results are as follows: in relation to case number one, a senior BSA officer visited and is progressing the case; in relation to case number two, the BSA has arranged for the builder to commence rectification works and is monitoring progress; in case number three a senior BSA staff member has arranged to inspect the site today; in relation to case number four, the BSA's general manager has offered to personally meet with the homeowners to assist in brokering an agreement; in case number five the BSA is in contact with the homeowner and is arranging a site visit at a mutually agreeable time; and in relation to case number six, after receiving a direction from the BSA to rectify defects, the builder instructed his lawyer to contact the owner and arrange access so the work could commence.

Let me remind members that should their constituents have building concerns, they should first discuss the issue with their builder. If this is not successful they should immediately seek the assistance of the BSA.

The people of Queensland can be justly proud of the BSA, the leading regulator throughout Australia. I am proud the BSA has continued to set a standard that regulators in other states attempt to achieve.

While I am on my feet, I also note that today's *Courier-Mail* has forecast the sale of CITEC, QFleet and Goprint. I advise the House that the reporter concerned has not contacted me on this issue, nor has he contacted the Treasurer or the Premier. Had he done so I could have saved him the time he spent writing this ill-founded rot—

Mr Seeney: The Minister for Transport didn't know about selling QR. Why would he think you'd know? Why would he assume that you would know? Turn around and ask Rachel how much she knew.

Mr SPEAKER: Order! The member for Callide.

Mr SCHWARTEN: The honourable member for Callide would not know what day it was, let alone anything else. Let me say it again for even his incredible incapacity to understand the English language. Had the reporter done so, I could have saved him the time he spent writing this ill-founded rot. These business units are not being privatised.

Mr Seeney: Why would they tell you?

Mr Hopper: You've moved down the order.

Mr SCHWARTEN: You are right out of order.

Disability Services

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (10.20 am): These are tough economic times and, as a government, we have made fundamental decisions about what a responsible government needs to be involved in and what it does not need to be involved in. The Labor government has an established tradition of supporting the most vulnerable members of our community. That is why we invest significant money into caring for those in our community who are unable to care for themselves.

In relation to Disability Services, we have a strong record of achievement. Since 1999-2000, there has been a record 228 per cent increase in funding for Disability Services, at a time when the budget was around \$250 million. Today, the Disability Services budget is \$825 million. In contrast, when the opposition was in power it failed to invest in the disability sector.

Our approach is to continue to build the infrastructure to meet the needs of those with a disability, ensuring that they have safe and secure accommodation as well as securing jobs for Queenslanders. We are continuing to build respite centres across the state to meet the needs of people with a disability and their families. We have invested \$28.4 million in this area. These services enable families and people with a disability to have a break while remaining together in the community. We are continuing to build houses to move young people out of aged-care facilities.

We are committed to valuing the human rights of people with a disability, respecting their dignity and creating more inclusive communities. But I recognise more needs to be done. Currently, we assist thousands of Queenslanders with a disability and their families. With an ever-increasing ageing population there will be an increasing demand for support and services in the coming years.

The Bligh government remains committed to ensuring that disability services are responsive to the needs of the community. That is why we are working so closely with our non-government partners, including organisations such as the Endeavour Foundation, the Cerebral Palsy League, Centacare, Montrose Access, Deaf Services Queensland, Vision Australia and the Autism Early Intervention Outcomes Unit to deliver a range of services. We need to ensure that services continue to be delivered to people right throughout Queensland.

Native Salad Industry

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.22 am): An Aboriginal community near Hervey Bay is working on an exciting new project that could create a new native salad industry. Queensland Department of Primary Industry and Fisheries staff have worked closely with the Butchulla people from the Dhugamin corporation to plant four native salad varieties at Scrub Hill. The native plants are warrigal greens, which taste and look like spinach; native violet, which has edible white and purple flowers that can be used as a salad garnish; scrambling lily, which is like a cross between asparagus and snow peas; and sea celery, which is a small ground cover and which tastes like celery.

Mr Lawlor: Have you tried all these things?

Mr MULHERIN: Not yet. This project has the potential to significantly change the way Queenslanders think when it comes to salad. We hope that sometime soon Queenslanders will be regularly including native salads in their daily meals and that they will add a new dimension to restaurant menus and supermarket salad sections.

Our scientists have named the new product the All Australian Salad and I am advised this is the first time this type of produce has been cultivated for commercial purposes in Queensland. This one-year pilot, if successful, will be expanded to other sites. The Butchulla people have welcomed this project as something that can really assist their community and the Bligh government is pleased to be in partnership.

The initiative by the Department of Employment, Economic Development and Innovation aims to increase Indigenous participation in the blossoming bush foods industry. It falls under the added-value convenience products program, which is looking at ways of improving a range of food products and native salad will be just one of its product lines. This collaboration highlights the Bligh government's determination to diversify the economy and provide new opportunities for Indigenous Queenslanders. It also highlights the Bligh government's expertise in research, its emphasis on business growth and marketing and the positive impact primary industries are having on the economy.

ORDER OF BUSINESS

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (10.25 am): I advise honourable members that the House can continue past 7.30 pm this day. The House can break for dinner at 6.30 pm and resume its sitting at 7.30 pm. The order of business shall then be government business followed by a 30-minute adjournment debate.

LOCAL GOVERNMENT BILL

Declared Urgent; Allocation of Time Limit Order

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (10.25 am), by leave, without notice, I move—

That under the provisions of standing order 159, the Local Government Bill be declared an urgent bill and the following time limits apply to enable the bill to be passed through its remaining stages at this day's sitting—

- (a) second reading by 6.00 pm;
- (b) consideration in detail to be completed by 6.25 pm;
- (c) third reading by 6.29 pm; and
- (d) long title agreed by 6.30 pm.

If the stage has not been completed by the time specified, Mr Speaker shall put all remaining questions necessary to pass the bill, including clauses and schedules en bloc and any amendments to be moved by the minister in charge of the bill without further amendment or debate.

Question put—That the motion be agreed to.

Motion agreed to.

WATER AND ANOTHER ACT AMENDMENT BILL

Declared Urgent; Allocation of Time Limit Order

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (10.26 am), by leave, without notice, I move—

That under the provisions of standing order 159, the Water and Another Act Amendment Bill be declared an urgent bill and the following time limits apply to enable the bill to be passed through its remaining stages at this day's sitting—

- (a) second reading by 9.50 pm;
- (b) consideration in detail to be completed by 9.55 pm;
- (c) third reading by 9.59 pm; and
- (d) long title agreed by 10.00 pm.

If the stage has not been completed by the time specified, Mr Speaker shall put all remaining questions necessary to pass the bill, including clauses and schedules en bloc and any amendments to be moved by the minister in charge of the bill, without further amendment or debate.

Question put—That the motion be agreed to.

Motion agreed to.

QUESTIONS WITHOUT NOTICE

Fuel Subsidy

Mr LANGBROEK (10.27 am): My question is to the Premier. I refer to the claims of the Premier and her ministers that the new \$570 million fuel tax would be spent variously on roads in Western Queensland, carers' wages, social housing, offsetting a potential payroll tax increase, better public transport and the Gold Coast light rail, and I ask: how far does the Premier think those funds can be stretched? Is this the kind of magic pudding economics Queenslanders can expect to see in this month's state budget?

Ms BLIGH: I thank the honourable member for the question. I am happy to have a chance to clarify further for his information the state of the state budget as a result of the global economic recession that is sweeping the world. I make the point again, as I have repeatedly and as all the documents have established both in the Treasurer's update in the late weeks of February and again confirmed in the federal budget, that the state budget will see a considerable drop in GST, it will see a considerable drop in royalty revenue and it will see a collapse in taxes raised through property transactions. The result of that will be a loss of state revenue amounting to some \$14 billion a year over the next four years.

That is the task that the government has to meet. We have to meet it in a number of ways. One of the ways that we have to meet it is to look at our outlays, that is what we spend and what we spend it on, and make good decisions about what we can continue to afford doing. I make no apologies for working very hard through the last seven or eight weeks to make sure that this state budget will be one that starts the process of bringing the state finances back into recovery as a result of the assault on them from the global financial crisis. The government's position on this issue is very clear. On Tuesday we outlined a renewal plan for the state finances. We have outlined it in detail, and I will be talking to the people of Queensland about it for many months to come.

What we do not know is the position of those opposite. This morning the Leader of the Opposition stood in this House and asked me a question about the fuel subsidy. What he has not told us or the people of Queensland this week is what he would do with the fuel subsidy. In budget week the Leader of the Opposition will have to give a budget reply. What he has told ABC radio and other media outlets in the last 24 hours is that he would not commit to restoring the fuel subsidy because he does not know the state of the finances. Of course that great policy powerhouse of the Liberal National Party, the member for Warrego, has said they will keep the subsidy. So they are going to keep the subsidy in Warrego but in Surfers Paradise they have not got a clue. They do not know what they will do.

We have been clear—I know it is a hard decision. I know it is going to have an impact on Queenslanders. I also know that we have an obligation to restore the finances so that we can build schools, operate hospitals, continue to run emergency services and continue to run a police service, and that is what we will do.

(Time expired)

Sale of Public Assets

Mr LANGBROEK: My second question without notice is also to the Premier. Given the Treasurer's comments yesterday that the current fire sale of assets is only the first in a long series of sell-offs, will the Premier finally come clean and tell the House which of Queensland's other assets will be sold off next?

Ms BLIGH: I thank the member for the question. I have no idea on what it is based. The Treasurer has made no such comments. We have been very clear about the package of assets which we believe should be put to the market in order to restore the budget to a stronger position. We have said that it is time, at this end of the 21st century, for us to modernise the state finances. We need to think about the businesses we should be in and the businesses that we can now move out of. The real question for those opposite is whether the state is best placed to run a coal transport company that is an entirely commercial transaction or whether the state should be prioritising hospitals, schools, roads and other services that people need.

For as long as I can remember, the conservative parties of this state and of this country have had a longstanding policy that says commercial businesses are best run by the private sector. That is one of the *raison d'être* for their existence. That is at the heart of their political belief. They went to the last election with a party platform that said privatisation of commercial assets should be considered.

I have the challenge of leadership to go to my party and ask it to reconsider one of its long-held beliefs in order to ensure that we do the responsible thing by the budget. The task of leadership for the member for Surfers Paradise is to ask his party to implement its longstanding policy and he is unable to

do it. He is unable to deliver the policy within his own party with which he went to the election. That is the failure of the Leader of the Opposition—the comprehensive leadership failure of the member for Surfers Paradise.

When we open this morning's paper and see the large photo of the member for Southern Downs I think we all can see that 'The Borg' is on his way back. 'The Borg' is back. This is what happens when you get—

Mr SPEAKER: Premier, I think it would be better if you referred to the honourable gentleman by his correct title.

A government member: The Leader of the Opposition!

Ms BLIGH: I refer to the Leader of the Opposition, the member for Southern Downs! Not only do we see him installing himself in the leadership team as the thinker in residence but he has now rolled the member for Surfers Paradise comprehensively on one of the most critical parts of the Liberal Party platform. It is over.

National Parks

Ms DARLING: Last year the Premier announced an ambitious new target of increasing Queensland's national park estate to 7.5 per cent of our land mass by 2020. Can the Premier update the House on the progress towards this target?

Ms BLIGH: I thank the member for the question and for her well-known love of Queensland's natural heritage. Queensland is Australia's most biodiverse state and the only mainland state that still has the opportunity to achieve a truly comprehensive, adequate and representative national park reserve.

Our commitment to achieving 20 million hectares of protected areas by 2020 is as strong as ever. I am very pleased to advise the House of the excellent progress that is being made. So far in 2008-09, more than 300,000 hectares have been added to our national park estate. In the previous five years we added 890,000 hectares.

Mr Elmes: How many extra rangers?

Ms BLIGH: Many recent additions to our national parkland have included priority areas such as the Daintree—

Mr Gibson: Have you visited a national park lately? It's a disgrace!

Ms BLIGH:—Cape York Peninsula, South-East Queensland and in particular Springbrook on the Gold Coast. I listened again to the Liberal National Party hooting over there against the national park estate.

Mr Gibson: You can't look after Fraser Island.

Ms BLIGH: As the member for Thuringowa said, they hate jobs, they hate projects, they hate building and now they hate national parks.

A government member: National Party, not national parks.

Ms BLIGH: Yes, National Party, not national parks. By bringing these areas into our national park reserve we are preserving the habitat of vulnerable native wildlife and protecting our beautiful natural heritage for generations to come. In South-East Queensland our expansion focus is on rainforest biodiversity and our efforts have meant that over the past few years 100,000 hectares have been added in the Cape York Peninsula. Recently we have purchased 60 properties to add to the Springbrook National Park. The Springbrook National Park delivers the green behind the gold for the Gold Coast. It is not only protecting its natural environment but it is bringing tourists from around the country to the Gold Coast for a wonderful natural experience in that hinterland area. It is protecting over 51,000 hectares of high conservation land—51,000 hectares in the Springbrook area.

My government is committed to growing our national park estate and we will ensure that Queensland continues to lead the pack in keeping a world-class network of protected areas. Clearly from the comments opposite, we will be doing it without the support of the Liberal National Party. One would think that the one thing that we could get agreement on across the House is the need to protect some of the most extraordinary natural environments in this country.

Mr Springborg: You'll fill them up with goats, wild dogs and rubber vine.

Ms BLIGH: We hear those opposite rant against us employing more public sector employees, but some of those are rangers in national parks. There are 80 new national park rangers. They are the sort of people whom we want to see on the front line.

(Time expired)

Queensland Rail

Mr SPRINGBORG: My question without notice is to the Minister for Transport. I refer to reports that the member for Bundamba was one of only two Labor MPs to oppose the Premier's desperate fire sale of Queensland Rail, and I ask: will the minister stand up and show the same ticker as her friend the member for Bundamba and oppose the fire sale of public assets?

Ms NOLAN: I thank the honourable member for the question. It is essentially a question I have answered before. The answer is that this government will take tough economic decisions to reflect these tough times. That is a position which I as transport minister am entirely supportive of. That is the right thing to do to protect Queensland's economic future.

It is appropriate that we make a decision about just what businesses the Queensland government in this day and age should be in. It is entirely appropriate that the government should be delivering social services. It is entirely appropriate that the government should be involved in industries which are growing and emerging—in infant industries that need government support—and creating the ground for the industries of the future. It is entirely appropriate that the government should be utterly dedicated to the provision of public transport services.

That is where we are at and that is what we will do. We will continue to provide one new train on the tracks every month. We will continue to provide new buses in regional Queensland. I announced 54 new buses just a couple of weeks ago for Cairns, Townsville and Rockhampton. We will continue to provide buses in the south-east. We have provided 610 new buses into the TransLink network since TransLink started just a few years ago. We will continue to extend railway tracks to areas of growing population. You will recall that you ripped up the lines to the Gold Coast which we have rebuilt.

Mr SPEAKER: Order! The honourable the minister will direct her comments through the chair.

Ms NOLAN: I will, Mr Speaker. I think all members recall that the last thing the old National Party, which is still fronting up again today, did in public transport was to rip up the line to the coast.

We will continue to expand the rail network currently out to Richlands, ultimately on to Springfield and back around to Ipswich. We will continue to provide corridors, and we are currently buying up a new corridor on the Sunshine Coast, for instance. This is something to which we are entirely dedicated. It is appropriate in this day and age that that core service delivery for modern urban centres should be a modern government's priority. That is the position of which I am entirely supportive.

Sale of Public Assets

Mr O'BRIEN: My question without notice is to the Premier. Premier, can you please clarify what the impending asset sales will ultimately mean to Queensland's asset base?

Mr SPEAKER: Order! Now, you of all people should learn to rephrase that question.

Mr O'BRIEN: Thank you, Mr Speaker, for your guidance.

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order and the honourable member will rephrase the question.

Mr O'BRIEN: My question without notice is to the Premier. Premier, can you please tell the House—

Opposition members interjected.

Mr SPEAKER: Order! The question is out of order. I call the member for Maroochydhore.

Port of Gladstone

Ms SIMPSON: My question is to the Minister for Transport. I refer to the Treasurer's reported comments that the next desperate fire sale could be the Port of Gladstone. Will the minister join her colleague the member for Waterford and stand up and oppose the Port of Gladstone sale?

Ms NOLAN: I thank the honourable member for the question. Essentially it is a question that has been answered—

Ms Bligh: Over and over again.

Ms NOLAN: Over and over and over again.

Ms Bligh: Let's go again.

Ms NOLAN: Indeed. The government has made it clear which assets are being sold and why. As I just said, there has been a decision that infant industries, in which government should continue to play a role in developing, will continue to operate in state hands. But where there are well-developed networks—in some cases they have been operating for nearly 150 years—there is not that ongoing

infant industry development role for the state. That is, I think, an entirely appropriate position. So the government takes the view that where industries are well established it is not an appropriate role for a modern government to be continuing to play a role in that service provision.

I find it frankly bizarre to be standing here on the Labor side of the parliament having to argue that case to the conservatives. This is their longstanding policy position. So for us to say them, 'No, where there are well-established businesses it is okay for the private sector to run them,' seems really quite odd to me.

Ms Bligh: Where was the member for Clayfield in all of this? He wanted to sell the network. He wanted to sell the energy network.

Ms NOLAN: That is right. I would not have thought this was an economics lesson I would have to give to that side of the House, but I am happy to. As I said, it is a view that I am comfortable with. These are well-established commercial assets.

The role of government should be to provide really fundamental services to people. I am entirely comfortable that we have a fundamental role in providing public transport. There are a couple of reasons for that. One is that government provides accessible transport for all people. It is not just middle-class welfare, as that side of the House would argue. It provides accessible transport for all people from all backgrounds, and that is what we are doing. The second reason is that public transport creates sustainable urban centres. It climate-proofs cities, it provides for peak oil happening in the future and it creates modern, progressive places where people live. That is and should be the role of government, and that is absolutely what we will continue to do. We will provide quality public transport services—busways, new trains, new rail—for people because that is what modern governments in this day and age do.

(Time expired)

Renewing Queensland Plan

Ms MALE: My question without notice is to the Treasurer and Minister for Employment and Economic Development. Could the Treasurer further outline how the Renewing Queensland Plan will restructure the state's economy to position it for the future?

Mr FRASER: I thank the member for Pine Rivers for her question. I can update the House. There has been very strong interest expressed by industry in the bold reform program that has been put forward by the government this week. I note reports in this morning's financial press describing the issue of providing an opportunity to invest in the Newlands system and the Abbot Point Coal Terminal as a bold and gutsy move and an incredibly attractive proposition. We agree. We agree that it is an attractive proposition for someone to invest in. What that will do, as the Minister for Transport was just explaining, is provide this government with the capacity to focus on our priorities.

This is a strategy that was laid out by this government earlier this week with an eye very much on the future. We know from the ideas deficit opposite that they have no ideas. In fact, they are abandoning even their old ideas on this front. What the Leader of the Opposition has said is that, because it is a short-term proposition, he does not have to come up with ideas. He will just leave it to others—this government and the Western Australian government.

When we read the financial press this morning we can also see that there is another government that is contemplating undertaking asset sales for the long-term future of the state's balance sheet and that state is Western Australia. So in the paper this morning we have the Liberal and National parties in Western Australia endorsing the strategy that we have put forward. They have got courage.

Those opposite like to talk about the Western Australian government, but I think there is a better analogy for a state with a Liberal Party and a National Party. I think they have a fair bit in common with the New South Wales Origin team, because over the last couple of weeks the New South Wales Origin team have talked it up. They said that they were a new team, they put a couple of new faces on the front bench and when they got to the field they collapsed—no ticker whatsoever.

The reality is of course that, just like the New South Wales Origin team, we have got the Deputy Leader of the Opposition, who is a three-time loser and talking it up to come for a fourth. Brave 'Sir Robin' here, with all the courage and ticker to stand up for what he has always believed in, has gone running away and here comes the Deputy Leader of the Opposition. What will happen first, like in football, is that they will sack the coach. Bellamy will be put to one side and then we know what they will be up to: they will clean out level 6 and Jake Smith will be on his way back.

At that point they fall silent; they know change is a comin'. The deputy comes back. New South Wales are three-time losers. Stand by, Queensland: you are going to see a 'four-peat' loss in a couple of weeks, and in a couple of years time you are going to see a 'four-peat' loss again.

Queensland Rail

Mr SEENEY: My question without notice is to the Minister for Public Works. I refer to the reports that the member for Waterford was one of only two Labor MPs to oppose the Premier's desperate fire sale of Queensland Rail. Will the minister follow the example of the member for Waterford and take a stand against this panic sale of state owned assets, or has the minister completely lost his ticker for defending Labor Party principles?

Honourable members interjected.

Mr SPEAKER: Order! Minister, you will answer the question as it relates to your administrative responsibilities, that is, Public Works. I call the Minister for Public Works.

Mr SCHWARTEN: I thank the honourable member for Callide for curing my outbreak of QDS—'Question Deficit Syndrome'—because it is April last year that I last had a question from the opposition, so I am delighted to have the antidote for 'Question Deficit Syndrome' provided by the member for Callide. Let us get to the heart of this issue. The question in effect is whether or not I support the policy that our caucus agreed to on Monday. Do I agree with that? Yes, I do, absolutely, and I will tell you why, Mr Speaker. Unlike those opposite, I know reality and I know honesty. I cannot look in the eyes of workers in this state and say to them that I am prepared to endorse a budget that will see their kids reduced to penury. I am not going to do that.

What I am going to do is ensure that every worker—whether they work for Queensland Rail, the works department, QFleet, CITEC or wherever they happen to work—gets a fair go. That is the difference between us and them. As I said yesterday, getting a lecture from the opposition on this issue of privatisation is like an atheist giving religious instructions to somebody. The reality is that those opposite are showing their hypocrisy because they do not care a toss about workers. They are the people who got rid of the SEQEB workers in this state. That is the standard they bring to the table here.

What do I say? I say this: there are \$8½ billion worth of building workers jobs that I am responsible for. That is what I am the minister for. Right throughout this state, I am the minister responsible for the people with the hammers and the nail bags. As a local member, I am also responsible for the railway workers. I say this to members: I will make sure, unlike those opposite, that every one of those railway workers and every one of those building workers gets the same treatment.

Opposition members interjected.

Mr SCHWARTEN: They do not like it because they sit over there cocooned in their gutlessness unable to take a stand on this. They want to have it both ways. They want to oppose this but they have no solution. To put the whole state on the never-never is their solution to this.

(Time expired)

Mining Industry

Ms NELSON-CARR: My question is to the Minister for Natural Resources, Mines and Energy and Minister for Trade. Can the minister update the House on the impact of the economic crisis on the Queensland mining industry?

Mr ROBERTSON: I thank the member for the question because she is a person who has given great consideration to and shown great concern about the state of the mining industry in Queensland. At its peak, the mining industry in Queensland employed over 191,000 workers across the state. Since the global crisis hit in October last year, we have seen about 5,800 workers from the mining industry lose their jobs. Around 3,500 of those retrenchments have been in the Bowen Basin, about 940 of those jobs have been in the north-west mineral province and, in addition, just over 1,000 of the jobs have been lost at Queensland refineries at Gladstone and Yabulu. In an encouraging sign for the mining industry, I am pleased to report that there have been no announcements of further large job losses in the mining sector since early May this year.

There are also further positive signs in the sector, with commodity markets remaining strong last month. The prices of copper, lead, zinc and tin on the London Metal Exchange all remain higher than at the start of the year. Export figures collected by my department also indicate that, despite significant job losses in the Bowen Basin, the impact of the economic downturn on Queensland's coal industry is not all doom and gloom. Despite a drop in coal exports to countries such as Japan, exports to other countries, including South Korea and China, have notably increased this financial year compared to 2007-08. In 2008-09 to date Queensland has exported around 117 million tonnes of coal. For the corresponding period in 2007-08, we exported just over 118.5 million tonnes.

The resources sector remains strong and still employs thousands of people across Queensland and generates millions of dollars for our economy. It is an industry the Bligh government is working hard to assist through the downturn, but even in the downturn there are resource companies looking ahead and planning for the future. Last week Brisbane based Waratah Coal announced it will be proceeding

with a multibillion-dollar development of Australia's largest thermal coalmine in Central Queensland, subject to clearing a range of conditions. It is reported that the project will create thousands of jobs during construction and operation, and that is very welcome if it comes to fruition.

The Bligh government is also putting in place the necessary arrangements to streamline Queensland's mining and petroleum exploration and approval process. Over the last month, 527 applications for exploration have been cleared by Mines and Energy and can proceed to grant. This is delivering on the government's commitment to working with the resources industry to secure current jobs and create more in the years to come.

Queensland Motorways

Mr JOHNSON: My question is directed to the honourable Minister for Main Roads. Does the minister support the fire sale of Queensland Motorways, or does the minister have the ticker to join the ALP state president, Andrew Dettmer, and stand up and oppose the government's desperate fire sales?

Mr WALLACE: I support 25,000 jobs in Main Roads. I support 25,000 jobs doing \$3.2 billion worth of construction. I am surprised that the member for Gregory does not support those RoadTek workers in his electorate who will lose their jobs because of the economic vandals opposite. Why do you hate jobs so much? Why do you dislike those RoadTek workers? I am sorry, Mr Speaker: why do those members opposite hate jobs? Why do those members opposite not support RoadTek workers who are out there delivering \$3.2 billion worth of works?

Let us look at some of those works. What would the opposition cut? What would the economic vandals without any DNA cut? They would cut the \$10 million flood mitigation and road servicing work on the Flinders Highway and the Gregory Downs-Camooweal Road. Member for Gregory, you should be ashamed of yourself for wanting to cut those roadworks on the Gregory Downs-Camooweal Road. In my area and in the electorate of Burdekin, those opposite would cut the \$190 million Townsville port access road. This is something that the residents of North Queensland have campaigned for for decades.

The member for Burdekin can stand condemned here today. She does not support that port access road. If the economic vandals had their way, work would stop tomorrow because we could not support those projects. In Mackay, there is funding of \$128 million for the Forgan Bridge. The member for Mackay knows how important that project is for his growing community. He knows how important it is for the people of Mackay because it means jobs—25,000 jobs right across Queensland.

I see the member for Surfers Paradise shaking his head. He obviously does not support jobs in Queensland. He does not support the work we are doing on the Gold Coast Highway. Jobs on the Gold Coast Highway are supporting locals in his electorate. We know how tough the Gold Coast is doing it. That is why we are rolling out a record roads program on the Gold Coast and right across the state.

The global financial crisis has cut income to this government. That means that we need to continue our record spending on roads—record job-creating expenditure; record expenditure that is employing 119,000 Queenslanders. What would those opposite do? Would they have us sack these Queenslanders and stop these works tomorrow? The economic vandals opposite stand condemned because they have no plan for the future.

Road Projects

Mr SHINE: I direct my question to the Minister for Main Roads. I note that there is a flurry of road construction activity happening across the state at the moment.

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order.

Mr SHINE: Can the minister advise on the status of some of the key regional road projects that are nearing completion?

Mr WALLACE: I thank the member for Toowoomba North, because he knows how important roadworks and jobs are in regional Queensland, unlike the members opposite, the old National Party, who have deserted the people in regional Queensland. They want to sack the RoadTek workers and those good people who are building roads in regional Queensland.

The Bligh government is delivering vital infrastructure and jobs for regional Queensland. Several major regional projects have or are about to reach significant milestones in their construction. In the electorate of the member for Hinchinbrook, the \$52 million Woodlands to Veales project is helping to manage growth on the Bruce Highway in Townsville's northern suburbs. The new overpass opened to traffic on Tuesday and will ease congestion by providing better access from Bushland Beach and Mount Low to the Bruce Highway. It will provide traffic with an uninterrupted route between Mount Low and the highway. That was one of the most dangerous intersections on the Bruce Highway. The new overpass opened on Tuesday.

In the electorate of the member for Bundaberg, \$92 million has been allocated for the ring-road project, which should be completed in the next fortnight. The 7.4 kilometre section between Goodwood Road and Bargara Road is expected to open to traffic then. I am sure this will be great news for locals, and I fail to understand why the member for Burnett is running the project down. This road is the biggest single road investment that a state government has ever made in Bundaberg. When complete, it will alleviate traffic congestion on the existing road network and save considerable time for road users. It will enable heavy vehicles to bypass Bundaberg's central business district—

Mr Rickuss interjected.

Mr WALLACE: I hear the member for Lockyer chipping in as well. He obviously does not support jobs in regional Queensland and better roads. The project will enable heavy vehicles to bypass Bundaberg's central business district, improving local congestion and connectivity as well as noise and air quality for the local community.

The \$17.5 million duplication of Mackay-Bucasia Road between Phillip Street and Habana-Golflinks Road is also expected to be completed later this month.

Ms Jarratt interjected.

Mr WALLACE: I take the interjection from the member for Whitsunday. Unlike members opposite, she supports regional jobs. That is why she did so well at the state election when those members opposite tried to knock her off. She supports local jobs in her community.

Our ongoing Capital Works Program is ensuring we continue to deliver much needed infrastructure for regional Queensland. Not only do these projects relieve congestion and keep regional Queensland connected; they also provide much needed jobs for the local community. It grieves my heart to see the old National Party—those members who represent regional seats—deserting the RoadTek workers, deserting those workers who are delivering better roads, who are putting bread and butter on their table. They are deserting them in droves, and they should be ashamed.

Appropriation Bills

Mr NICHOLLS: My question is to the Treasurer. Why has the Treasurer failed to follow the practice of the last five years to lodge an Appropriation Bill (No. 2) for the 2007-08 financial year to seek proper authority for \$2.1 billion in unforeseen expenditure from this parliament?

Mr MICKEL: Before calling the Treasurer, I just want to see if that question is in order. The question is in order.

Mr FRASER: I thank the shadow Treasurer for the opportunity to place on the public record the matters relating to this before your consideration of the matter formally. As members would be aware, the appropriation bills for unforeseen expenditure do provide supplementary information to departments for unforeseen expenditure incurred during the course of a financial year. To streamline the legislation process and utilise efficiencies in drafting and introducing the bills to parliament once in the calendar year instead of twice, the appropriation for unforeseen expenditure will be facilitated concurrently with the appropriation bills. Under this approach—

Opposition members interjected.

Mr SPEAKER: Order! I will not allow interjection on this. It was sufficiently important for the honourable member for Clayfield to write to me, so let us hear the answer. It is a considered answer, so let us hear it in silence.

Mr FRASER: Thank you, Mr Speaker. Under this approach, the 2007-08 appropriation bills for unforeseen expenditure would be included in the annual appropriation bills for the 2009-10 budget. This bill will include appropriation information in relation to the 2007-08 unforeseen expenditure, the 2008-09 budget and estimated actual, and the 2009-10 vote. This approach is consistent with current practice in other states such as Victoria and Western Australia and is similar to that in New South Wales.

This is consistent with the Financial Accountability Act regarding the end of year process—the Financial Accountability Act that was passed through this parliament with the support of both sides in the last sitting of the parliament. Amounts charged as unforeseen expenditure are disclosed to parliament as part of the consolidated fund financial report, which is audited by 30 September and tabled within two weeks of that, consistent with the requirement of the new Financial Accountability Act passed by this parliament with the support of both sides of parliament at the last sitting. That was an accountability that was enhanced by the new Financial Accountability Act that was voted for by both sides of the parliament and passed through the parliament at the last sitting.

The combining of the appropriation bills for unforeseen expenditure with the annual appropriation bills will mean that, for unforeseen expenditure, that information will form part of the material that will be reviewed by the estimates committee. To be very clear about this, it is entirely consistent with the new Financial Accountability Act that was introduced to the parliament and voted for by both sides of parliament and subject to debate. This is entirely in accord with the legislative framework, and the consolidated fund financial report is brought forward and tabled in the parliament earlier, which forms the very basis of the accountability mechanism for why the member for Clayfield in fact had an informational basis to ask this very question. That means that the framework works. That means that finances are accounted to the parliament, and there is absolutely no question that all of that operates in accordance with the financial accountability legislative framework of the state.

Great Barrier Reef

Mr PITT: My question without notice is to the Minister for Climate Change and Sustainability. I refer the minister to the Premier's ministerial statement earlier regarding new legislation to better protect the Great Barrier Reef, and I ask: Can the minister inform the House about the scientific basis for the legislation and industry input into how it will be implemented?

Ms JONES: I would like to thank the honourable member for the question. It is very fitting that as we head into World Environment Day tomorrow we will soon have a bill before the House that will help heal and protect the Great Barrier Reef for future generations. Our government promised Queenslanders that we would introduce new regulations to reduce the amount of pesticides and run-off coming into the reef. Less than 80 days after being re-elected, we are delivering on that promise.

There is no denying that the reef is under threat. We have the best scientific evidence to support this. In 2006, leading reef scientists found a marked decline in the richness of coral for 400 kilometres right next to catchments dominated by these industries. In 2008, scientists confirmed the presence of sediment, nutrients and pesticides in the reef up to 60 kilometres offshore in amounts that would cause it harm. In catchment waterways more contaminants were found where there was more agriculture. It is quite clear that current interventions are not working fast enough.

Mr Messenger: What about the cities and the sewage run-off?

Ms JONES: It is very interesting to hear the murmurs from those in the opposition this morning. Once again, it highlights to all members of the public that those opposite are in constant denial. They deny that climate change is real. They deny that there is a global economic crisis. Even this morning they denied that investing in national parks is a good idea. Now they are denying all the science which clearly demonstrates that pesticides in the reef are causing harm. We have a responsibility to act, and we will.

I know there is a view, and I have met with the Canegrowers association. I went to the Canegrowers council meeting yesterday. I know there is anxiety out there. A lot of canegrowers have moved towards more sustainable practices and are doing the best they can to reduce their use of fertilisers. What we are saying is that we want to work with industry to ensure that all canegrowers step up to the mark in this regard.

We will ensure a minimum standard. That is that all producers are maintaining records, calibrating their fertiliser application and exercising caution when they apply. I want to make it very clear: this is not about demonising any particular industry or farmers; this is about working with industry for the best results for the reef. It is about protecting the Great Barrier Reef for future generations.

I advise the House that I have spoken to AgForce and Canegrowers and outlined that I will set up an implementation task force so that we can work together to make sure that the tools we put in place will not only deliver the best outcomes for farmers but also deliver the best outcomes for the protection of the reef.

Building the Education Revolution, Department of Public Works

Mrs STUCKEY: My question without notice is to the Minister for Public Works and Information and Communication Technology. Will the minister confirm that Queensland schools will never see around 20 per cent of the federal government's so-called education revolution funds because they are being siphoned off by his department?

Mr SCHWARTEN: I have been overwhelmed with the attention I am receiving here today. I am overwhelmed with it. I am beside myself. I can hardly control myself. Obviously the new shadow minister is overwhelmed by her greatness also, because she has asked the question of the wrong minister. The honourable member did have a briefing on this, which we offered to her. For the information of the member, the stimulus projects are with the Minister for Education. I am unable to answer the question because it is simply not under my control.

An opposition member: You do the building.

Mr Springborg: Do you project-manage it or not?

Mr SCHWARTEN: Mr Speaker—

Mr SPEAKER: Minister, if it does not come under your province, the question is probably out of order.

Mr SCHWARTEN: Mr Speaker, I get these opportunities so infrequently I am not going to let this opportunity go by.

Mr SPEAKER: Under those circumstances, you can continue.

Mr SCHWARTEN: The stimulus package—I will explain it; unfortunately I do not have it in cartoon form here to help those opposite understand it better—is in two parts. One part is being delivered by the education department. That is naturally enough pertaining to schools. Our role in that is to procure the contractors.

Opposition members: Oh!

Mr SCHWARTEN: I am astonished by the interjections. People who have been in this parliament for a long time still do not understand what the public works department does, aside from the fact that it always features high on their privatisation list.

I am aware that all expenditure has federal government guidelines and those guidelines will be adhered to. That is the reality whether it is a school project or it is part of the \$1.2 billion worth of housing we are rolling out. I cannot understand the lack of understanding that those opposite have.

Opposition members interjected.

Mr SCHWARTEN: Well, you opposed the stimulus package. The members opposite opposed the stimulus package. Now they want to show some interest in it. I bet them any money they like that for every school—and all public housing; not public housing because you are crooked on that—in their electorate that gets a new building they will be out there getting a photograph and standing there as proud as punch in front of the new infrastructure at the school.

(Time expired)

Pool Safety

Mrs KEECH: My question without notice is to the Minister for Infrastructure and Planning. Can the minister provide an update on the government's commitment to review pool safety laws?

Mr HINCHLIFFE: I thank the honourable member for her question. The Bligh government is strongly committed to its Q2 ambitions, as we have heard a number of times this morning. Pool safety laws will help deliver a safe and caring Queensland.

In December last year the Premier announced the most comprehensive review of Queensland's swimming pool safety laws in nearly 20 years. As part of this review, an independent swimming pool safety review committee was established to look at key areas of swimming pool safety and identify improvements to help reduce toddler drownings. That independent swimming pool safety committee was made up of a range of stakeholders from industry and people interested in the process.

The committee's report was released for public comment in April and comment closes tomorrow. I know that there are a number of members in the House who have assisted in promoting the opportunity for people in the community to have their say on this important issue across the length and breadth of Queensland. I thank them for that.

During the six weeks of extensive public consultation the Department of Infrastructure and Planning hosted a series of roadshows to assist with that process. They were held in centres such as Mackay, Townsville, Cairns, the Sunshine Coast, Mount Isa, Rockhampton, the Gold Coast and Brisbane. I attended some of those forums to hear firsthand what people had to say about the committee's report.

These forums have provided an important opportunity for the community, local governments and industry to ask questions and have their say on the committee's report. Sadly, the report highlights that, even though current pool fencing safety legislation has been effective in reducing drownings by 60 per cent since it was first introduced by a Labor government in 1991, in the last three years 18 Queensland children under five have drowned in private swimming pools.

That is why the government will not make any compromises when it comes to toddler safety. Proposals have been put forward around mandatory inspections for new pools and inspections at the point of sale or lease of properties. The report also identifies that it is those first six months after a change of hands of a property that the greatest danger exists for toddlers. If we can save one young life through this review it will have been invaluable.

Nanango Electorate, Bridges

Mrs PRATT: My question is to the Minister for Main Roads. Bum Bum, Back and Emu Creek bridges on the section of the New England Highway in the Nanango electorate have been reduced from dual- to single-lane bridges. Will funding from the sale of the people's assets go to reverse this retrograde step along this major rural and regional thoroughfare?

Mr Lucas: How much money has been spent in your electorate on the Regional Bridge Renewal Program?

Mr SPEAKER: Order! Deputy Premier.

Mr WALLACE: I thank the honourable member for her question. As the Deputy Premier has pointed out, this government has embarked upon a major program to rehabilitate and renew regional bridges right across Queensland. Indeed, this is the first time that we have done this on such a large scale. I remind the member for Nanango that unless we on this side of the parliament have the courage to take this action and combat the global financial crisis head on there will be no further funding for such programs as that Regional Bridge Renewal Program, there will be no further funding for regional roads across Queensland, there will be no funding to employ those 25,000 Queenslanders who are building better roads across Queensland with our \$3.2 billion Capital Works Program.

It was not an easy decision. There are no easy decisions. But this government, with the Premier at our head, had the courage to take this decision and face the global financial crisis head on. I ask the member for Nanango to think about what would happen if one-third of her income was cut. She would then have to make some very drastic decisions. The decision this government has made is to preserve our road funding expenditure of \$3.2 billion this year meaning 25,000 jobs. The alternative would have been too drastic to contemplate: sacking our road workers, sacking those RoadTek people who live in the member's electorate.

Ms Bligh: That was their policy—three per cent of them gone.

Mr WALLACE: I take the interjection from the Premier. Their policy was to sack 12,000 workers, workers from the member's electorate, RoadTek workers who build our roads, Main Roads staff who help maintain our roads. We need to make the tough decisions on this side of the House to face this global economic crisis. That is what we are doing. I am proud to be in a government that puts 25,000 jobs in my department and better infrastructure for a growing Queensland first.

It is not only one-third of our income that we are going to have to cut. We have more relatives moving in so we have to expand. Immigration from overseas and from interstate is continuing. We have to build a better Queensland. The alternative, member for Nanango, was no better roads if we did not take this drastic step. We have done it and I am proud to be in a government that is building better roads for Queensland.

Public Hospitals, Waiting Times

Mrs SULLIVAN: My question without notice is to the Deputy Premier and Minister for Health. Minister, can you please inform the House about the Bligh government's efforts to publicly report on hospital waiting lists?

Mr SPEAKER: Could I hear the question again?

Mrs SULLIVAN: You want me to repeat the question?

Mr SPEAKER: Yes, if you would not mind.

Mrs SULLIVAN: My question without notice is to the Deputy Premier and Minister for Health. Minister, can you please inform the House about the Bligh government's efforts—

Mr SPEAKER: Will the member rephrase the question.

Mrs SULLIVAN: My apologies. Can the minister advise the House about the Bligh government's efforts to publicly report on hospital waiting lists?

Mr LUCAS: I can. Queensland has the most rigorous public and transparent reporting system in the country. Now other states are following our lead. Our government undertook to collate this data and provide these reports quarterly and has continued to do so. We have had such great interest in the report from the opposition that in three sitting days this week we have not had one question from the shadow minister about it.

Mr Horan interjected.

Mr LUCAS: Sorry? I do apologise, the former health minister was concerned that we should highlight his reporting when he was health minister. I have got it here. It is this. When the member for Toowoomba South was the health minister this was the public reporting that he did. I thank the honourable member for drawing his record to the attention of the House.

On Monday the member for Caloundra said that the government should release the list. On Tuesday morning he said the government should release the list. So on Tuesday morning I tabled the list. On Tuesday afternoon what did he say? The government should not have released the list. It was the 'yeah, but no, but yeah, but no, but yeah, but no' policy of how you release lists.

This is about having a list that is open and accountable. This is about confronting the issues contained in this report. The report states that in the last three months we have tackled the long waiting lists particularly in category 1. Some of those, in fact, have halved from 259 in April 2008 to 128 this quarter. Our ED waiting times have continued to improve. They still need to go further. And of course, as I indicated, the area that we need to do even more on is outpatient waiting lists. We do not know what the member opposite would have done because, of course, he did not report it. But let us leave the last word to that great supporter of the government, Dr Chris Davis. He says in a media release that these are some of the better quarterly figures we have seen from Queensland Health. That is like getting 100 out of 100 from Bernard King on *Pot of Gold*.

Mr Gibson: What show is that? I will have to go to the archives.

Mr SPEAKER: My trouble is that I can remember the show.

An opposition member: How did you go?

Mr SPEAKER: It is not question time of the Speaker.

Public Hospitals, Waiting Times

Mr McARDLE: My question without notice is to the Minister for Health. The last radiation oncology waiting time report was released in September 2008. I table a copy of the report for the benefit of the House.

Tabled paper: Document titled 'Next available time to start Radiation Treatment in Queensland Health facilities', undated, relating to treatment waiting times for the period July 2007-September 2008 [331].

Can the minister explain why the reports for the last two quarters have not been released and undertake to release these immediately?

Mr LUCAS: I will reiterate that we believe accountability is important. I believe it is important to have a regular reporting regime of things such as radiation oncology and I intend to institute that regime, unlike he did when he was in government.

Social Housing

Ms JOHNSTONE: My question is to the Minister for Community Services and Housing and Minister for Women. Last week at my request the minister inspected progress of a six-unit social housing complex in Hyde Park in my electorate. Can the minister advise how many more projects are planned for the north?

Ms STRUTHERS: I commend the member for Townsville. She is a strong supporter of social housing. There are exciting times ahead for people who rely on social housing. Let me ask members a question: how many new social housing dwellings are we rolling out in Queensland? The answer is 4,000. We put out a call for builders, developers and not-for-profit organisations to get their bids in for a share of the \$1.3 billion package. Bidding closed on Monday. The response was terrific from builders around the state. All are keen for a piece of the action. We received 1,300 submissions from around the state offering more than 18,000 new dwellings. They are now being assessed and I am confident North Queensland will get its fair share.

This is about building homes for people who need them most and jobs for workers in the state's building industry. Even in the face of the worst economic crisis since the Great Depression Labor will never give up on workers—unlike the opposition. It wants to cut jobs. It wants to give people less security in their lives. I am talking about housing that will give security for people across the state. We will deliver thousands of jobs and thousands of new homes.

We are doing everything that we can to help the homeless but if it is left to governments alone it will never work. We need the wider community behind us. We need their support. For as long as there is prejudice and suspicion about social housing tenants we will face an uphill battle. I urge all members today and the community at large to support social housing. Members know that the vast majority of tenants in social housing are good people who take care of their home. It is their pride and joy. As I told the House yesterday, they feel like they have won lotto when they move into these properties. I ask members of the community, next time there is a social housing application in your neighbourhood, to think twice before objecting. Think about the person who is living rough with no roof over their head and no place to call home. The Bligh government is backing social housing all the way and we want the community and all the members in this House to get right behind us.

Chinchilla Hospital, Maternity Services

Mr HOBBS: My question is to the Deputy Premier and Minister for Health. Can the minister confirm whether the Chinchilla maternity ward has been secretly closed?

Mr LUCAS: I will make some inquiries. I am not aware of it, but I will check into it.

Mr SPEAKER: Order! Question time has expired.

GREAT BARRIER REEF PROTECTION AMENDMENT BILL

First Reading

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (11.29 am): I present a bill for an act to amend the Environmental Protection Act 1994 and the Integrated Planning Act 1997 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Great Barrier Reef Protection Amendment Bill [332].

Tabled paper: Great Barrier Reef Protection Amendment Bill, explanatory notes [333].

Second Reading

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (11.29 am): I move—

That the bill be now read a second time.

This bill delivers on the Bligh government's election commitment to introduce a regulation to reduce the discharge of dangerous pesticides and fertilisers capable of killing what is arguably Queensland's, if not Australia's, finest natural asset—the Great Barrier Reef. The Great Barrier Reef World Heritage Area is the world's largest coral reef ecosystem and one of the most complex natural systems on earth. It directly contributes \$5.8 billion annually to the economy and supports approximately 63,000 jobs. This includes jobs in the tourism and hospitality industries, such as hotel workers, dive boat enterprises and tour operators. It includes the jobs in our commercial fishing industry, bringing fine Queensland seafood to the world. It includes jobs in the recreation industry, like charter boat operators and the recreational fishing industry.

The fact that the reef is under threat cannot be ignored. Climate change and the crown-of-thorns starfish are putting the reef in serious jeopardy, but another threat comes from agricultural pollution. This is a threat that can be addressed.

The *2008 Scientific Consensus Statement on Water Quality in the Great Barrier Reef*—a report prepared by a task force of eminent scientists—says that—

...water discharged from rivers into the reef continues to be of poor quality in many locations and that land derived contaminants, including suspended sediments, nutrients and pesticides are present in the reef waters at concentrations likely to cause environmental harm.'

In 2003, the Queensland and Australian governments made a 10-year commitment to the Reef Water Quality Protection Plan—reef plan—to address the diffuse pollution from agriculture, specifically broadscale land use, and to halt and reverse the decline in water quality entering the reef. One of the key strategies of reef plan is to help farmers adopt best management practices. Reef plan says that there is a need for immediate regulation and future regulation 'where there is a risk that voluntary approaches will fail to deliver significant water quality improvements'.

Credible and undeniable science is telling us that the voluntary approach is not working and will not deliver the 2013 goal of reef plan—to halt and reverse the decline of the quality of water entering the Great Barrier Reef lagoon. If we want to do all we can to save the reef it is time for earnest intervention action.

The Great Barrier Reef Protection Amendment Bill introduces provisions to reduce the impact of agricultural activities on the quality of water flowing into the Great Barrier Reef. It contains both prescriptive requirements and a risk management approach that will expedite change in farm management practices that cause pollution at least cost.

The bill establishes a new chapter in the Environmental Protection Act. This ensures regulatory efficiency by building on existing, well-tested administrative and enforcement provisions, such as appeals, investigations and enforcement tools.

To reduce the impact of the regulatory requirements, the bill has been tightly targeted to apply to the highest risk activities in selected Great Barrier Reef catchments. The bill applies only to the priority catchments of the Wet Tropics, Mackay-Whitsunday and Burdekin Dry Tropics due to the amount of land based pollutants originating from these areas and their proximity to offshore reefs.

The activities prescribed by the bill are cattle grazing on properties with over 100 head and commercial sugarcane farming. These activities encompass the greatest land area in the catchments and are therefore the highest pollution contributors. However, and I want to reiterate this point, farmers who have acknowledged their responsibility for the health of the reef and have voluntarily adopted sustainable agricultural practices should not be adversely affected by this bill.

Underpinning the bill is a requirement for operators to keep records of the application of agricultural chemicals, fertilisers and soil conditioners, soil-testing results, and cattle stocking rates. This may appear to be seeking confirmation of a fundamental farm management activity, but this simple requirement will build a picture of management practices in the catchments, and help farmers make better management decisions for their businesses and for the reef in the future.

There is no debate to be had that applying too much fertiliser increases the risk of run-off into watercourses that flow to the reef. This bill requires operators to closely manage their application of nitrogen and phosphorous by soil testing, calculating an optimum application rate and applying fertiliser at no more than that optimum rate. This will reduce the incidence of overfertilisation that results in nutrient run-off into waters. A methodology for calculating the optimum rate may be prescribed by a regulation and the Department of Environment and Resource Management will develop a calculator to help farmers establish their optimum fertiliser rates. This will be made available online, on disk and in a paper based format. Training and support will be made available to assist farmers to adjust to the new requirements.

As an additional benefit, ensuring that fertilisers are applied at no more than the optimum amount will save farmers money through reduced fertiliser loss. In the Mackay-Whitsunday catchment it is estimated that some 60 per cent of fertiliser applied is lost to the atmosphere in run-off or remains in the soil. At current prices of between \$800 and \$1,250 per tonne, this is no small amount of money lost to the environment.

Environmental risk management plans, commonly referred to as ERMPs, will build on the more specific regulatory requirements of the bill by entrenching the adoption of best management practices for higher risk operators. Based on risk and hazard assessment, these plans are a way that farmers can clearly deliver solutions to water pollution with measurable targets while ensuring flexibility to take account of new technology and changes to management practice. Draft plans will be submitted to the department for accreditation.

Again, these requirements will not affect property owners and farm managers who are already doing the right thing. Those with existing environmental management plans, whether voluntary or prepared for another purpose, that meet the requirements for environmental risk management plans can submit those to the department for accreditation.

Environmental risk management plans will be required for sugarcane-growing properties of more than 70 hectares in the Wet Tropics catchment and cattle-grazing properties of more than 2000 hectares in the Burdekin Dry Tropics catchment. However, as the minister responsible for administering the Environmental Protection Act, I will also have the power to declare an environmental risk management plan where necessary on a needs basis to improve the quality of water leaving the property or to prevent environmental harm.

The decision to extend the environmental risk management plan requirement to identified hot spots will be based on best available evidence. For example, a hot spot may be identified by using remote sensing data to locate properties with high risk of sediment loss due to low groundcover or using water quality monitoring to identify areas with high nutrient impacts. However, an environmental risk management plan may also be required on an individual property basis as a compliance tool for poor operators.

There is no direct offence for failure to comply with an environmental risk management plan. Instead, an authorised officer may issue a direction to a farmer to take or stop action to ensure implementation of the environmental risk management plan. Failure to comply with a direction notice will be an offence with a maximum penalty of a \$30,000 fine for individuals.

For some of the worst-performing farmers, meeting the requirements of the bill will prove challenging. I will ensure that a comprehensive communication and extension program is in place to support landholders with all the tools, assistance and advice necessary for a smooth transition to compliance.

The Great Barrier Reef Protection Amendment Bill must be considered as a stimulus—an incentive to take immediate action to target water pollution at the source, an encouragement for a permanent shift to sustainable agricultural practice and a valuable adjunct to existing reef management initiatives. I commend this bill to the House.

Debate, on motion of Mr Elmes, adjourned.

LOCAL GOVERNMENT BILL

Second Reading

Resumed from 22 April (see p. 72), on motion of Ms Boyle—

That the bill be now read a second time.

Mr HOBBS (Warrego—LNP) (11.39 am): I am pleased to rise today to speak on the Local Government Bill 2009. This is a total rewrite of the Local Government Act that has been in place in Queensland for a long time. It condenses the previous act of some 1,100-odd pages to about 300 in the new bill. So it is a more streamlined bill. The previous act was a high-volume act based on process and relied a lot on legal interpretations to resolve local government issues. The new bill is principles based. At this stage I believe we may have a good piece of legislation and I would like to go through that in some detail.

Local government has a proud history in Queensland over some 113 years, commencing as divisional boards. Interestingly, when the previous Premier conducted the forced amalgamations he said that we had to do away with the 100-year-old boundaries. In fact, the boundaries that many of the councils are using now are very similar to those old divisional boundaries; the boundaries we have now are very old.

Local government was officially recognised in the Queensland Constitution in about 1988. Since then there has been a general decline in the relationship between the state and local government, particularly after local councils have been elected. A number of issues have led to that decline in relationship. I remember the mayors in their robes marching on parliament when the government wanted to introduce a charge on their QTC borrowings.

We have seen cost shifting. We have seen the responsibility for fire and building inspections placed on local government with the huge costs that go with that. The State and Local Government Protocol was drafted to ensure that consultation was undertaken on legislation before the parliament. That was broken so many times it was not funny. There was no consultation. We saw the state takeover of bulk water assets from local governments. That was just a money grab. At the end of the day, the government thought it was going to get more money out of this than it actually did. It found it more difficult than it expected. Now we have ended up with a crisis in water that will escalate dramatically this year.

Planning powers have been taken away from local government in many ways under the guise of regional planning. However, the reality is that the Labor Party coffers have been boosted by that scheme. As we all know, the forced amalgamations have been debated in this parliament on numerous occasions. Generally speaking, it has resulted in a huge impost on local government of some \$200 million and it is increasing. Even now we are finding out about unintended consequences such as the superannuation costs that councils now have to pay, and there are changes in this bill to rectify that.

The councillors themselves have been working hard to try to make their way through the forced amalgamations. We have seen rates increase dramatically. I know some people may argue—and it is quite true—that the revenue of some of the bigger councils has dropped because of the decrease in development. However, that is certainly not the case for a lot of other councils; development is still quite strong but they have had to face huge costs.

If local government were a person it would have been eligible to take out a restraining order against the government for abuse and bashing and it would have been eligible for a fair share of assets taken and costs imposed. This legislation, however, is one of the few bills to come before this parliament on which good consultation has occurred. We are lucky that the parliament was prorogued because a lot of changes that needed to be made have subsequently been made. Out of some 45 recommendations of the Local Government Association of Queensland more than 33 have now been put in place. That is very positive.

I was intending to go through this bill in great detail—not necessarily forensically. However, the guillotining of the bill has made that difficult as other members of the parliament want to speak to it as well.

Mr Robertson: Give me a break! You haven't done any work; that's the problem.

Mr HOBBS: I have done plenty of work, all right. I had intended to talk for quite some time on this. However, I will go through it the best way I can to cover most of the important points.

The bill provides a principles based framework for decision making and governance, and it gives local governments the flexibility to decide processes that suit their size, location and administrative circumstances as long as the processes are rational, justifiable and transparent. This is principles based legislation, which is a bit different from what we have had in the past. As I said at the outset, the idea is quite sound. It will allow practitioners to focus on outcomes and develop their own operational procedures and processes. The legislation will no longer contain detailed descriptions of roles and responsibilities, which will be set out in regulations. We have not seen the regulations—and I do not believe the Local Government Association has seen them either. The minister can confirm this in his reply, but I understand that a working group is going to be convened to work through those regulations before they come into being and to oversee whether the regulations do dovetail in with the legislation. This is a positive move. This bill also applies to the Brisbane City Council where a matter is not covered by the Brisbane City Council act. This legislation is quite wide ranging.

The legislation empowers local governments to do anything that is necessary or convenient to provide good governance and deliver high-quality services to their communities. As local government power is drawn from the state, a local government can only do something that the state can legally do. It provides for all local governments to take account of Aboriginal tradition and Torres Strait Islander custom, thus promoting greater consideration of cultural matters in all local government areas. This is particularly important when we travel around Aboriginal communities and to the Torres Strait, because they are different and they maintain that they are happy to be different. We need to recognise that, and that does not happen in many instances where Aboriginal and Torres Strait Islander communities are lumped in together. There needs to be a recognition by this parliament that they are different and we should have respect for those people.

There are many effective kinds of collaborative arrangements operating between local government and others, as well as the formation of regional local governments, and this bill does allow that to occur. The bill supports these arrangements even further by legislating for the possibility of partnerships for multiple purposes such as managing a resource, providing services and/or operating facilities. That does give a wider scope in this day and age for councils heading into enterprises, which I will deal with later on. The exercise of power outside a local government's area as part of a joint government activity is by local law, with the agreement of the relevant government or governments.

The responsibility of councillors is an issue that has been raised in many forums, particularly in recent years. This bill goes into a great deal of detail in relation to councillors and their responsibilities. Local government legislation is about striking an appropriate balance between the roles of elected members and those of council employees. Of particular importance is clearly defining the separate roles of the mayor and the chief executive officer of the local government and their relationship. I want to go into some of the details of that.

Councillors are a collection of elected members who constitute the local government executive arm, which makes local laws and decides policy and other matters at a strategic level. The local government appoints a CEO to implement the decisions of the executive arm by overseeing the work of officers of local government in the administrative arm at an operational level.

The responsibilities of the mayor include being the agent between the executive and officers of local government by directing the CEO. Officers provide advice and options to the executive, through the CEO, about implementation of decisions of the executive as well as actually implementing policies and decisions.

The responsibilities of councillors, including the mayor, who must have a strategic approach, are similar to those of a board of directors. To a certain degree, I think we have to be a little cautious about how far we go with describing them as a board of directors. I do not think it is necessarily a role of a councillor to become too isolated from the people they are elected by. This unfortunately can happen. I think that is the one fault in this bill. The forced amalgamation of councils has in fact done that. In many instances the numbers of constituents has risen dramatically and councillors cannot do the normal things they used to do.

In the past, if a ratepayer wanted to find a councillor they could go to a local store or business and they would find one. Now, if they want to see the mayor and he lives in a faraway town they might only see him at the Anzac Day parade giving a salute. That is an issue particularly in the smaller communities throughout Queensland. I do not think describing them as a board of directors is the right thing to do. Local councillors are meant to be close to the people, and they need to ensure they carry on that role and not lose contact with the people.

Only the mayor has the power to direct and to manage the CEO. The mayor must establish and manage a professional working relationship with the CEO and provide the CEO with feedback on performance. The responsibility for conducting the CEO's performance appraisal lies with the mayor. However, council may decide the appropriate means of conducting the appraisal. There has always

been contention in relation to the role of the CEO. Some councillors who perhaps get a bit aggressive and too strong interfere as well. There has to be a balance. At the end of the day, there needs to be a good working relationship and mechanisms in place that allow councillors to have genuine input into decisions that they see as important in their council or their divisions. We do not want to have blockages that have occurred and can occur. The mayor proposes the adoption of the budget, which is a different process from that which existed in the past.

In relation to the responsibilities of local government employees, local government employees manage their duties to enable local government to meet its responsibilities. Employees are guided by work performance and conduct principles. These principles are a combination of ethical obligations—that is, carrying out duties with impartiality and integrity.

The responsibilities of the CEO, as the head of the administrative arm of local government, are outlined in the bill. The line management role and separation of powers is emphasised by the responsibility for appointment of all local government officers, including senior officers. The local government may decide recruitment and merit selection policy, the budget and employment policy, which guide the CEO's recruitment and selection process. Obviously, as I said before, there has to be a good system that does allow this to work properly. It does not need a board of directors sitting at the top, turning up for a meeting and then losing control of the whole operation.

Divisions of local government areas are based on Labor's one-vote, one-value principle. Many councils have no divisions because the one-vote, one-value system is just not fair. It just does not work.

Mr Robertson: Old habits die hard, don't they, Howie?

Mr HOBBS: You would not know, Minister. You would not even know the difficulties involved.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Member for Warrego, you will refer your comments through the chair, as will the minister.

Mr HOBBS: Thank you, Mr Deputy Speaker. In some of those rural areas, such as the Diamantina shire in which Birdsville and Bedourie are the main towns, there are great difficulties in making the numbers work. So it is not as simple as that. That is one of the main reasons they elect to have a whole of shire and no divisions.

In relation to changing a local government area, name or representation, to maintain the principles of democratic representation a change to the name or area of a local government or to the number of councillors representing a community must be undertaken in a transparent and accountable way. The present process is too slow. The processes are quite good, but the biggest delays seem to be here in Brisbane. The councillors can go out and do their consultations. Recently the Roma Regional Council and the Dalby Regional Council underwent a name change to the Maranoa Regional Council. They underwent a name change and the delays were quite extraordinary. It was basically held up down here. So we need to speed that up and we need to ensure that if we are going to have a system then we need to make it work. I was going to go into more detail on amalgamations but I think I will do that later if I have time.

In relation to the process for change, a local government or the Electoral Commission of Queensland may generate an application for a change. Only the minister will be able to make an application for a change to those decisions affected as part of the 2007 structural reform process. The potential for contradiction of parliament's reform intentions and the associated waste of public money in assessing these kinds of proposals is minimised. Maybe the minister could explain what sort of proposed waste of public money is likely to occur. I am referring to clause 18, so maybe the minister's staff could have a look at that.

The reform process, as we all know, was questionable. The outcome was less than satisfactory. It has cost money which the government is not prepared to pay. The ratepayers have to pay because the government has not got the ticker to find the money for them. So there has been a huge waste of money. The question I ask is: why should the Electoral Commission of Queensland be able to generate an application for a change? I would have thought local government or perhaps the minister could do that. I do not have a lot of faith in the Electoral Commission, particularly when it comes to running council elections. It was a hell of a mess the last time.

The Local Government Change Commission will be established. The intent is for the electoral commissioner to have the discretion to choose the composition of the commission based on who would be the most appropriate to assess a particular application. I think there should be a formula for putting together a commission. I do not have a lot of faith in the Electoral Commission to do that properly. If the commission needs people, it just seems to get a few off the street who do not have a lot of skills.

Local laws are obviously an important part of local government. They would not be able to operate without local laws. Local laws are defined in the Statutory Instruments Act, showing that the power to make a local law is functionally a delegated power from the state government. Under the

Legislative Standards Act, the Office of the Queensland Parliamentary Counsel is empowered to issue guidelines for the drafting of local laws to ensure they are consistent with the drafting principles applied to the drafting of subordinate legislation.

This bill provides for a simplified local law-making system that gives local governments the power to make and implement local laws via their own processes. Obviously, there are local laws that the state government can make that councils can adopt as a model, and in many instances they are quite good. There needs to be some consistency in terminology across the whole state and that has not occurred with local government, particularly in the planning side. We need to have consistency. While we want local governments to be masters of their own destiny and keep their planning regimes, the reality is there needs to be continuity with the terminology used.

The minister has a power to make model local laws. A model local law is developed by the department to be sufficiently generic and encompassing to cover the majority of local governments. The bill provides a local government with a head of power to make a local law that is necessary and convenient for the good rule and local government of its area. These local laws can vary and they need to be regularly updated as well. There is a bit of obscurity in relation to the time that is needed to revise those local laws.

Election advertising is a contentious issue that always comes up. At every election, councils tend to want to have a lot of say on election signs. The reality is they do not have the power or the authority to interfere with that and members of this House need to be aware of this. It is important to talk to your council. If they have some particular bee in their bonnet about election signs or whatever, members should talk to them about it and try to work with them but the reality is the councils have no authority. The bill provides that a local government is prevented from making a local law about election advertising. A local government must not make a local law which purports to prevent a candidate from distributing how-to-vote material and election signage which may create unfair conditions for some candidates in local government elections. That does not just apply to local government elections; it is for any election. That issue is pretty well covered in the bill.

Local governments also conduct beneficial enterprises as part of their day-to-day business. In general, the conduct of these enterprises is governed by the local government principles and the financial sustainability criteria in this legislation. The intent of this division in the bill is to extend opportunities for local government viability and sustainability by widening investment in own-source revenue initiatives. Enterprise powers allow local governments to enter into an enterprise that grants a benefit to the area with minimum red tape.

Local governments do need flexibility. However, I do not believe that local governments should go into business in competition with local businesses in their area. In the larger councils and cities, it can be a bit diluted so it might not matter as much, but in the smaller councils if there is somebody out there who runs a business and the council goes into competition with them, all that will mean is that the private enterprise person will lose because the council will probably have the resources to knock him or her out of business.

So beneficial enterprises are covered quite well by the bill. The bill stipulates that the conduct of a beneficial enterprise must be financially sound and comply with local government acts. It sets out the powers a local government may exercise in conducting a beneficial enterprise. It is a pity the state government does not have some of this. If it did, we would not be so broke in Queensland.

In relation to planning for a beneficial enterprise with the private sector, the bill provides that additional requirements apply if a local government plans to invest in a beneficial enterprise with the private sector. The local government must identify the planned investment as a capital expense in its budget. If a local government does not identify the investment in the budget or if the planned investment is more than an amount prescribed by regulation, the local government must seek approval from the department's chief executive before the investment is made. The regulation will include necessary approval processes. That is particularly important. Local governments need to have the opportunity to supplement their income, and I have no problem with that. I think it is particularly important though that they manage it carefully and ensure there are no other consequences to local businesses in their area.

There is a prohibition on loans to directors in the bill, which of course there should be. Councillors generally do not have issues with this. The Auditor-General has picked up a few in North Queensland that have some consequences there, but obviously this bill clearly sets out that it cannot occur.

The bill imposes a duty on directors of corporate entities not to incur a debt on behalf of the entity where the entity is, or the director has reasonable grounds to suspect that it will become, insolvent. The state government should take a lesson from that as well.

In relation to the control of roads, obviously roadworks are a very important part of the responsibility of local governments. This bill provides a local government with a head of power to control roads and it lists those activities included in that control. Councils have the ability to pay compensation for land when they have to acquire land to widen a road or whatever the case may be.

In relation to closing roads, the bill gives a local government the power to close a road either permanently or temporarily if there is another road or temporary road available for use by traffic. In certain circumstances, a local government may close a road even if there is no alternative route. While I think it is always a responsibility of council, they should ensure that when roads are closed there is adequate access down the track for those particular blocks of land. We have had some cases where people have bought land and there is no official access. When that happens, it creates a lot of work and it is a real hassle to try to get a new access road in place.

The bill also deals with the business of Indigenous regional councils. The Northern Peninsula Area Regional Council, the Torres Strait Island Regional Council or another local government prescribed under a regulation are Indigenous regional councils. They have specific additional functions to other local governments because of the need to manage land trusts and particular changes when they were established as Indigenous regional councils.

Indigenous regional councils are trustees of land held as a deed of grant in trust and some contiguous land in their local government area. They manage these lands and any assets on it. This has been brought about by amalgamation, and there are a lot of issues in the Torres Strait in particular in relation to this. It is my firm belief that those local people should be able to control their own deed of grant in trust land. I guess what we have got here is that it has to be approved because it is the only way it can work under the present forced amalgamation, but I believe those individual councils should have more say in how they do that. There is a lot of detail in the bill about the processes involved, meetings about trust and things like that.

Mr O'Brien interjected.

Mr HOBBS: Don't you talk. They hunt you out when you go up there.

Mr O'Brien: They re-elected me.

Mr HOBBS: Only just though. You went from about 10½ per cent to about 2.5 per cent.

Mrs Sullivan: You've been through that before, Howard.

Mr HOBBS: We all went through that before.

The bill contains a section on community forums. To recognise and protect Torres Strait Island custom and Aboriginal tradition, each Indigenous regional council, including each division of an Indigenous regional council, may have a community forum. They are an important part of the process for those communities.

Under the section in the bill on finances and accountability is a bit about rates and charges. This is quite a large portion in the bill but I am running out of time. Rates and charges are a key mechanism by which local governments in Queensland raise own-source revenue. Local governments need to have the ability to be able to put rates and rents on all the land. There are some changes in the bill in relation to land below the high watermark. In this day and age, there is a lot of development there and under this bill councils will be able to charge people a service fee for buildings or whatever they have below that watermark or if it is being used.

The bill mentions that implementing a new rating system would be prohibitively expensive and unduly complex. I do not think the use of unimproved capital value is the best way to determine rates. It is an old wealth tax that is totally out of proportion. Valuations are not up to date, and even if they were up to date it disjoins the whole process. We need to look very seriously at changing from the use of unimproved capital value to determine rates.

The mandatory financial sustainability criteria must be met by local governments setting up systems to meet them. Financial risks must be managed prudently. The minister commented at a conference recently that the federal government is looking at putting in place national guidelines for the financial control and financial management of council finances. I do not think we need lectures from the state government or the federal government on finance matters. We have never seen a worse lot of financiers than the Labor Party, both the federal and state governments. By the same token, it is quite reasonable that councils have to manage their affairs prudently and ensure they have good financial management structures in place. That is particularly important.

The financial accountability of councils is also dealt with in this bill. The bill provides that, if money is misappropriated, councils have to pay it back, which is pretty good. There are other mechanisms to assist in relation to working out whether there has been any misconduct.

There are quite a few issues that need to be covered. I do not know whether we need to have stormwater drains and road levels, for instance, in this bill. I think that could go into regulations rather than being in the bill. It would probably further reduce the amount of paperwork.

Regarding financial advisers and financial controllers, we could always put this in place in the past, but it is probably better defined in the bill. If councils do get into financial trouble, they can appoint advisers and financial controllers. If a council has made an unsound decision, the minister can appoint such persons.

There is a mechanism in this legislation whereby, rather than sacking a whole council, a councillor can be removed. I think that is a better idea, because in many instances that would have solved the problem rather than sacking the whole council, which causes a lot of disruption to the areas.

I turn to the issue of material personal interest at a meeting. I have no problem with a councillor having to declare it and then leaving the meeting without participating or voting on the matter. There is a real issue in relation to a conflict of interest in meetings. This is where a councillor declares a conflict of interest and where the other councillors decide whether there is a conflict of interest. That is absolutely crazy. It will not work, and there will be a lot of trouble and animosity over this. I recommend that the government remove that section. In fact, I will be moving an amendment along those lines, because I think that will make it too difficult to manage.

I turn to the appointment of employees by the CEO. I understand there is a mechanism that allows councillors to have an input into roughly how the process works, but there will be a bit of pain there. I notice in an amendment that will be moved that the Grants Commission process is going to be changed. Previously, commissioners had to have 'extensive knowledge of and experience in local government'. That will be changed to just 'have knowledge of local government'. That needs to be changed, because I am presuming it has been drafted that way to enable somebody to be put in there who does not have a lot of experience. If the minister can look at that, that would be great.

Councils are still not corporatised. Corporatisation was taken away from councils, and we are the only local government in the Western World that has a system like this. That is certainly not satisfactory.

There is so much more that I could talk about in this legislation which is important. I am disappointed that this bill has been guillotined, but I want to give my colleagues an opportunity to speak on it. We have some good former councillors in here who have extensive experience in local government and I would like to hear them have their say.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (12.15 pm): This is a very important piece of legislation. It is basically a rewrite of the Local Government Act in Queensland, and it is a much more condensed piece of legislation than the previous one which was debated in this parliament. It had the gestation period of about six elephants. I think this one has only had two, so it has been done much more quickly than the previous one. One would hope that at least on the surface it is far more seamless and easier to understand for those who are in the business of local government, whether they be local government councillors, or local government council administrators, or those who are subject to dealing on a day-to-day basis with local government either through a development approval process or whatever the case may be.

I agree with the opening words in the introduction of the explanatory notes, where it says that contemporary local government legislation reflects what Queensland needs in this day and age. That is very true. I do believe, however, there are some aspects which are still imbued with Labor ideology which hold local government back in Queensland. A moment ago the shadow minister discussed some of those issues. The issue of decorporatisation was an unbelievable assault on what have been the sovereign rights of local government over a long period of time. We are still waiting for that to be reinstated. That was the first time that had happened anywhere in a Western democracy, where local government had been decorporatised. It was quite extraordinary.

Whilst local government performs a very important role and a growing role, particularly with the responsibilities which have been delegated to it by state government over a period of time, in many cases without the necessary and essential resources, one would think it should be put on a far greater and more sound footing than what it has been by the state Labor government in Queensland. Even the Commonwealth government sees the benefit in bypassing the state and going straight to local government in delivering services, resources and initiatives to their local community. I suppose you would say that is cutting out the middle man. It is a very important arm of government. It is one which I do not believe, from what I have heard in this place over a range of years by honourable members opposite, has been completely respected and completely understood.

If you go back to the debate we had in this place a couple of years ago with regard to the scandalous forced amalgamations and undemocratic approach toward the legitimate rights and aspirations of local government, I was standing in this place listening to honourable members opposite who one after another stood up in this place and attacked their local government personally and collectively, and it was quite extraordinary.

Mr Dickson: A few of them are gone.

Mr SPRINGBORG: A few of them are gone, as the honourable member for Buderim has said.

From my perspective, I have always had a close working relationship with the local government in my area. I do actually stand up for one of the aspirations enunciated in the explanatory notes to this legislation, that is, the need to partner and cooperate with local government. I have my job to do; they have their job to do. We should be cooperating for the benefit of our local community based on the shared concerns and shared aspirations we have, understanding the cross-jurisdictional responsibilities we have in this place vis-a-vis local government.

Mr O'Brien: Is that still the policy—deamalgamate?

Mr SPRINGBORG: I have always said that local government boundaries should reflect the contemporary nature of communities based on community of interest. What a silly, silly comment from a member of parliament who almost lost his seat. He has taken a safe Labor seat and made it one of the most marginal seats in this parliament because he has refused to stand up for a certain section of his electorate—whether it be the voters of Port Douglas or members of his electorate in the Indigenous community who expressed real outrage at the undemocratic way this government ripped apart the fabric of their local communities.

Just as the government talks about having contemporary local government that reflects the aspirations of modern Queensland, I, too, have that view. But I believe in doing it in a democratic and proper way which reflects the true community of interest that exists within communities across Queensland. That is something this government did not do. It did not do it in a democratic way.

Local governments provide absolutely fundamental leadership in their communities. We have seen the consequences of local government forced amalgamations in recent times. I have seen it in my local area. Local leadership, which is fundamentally important, has been stripped away and watered down. We did have many people who were able to represent diverse communities. We now have very, very few. In some cases there may be one or two representing those communities. In my electorate there is one person performing the role of representing a community that a whole local government did in the past. That is extraordinarily concerning.

It is about local leadership. It is about community advocacy in so many ways. It is about community development. It is about service delivery. The great thing about local government is that, through local leadership, they are usually able to advocate for the service needs of that community. They fill a very important leadership role and advocate for economic development and service delivery. They go out and lobby the government and work with the other elected representatives in their area. That has been watered down and profoundly affected by the changes in the structure of local government in the last couple of years.

This comes back to a fundamental lack of understanding of and a lack of respect for local government by the Labor Party. Those opposite see local government as an impediment. They fundamentally see it as an annoyance. They believe that it should be disempowered. If it is disempowered it takes away the representation of local communities by these people.

That is what this is about. Local government has been a pain to the Labor Party in the past rather than it respecting their particular role. Local governments struggle and will continue to struggle with the passage of this legislation with the delegation of responsibilities that continue to be foisted on them without the necessary provision of resources to do the job.

Frankly, it is now leading to a situation where more and more people out there are questioning the role of the state house and its responsibility when so many things are being delegated to local government and so many things are being ceded to the Commonwealth government. What is the role of government at its three levels in our contemporary society? We have to be prepared to assume our responsibilities and do them properly and not necessarily just foist them onto local government because of some sort of cost-shifting arrangement due to inefficiency and mismanagement in the state government.

I continue to be concerned that there is no reversal of what is a profoundly undemocratic law that was passed through this parliament by the Labor Party a number of years ago—that is, the disqualification of local government councillors when they stand for election to the state house. That was a get-even; that was a fix from this government for candidates who it was actually concerned would be elected to this side of politics. When the government tried to make a similar change in respect of local government councillors standing for election to Commonwealth parliament, the High Court overturned it because it considered it to be unconstitutional.

If it was such an absolutely anachronistic provision then why has the Labor Party in New South Wales not disqualified local government councillors or mayors from standing for election to their state houses of parliament? As I understand it, Clover Moore, a very high-profile Independent member of the New South Wales lower house, is a mayor in Sydney.

Mr O'Brien: That's silly.

Mr SPRINGBORG: It makes no sense. It was a get-even. There is nothing more certain than that.

It is very important that we also understand the role of local government councillors. I speak to local government councillors all the time. There is a lot of concern about their responsibilities, their powers and their ability to do their job given these changes. They actually believe that they are becoming little more than a token or rubber stamp to decisions which have been made by the administrative arm of government. They talk about being like a board of directors or something like that.

I actually have a view on that. Elected members of parliament or elected councillors have a responsibility to ensure and to oversee, to a fair extent, the decisions which have been made through the democratic process. To do otherwise actually disempowers them in favour of the administrative deliverers of those particular decisions. It actually makes the whole process even more unaccountable. There needs to be a balance. I think the balance is going too far the other way.

If the government thinks this is such a good idea then it should do it for itself in terms of the decisions made in cabinet. It should remove its ability to have any sort of democratic oversight or any capacity to reflect the general view of the community. The government should do it for itself if it thinks it is such a good idea. Members of the government will not do that because they believe that they are elected, rightly or wrongly, to make certain decisions and bring about certain changes and that they should be overseen by the administrative arm of government. If they are not they will be more actively involved in making sure that the aspirations are followed through.

Councillors complain to me all the time about being stripped of their authority and not being able to properly do their job—that is, reflect community concerns and community aspirations. That is something we have to be very careful about because they have been elected. They have stood for election, they have been elected, they have been supported and they should be able to be accountable for the decisions they make and the resolutions they pass. They should also be able to make sure that those particular aspirations are properly followed through and they are not being disqualified and frozen out of the process to the extent that is being facilitated by this sort of legislation.

We will watch this with interest. There is no doubt that local government has undergone profound changes in recent times, most notably those brought about by the forced amalgamation process, which was undemocratic, which was conceived earlier and which was a fait accompli. There is no doubt about that. The SSS process was thrown out and the government's own mantra was imposed. The great irony is that this legislation facilitates formalised processes for cooperation across local government which, on the surface of it, make a lot of sense.

Prior to the government throwing out the SSS process when it forcibly and undemocratically amalgamated many councils, a lot of communities were actually moving towards shared resources. I point out the shire of Inglewood in my electorate. It was working on cooperative arrangements with the neighbouring shires including Warwick and Waggamba. The government came and said, 'That is not good enough. Forget about what we told you beforehand. We are going to do this.' We have to make sure that the aspirational rhetoric is properly carried through because there is a lot of rebuilding of relationships and trust and faith that needs to happen in local government communities across Queensland. It is now going to be up to the Labor Party to properly rebuild because it has done a lot in the last two or three years to tear it asunder.

Mr DICKSON (Buderim—LNP) (12.29 pm): I rise today to speak to the Local Government Bill 2009. The government claims that the purpose of this bill is to improve the legislation governing local government in Queensland. The 2007 council amalgamation process was imposed on Queensland by the government with the same claims. Amalgamation was supposed to make local government more effective and sustainable. Given the outcomes that I see in my own area of the Sunshine Coast, I think our constituents should be very sceptical about the government's motives.

This is not the first time I have voiced my concerns about this government's actions in relation to local government in this state. The bill refers to the principle of good planning and how one size does not fit all and how legislation better enables Queensland's diverse range of local governments to make choices about the processes to suit their size, location and administrative circumstances. For example, the bill gives local governments the authority to draft their own local laws. In theory this would seem to be a sensible way of giving councils the power to make laws that are relevant to their local needs. But clause 37 stipulates that the local law cannot be made in relation to development processes. Planning and development is critical to the issue of local government. If the council cannot make local laws in relation to development, how can it achieve the goals of accountability and service delivery? I quote the explanatory notes of the bill in relation to financial sustainability and accountability—

the community expects local governments to manage their public infrastructure and assets for the long-term benefit...of the community they represent...

The notes go on to say that local government must—

successfully manage competing priorities associated with managing population changes...significant infrastructure provision...

How cynical for this state government to lay these responsibilities at the door of local government without giving them the right to control their own development. Last year with great fanfare the government announced that it would fast-track greenfield development, including sites on the Sunshine Coast. One of those is Palmview in my old electorate of Kawana. The Sunshine Coast Regional Council position paper on Palmview makes it clear that development there should not proceed before a number of pre-conditions are met. The council recognises what the state government failed to see. You cannot bring 20,000 additional residents into the area without providing the infrastructure to support that development. We are not just talking about local government infrastructure; we are talking about state roads, schools and hospitals that we are continually promised but told are to be delivered by public-private partnerships. There is no benefit for new residents when they cannot access the services they need and are caught in hopeless traffic jams trying to commute.

This government claims in this bill that it wants local governments to be accountable and sustainable. It should let those governments make the decisions that count for their own communities. This bill requires financial accountability, which is of course what we all expect from any government at any level. Forced amalgamation has created a financial millstone around the neck of councils. The government claimed amalgamation would save money. On the one hand it tied local councils' hands by not allowing them to rationalise jobs for a three-year period and on the other it failed to adequately compensate them for costs. I believe the Sunshine Coast Regional Council needs to spend several million dollars just to make its computer systems compatible. I am sure most other councils face similar problems, to say nothing of all the other costs involved in setting up new entities. But the state government has not properly compensated councils for the costs involved. Who will end up paying? The answer is ratepayers, who are already facing increased costs for electricity, water—and, of course, petrol, now that the government has decided to cancel the fuel subsidy. The cost of food will go through the roof. Pensioners, apprentices and young people will pay to get from A to B, and even people who drive caravans. I suppose fuel will probably go up by about 20c a litre, but that is in the hands of those opposite. I note that, according to the explanatory notes, the costs of implementing this bill will have no financial implications for local government. Given the government's track record in estimating the costs of amalgamation, it will be interesting to see if this is in fact the case. I do not think those opposite can add up, as demonstrated yesterday by the Premier who could not add up 38 and 38 and had to phone a friend.

Local government amalgamation was rushed through without proper consideration and costings, let alone consultation. There is nothing wrong with improving and streamlining local government laws, as this bill sets out to do, but we will not achieve effective and sustainable local government if councils are burdened with debt and cannot provide services. On top of amalgamation, South-East Queensland councils had their revenue drastically reduced when the state government took control of water supplies for its water grid. This was another example of an ill-conceived plan and it is not surprising that last week the government offered to give control back to councils. What an extraordinary back-flip. It just means that those opposite have got it wrong again.

The Sunshine Coast councils worked hard and made the investments necessary to provide good water infrastructure for their communities. The government again refused to reimburse them fairly, in this instance for the lost water revenue. So residents are faced with increased rates as well as higher water charges. Councils are forced to make hard decisions about what services and infrastructure they can provide to their communities with reduced revenue. The water prices in retirement villages are going up by 30 per cent. Think about it. Somebody's grandmother is a resident of a retirement village. Who is going to pay the costs for this about-face on water? It looks as though the government is looking for yet another opportunity to shift its debt burden on to someone else. It is difficult to see how councils can do the long-term planning the government expects of them when the goalposts keep being moved. How true that is. The Sunshine Coast is a fast-growing area with many infrastructure problems and declining services. If the government wants local government to succeed it must ensure that it is financially viable.

This bill also addresses the role of the mayor and councillors. A great deal of authority is vested in the mayor, who is elected by popular vote rather than by his or her fellow directors. He or she is the sole person able to direct the CEO, including in terms of performance management. The mayor is also responsible for the behaviour of councillors and is able to warn and suspend councillors. These powers need to be clearly defined and transparent to ensure they are applied fairly, as they are with this parliament's standing orders.

The provisions relating to conflicts of interest are of concern. Allowing councillors to determine if another councillor has a conflict could be open to abuse or manipulation. It is very disappointing that councillors are still forced to resign should they wish to nominate as a member of parliament. I can see no good reason why a councillor, any more than someone in another walk of life, should have to resign in order to run for parliament. I think we all know what we are talking about. We heard from the shadow minister. The wrong thing has happened in the past and there is an opportunity to change it. It would be a great thing for the people of Queensland to see that happen. Should a councillor be unsuccessful in gaining a seat in parliament, they are then forced to re-nominate should they wish to resume their role as a councillor. The resulting by-election is a substantial cost to the council that could be avoided in

instances where the parliamentary bid is unsuccessful. I am sure it would not be difficult to come up with an alternative to resignation. The councillor could take a leave of absence for the short period of the election campaign.

As a former local councillor, I am the first person to acknowledge the enormous contribution strong local government makes to our community. It is the level of government that interacts most closely with our residents. In order to be an effective government we need to vest local government with appropriate powers to ensure it is equipped to meet the challenges of the future. That will only happen when councils are financially viable and sustainable. Otherwise, the goal of this legislation can never be met. I must say at the end of my speech that I have just had a gutful of these debates being axed.

Mr DEPUTY SPEAKER: I would suggest that the use of the word 'gutful' is unparliamentary language.

Mr DICKSON: I withdraw that.

Mr O'BRIEN (Cook—ALP) (12.37 pm): I would like to start by paying tribute to the former minister for local government and member for Mulgrave, Warren Pitt, who undertook an enormous amount of work in developing the legislation we are debating here today. In particular, I thank Warren for the very detailed and inclusive process he undertook in developing the legislation. Not only was there deep consultation undertaken with stakeholders, but government backbenchers were also heavily involved in developing the bill. In fact, there was more involvement in this bill than any other bill that I have been involved in during my five years in this parliament. Warren coordinated many workshops and briefings over a period longer than 12 months, which ensured that we were fully briefed on the issues and the details. I thank Warren for his efforts in developing this bill, which has great support in local government circles.

I am proud to stand in this House as part of a reformist government with the courage to bring in necessary changes in Queensland. We understand that nothing stays the same, that we must keep legislation up to date with current practices and community expectations as well as anticipate future problems. The bill follows the government's rationalisation of local government boundaries in 2008. I am very pleased that a number of opposition speakers have decided to use the opportunity here today to revisit parts of that debate.

The amalgamation of councils has been a difficult issue for many people, communities and councils themselves. In my electorate alone, 23 councils were subject to amalgamation and I monitor their progress closely. It is fair to say that some councils are doing better than others in getting on top of these issues and continuing to deliver services. Nevertheless, there is a great commitment to making amalgamation work at all levels within the councils involved and there can be no doubt that in the long run the government's decision will provide people all over Queensland with stronger local government, delivering more efficient and better services.

There has been some debate today about amalgamation. I do not know where the opposition has been. We are the government that amalgamated those councils. We went to the people on 21 March and we were re-elected. The people have spoken on local government amalgamations. Local councils themselves are moving on and getting on with it and it is high time those opposite got the message and did the same thing. They are doing those councils no credit and no justice at all by continuing to wallow in debate. The councils' role now is to deliver those services, not to look at the past. They have to look to the future. That is what those opposite are not doing today.

The bill before the House assists councils, whether they are amalgamated or not, deal with the plethora of issues that local communities face. However, the bill does that not by prescribing rules and laws but by establishing a set of principles that undertake how councils should operate. The principles are transparent and effective processes and decision making in the public interest; sustainable development and management of assets and infrastructure and delivery of effective services; democratic representation, social inclusion and meaningful community engagement; good governance of, and by, local government; and ethical and legal behaviour of councillors and local government employees.

The key aim of the bill is to be clear about the separation of powers principle—something those opposite have always had a great deal of difficulty in understanding. That principle operates at the Commonwealth and state levels by distinguishing between the roles and responsibilities of elected representatives and appointed staff. Again today in this House the Deputy Leader of the Opposition blurred the lines and showed clearly that he does not understand that important democratic principle. The provisions reinforce the line management authority of the CEO, who is responsible for the performance of the administrative arm of the council. However, when recruiting and selecting staff, the CEO must be guided by the recruitment and selection policy, the organisational structure, the strategic direction and the budgets set by the council. Although councillors may be involved in the recruitment and selection process for senior contract managers, the ultimate responsibility for such appointments rests with the CEO. I know when I was a member of the Cairns council that is what that council used to do. For the senior level of management—the finance manager, or the general manager as we called it;

some councils call them executive officers—there were always one or two councillors on the selection panel. In order to provide a level of flexibility, particularly in far western, remote and Indigenous council areas, the bill provides that local government staff, including the CEO, may be employed concurrently by more than one local government.

There are a couple of provisions that I would like to talk about that are specific to Indigenous regional councils. I represent more Indigenous councils in this parliament than other members—probably more than other members combined. The Local Government Bill recognises the uniqueness of the Torres Strait Island Regional Council and the Northern Peninsula Area Regional Council. It provides mechanisms to protect the rich customs, traditions and practices of those respective communities. The bill maintains the longstanding arrangement of over 30 years, from the original community services legislation, of additional qualifications for councillor representation for the Torres Strait Islander Indigenous regional councils. This arrangement is based on a very high level of support from the Torres Strait Islander communities.

Community forums were introduced in 2007 to recognise and protect the unique Torres Strait Islander customs and Aboriginal culture and traditions. The establishment of a community forum for each division of the Torres Strait Island Regional Council and the NPA Regional Council is intended to provide a platform for community members to have an additional voice on matters of community importance and a platform to discuss views, ideas and opinions. During this consultation with these councils, it was found that the requirement to have a community forum was not always the desired community engagement mechanism. Different communities do this type of community engagement in different ways. Some communities have a public meeting each month, where all and sundry come along. Council members sit at the front, give reports and take questions from the floor and give answers. Council officers are also involved in that process. Other councils undertake community engagement through the PBC—the prescribed body corporate—so that they are dealing directly with the traditional owners about land matters. The PBCs have the legal right to talk about these land matters. So it is important that council discusses that directly with that body. So there is a whole host of different ways that councils can undertake community engagement, not just through the prescribed way of holding a community forum.

A fundamental principle of the Local Government (Community Government Areas) Act 2004 was that Aboriginal communities should receive the same standard of governance from their councils as that enjoyed by other Queenslanders. The explanatory notes for this bill state that this would require a balance between rigorous standards applying to other local governments and the specific requirements of the small, mostly remote councils that currently suffer from a lack of capacity and face unique governance challenges, such as the trusteeship of community held land and responsibility for a wider array of community services than other local governments.

The Local Government Bill is the culmination of several years work to put Indigenous local government on a level playing field with mainstream councils. Obviously, that is not going to happen in a hurry, because of the communal nature of Aboriginal land. It is hard to develop a rate base, but the government is doing other things through other legislation that has been introduced into this House and that is proposed to come into this House to deal with that matter. That legislation allows councils to have 99-year leases of land. Those leases are being piloted on Palm Island at the moment. That is going to be an important change for those councils. It is an important way in which we are going to normalise these communities, if you like, in terms of the councils' abilities to collect rates and to provide services.

Former community governments are now completely under the Queensland local government legislation while having their unique needs taken into account. All the relevant provisions have been merged into this bill. For example, the ability to charge a resident a levy has been continued for those former community governments that hold unrateable deed of grant in trust land.

The bill also contains new powers for the minister. I will not go through those. But I want to talk particularly about a matter that seems again to rile those opposite, even though it has been in the legislation since 2001. They still seem to be living in the past and have not moved on. That matter is the disqualification provision that prevents a local government councillor from being a candidate for state parliament. I do not know why that provision rattles those opposite so much. It affected me. I was a councillor on the Cairns City Council in 2004 and I had to resign under the provision of the act, as it stood then, before running for state parliament. So the provision cuts both ways. I am not sure if any member opposite has been affected by that provision of the act, but it certainly affected me and I had to resign. Ultimately, you have to make a choice. If local government wants to be a serious and recognised level of government, then councillors need to choose whether they are going to be a councillor or a member of this House. They cannot have it both ways. I think that is an important principle. Members cannot run for election to the federal parliament while a member of this House. They would have to resign from their position. That principle should be the same for those local government councillors. I just fail to see why those opposite cannot understand that there needs to be the separation between those levels of government and that people must make a choice.

It is fair to the council itself and to the people it is trying to represent. Are councillors trying to do local government work? Do they have a responsibility to those people who elected them as a councillor? Of course they do. But how can they fulfil that responsibility when all their time and effort is going into campaigning for a seat in this place? So it is appropriate that councillors resign when they become candidates for a seat in this place. I think we will be getting another opportunity later in the evening to again reject the proposition that those opposite have put forward.

I want to commend the minister for her work at both the beginning and the end of this process. As I said, it has been a vigorous process. I have spoken to just about all of my councils about the bill and I can say that there is widespread support amongst them for the provisions of the bill.

Leading into amalgamation there were all sorts of issues in all sorts of councils in my electorate, particularly around the dysfunctional way the former Douglas shire was operating at the time. I believe that if the minister at that time had the powers that this bill will give her, those matters would have been able to be dealt with easily and the circumstances that led to the councils being amalgamated may not have existed. I think we have learnt from where we have come from, and amending the bill to give the minister those powers to dismiss an individual councillor rather than the whole council represents an important change that would have dealt with some of those issues around the dysfunctional nature of the former Douglas Shire Council and many other councils across the state. This is important legislation. As I said, I am proud to be part of a reformist government that is bringing in necessary changes. I commend the bill to the House.

Mr STEVENS (Mermaid Beach—LNP) (12.50 pm): I rise to speak on the Local Government Bill 2009. At the outset I join my coalition colleague the shadow minister for local government and Aboriginal and Torres Strait Islander partnerships in supporting the bill with certain reservations which I will discuss.

The objectives of the bill highlight the fact that current legislation does not cover all local government authorities adequately and that one size does not fit all. Having been the mayor of the Gold Coast, I fully understand the philosophy that each local government must be able to work within the bounds that can apply to the needs of the people whom they service and, yes, one size does not fit all, as is completely exemplified by the Gold Coast City Council. The amalgamation of the Albert shire, of which I was mayor, with the Gold Coast City Council was a major change and upheaval for all involved. I am acutely aware of what the councils across the state have gone through recently.

From Carpentaria Shire Council in the north to Mount Isa in the west and the Gold Coast City Council in the south-east, the requirements for Queensland councils to govern are varied and require flexible legislation so that councils can fulfil their duties to service residents in the best way they possibly can.

The bill repeals the Local Government Act and the Local Government (Community Government Areas) Act 2004 to minimise the regulatory approach to resolving policy issues and provides the impetus for bringing local governments in Queensland under one piece of legislation. It will allow for local governments to develop their own operational procedures and processes and set their benchmarks and standards for delivery of services to the community. The purpose of the bill is to provide a more succinct version of provisions of the Local Government Act in the way in which local government is constitutional and the nature and extent of its responsibilities and powers that relate to its make-up. The bill also amends the Animal Management (Cats and Dogs) Act 2008, which I spoke on last year in this House. The amendments to this act are made in chapter 9 of the Local Government Bill.

Local government has undergone the biggest reform we have seen since the creation of local government authorities and councils. In the reform process, the number of local councils was reduced from 156 to 72. It has caused major distress and turmoil for all involved and has created an array of issues that absolutely need to be addressed. These issues would have been lessened if the whole process of local government reform was not pushed through as quickly as it was by the state government. More consultation and dialogue with the LGAQ and other council members would have resulted in legislation that was correct and proper in the first instance and we would not need to revisit it time and time again, and I am sure we will be back here again to revisit local government after 2012.

After the introduction of the Local Government Bill in 2008, 52 submissions were received suggesting amendments to the bill, and the Local Government Bill 2009 will focus on some of these changes. The bill adopts a principles based framework for decision making and governance. Principles based legislation allows for practitioners to focus on outcomes and develop their own operational procedures and processes. Principles based legislation means moving away from dictating through detailed, prescriptive rules and supervisory actions and laws how entities should operate their business. The principles that this piece of legislation is based on are transparent and effective processes and include decision making in the public interest; sustainable development and management of assets and infrastructure and delivery of effective services; democratic representation, social inclusion and meaningful community engagement; and good governance of and by local government employees.

The bill applies to the Brisbane City Council but only to the extent that the City of Brisbane Act 1924 does not apply. There is acknowledgement that the Brisbane City Council authority is a unique and individual entity and requires an individual approach to governing local residents on this scale. The bill addresses the power that local governments have to govern and deliver high-quality services. This allows for local government, under local government principles, to deliver essential services to the community.

Local government can only draw on the power that has been given through legislation from the state. The bill establishes the Local Government Change Commission. The Local Government Change Commission can consist of the Electoral Commissioner or any combination of the Electoral Commissioner, Deputy Electoral Commissioner or a casual commissioner, depending on the issue raised. The Local Government Change Commission will consider an application for local government change. A local government change can be on the following basis: the boundaries of a local government area, any divisions of a local government area other than the City of Brisbane, the number of councillors for a local government and the name of a local government area.

The Local Government Association of Queensland requested 45 changes to the original Local Government Bill that the government introduced in 2008. With this bill it has accepted 33 of those changes. Amendments suggested by the LGAQ to sections 71, 73 and 74 were not accepted by the state government. The Local Government Association of Queensland has suggested that these be reconsidered and that these sections be taken out of the bill and dealt with in the regulations.

Clause 286 allows for the transition of the Local Government Association of Queensland to the Local Government Association of Queensland Ltd. In relation to this transition, the Local Government Association of Queensland state that the registrar of titles or other persons responsible for keeping a register dealing in assets must, if asked by the new entity—the LGAQ Ltd—record the transfer of the vesting of any asset to the new entity and, very reasonably, that there should be an exemption from duty and administrative fees on any such transfer.

In returning to the amendments in the Local Government Bill, I would like to raise certain issues. One such issue is the fact that the minister can dismiss a councillor, which is outlined in clause 122. The Local Government Association of Queensland would prefer that councillors be dismissed by the tribunal. Obviously, as the larger councils become more political the tendency will be for the minister in charge at that particular time, depending on their political persuasion, to look favourably or unfavourably based on the colour of politics of the councillor in question. It would be far more independent if it were taken off to a tribunal process.

The other issue, as the member for Cook has mentioned, is that councillors still have to resign if they want to stand for a state seat. For the benefit of the member for Cook, the difference between state and federal government is that, constitutionally, states are there in competition with our federal counterparts as established in 1901. Quite clearly, under our Constitution we cannot remain a state member and have the same interests as a federal government member. There is no constitutional recognition of local government. Local government is a child of state government. Therefore it is absolutely ridiculous to suggest for one moment—

Mr O'Brien interjected.

Mr STEVENS: You can sack them at any opportunity. It is ridiculous to suggest that a person should have to resign before putting their hand up to be accepted—or they may not be accepted—by the community in relation to running for a state seat while still serving as an elected member of a local government. It is quite clearly a political trick to take out the majority of conservative councillors who are out there, forcing them to resign from these large regional councils if they want to run for state politics. Labor representatives normally come through the union movement or were ministerial advisers and such. The Local Government Association, of course, has been very strong in its support for this area. Quite clearly, we believe that that should be changed and will be after 2012.

It has been reported in the *Courier-Mail* that the responsibility for water will be handed back to local councils. The state government decided not to bring the region's 10 water businesses, worth \$10 billion in assets, into one company as it had planned. That shows the fiddling that the government has done to deal with this water problem until it has become too hard. Dealing with water within these areas was just too hard, so it was passed back to local governments to continue the water supply, maintenance of water supply, distribution areas—and rightly so. We see the mess that it has made in terms of our water catchments, and we see the dumping of a little bit of fluoride in some of our water catchment areas, a rusting desalination plant and mismanagement of the water assets. I think the Bligh Labor government has realised that it had better leave water distribution and supply up to local governments.

The other concern that I have with this bill relates to councillors' conflict of interest at a meeting. Quite clearly, it is a very convoluted area that will not let a councillor who is a member of a community group vote on a particular issue that affects that community group. One of the reasons people are on

these councils is to further the interests of their community groups. If the other councillors band together under this legislation, they can remove that councillor from representing the local league club, the local hockey club, or whatever. That is totally wrong in terms of material interests. Certainly, we recognise material interests are worth exempting ourselves from.

I believe that we will revisit this Local Government Bill again in some form or other in the future. I certainly have grave reservations about the issues that I have raised.

Sitting suspended from 1.01 pm to 2.30 pm.

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (2.31 pm): It is my pleasure to rise to speak in support of the Local Government Bill 2009. I want to acknowledge the authoritative contribution by the shadow minister. The member for Warrego of course has been a local councillor. He was chairman of the Tambo Shire Council for seven years before entering this House 23 years ago. He understands local government, and I thank him for his valuable contribution.

This bill effectively rewrites the law pertaining to local government. Local government plays a vital role in our community. It is a \$6 billion industry and one of the largest employers in Queensland, with over 37,000 employees across 73 councils. In these tough economic times it is local government that is helping many Queenslanders get through.

The Constitution of Queensland recognises the vital role local government plays in maintaining peace, welfare and good government—the principles on which this colony was originally founded. The Constitution states that there must be a system of local government in Queensland. It allows the Queensland government to pass laws to determine the way in which a local government is constituted and the nature and extent of its functions and powers—hence, the Local Government Act.

Over the past few years it has been a contentious act, with recent amendments to the act carrying out the Labor government's forced amalgamations. As I previously mentioned, this bill rewrites the Local Government Act 1993. As such, many of the provisions of the act relating to the responsibilities and powers of local government are retained in this bill. The significant difference between the act and the bill currently before the House is that the new local government laws are far more principle based. Rather than setting down processes in meticulous detail, this bill removes many of the procedural rules in favour of principles.

Chapter 1 of the bill outlines these local government principles. Among them, councils should uphold transparent and effective processes and make decisions in the public interest. Councils should strive for sustainable development, management of assets and delivery of effective services. They should achieve democratic representation, social inclusion and meaningful community engagement, and at all times councillors must behave in accordance with their legal and ethical obligations.

The subsequent chapter sets out the powers and responsibilities of local councils. The powers of the federal government are in theory limited by the Constitution, yet state and local governments have residual and wide jurisdiction to make laws and regulations for the peace, welfare and good governance of our state. This bill delineates local government responsibilities. Local governments, along with the state government, are key service providers. Between us we manage the services that affect people's lives on a daily basis. That is why it is important that local and state governments work together to achieve good outcomes for Queenslanders.

The Liberal National Party has a proud history of working with local government. As I have mentioned, our local government shadow minister, the honourable member for Warrego, was a councillor for many years before entering parliament. The shadow Treasurer, the honourable member for Clayfield, was a Brisbane City councillor. LNP stalwart Vaughan Johnson was an alderman in the Quilpie Shire Council. Steve Dickson, the member for Buderim, was a divisional councillor for the Maroochy shire. Jeff Seeney, the Leader of Opposition Business, was the deputy mayor of the Monto Shire Council for four years, while Ray Stevens, the member for Mermaid Beach, was the mayor of both the Albert shire and the Gold Coast City Council. In March we welcomed to our ranks former Hervey Bay mayor, Ted Sorensen; the former deputy mayor of Redland City Council, Peter Dowling; as well as Aidan McLindon, the honourable member for Beaudesert, who was a Logan City councillor. We understand local government and we understand the vital role councils play in our communities.

One of the more controversial aspects of the bill is contained in chapter 5, division 3. Under the proposed law, the local government minister may unilaterally seek the suspension or dismissal of an individual councillor or dissolve a council if they reasonably believe a councillor or local government has seriously or continuously breached the local government principles. The Liberal National Party has a number of concerns about this. A recent newspaper report suggested that a Liberal National Party government would consider applying this power to the Gold Coast City Council. I want to make very clear that the comments that I made about the relationship between the state government and council were aimed at the operation of the Integrated Planning Act only.

I have long been on the record about the need to amend the Integrated Planning Act—a state government law and a principle espoused by the honourable member for Warrego in the lead-up to the last state election—and that we need to achieve a fairer system of processing applications under the

act. The current laws, whilst passed with good intentions, in reality act as a deterrent for builders and developers, and small business operators and the mums and dads of Queensland, who are often employed by these people, seeking to do business in South-East Queensland and also in other areas of Queensland. At a time when governments are trying to stimulate growth, a simple inexpensive way of boosting our local economy and creating jobs would be to streamline the process for making development and building applications and to establish guidelines for infrastructure charges. This can only be achieved if the state government amends the Integrated Planning Act.

Councils do not have the jurisdiction to amend statutes. It is the state government's responsibility to ensure that our local economies do not lose out as a result of unwieldy laws. I am committed to securing the financial future of local governments and creating local jobs. Local governments currently face many challenges. Council budgets have taken a hit thanks to the global financial crisis, yet local government does not enjoy the same revenue income that state and Commonwealth governments do. Therefore, it is important that the state government assists councils in stimulating growth by renewing policies that hinder progress.

As I mentioned earlier, local and state governments are key service providers. It is important then that the state government and councils work together to deliver the best outcomes for Queensland. As such, the powers contained in chapter 5, division 3 of the bill should only be exercised lightly and only in the most serious circumstances. I note that the Local Government Association of Queensland argues that these powers should only occur on the recommendation of the Local Government Remuneration and Discipline Tribunal established by this bill. I note that the LGAQ made 45 recommendations on the initial bill, of which 33 have been implemented. I thank the minister for taking heed of this advice which will allow councils to get on with the job.

The Liberal National Party has serious concerns about chapter 6, part 2 of the bill as it pertains to conflicts of interest. The bill states that, if a matter comes before council in which a councillor has a material interest, the councillor must inform the meeting. This is not unreasonable. However, the bill provides for another councillor to question a councillor's conflict and to put it to a vote among members as to whether the conflict, perceived or real, exists. If council agrees there is a conflict of interest, it may exclude the member from the vote despite the fact that the alleged conflict is unproven. I am concerned this provision may be abused, particularly in partisan councils, whether official or unofficial. As the shadow minister has indicated, the Liberal National Party will be moving an amendment that will ensure this provision cannot be abused.

The other amendment we will be putting forward relates to the provision requiring councillors to vacate office upon being nominated for election to state parliament. As I mentioned earlier, there are many local government champions in this House from both sides of politics. While it is clearly appropriate that those councillors who are elected to the Legislative Assembly should resign from their council post, I cannot see why we should make life harder for those who have a go and are unsuccessful.

Finally, one of the concerns I have about this bill is that much of the detail will be settled by delegated legislation. During the last sitting week, this House recognised the contribution of the late Peter Connolly, the member for Kurilpa between 1957 and 1960. In my speech on the condolence motion I mentioned his maiden speech, in which he criticised the practice of delegating legislation to faceless bureaucrats. The people vest power in parliament, not public servants, to make laws. While I understand the practicality of doing so in these circumstances, I have some concerns about the process. The opposition has not seen the regulations, though we will be keeping a close eye on them. I hope the minister will ensure local governments are properly consulted during this process and that members opposite do not use this as an opportunity to try to pass unreasonable laws under the radar.

Over the last few years, the relationship between the state government and councils has been tumultuous to say the least. A lot of goodwill was lost when the Labor government forced council amalgamations two years ago. The CMC investigation into the Gold Coast City Council also fractured the relationship between the state government and councils. Members opposite seem to be holding on to a suspicion that councils are doing the wrong thing. This is in spite of the fact that the Crime and Misconduct Commission found no basis for the allegations of misconduct and bribery.

This has to change. Local governments play a key role in our communities. It cannot be forgotten that our forefathers, the authors of our state Constitution, saw a real need for local government. Queensland is such a diverse state that we need councils to focus on the issues specific to their regions. The differences between Toowoomba and Townsville, Mackay and Mareeba, are more than geographical. I am hopeful this bill will be the catalyst the Bligh government needs to give local governments the recognition they deserve. As I have mentioned, we will be moving a number of amendments to the bill. Otherwise, I support the bill.

Mrs SULLIVAN (Pumicestone—ALP) (2.41 pm): I rise to support the Local Government Bill 2009 introduced by the Minister for Local Government, the Hon. Desley Boyle, and I wish to acknowledge the hard work undertaken by her and her staff. I also acknowledge the previous minister, the Hon. Warren Pitt, and his staff. I was pleased to be part of the caucus backbench committee for main roads and local

government in the last parliament, when Warren was the minister. His briefings provided an understanding of why these changes to the existing act, which was developed some 16 years ago, needed to be brought before the House today.

The local government reform process began in April 2007. It was required to prepare local governments for future challenges they faced and to keep pace with an ever-changing world. There are many aspects of this bill, but because of the time constraints I will confine my remarks to just a couple.

Firstly, I want to talk about rates. The rates bill, as everyone would probably realise, is the single largest bill most households face in the course of a financial year. There has been much debate about how they are levied. Under this bill, the charging of rates will continue to be based on the unimproved value of land under the Valuation of Land Act 1944. I have spoken to people about this issue and there are various opinions. Some stakeholders advocated change to another form of valuation, some wanted it kept, some have commented that it is simply a way of taxing the rich to subsidise the poor, some say it is fair, some believe it is not. Therefore, it was looked at thoroughly to see if there was a fairer way to levy rates. However, after comprehensive investigation and research—for example, by the Australian Productivity Commission in its 2008 report entitled *Assessing local government revenue raising capacity*—it was determined that implementing a new valuation system across local governments would be prohibitively expensive and unduly complex with minimal benefit.

Every method had advantages and disadvantages, strengths and weaknesses, but provisions for differential rating, concessions, minimum general rating provisions and special rating instruments which acknowledge that one size does not fit all allow councils some flexibility. Rating systems will be determined by councils that ensure a reasonable degree of equity, stability and predictability. Councils will still, as I have said, be able to use their discretion in the provision of concessions and rate relief.

I want to congratulate the newly amalgamated Moreton Bay Regional Council for making two positive changes to rates—one last financial year and one this financial year. It increased the subsidy to pensioners from \$100 to \$200 for all those pensioners who lived within the previous Caboolture Shire Council boundaries. It has this year gone to quarterly rates, something that I have advocated for a number of years. This gives people a choice on how they pay their rates and it will suit many who find it difficult to save a large amount over a year. The council's budget, though, has taken a hit and, unfortunately, it has had to drop the five per cent discount, which will hurt some households. But council budgets, like state government budgets, have taken probably a larger hit than most and their money coming in has decreased substantially.

This bill does contain a requirement to make public the remuneration payable to chief executive officers, or CEOs, and the second tier of contracted council employees in the local government annual report. This is something many of us strongly advocated and is consistent with the fundamental transparency principles about the use of public money with state requirements for publishing the remuneration bands of all senior executive officers, which will also be published in annual reports.

I am told that years ago the salaries of CEOs, who were then called town clerks, were based on the number of ratepayers. So every time the council approved a development, the clerk, and also I believe at least the chief engineer, got more money. This was not an incentive to stop any sort of development, whether it was good or not. Nowadays, people demand to know just how their money is spent. Accountability is important and if ratepayers do not agree with the amount of money that the council is paying its senior staff then the responsibility is on the council to justify its decisions in this regard to its ratepayers.

This bill has been developed in consultation with a number of stakeholders over many months. Sixteen workshops were held across Queensland, and representatives from councils and their professional associations were in attendance. Their contributions were invaluable. Membership of the Local Government Act Review Reference Group included representatives from the Brisbane City Council, Local Government Managers Australia-Queensland, the Local Government Association of Queensland—the LGAQ—Aboriginal, rural and remote councils, the Queensland Council of Social Services and Commerce Queensland and a Griffith University representative. Other peak bodies, including government agencies and unions, were consulted and eight issues papers were released for public consultation. There were 119 submissions received from individuals, community and special interest groups, and businesses.

This bill has been a long time coming. It will streamline and help build stronger councils. I take this opportunity to thank the mayor of the new Moreton Bay Regional Council, Allan Sutherland, for embracing amalgamation and building stronger partnerships with the state government. For the first time, the council has formed a good and positive working relationship with state representatives, including me, and I look forward to partnering the council in more projects that will benefit our community. Currently, Councillor Greg Chippendale, who is also the deputy mayor of the council, and I are working on some jointly funded projects in Caboolture East which will greatly enhance that area.

On behalf of the state government and Queenslanders, Premier Anna Bligh will publicly thank all those workers involved in the Moreton Bay oil spill clean-up and recovery today at a special reception. I will attend and also thank those workers, both paid and volunteer, who ensured our Bribie beaches were cleaned of oil as quickly as possible. Mayor Allan Sutherland again was quick to offer any assistance his council could provide, and everyone was most grateful for his efforts—except for the three-time losing LNP candidate for Pumicestone, who criticised the mayor for advertising the fact that he helped the state government in the clean-up. I will continue to work with the council to ensure we meet the challenges the future presents. I commend the bill to the House.

Ms van LITSENBURG (Redcliffe—ALP) (2.47 pm): I rise to contribute to the Local Government Bill 2009. This bill provides a contemporary governance framework for Queensland local governments to allow them to become more effective in these times of economic concern but also times of continued huge development. As someone who comes from a local government background, I believe Queensland local governments are among the most professional in the country. My local mayor, Councillor Allan Sutherland, and local councillors Rae Frawley and James Houghton, with whom I was elected some years ago, are examples of that professionalism.

The Moreton Bay Regional Council is also an example of a council that not only operates effectively but also manages a rapidly growing region in South-East Queensland. This bill will enable them to do their job more effectively. The 2½ years of consultation—including four rounds of personal visits to councils by the minister, the public release of eight issues papers for comment and the invitation for submissions—means that local governments right across the state have had the opportunity for input into this bill.

The key policy directions in the bill are about producing contemporary principles based legislation. Some major principles include transparent and effective processes and decision making in the public interest; delivery of effective services, sustainable development and management of assets and infrastructure; good governance; democratic representation; social inclusion and meaningful community engagement; ethical and legal behaviour of councillors and officers; streamlining of the processes for changes to local government areas, names and representation; a separate local government bill; and reduction of red tape and administrative processes for local laws.

I would like to focus on the reduction of red tape and the streamlining of local government processes. In this bill the state government is demonstrating its commitment to reorganising and strengthening local government as a legitimate third sphere of government. The bill is not just an amendment to the existing legislative framework for local government. It represents a fundamental shift in thinking and is evidence of the modern relationship between state and local government.

While the current constitutional relationship between state and local government means that local government must be established in accordance with state legislation, a key focus of the bill is to allow local government the discretion as far as possible to manage their own affairs in recognition of the local government sphere and in recognition of the professionalism and experience which a lot of local governments have nowadays.

This is a landmark for local government in Queensland and gives them a new autonomy. This new autonomy comes with new responsibilities and accountabilities. A major change is the use of principles based legislation. The bill eliminates the need for compliance for the sake of compliance by coming to terms with the spirit of the legislation. Practitioners will be able to focus on outcomes that are in the best interests of the community, not completing mindless tick and flick exercises. The requirement for local governments to develop their own code of conduct for councillors has been removed.

The bill itself sets out the expectations for councillor behaviour, both in the principles themselves and the councillor responsibilities and obligations, and I feel that this is a really good measure. I know as a former councillor that the Redcliffe City Council spent quite a lot of time looking at councillor behaviour codes and did not really come up with anything that would match for local government.

Through the consultation process, a clear message was received from stakeholders about the convoluted and time-consuming statutory processes involved in making local law. The bill gives a local government the power to make local laws that are suitable for their particular needs and resources, and that achieves the purpose and principles of local government without unnecessary administrative red tape. Local governments will be able to negotiate directly with the state when making local laws.

As a transitional measure, the Department of Infrastructure and Planning will use its regional structure to build capacity in local governments to manage local law making including the state interest check. Further streamlining will take place in the development of regulations which will continue with the theme of prescribing only what is necessary to supplement the new legislation. The local government finance standard will be repealed, with any essential features being located in a new regulation, removing a layer of prescription from local government. Clearer powers for the minister include the ability to suspend or revoke an unsound decision of a local government including local laws and resolutions. The process will allow potential issues to be rectified quickly and reduce administrative red tape.

A show cause process will precede the exercise of this power and specific requirements for the gazette notice such as the requirement for the minister to state the reasons for the revocation will ensure transparency. Despite the uncertain economic times, people are still flocking to our fair state and there is a need for effective service delivery from their local government. This bill supports local governments in delivering services to their communities and to acquit their responsibilities in a professional manner to ensure the best outcome for their communities and a true partnership with the state government.

I take this opportunity to congratulate the minister and the previous minister who had input into this bill for the comprehensive consultation undertaken with local governments across the state. This process has come up with a balanced and comprehensive bill. I commend the bill to the House.

Dr DOUGLAS (Gaven—LNP) (2.55 pm): Local government occupies a unique position in the management of our local and regional communities across our great state. This 300-page comprehensive bill is an appropriate response after review of the original Local Government Act 1993 in 2006. It is said that the benefits of the new act are that it is modern, stronger and more efficient; there is stronger accountability, clearer roles and responsibilities; and there is a modern, democratic local government electoral process.

The LGAQ requested that the Local Government Act be altered from its rigid focus on reporting and compliance and accountability matters to a more flexible structure that supports the diverse nature of local government. In other words, what it was seeking was for it to be less process driven, and more outcomes focused and more principles driven.

Queensland is a decentralised state. Two of its councils have budgets larger than that of Tasmania. The Brisbane City Council is closer to that of South Australia and, when it resumes the treatment and distribution of water, it could be about the same size. Yet in the Torres Strait there are at least five councils with fewer than 500 people, and there is one so vast, Diamantina, that it takes all day to go across it. Many have small populations; some have very large populations. The Gold Coast, for example, has 260,000 ratepayers.

The boundaries of the councils were often designated by transport routes, original properties, rivers, mines, ports and often the tyranny of distance from major centres. Many councils had amalgamations forced upon them by a government under the pretext of saving money, improving services and reducing compliance. In a series of speeches by former Premier Beattie, he championed how good these ideas of amalgamation were. What happened? Numerous councils became close to basket cases, a few became very large and more highly politicised, and the outcomes of this were fewer services, higher rates, retrenchment of staff—often long-serving staff in nearby councils that were abolished—and a greater delay in service delivery.

There was an extraordinary series of issues that followed on after the amalgamations. There was the pushing on for the water grid—the Traveston Dam, resumptions at the top of the market and about \$9 billion of our wonderful state's assets were transferred back to councils. I suppose they were not really lost in some ways. Councils were then given much of these services back. It seems to be an exercise in rotating the deck chairs.

Local government is recognised under the Queensland Constitution, as was mentioned by the member for Warrego, as late as 1988. Local governments, as the state clearly knows, are not recognised under the federal constitution and as such they are dictated to by state government. They are not strictly instruments of state government, but their independence is not guaranteed because of the arbitrary nature which one political party could deal with a local government or a local councillor as it sees fit. This raises the issue of the redraft of the act. I would like it to be discussed at length, possibly by other speakers and possibly over time.

Kevin Rudd, when campaigning for election as Prime Minister, stated that he would recognise local government within the constitution if elected to government. To date, submitting many bills of lesser priority, Rudd and federal Labor have not moved to complete this much wanted, anticipated bill.

Clearly, it was a significant plank of his stated policy. To do so would complete the missing part of our federal Constitution. So where does this leave us with this bill? We must link into what the federal government is proposing. No-one seems to have suggested a draft of what that may resemble. But the time has come for that. This year is the 150th anniversary of Queensland as a proclaimed state that began with Brisbane proclaimed as a municipality on 6 September 1859.

The minister correctly acknowledges that the LGAQ is the prime mover for both change and representation of councils across Queensland to further empower these councils and strengthen their position in our society. A clear progression on federal lines is now appropriate.

The bill before us today is principles based, as I have said. It is not process based. But councils have become process based. After extensive consultation, process has been taken out of the act and placed into regulations. A number of provisions have been incorporated in other more relevant statutes or omitted altogether.

Issues raised by previous speakers, particularly in relation to the LGAQ, highlight such things as beneficial enterprises, roads and stormwater drains. These are simple things but they are, in fact, very important issues for councils. They need to be reviewed. One would hope that amendments are made during the consideration in detail stage so these sorts of things can be dealt with.

While the bill's explanatory notes say that the bill now applies to local governments, it has limited application to the Brisbane City Council, the BCC. A review of the Brisbane City Council Act 1924 will occur, it is thought, following the passage of this bill. I raise the critical issue of the LGAQ's suggested amendments to the special Brisbane City Council Act. In terms of timing, a bill was first legislated in 1859 and subsequently amended in 1924. We really have to move with the times.

We have seen in the last 10 years, and especially the last five years, the transfer of demands on to council with limited or set funding allocations for those services that the state expects local councils to provide. With these progressive legislative changes and without money, these councils have had to ration services, introduce levies, reinforce tough infrastructure charges on any type of development or just fail to keep pace with the demands placed upon them. On the Gold Coast we believe we are currently \$1 billion behind in terms of infrastructure and do not have the capacity to deliver those services, yet we must.

This is an issue in Queensland, where the population is 4.5 million and continuing to grow. Population has grown unabated since 1964, according to census statistics. State revenue has grown exponentially to fund this, especially since the GST was introduced. So what will local government get? The answer is not much. But what was routinely dumped on it was to fill the gaps.

I will give some examples that have occurred on the Gold Coast. Members need to realise that these sorts of things are going to affect every one of their communities. We have a transport levy for buses, we have a green levy for maintaining recycling, we have a tourism levy for commercial operators and we have massively raised water charges. On the Gold Coast we have had extra charges placed on us for the dam and the desalination plant. The council is considering whether the public should have their bonuses removed. Currently, the exemptions for pensioners remain. Rates are also rising.

The bill would appear to be very soft on the issue that runs to the core of the services that councils are charged with providing—specifically waste collection, infrastructure such as water, roads, sewerage, parks—and the support services associated with these. My concern is that the government has further designs on some or all these services in the future. Either it is considering funnelling down into those areas over time—for example, the federal government assumes total responsibility for health as has been suggested by Prime Minister Rudd—or it is merely ignoring those issues to keep its options open over time. Again, what councils need, other than guaranteed income, is certainty.

The GCCC budget, for example, is derived in three ways and it is just under \$4 billion. Some 40 per cent comes from rates, 30 per cent from fixed charges and 30 per cent from fees and other services. What some do not realise, particularly honourable members here, is that the state exempts itself from infrastructure charges and many of the other fees and charges. Members need to understand what this means in real terms. For the Gold Coast Hospital at Parklands—a \$1.5 billion project—the council will have to spend at least \$75 million and possibly \$200 million on infrastructure to support this hospital. This money will have to be raised via borrowings or an increase in rates and fees and charges. It was the same with Skilled Stadium at Robina and the desalination plant at Tugun, albeit less money had to be raised.

I point out to honourable members, especially government members, that our councils and, by default, councillors have very close contact with our constituents. What they do often affects us and what happens in our electorates. It goes without saying that, irrespective of their politics, we must have a strong relationship with our councillors and councils.

An issue that has often been raised over time is mayors, CEOs and councillors on boards. The member for Warrego has covered that at great length. I will not go into that. On the issue of divisions, I would have to say that in South-East Queensland divisions are appropriate because we cannot expect one person to look after whole areas. It is too much work. They work very hard.

This bill maintains that councillors must vacate their office upon being nominated for election to the Legislative Assembly. This is a flawed clause. It is not replicated by the Commonwealth. The Commonwealth does legislate their recognition under the federal Constitution. It is arguable that this clause will have to be deemed unconstitutional. As such, it would be wise to remove the clause.

Members from both sides of politics tend to move from local to state to federal politics and sometimes the other way. This has happened multiple times. It is sensible. It is a restrictive clause. I know that members on the other side have said that it is sensible. I think it is going to be deemed to be unconstitutional, as it is already with regard to federal members. It denies councils and councillors their common law rights.

Local governments need to more than survive if their communities are to have a future. To set up a council that will fail or, maybe worse, slowly stagnate and eventually die consigns a community to a future of decline. Despite Australia being a young country, there have been cases of councils where either the public's ability to earn income has declined or the state has decided they should no longer exist. The glaring example in Australia is Wittenoom in Western Australia where blue crocidolite, the major ingredient of dangerous asbestos, was mined. The problem tainted all levels and has gone on for years. It is a most critical example of what we must not do.

I think this bill is a good start—it should be supported—but it lacks a lot of the hitting power that should have been resolved. There must be a commitment for change within legislation that ensures councils do not just become the fallback option when governments want to do a bit of cost shifting. The councillors should be treated as equal partners in making communities livable, thriving, safe and vibrant. If the bill is principles based and this must be a fundamental part of the Local Government Act, that the state government does not try to demand a standard of councils and councillors that they do not demand of themselves, then it needs to modify and grow this act further.

We will endorse the progression of the bill to a position where individual councillors rather than councils can be counselled. In extreme circumstances only, rather than sacking those councils we should subsequently deal with those councillors individually. We have need to remember that we do not need to disempower, disfranchise or dismiss council officers because these people expressly represent the wishes of their local communities. This bill is a step forward. I fully endorse the minister's words in her second reading speech—

The bill provides the structure under which local governments can make decisions in the public interest. Councils will be responsible for their community's involvement in democratic representation, social inclusion and meaningful community engagement. They must practise good governance and ensure the ethical and legal behaviour of councillors and officers.

I suspect the changes not included were left out in fear of the potential implications. But change there must be and it must be incremental.

Councils are a real-time example of what is going on in the community. By virtue of their ability to almost guarantee their financial viability so they stay alive, they cannot encumber themselves with financial costs for services they cannot afford. That is a clear example to our state Labor government of real-time financial prudence. If all politics is really local then the state government should practice what councils do.

In an ideal world local governments and the areas they represent should reflect the community choice. They should not be prescriptive but reflective. They should not be process orientated but outcome focused. They should be mindful of their communities and understand that those people chose to live there and want choice in their lives and the local council must respond to their requests. This is totally opposed to the one-size-fits-all model that appears to be imposed on people and has led to great unhappiness. People do not want to be cocooned away as island states within the state; they want to be communities with like-minded interests and do so pragmatically. In a democracy this is one of those rights and privileges that we have taken for granted. My concern is that government members appear to be reflecting in their speeches that the state Labor government knows better. I ask: where is the evidence for that?

Dr ROBINSON (Cleveland—LNP) (3.10 pm): I rise to speak to the Local Government Bill 2009. I want to speak to several aspects of the bill, particularly in regard to council roads and traffic flow issues, council overlays on private and state owned land, some financial aspects of local government and the consultation processes between local and state governments. Further, I want to consider these aspects of the Local Government Bill 2009 with reference to state development in local government areas and in doing so draw on a recent case to demonstrate anomalies within the operation of the bill.

I note that the intent of the bill, according to the local government minister's second reading speech, is to assist and support councils to provide the best possible services and infrastructure to Queenslanders. I agree with the minister that this should be the purpose. However, I note that in practice it does not always work out that way and that government statements have not always been backed up with appropriate actions.

I would like to highlight the case of the Redland City Council in the development project of a new state school in Thornlands south that demonstrates inadequacies in some aspects of the legislation. In April 2009 the clearing of state owned land by the state government was completed to make way for the Thornlands South State School on Ziegenfusz Road. The Redland City Council was provided very little real consultation by the state government in the planning of the site. Despite the low level of consultation, the council provided two submissions to the state government about the project between July and December 2008. These submissions raised various issues that the council requested be considered for their local impact. The Redland City Council put out a statement on 29 April 2009 that described the state government's planning process for council involvement in state development. The title of the media release was 'Council submissions on school ignored by state government'. I table the media release.

Tabled paper: Media release by the Redland City Council, dated 29 April 2009, titled 'Council submissions on school ignored by state government' [\[334\]](#).

In that media release the mayor, Melva Hobson, stated—

The Redland City Council has expressed dismay and disappointment at the clearing of six hectares of significant bushland in Thornlands last week to make way for a new state school in Ziegenfusz Road.

The Thornlands South State School development highlights several concerns relevant to this Local Government Bill 2009 for the residents of Cleveland and others.

I note that the bill deals with the assessment of impacts on roads from certain activities. I note also that a different set of criteria is applied to state development projects under the State Development and Public Works Organisation Act 1971. The role of councils in easing traffic flows is important. In Cleveland there has been much growth in recent years but without the necessary upgrading of roads by the state government. In the Thornlands South State School case the council advised the state government that the school's location would have an impact upon the local traffic flow as there was already undue stress. Ziegenfusz Road is a busy road in southern Thornlands. The area in which the school is being built is already fully developed. The traffic problems in the area are further compounded by the fact that another school already exists on Ziegenfusz Road. The Redland City Council mayor stated—

In its original submission, council acknowledged the state government had no obligation to comply with the Redland planning scheme and codes (because the development is for community infrastructure), but encouraged the state to address major environmental and traffic issues associated with the site.

Council had identified a potential dangerous traffic situation on Ziegenfusz Road given the use of the site as a school and was of the view that the state government should be aware of this fact and be fully accountable to the community for its actions.

On all privately owned land councils have provisions for various overlays—for example, roads and water, and in some regions, like the electorate of Cleveland, habitat overlays for fauna, particularly koalas. To gain development approval private landowners must comply with these council overlays, especially if the application involves koala habitat. But the situation is less than clear when it comes to council involvement on state government owned land. I believe that it is important for state government to work closely with councils in any developments on state government land.

The case of the Thornlands South State School is a prime example of current planning anomalies that exist. The mayor made it clear that the council wanted to ensure that significant environmental values on the property were identified, protected and managed in the long term. In speaking of the government's actions in this case with respect to the environment in local government planning, Mayor Hobson said—

Council was especially concerned about working with them to protect our natural environment and we are extremely disappointed with the way the state has chosen to undertake this project.

Councillor Henry added her concerns which included the lack of tree mapping and that the fauna and flora lists did not fully reflect the range of species at the site. Most disturbing is the fact that the report made no mention of koalas which have been observed at the site or other endangered species, including the grey-headed flying fox and glossy black cockatoo. The site is recognised as a fauna movement corridor in council's draft green infrastructure mapping and we stress to the state government that any design of the school should address fauna movement and habitat retention where possible.

Instead of listening to the council's environmental concerns, the government sent its fleet of bulldozers in between late 2008 and April 2009 and bulldozed the site in what could only be compared to Amazon jungle clearing. If the new Minister for Climate Change and Sustainability was truly concerned about the koalas and other wildlife she would have come out to Cleveland and stopped the bulldozers, but she did not. She continued with the bulldozing and clearing at the site. Then on 23 May she released a statement titled 'Bligh government reaffirms koala response strategy' in which she said—

A freeze on clearing state government land will continue and koala habitat will more strongly influence planning and development approvals.

In fact, the minister's involvement—

Ms BOYLE: I do not doubt the honourable member is concerned about the matters that he is speaking about, but it has nothing to do with the Local Government Act. I put relevance before you as a point of order.

Madam DEPUTY SPEAKER (Ms Farmer): I remind the member to focus on the purpose of the bill.

Ms BOYLE: If I might clarify, planning and development are matters for the Integrated Planning Act and are managed by the Minister for Infrastructure and Planning; they are not matters for the Local Government Act.

Madam DEPUTY SPEAKER: I ask the member to continue but bear in mind the relevance.

Dr ROBINSON: I go to the example of the Thornlands South State School and continue to look at that in the way it relates to local government relationships with state government. The government's approach to excessive clearing of the koala habitat could be seen as being inconsistent and hypocritical when it comes to the environment.

I am concerned about the process of consultation and the way in which this government at times relates to local government. The consultation process is often inadequate and I refer to comments made by the mayor of the Redland City Council. She said—

In its second submission, Council expressed concern at the incompleteness of information provided by the state government in support of the school development, and that most of the matters raised in Council's original submission had been ignored in the subsequent development report and design.

...

Almost none of the concerns and issues raised by Council in either submission were addressed in the final design of the site.

These are the 'two rounds of consultation' the Education Minister refers to.

Clearly, the consultation with the council was inadequate. Further, residents in the surrounding areas were surprised at the level of clearing. In my view, the Minister for Education and Training needs to explain why there was this excessive clearing of koala habitat, which was done against the wishes of the residents and the council.

The residents of my electorate hold the government accountable for the way in which it has handled this project. The government has acted as though it is not accountable to the people. I note that the Minister for Local Government addressed this issue of intent and accountability in her second reading speech. She stated—

Residents not only want to understand how local government processes work but also want to know who is accountable for the delivery of services.

The minister stated further—

Importantly, the Local Government Bill 2009 articulates Queenslanders' expectations that their elected representatives will look after the interests of all residents.

The process is clearly inadequate and needs to be addressed. When the government cleared the site at Thornlands South State School, it did so without any plan to compensate the Redland City Council for the lost vegetation. The mayor has written to government ministers and requested offset vegetation compensation for the loss of koala habitat. I support the mayor in her bid for compensation in this case and call on the minister to immediately make generous reparations to the council for the destruction that the minister's bulldozers have made in my electorate.

Finally, in the spirit of this bill—of esteeming and working together with local government—I call on the Minister for Education and Training and the Minister for Climate Change and Sustainability to respond to the Redland City Council mayor's claims about what they knew about the local council koala habitat overlays at Thornlands South State School and to explain their action of the excessive clearing of the koala habitat. To that end, the shadow minister for climate change and sustainability and I have submitted questions on notice and look forward to honest and timely answers.

Mr DOWLING (Redlands—LNP) (3.22 pm): I rise to speak in support of the bill. Although it is not perfect—and I will dwell on a few of the pertinent issues that may need a little more scrutiny—I will be supporting the bill. It is a step in the right direction and, in that regard, I recognise the minister's work. The bill provides a great deal of clarity of the role of local government. Although it is a principles based document, it provides that clarity of role, that certainty of expectation on behalf of the community in terms of local government's relationship with the state government and other agencies.

There are probably 10 areas that raise questions in my mind and that represent opportunities that may have been lost. The first is the issue of divisions versus undivided communities. It was an issue that was raised throughout the consultation process in the development of this bill. It was also an issue that has been discussed by members on both sides of the House. Although it is quite clear that one size does not fit all, I think the review left the difficult ones undone. It was a significant review and possibly an opportunity has been lost in terms of the issue of divided versus undivided communities.

That issue touches on a few other issues that I will refer to in my speech. In the area of local government laws, again there may have been some opportunity for some set and forget. The bill refers to councils' ability and process in establishing local laws. We have the situation of having different council areas on either side of a road having different regulations. There may have been an opportunity where we could have set some overarching guidelines that all councils could have adopted. That would have resolved a good many issues through the development process and through the application process, such as signage, parking regulations, litter and vegetation regulations. So perhaps there is an opportunity that has been missed.

The explanatory notes state that regular review would be required for all local laws. The bill gives no explanation as to what is meant by 'regular'. 'Regular' could mean daily, monthly, quarterly, annually or every 10 years. That term is just not clearly articulated. Although this bill is a principles based document, it does not provide the clarity that it perhaps could. Again, that is a lost opportunity.

A pet issue in my area of the Redland City Council is election signage. That council's laws have been tested through the courts process a number of times and from time to time have been found wanting. Again, the bill has allowed uncertainty. Although the bill regulates the how-to-vote cards in that it prohibits a council from prohibiting or regulating the distribution of how-to-vote cards, it does not afford the same clarity to election signage and posters. So, again, there is perhaps a missed opportunity for this bill to provide uniformity across all councils.

In terms of rates and charges, some members have touched on the UCV issue. Personally, I regard the UCV as a wealth tax. No matter which way you slice it, that is the way it plays out. Again, an opportunity has been missed. When a review of this magnitude is undertaken, to leave such issues untouched is possibly a lost opportunity.

The bill articulates the grounds for removing an unsound decision, such as if the decision deviates from the planning scheme. Previously, there were opportunities where a council could deviate from the planning scheme with good grounds. Councils should have that flexibility. I am mindful of the processes that might ensue from the issue.

The bill contains provisions relating to the removal of individual councillors. I am a little concerned about those. Obviously, the provisions are better than the previous model, where you had to get rid of all of them. If there are problem councillors or councillors who are behaving inappropriately, there are some advantages. But, again, it is the process that concerns me.

The bill makes a distinction between a conflict of interest and a material personal interest. I will come back to the issue and refer to it in some detail. The bill also contains disqualification through a councillor seeking higher office. Again, members have talked about that issue. I personally think it is an obscene abuse of power to legislate to prevent someone, or to actively discourage someone, from having the opportunity to represent their community at a higher level.

The bill also provides for the appointment of a councillor after 12 months or in the first year of a quadrennial election. Should a position become vacant for any reason, a council has an opportunity to appoint the second placegetter. I see that provision as being fraught with danger. I know that in my own circumstances of the by-election held in division 4 of the Redland City Council, the candidate who came second in the 2008 election where I was re-elected ran again and was defeated once again. Clearly, the community chose not to support that candidate. Having that provision set out and allowing a council to do that, there could be any number of inappropriate uses of that power. So I have question marks around that provision.

Ms Nolan: How much does a by-election cost?

Mr DOWLING: There is also the issue of a superannuation transfer requirement. I will take that interjection. The by-elections are absolutely forced if a councillor nominates to be a candidate whether he is successful or not. So the minister's argument about cost is clearly ill-founded.

I would like to draw the attention of members to the conflict of interest provision, because, again, I think they are misguided. I understand the issue of material personal interest, because, clearly, there are grounds where councillors should make the community aware of their material personal interests and should excuse themselves from debate and not take any part in that process.

The bill articulates that councillors cannot be a part of the meeting process where the decision is made. I think it should go back even further and they should exclude themselves from workshops or briefings related to those issues at the start of the process. Their impact and input is still as valid in those briefings in terms of setting direction as it is right at the end when they vote on an MPI.

The conflict of interest is the real problem. I draw the attention of honourable members to proposed section 173, councillor's conflict of interest at a meeting. Proposed section 173(3) states—

A conflict of interest is a conflict between—

- (a) a councillor's personal interests (including personal interests arising from the councillor's relationships or club memberships ...

That means that councillors who are good members and local councillors and are involved with the footy club, the cricket club and the netball club and are members of these clubs—and quite often are made the club's patrons—are now actively excluded from taking part in decisions to support their community.

Ms Boyle: I am pleased to tell you that you are wrong.

Mr DOWLING: When I read the bill that is clearly articulated. Without getting QCs to decipher this, which is what will happen, I see this section as being fundamentally flawed. It actively excludes councillors and can be used as a tool or a weapon in a council where there is a balance of power issue. I recommend that we try to fix that part up as we move forward.

I thank the minister for the work that has been done. I do draw her attention to those areas that were perhaps overlooked. They were opportunities lost. I support the bill.

Mr PITT (Mulgrave—ALP) (3.31 pm): I would like to put on the record my support for the Local Government Bill. The bill is another example of the Bligh government's commitment to reforming local government in this state to give councils the tools to carry out their role as the important third sphere of government in Australia. Last year, 154 councils were reduced to 116 with the creation of 32 newly merged councils. During the election the LNP, to curry favour with disaffected groups, offered to turn back the clock. This would have been a huge waste of public funds as the majority of newly elected councils were not interested in de-amalgamation. Even some of the staunchest critics of the process were in agreement that this would have been a futile exercise.

In my electorate of Mulgrave, I am fortunate that I am able to work with Cairns Regional Council Mayor Val Schier and Bill Shannon, Mayor of the Cassowary Coast Regional Council. Both are committed local leaders, both with visions for their respective areas. Last week I hosted a breakfast where the Mayor of Ipswich, Paul Pisasale, was the guest speaker. His positive approach and leadership has single-handedly turned that city around. When speaking about council amalgamations, Mayor Pisasale recalled the 1970s movie *The Gumball Rally*, when Raul Julia's character tells his co-driver about the first rule of driving Italian style. He rips off his rear-view mirror and throws it out of the car and says, 'What's behind me is not important.'

The same notion can be applied to local government in Queensland at this time. Now is the right time for local governments to look to the future and grab the opportunities ahead with both hands. Paul Pisasale gets it. Val Schier gets it. Bill Shannon gets it. Why? Because they are the heads of progressive councils.

Mayor Shannon in particular is dealing with a very difficult situation. The Cassowary Coast Regional Council inherited financial stress from the former Johnstone Shire Council. Mayor Shannon and his team are doing a terrific job in proactively working with the state government towards a solution to the numerous infrastructure projects that must be funded. I will continue to do my utmost to support these efforts.

As I said earlier, the Local Government Bill 2009 provides a modern governance framework for local governments in Queensland. It takes into account the environment that councils now operate under as a result of the government's structural reform program. Rather than being prescriptive, it seeks to allow the many and diverse local governments across the state to strive for enhanced operational standards and greater openness appropriate to their individual circumstances.

It has been a government priority in the post-Fitzgerald era to ensure transparent and effective decision making in the public interest and ethical standards of the highest order. This bill delivers that. Greater transparency and accountability of local government to the community is a key feature of this bill. It provides a pragmatic set of standards for public officials such as transparent decision making, inclusive community consultation, accountability for decisions and integrity of behaviour.

The principles enshrined in this legislation help to ensure local governments are open and honest with their communities. Ratepayers across the state have asked for this during the consultation period, particularly in relation to material personal interest and conflicts of interest in decision making by councillors. The bill mandates that councillors report conflicts of interest, misconduct or material personal interest. By making it compulsory to disclose illegal or unethical behaviour, honest councillors doing the right thing are afforded some protection from persecution and pressure by other councillors doing the wrong thing by using their position on council for self-interest.

This government is justifiably proud of the breadth of consultation undertaken in the development of this bill. In early 2007, options for improvement to the current legislation were discussed with local governments at 16 workshops and meetings across the state. Meetings were held with statutory agencies and peak bodies which play an important role of overseeing the operations of local governments, including the relevant unions representing employees in the sector. A Local Government Act Review Reference Group was established with membership from a wide range of stakeholders. Quarterly ministerial round table discussions were held with peak bodies and unions. The new legislation was a standing agenda item for such meetings.

An exhaustive consultation program was then undertaken during the development of the bill which included an invitation for public submissions, four rounds of council visits, and comment was sought on eight publicly released issues papers. In response to the issues papers released between July and October 2007, positive contributions were made by those with comprehensive knowledge and experience of local government—councils and their professional associations. Consultation on the papers was extended to 30 June 2008 to allow new councils elected on 15 March 2008 to make submissions.

Following introduction of the Local Government Bill 2008 into the parliament on 28 October 2008, 42 information sessions were conducted by the then Department of Local Government, Sport and Recreation around the state. These sessions aimed to inform local governments and other stakeholders about key features of the bill in order to allow them to make informed submissions on its contents. Over 700 local government stakeholders responded through these information sessions and written submissions after the introduction of the original 2008 bill.

On the whole, these bodies were satisfied with the degree of the changes. The majority of suggestions made by groups such as the LGAQ, the Queensland branch of the Local Government Managers Association and unions have been incorporated into the Local Government Bill 2009. The degree of consultation and engagement undertaken is extensive by anyone's measure. Put simply, this bill is a result of collaboration by government with all relevant stakeholders, including ratepayers.

For many years, the Queensland government has been working hard to bring Indigenous councils onto a level playing field with other local governments across the state. The Local Government Bill 2009 means that former community councils are covered entirely under Queensland local government legislation but takes into account those things that set them apart and make them unique: the rich cultural practices of Indigenous peoples living in Queensland—Aboriginal tradition and 'Ailan Kustom'.

Last week I attended the Ministerial Indigenous Roundtable held in Cairns and I would like to thank Minister Desley Boyle for the opportunity to participate in the process and also to support Mayor Percy Neal in his efforts on behalf of the Yarrabah community. At the round table, there was a real sense of momentum in terms of important issues such as Indigenous employment and resolving land tenure issues, both critical elements in improving economic participation. The provisions included in this bill for Indigenous councils to charge a levy on residents living on deed of grant in trust communities in lieu of rates is welcomed and will provide a degree of autonomy for these councils never before seen.

The Bligh government is looking to the future and working with councils to simplify their methods of operation and bring local government in Queensland into the 21st century. I look forward to working with councils in my electorate to meet our shared objectives. Those opposed to this bill need to look at the bigger picture and embrace the principles of greater accountability, governance and transparency that it will deliver.

Mr SEENEY (Callide—LNP) (3.37 pm): I am pleased to rise this afternoon to make a contribution to the consideration of the Local Government Bill 2009. My contribution will be somewhat shorter than it otherwise would have been because of the restrictive nature of the debate that the government has imposed upon the consideration of this bill. As other members have indicated, it does not bode well for the government's management of this parliament that it should seek to restrict the time available for the consideration of a bill as important as the Local Government Bill 2009.

I was motivated to speak this afternoon primarily because of my local government history but also because I represent an area where local government is very important. The electorate of Callide is made up of some 14 small communities. It is in those small communities that local government is at its best and plays its most important role. Local governments are part of the fabric of those small communities in a way that people who live in large urban centres cannot possibly understand. Yet those of us who represent those communities know how important local governments are to those small communities.

Before I came to this place I was a member of a small local government. I had the privilege to serve on the Monto Shire Council for a number of years and served as deputy mayor before I was elected to state parliament. It is a period of service that I remember with a great degree of fondness and a great degree of self-satisfaction because it was very rewarding for me personally. I think it was very rewarding for all of us who served in local governments. In that time we dealt with the introduction of what we termed then the new Local Government Act. It was a profound change. It was a fundamental change to local government. I served with a number of very long-serving councillors, people who had been in local government for 25 or 30 years before then.

Mr Hinchliffe: Are you in that picture on level 5?

Mr SEENEY: The minister reminds me of the picture on level 5. It is actually a picture of the Monto Shire Council painted by an artist called Gil Jamieson, who was a local boy from Monto. That picture was actually donated to the parliament by the Monto Shire Council when the Annexe was built. The government of the day could not afford to buy art to decorate the Annexe, so each of the local governments throughout Queensland donated a picture supposedly from their local area. The Monto Shire Council commissioned Gil Jamieson, who was not then as famous an artist as he subsequently turned out to be, to paint that picture of the Monto Shire Council in session. I have to regrettably inform the minister that I was not a member of the council then. However, I did serve on the council with a number of the councillors who are depicted in that painting. Councillor Kev Hockey, who was a long-serving mayor of the Monto Shire Council, is depicted in that painting. I think it is a great painting, as a lot of Gil Jamieson paintings are, because it captures the spirit of the small council chamber. It captures the spirit of a group of ordinary people who have come together to serve their community. It hangs there on level 5 and I have great delight in taking visitors to see it, especially some of them who know the people in that painting because there are a number of very long-serving councillors there.

Mr Hinchliffe: They look like quite colourful characters.

Mr SEENEY: Councillors in those days were almost invariably colourful characters. But in those local councils they had the council's best interest at heart and they had the community's best interest at heart.

As I was saying, I was part of that transition to the new Local Government Act back then. It was a fundamental change. The bill before the House today is a rewrite of the Local Government Act but it probably does not constitute a fundamental change to the same extent. It is a continuation of a change process which has beset local government right from the days when I served on that council. It is probably 20 years now that local government has been dealing with that fundamental change, and the bill before the House is a continuation of that change.

Those changes that have happened over the last 20 years are almost minor in comparison to the changes that were imposed on local government for political reasons by the previous Beattie Labor government—the forced amalgamation of so many of those small local governments. I am sure that every member who was in this House at the time will remember the fervour of the debate in this place about the changes that were proposed and forced through in an unseemly fashion with unseemly haste. It is regrettable that now, when I look at the end result of that forced amalgamation, not only across Queensland but more particularly in the area of Central Queensland that I represent, it is impossible to avoid the conclusion that the fears that were expressed so often and so strongly by members on this side of the House have been realised. There is absolutely no doubt that those communities are considerably worse off, by whatever measure you like to apply.

Mr Shine: That's not true. We're not finding that. We're not seeing that at all, Jeff.

Mr SEENEY: The government backbenchers find that impossible to accept. I make those comments with no expectation that the changes are going to be reversed. I make those comments as an honest appraisal of the situation now, accepting the fact that the changes have happened and not imagining for a minute that anything I say is going to influence the government to make any changes.

It is an undeniable fact that the communities I represent are considerably worse off since council amalgamation. There is no doubt about it. It is an undeniable fact that, by whatever measure you like to apply, the ratepayers and property owners who live in the 12 or 14 small communities that I represent are considerably worse off than they were before the council amalgamation was forced upon them. There can be no doubt about that. It is with some regret that I think all of us have come to realise that we have to live with a considerably worse situation that was imposed upon our communities for base political purposes by a government that did not understand and did not care.

All of those smaller local governments like the one I served on—the one that is depicted in the painting that we talked about before—are now consigned to history. In my electorate I now have a number of large regional councils. Contained within my electoral boundaries I have the entire area of the North Burnett Regional Council, I have a considerable part of the South Burnett Regional Council, I have the entire area of the Banana Regional Council, and I have some small areas of some of the larger councils like the Bundaberg Regional Council.

While there is a considerable difference between those regional councils, I think it is fair to say that they are all still struggling to come to grips with the changes brought about by amalgamation. They invariably say to me that the costs imposed on them by the amalgamation process will be a burden that they have to carry for many years to come and will be a burden that will detract from their ability to deliver those services to their ratepayers. The shadow minister has dealt with that issue and he has also dealt in some detail with the other issues in the bill.

In the short time that is available to me because of the truncated nature of this debate—because the government does not consider this important enough to allocate a sufficient amount of time for it to be considered fully in the parliament—I want to restrict my comments to the one part of the bill that sets out to define what a local government is and what a local government's responsibility is.

I welcome the comments not so much in the bill but in the explanatory notes that recognise that there cannot be a one-size-fits-all approach to local government in Queensland. That is an argument that I have progressed since the days when I was a member of a very small council. You cannot take a one-size-fits-all approach to local government in Queensland because there is a world of difference between local governments such as the Brisbane City Council and the Gold Coast City Council and the smaller regional councils like the ones that exist within my electorate. There is an enormous difference. I welcome the fact that this bill gives some recognition that there is not and cannot be a one-size-fits-all approach.

I welcome the fact that this bill gives to each local authority a responsibility to define its own roles. The bill gives each local council the broad responsibility of doing what is best for their local people and their local community. That is what local governments have done in the main for a long time, in my view. Of course, as with all things in life, there are exceptions, and I know that people who want to attack local government, as they have done in this place on numerous occasions, like to point out examples where the outcomes have not been what they should have been.

In the greatest percentage of cases, that is what local governments have always done. They have tried to do their best for their local people and their local communities. Local councillors—the people who have served in what have always been semivoluntary capacities—have set out to do the best they

can for their local communities and the local people they represent. It is good to see those types of words used in this legislation and that recognition given. It is good that the people who are elected to those councils are given that sort of broad area in which to define their own activities.

There is also a considerable section in the bill which deals with the responsibilities of councillors, mayors and council employees. This is an area that has caused considerable difficulty during that 20 years of transition, if you like, that I have spoken about before. When I was first elected to council and possibly before that, there was still very much a community expectation from the people who elected me and my contemporaries that if something was wrong then it was my responsibility to fix it. I remember getting phone calls at 5.30 and six o'clock in the morning from people saying, 'There's a tree over the road,' or 'My bridge has washed out,' and the expectation was that I would be in the car and down there supervising the removal of the tree or whatever. It was very much hands-on; it was an involvement that was expected and that went with the position.

Over time and since the introduction of the previous Local Government Act, we have seen a removal of councillors and elected people from those operational roles and a separation of the councillors and the mayor from council staff. In a lot of instances, that has not been well accepted by communities and it has been difficult for some long-serving councillors to accept the concepts that have been involved. When I look at the way this bill is written and what is stated in the explanatory notes about the purpose of the bill, it would appear to me that that separation is now almost at the point of having gone too far. That separation of elected officials from the responsibility for what happens on a day-to-day basis is almost overemphasised.

I say it has gone too far because we as legislators, we as administrators, have a responsibility to recognise the expectations of the people who are administered by the laws that we make, and there is still a considerable expectation from the people in those communities that the councillors are going to take the responsibility and take the phone calls. They will still get the phone calls at whatever hour of the day it is, but there is an expectation that councillors will at least take the responsibility.

While I accept that the change has happened and the days of councillors giving directions and supervising the fixing of the problem are gone—and I am not suggesting that history be reversed and we try to go back to that—I make the point that, regardless of what we put in bills such as this, we need to recognise the expectations of the community that will be impacted by it. The people who are elected to local governments will need to recognise that, and that will differ greatly depending on the size of the local government that is involved. As I said earlier, that is one of the reasons it is important to recognise that we cannot have a situation of one size fits all.

I take this opportunity to commend the people who serve in local government. I think it is a great training ground not only for state parliamentarians but for life. It was certainly a great training ground for me. Because I was involved, I appreciate the efforts that are made by the men and women who serve on local authorities now, particularly those who serve on the local authorities within my area. There is no doubt that their efforts have been made more difficult by the decisions that have been made in this House, particularly for the North Burnett Regional Council, where this government decided to merge six local councils into one. In that case, there was no centre of gravity, no large council; the six councils were all of a similar size. Those six councils were asked to operate as a single regional council, and it has been extremely difficult for those councillors. I have watched Joy Jensen, the elected mayor, and the councillors there struggle with what was always going to be an incredibly difficult task, but I congratulate them for the efforts they have made. I wish them well because their efforts to make that model work are not over yet.

The experience of that council has been completely different to the situation with the South Burnett Regional Council, which is also largely contained within my electorate. In that case, they had the larger centre of Kingaroy to provide the critical mass for the smaller councils it was amalgamated with. So each situation in the amalgamation has been different and it is fair to say that some of the councils are still struggling. I urge the minister to be aware of the struggles of some of those councils and to provide them with the assistance they need to cope with a change that has been imposed upon them—and I accept that the change will not be reversed.

There is a commonly accepted opinion out there that we need to make it work now. Let us, Minister—you and I and the other elected members in this place—do everything we can to ensure that the people who take on those elected roles in those regional councils can make it work for the people in the communities across Queensland. I think that is our responsibility as we consider this legislation that introduces the new Local Government Bill 2009.

Mr CRIPPS (Hinchinbrook—LNP) (3.57 pm): I rise to make a contribution to the debate on the Local Government Bill. I note in doing so that the bill is almost a complete rewrite of the act. Despite this, debate today has been limited to only a few hours of the parliament's time, notwithstanding the wide-ranging and significant implications it will have for the governance of our local communities.

The bill implements significant changes to the legislative regime under which local government is organised in Queensland. The bill is principle based, in contrast to the existing Local Government Act that was heavily prescriptive and process based. Specific processes will be largely taken out of the new Local Government Act, with a number being placed into regulations and a number of provisions incorporated into other more relevant statutes.

I acknowledge that there has been extensive consultation with local councils, the Queensland Local Government Association and other stakeholders. I am pleased to acknowledge that fact and I welcome it and say that I hope it is a sign of things to come. It is, however, in stark contrast to the consultation that took place with local councils, the Local Government Association of Queensland and other stakeholders when the state Labor government undertook radical wholesale amalgamations of local government authorities across the state during the last parliament. That process of forced local council amalgamations was a dark chapter in Queensland's history and continues to cause significant problems in local communities across Queensland. It was really a disgraceful episode, but it was instructive for a member in their first term in this place, as I was at the time, about how little respect the government has for the parliament and the people of Queensland.

The Local Government Association of Queensland requested a number of changes to the 2008 bill, which was the previous version of the bill that lapsed when the state election was called earlier this year. The explanatory notes accompanying the bill indicate that the state government accepted a number of those requested amendments, with the bill that has been introduced subsequent to the election reflecting those changes.

Today I would like to put on the record a number of matters raised with me by local government authorities in the electorate of Hinchinbrook. It is important to put on the record that local councils are the closest level of government to the people of Queensland, and as such it is a very important level of government for local communities. Given the significant geographical size of Queensland, the conditions experienced and the challenges faced by local councils in particular areas of Queensland will be diverse. Therefore, the principles based approach proposed by the bill is generally welcomed by the Queensland Local Government Association and councils across the state. However, this will inevitably mean that local government authorities will have divergent views on some matters in the bill.

The first issue is an issue raised with me by the Hinchinbrook Shire Council. It has expressed an interest in candidates for the position of mayor of a local government authority being permitted to simultaneously stand for election as a councillor. This is not currently permitted by the Local Government Act or by the proposed amendments to the act in this bill. The Hinchinbrook Shire Council feels that not allowing dual candidacy at times means that experienced mayors and councillors are lost to local government when they choose to run for mayor but are unsuccessful. This argument applies to both experienced councillors electing to run for mayor and mayors who may be unsuccessful in being re-elected but who are able to secure enough support to be returned as a councillor.

I wish to be clear in making these comments today that the proposition is distinct from a system whereby a mayor is elected by councillors at the first meeting of a council subsequent to a local council election. This proposition may be worthy of further consideration given the widespread reduction in the number of councillors being elected to each council subsequent to the recent local government reform process. The Hinchinbrook Shire Council believes that dual candidacy operates in other jurisdictions such as Tasmania and New Zealand and that it should be given some consideration in Queensland. The Hinchinbrook Shire Council has also expressed a desire for local councils to be consulted on the content of the regulations prior to their being implemented, in recognition of the fact that a considerable amount of the bill will be implemented through regulation, which seems reasonable.

The Cassowary Coast Regional Council has expressed its concern about the fact that this bill does not include provision to reinstate the body corporate status contained in the previous Local Government Act until it was amended in 2008. The Cassowary Coast Regional Council considers that the provisions in this bill do not properly reflect the status of local government authorities as individual legal entities and believes that the reinstatement of the provisions that provide for corporation status should occur as a matter of priority.

This is a matter that is also being decried by the Queensland Local Government Association. The Local Government Association of Queensland has been taken out of the Local Government Act after a very long time and will be replaced by a company limited by guarantee. The shabby way that the state Labor government treated local government, and indeed the LGAQ, during the process of local government reform seems to be continued with the representative body of local government being sidelined from the act.

The bill includes detailed provisions relating to roads and other infrastructure including the fixing of levels for roads. The Cassowary Coast Regional Council considers that the prescriptive nature of the provisions relating to the fixing of road levels should be reviewed and not be a mandatory requirement for councils to fix permanent levels on all roads, particularly rural roads. The Cassowary Coast Regional Council considers that the prescriptive nature of these provisions seems to be inconsistent with the principles based approach upon which much of the rest of the bill has been developed.

In contrast, the Cassowary Coast Regional Council considers that the provisions of the bill regarding rates appear to be very broad. The council believes that, given the important nature of the provisions that cover rating systems, there should be consideration given to providing more detail in the act in this regard, especially in relation to differential general rates and the use of unimproved capital valuations for a basis of rating. The council believes there is some confusion in the provisions of the bill about the difference between a rate and a charge for availability or supply of a service to a property, and the council is of the view that the distinction between a rate and a charge that is in the current Local Government Act should be retained.

The Cassowary Coast Regional Council notes that the bill includes provision for the minister to be furnished with an expanded range of powers to monitor the actions of local councils and take steps to address issues where the actions of councils are deemed to be unsatisfactory. The council acknowledges that these changes are being made to overcome some perceived shortcomings in the existing Local Government Act to address these matters. The council is generally supportive of the proposed changes but is concerned about the proposal for the minister to have the opportunity to dismiss an individual councillor or dissolve an entire council without that individual councillor or a council as a whole having recourse to a process of judicial review of that decision.

It should be noted that the Cassowary Coast Regional Council was created as a result of a forced amalgamation of the former shires of Johnstone and Cardwell. A number of honourable members will be aware that the former Johnstone Shire Council was dismissed and an administrator appointed in February 2007. I was in this place when the former minister for local government, now the Treasurer, advised the parliament of his decision. As I said in this place at that time, there is no doubt there had been a considerable amount of concern expressed about the activity of the Johnstone Shire Council over the preceding three years, culminating in the minister for local government issuing a show-cause notice in the later part of 2006. An injunction was sought by two councillors at the time. That injunction was dismissed in early 2007, and subsequently the state government made a determination to dismiss the council.

I am certainly not arguing today that the minister made the wrong decision at the time, but I must say that I think individual councillors and local government authorities as a whole ought to have recourse to a process of judicial review in the event that the local government minister makes a decision to dismiss them. A local government minister should have nothing to fear from a process of judicial review if they comply with the proposed provisions in the bill in relation to show-cause notices and their reasons for moving to dismiss an individual councillor or an entire council are sound.

The Cassowary Coast Regional Council also notes that the bill does not contain a provision requiring candidates for council to be residents in the local government area that they are contesting. The council considers that it is an important requirement for candidacy for local government authorities that residency within the local government area be a qualification of candidacy and that this provision should be in the bill.

In relation to the matter of local councillors continuing to be required to resign from a local council in order to nominate for election to the Queensland Legislative Assembly, I think this is a failed opportunity to bring Queensland into line with Commonwealth legislation, which does not require local councillors to resign from local councils to contest federal elections.

I heard the member for Redlands explain earlier that this scenario creates enormous difficulties for local communities when it ought not. By-elections for local government authorities are forced on local governments regardless of whether the councillor who resigned to stand for election to the Queensland Legislative Assembly is successful. The member for Redlands was recently in this scenario, and the government would do well to take note of his experience and reconsider this provision.

Lastly, I heard earlier the comments made by the member for Mulgrave about the financial circumstances of the Cassowary Coast Regional Council—a local government authority that we share representation of in this place. I am somehow tempted by the remarks made by the member in reference to that matter to take up the matter, but I fear that the minister knows and perhaps the Deputy Speaker would know that this is not the time or place, save to say that I have spoken in this place on a number of occasions about the financial circumstances of the Cassowary Coast Regional Council and that the government still has not adequately addressed the recommendations of the Local Government Reform Commission report or the subsequent recommendations of the Orion report and the de Castel report. I hope that the minister on returning to this portfolio will proactively address the real need to assist that Cassowary Coast Regional Council for the benefit of the ratepayers, many of whom are my constituents.

Mrs MILLER (Bundamba—ALP) (4.08 pm): I rise to support the Local Government Bill 2009. I would like to acknowledge the hard work of the previous minister, Warren Pitt, and our present minister, the Hon. Desley Boyle. I had substantial input into this bill, being a member of the local government caucus committee. I am pleased that this bill extends the powers of the Local Government

Remuneration Tribunal. MPs in this House from previous parliaments would be aware that I raised the issue of remuneration in Ipswich a few years ago and that I called on the government back then to institute a remuneration tribunal, which it did. I am very pleased that it did.

I am even more delighted that now we are going to have the state Local Government Remuneration and Discipline Tribunal. This tribunal will have a range of powers and it will be able to use penalties, fines, mediation, issue warnings and suspend allowances. In serious cases of misconduct the minister will be able to recommend to the Governor in Council the suspension or dismissal of an individual councillor. It is about time that we had this provision inserted into local government legislation.

I am sure that there have been many councillors across the length and breadth of Queensland who have known about misconduct or alleged misconduct but have collectively kept quiet because to raise the matter as an issue would mean that the whole council would be sacked. In other words, all the councillors, including those who may have been innocent, would have to be sacked under the previous legislation. This was a real disincentive to councillors because to blow the whistle on misconduct or other inappropriate behaviour would have meant that the innocent councillors would also have copped the penalty. I hope that this provision will result in more councillors taking a step forward and blowing the whistle on misconduct and blowing the whistle on the incompetence and corruption.

I know that there are some councillors in Queensland who are known collectively as the 'town clowns'. Some are known as the 'city clowncouncillors' which is extremely unfair to those councillors who are hardworking and efficient. The provision also means that misconduct can be dealt with and will be dealt with by an independent tribunal.

I would now like to comment on clause 12(4)(e) of the bill before the House. This relates to a mayor being able to direct the CEO to do something. I would ask the minister in her summing-up to make a comment on this. I would like to know whether this direction will be in writing or whether it can just be a phone call. How are these directions to be recorded? For example, should the CEOs record each direction and have the mayor sign and date it? Do the CEOs write a memo to file? How will it actually work in practice? I think that this particular provision is very important. For example, under some legislation that we have passed in this parliament if a minister is to direct statutory authorities then they have to undertake that direction in writing. I am asking the minister to consider when the mayor is directing a CEO to do something that that direction be in writing. I seek the minister's guidance in relation to that.

I would also like the minister to comment on this point. If the direction given to a CEO is not in accordance with local government policy or is in any way ultra vires I would like to know what the position of the CEO would be, particularly given clause 12(4)(f) which relates to the CEO's performance appraisal. In other words, what I am suggesting here is that if a mayor wants to give a direction to the CEO the CEO would be well aware that it is the same mayor who will conduct their performance appraisal. What I am suggesting here is that there could be grounds for a mayor to overstep the mark in relation to the performance appraisal of the CEO. I am wondering whether the minister can give us some guidance on this matter. I think it would be very unfair for a mayor to give a direction to a CEO if it is against existing local government policy or ultra vires in relation to any federal or state legislation.

Finally, I would like to ask the minister about material personal interests and conflicts of interest. Mayors and councillors, as the minister would be aware and many members of this House would be aware, raise substantial money from developers yet they still vote on development applications before the council. Many declare a personal interest. They even declare a material personal interest, but they still vote on these development applications. Constituents view this as shady. They view it as corrupt. They view it as unprofessional. They view it as taking the community for mugs.

Hundreds of thousands of dollars have been raised by mayors across Queensland, mainly from developers. Tens of thousands of dollars have also been raised by councillors. Yet they still go into the local government chamber, they still declare their material personal interest or conflict of interest and they still vote on development applications. Minister, I believe that this has to stop. I seek the minister's guidance in relation to this in her summing-up.

I would like to raise another issue in relation to the funds that councillors raise. I know in the last parliament we said that funds raised by councillors have to go into a certain account and they have to declare what moneys are in that account. What I want to know—and could the minister give us some guidance on this—is what happens if a councillor does not spend all that money at a particular election and they retire at the next election or do not stand at the next election? What happens to that money that is sitting in the fund?

What I would like to suggest is that if there is any funding left in a particular councillor or mayor's election account that that automatically be transferred into the general funds of the local authority, otherwise it could be viewed by constituents as bribery or corruption. Any moneys left over from a council campaign should, in my view, automatically be put into the general funds of the local authority.

I would just like to talk briefly about Ipswich. Ipswich is a council that is known as an open council for developers. I do not even recall one development application that has been denied and yet many people have said—and the press has certainly said—that there have been shady developers in Ipswich. When they are allowed to build developments that some people describe as modern day ghettos and when they load up the pockets of councillors with donations to their campaign funds, then they vote on these applications, the community believes that something stinks, something is rotten and that public administration in local government has become cancerous. I am very pleased that this cancer is about to be cut out.

In conclusion, I would ask the minister to please comment and give guidance on these matters. What we have to have is confidence in local government throughout our state. We have to have confidence in our councillors who are elected to provide appropriate guidance and make appropriate decisions. They need to do it on a proper basis. That is good public administration in local government in their local government areas. I commend the bill to the House.

Mr JOHNSON (Gregory—LNP) (4.17 pm): It is with much pleasure that I rise to speak on the Local Government Bill 2009. A lot of comments have been made in the House today regarding this bill. I heard the contribution made by the shadow minister for local government who has a very thorough and deep knowledge of local government.

I heard the member for Toowoomba North say a while ago that everything is pretty good as far as local government is concerned in his electorate. That is good, but I have to say that there are many places in Queensland where things are not good with local government. That is the outcome of the forced amalgamation of these shires.

I will pick up on what the member for Callide said this afternoon. Whilst it is the prerogative of government to put in place those changes, it is now up to us to make certain those changes work. I say to the minister that it is very important to recognise that we are not just talking about big regional councils. A lot are smaller western shires like those in the area I represent. Some are large regional shires in country Queensland that have been amalgamated into one shire. There are also donut shires like Roma-Bungil, Dalby-Wambo and Charters Towers-Dalrymple. I think it is a great move to amalgamate those into one because there has been a duplication of resources before.

It is very important that the minister continues to recognise—and I know she will be a former councillor on the Cairns City Council—that many of the smaller towns in regions like the ones I represent in Gregory, especially places like Isisford, Muttaborra and Aramac where they have lost their shire seats, will see many of their assets eroded away. There will not be the need now for as many people to be living in those centres and we will see a decrease in the cost of houses. If some of those people—elderly people, some very solid family people—have to move away, their assets will not be very substantial. They will have to sell at a loss and then purchase a property somewhere else.

While the bill includes a number of provisions, as the minister says in her second reading speech, the provision that gives local governments the flexibility to develop their own operational procedures and processes in planning finance management matters is a very good aspect of this piece of legislation. I will use the example of the Longreach Regional Council which takes in the old shires of Ilfracombe and Isisford, where currently there is the dilemma in relation to upgrading the water infrastructure. There have been many millions of dollars spent over the last few years under the stewardship of the former mayor, Councillor Pat Tanks, and now under the stewardship of the current mayor, Councillor John Palmer. Many of the old houses were supplied with water out of the Thompson River. Many also had reticulation of bore water which has been the situation for many years. The council is now in a dilemma about which way to go. I have written to the Premier—I have also cc'd a copy of that letter to the honourable the minister—to see if there are ways we can get emergent expenditure to address this issue.

In relation to much of this infrastructure there will be a question of how much of the cost these councils can wear themselves. They will not be able to. If we are talking about regionalisation and decentralisation it is very important that we recognise that everybody cannot live here in the south-east corner. We have heard the Premier over the last 72 hours make announcements in relation to privatisation of government assets. This morning in the House I heard the Minister for Main Roads saying how great it is going to be for regional Queensland. I hope we will see some road funding go to those local council areas as a result of the privatisation of those assets. They are not all federal roads; they are not all state roads. There are a great many goods being transported on unsealed roads over long distances. These roads are an impost on the local governments in question. It is important to the quality of life of these people and to the product they produce. Last week Andrew Vickers from the CFMEU made reference to the coal royalties that are coming out of the Central Queensland coal basin. It is about time some of that chaff came back to the Central Highlands and the regions around Queensland. The north-west mineral province is no exception. These people deserve a better quality of life through road and other social infrastructure.

With the forced amalgamation of shires, the Peak Downs shire, the Bauhinia shire, which is based on Springsure, the Duaringa shire and the Emerald shire have been pushed into one. In that region the Woorabinda Aboriginal shire is down one end of my electorate and then there is the big shire of the Central Highlands. The sad fact of the matter is—and this is exactly where Andrew Vickers is coming from and I support him totally—there is not one representative out of that old Duaringa Shire Council on the new Central Highlands Shire Council. This is very disturbing when a place like Blackwater with a population of about 8,000 generates enormous wealth. It is an important issue we have to address in future amendments to legislation that will give a better representation and quality of life for these people.

I have written to the minister in relation to issues at Woorabinda. I note that time is limited because the legislation has to be pushed through the House this afternoon. I have spoken with the minister personally on these issues in the past and I will continue to do so in the future. An important aspect of this legislation is the ability of the Premier to select advisers who can advise councils in relation to managerial and financial issues. That is a good aspect of the legislation. I was a former member of the Public Accounts Committee in the old parliament. One of the issues that always came up from the Auditor-General was the disturbing factors around the financial management of some of these Indigenous communities. I believe that we can make a hell of a difference. I know the minister is passionate about it. I assure the minister that I am, too. I have already written to the minister about a couple of issues at Woorabinda but there are many more. It is not only applicable to Woorabinda but to other Indigenous communities around Queensland. I believe that together we can make a difference. I will be told to sit down by my people in a moment. I know time is special.

Mr Finn: More about Duaringa Shire.

Mr Moorhead: More about Duaringa.

Mr JOHNSON: I will tell you about Duaringa, all right. I will take the interjection. It is all very well to sit over there and laugh. I see the member for Yeerongpilly. I do not know what he knows about local government in western or remote Queensland. He probably has not got any idea at all. I have been provoked again. I do not like being provoked, but I will stand up here all day and take the mickey out of that lot because we do tell the truth on this side of the House. We give the facts about what is going on. We do not hide them until we get in here after the people have elected us under false pretences and then tell everyone what is going on.

Mr Hoolihan interjected.

Mr JOHNSON: I would not say anything if I were you, member for Keppel, because you come from Longreach, my friend, and you know exactly what I am saying about some of these issues. It is very, very important that those anomalies that lie with local government through this amalgamation process be addressed. The impost of the cost of running these shires with the escalation in management strategies and costs is being carried by these local councils and it is important that we make certain that they are not cut off when it comes to funding and that we do have the necessary dollars to address the issues.

Let us be realistic about this. As I have said before, and I have quoted other people, there is a lot of money that comes out of those regions and a lot of those dollars are giving the people here in South-East Queensland the quality of life that they enjoy on a daily basis. It is the blood, sweat and tears of a few. I think we should get a little bit back to get a better road system. We cart our fat bullocks, our grain and all the other commodities that we produce in the bush over this road system and we promote tourism. I want to take up a lot of issues with the Minister for Main Roads and tell him about the road infrastructure that our roadtrains pull goods across on a daily basis. With a fuel tax the cost will be prohibitive. I have also been told that we are in for a two per cent land tax grab by this government. It will be interesting to see if that becomes a reality in the next few days. I support the legislation and I trust that the minister will gain a fair and clear understanding of those remote councils and their needs that are well deserved.

Mr MOORHEAD (Waterford—ALP) (4.28 pm): I rise to support the Local Government Bill 2009 and commend the minister and her predecessors who have brought this important reform to the parliament today. Local government is a fundamental part of the Australian system of government. Local government has responsibility for some of the most important decisions in our community. Local government has the responsibility to build communities that are both economically and socially sustainable as well as ensuring those communities are places where people want to live. The happiness, health and wellbeing of Queenslanders depends on well-planned communities with infrastructure and services that support vibrant, dynamic and healthy communities. I do not think anyone in this House should underestimate the concern our constituents hold for those issues which are the responsibility of local government. When I visit my constituents and ask them what are the issues that concern them, more often than not those issues are local government issues: the park at the end of the street, the system for the collection of their bin and the maintenance of local roads.

That is why the state government, with the role of systemic oversight of local government, has introduced this legislation. This legislation will ensure that, as independent, democratically elected governments, local councils have a system of government that is accountable and transparent. This bill gets the balance right: giving councils control of council affairs while saving state government intervention for those instances where the standards of governance are not being met. The state government's role in local government is not, and should never be, an appeal from council decisions but a role of systemic oversight of local government.

This bill is part of Labor's historic reform of local government in this state—a reform that has made local government stronger and more responsive to planning for the growth in our local communities. I represent many people in the suburbs of Beenleigh, Holmview, Edens Landing, Bethania and Waterford who came under the jurisdiction of the Logan City Council after the 2007 local government reform. While many people were deeply concerned about these changes at the time, I think for the most part those concerns have been allayed by the level of service and representation by the Logan City Council. Most importantly, residents in the transferring area are paying on average \$17 per year less in rates than they would otherwise be paying under the Gold Coast City Council. Despite the dire warnings from the opposition, the sun still rose in the east after local government reform took effect on 15 March 2008. The sky did not fall in, as the Chicken Little from Warrego had told us it would.

At the same time, there have been some issues facing Logan City Council in its new role. Unlike most other councils, areas were transferred to Logan City from other local government areas. There have been some problems in this process, particularly in allocating assets and debt between the three councils. I appreciate the great work that has been done by the Logan City Council, particularly CEO Chris Rose, as well as the previous minister, Warren Pitt, for their assistance in working for a resolution of these matters. I must say that the Logan City Council has had a strong relationship with the state government and its local representatives. I even had quite a good working relationship with the now member for Beaudesert, who used to represent a division that was partly within my electorate. I think the referral of concerns between us worked well.

This bill is the next stage of Labor's plan to ensure that local government is ready to meet the challenges of the 21st century. This bill also contemplates the establishment of a comprehensive local government electoral act. This bill will also provide a new regime for handling complaints and allegations of inappropriate behaviour or misconduct. Inappropriate meeting conduct by councillors will be directly dealt with by the mayor, with mayors having a power to warn and suspend councillors. Allegations of misconduct against councillors will be investigated by independent regional conduct review panels, which will have powers to counsel, order apologies or mediate disputes. More serious allegations of misconduct will be dealt with by the Local Government Remuneration and Discipline Tribunal, which will have the power to issue penalties ranging from mediation and fines through to warnings or the suspension of allowances. As well, the local government minister will now have the new power to recommend the dismissal of an individual councillor to the Governor in Council where there is no other alternative available. This bill will ensure a stronger local government sector, supporting Queensland's growth for the future.

Mr McLINDON (Beaudesert—LNP) (4.32 pm): It is fitting that I follow the member for Waterford. As he said, we had a working relationship that worked extremely well. Now we are in the same level of government, no doubt that will present some different challenges. Maybe we will not be able to work together as well as we did in the past, but we will certainly work on that.

I congratulate the government on reducing the size of this bill by some 860 pages. As other members on this side of the House have done, I will outline some of the concerns that I have as a previous councillor of some five years experience in the Logan City Council and certainly being a front-line witness to a not-so-smooth transition following amalgamation.

One thing that concerns me is that this bill fails to outline local government's responsibilities, because there is much cost shifting and a shifting of duties and responsibilities from the state government to local government to the point at which one could almost suggest that local government has become a pseudo state government across the state. Unfortunately, in building stronger and sustainable councils, quite the opposite occurred in the council of which I was a member, the Scenic Rim Regional Council.

I want to give members a snapshot of the situation that has occurred since the forced amalgamations. The Scenic Rim Regional Council retained 50 per cent of the roads—some 870 kilometres of unsealed road—yet the ratepayer base was halved and the land mass doubled. So the Scenic Rim Regional Council is an example of where the objective of having a strong and sustainable council certainly did not come to fruition.

Another issue of concern—which has been raised earlier in this House—is that the state emergency service contribution by the state government is something less than five per cent. I know in the Scenic Rim Regional Council that contribution amounts to only \$6,000 out of a \$240,000 budget, which represents 3½ per cent of the entire emergency services funding that the council requires for the area. There are 120 volunteers who are organised by an extremely competent team. But, unfortunately,

the council contributes \$234,000. To rub more salt into the wound, the council is not even allowed to put patches on the uniforms to identify the region those emergency services people are associated with. Needless to say, the council is certainly put off by that very minimal, almost insignificant contribution by the state government.

When the water and sewerage assets were taken from the Logan City Council, that cost some \$120 million, which is more than \$1,300 per rateable home, and there are 90,000 rateable homes in the Logan council area. That had a huge impact. I would suggest that it will take somewhere between the next five and 10 years to overcome some of the problems councils face.

Also, there has been talk of the waste levy and that councils will end up having to be the tax collectors for the state government. I think it is extremely disappointing to see the blame shifting and cost shifting moving to those good councillors across this state as they get blamed for those cost increases. It is quite easy for the state government to make laws and recommendations as to what local councils can and cannot do, but we have to understand the unintended consequences and the financial implications that those laws and recommendations impose on councils. One such example is the pool fencing laws. Those laws were reviewed recently and any costs will be incurred by local government.

It was also interesting to note that Greg Hallam from the LGAQ said that the scrapping of the full subsidy will cost more than \$6 million across councils. That is another cost that local government simply cannot afford.

An area covered by the Scenic Rim Regional Council has also been earmarked as a state development area. So there will be a huge amount of growth in that area, but the council has minimal resources and a very weak financial base. It is certainly going to need ongoing state government assistance—a lot more than it has received in the past. I look forward to working with the minister to see if we can bring some of those projects to fruition.

I would also like to raise the issue of the Darling Downs-Moreton Rabbit Board, which costs over \$1.2 million. That cost is shared between eight local government jurisdictions, one of which is the Scenic Rim Regional Council. It is unfortunate that the state government does not contribute to the cost of that board. Yet of the 359 boards that were reviewed, that was one board that was recommended to be abolished by the Weller report. The government did not even have the courtesy to contact that board, which employs 13 people. That is another example of the state government not contributing where it should. Over 150 kilometres of the rabbit fence is located on state and federal government land. So in that regard I think local government is certainly doing more than its fair share.

Yesterday on ABC Radio the issue of the Diamantina Shire Council was raised. On that program Craig Johnstone from the *Courier-Mail* said that that council has 32 separate management plans, ranging from pest management plans, town-planning schemes, corporate plans, operational plans, waste management plans, and the list goes on and on. The population of this shire is some 314 people in total. That is one management plan per 10 people. So that council certainly would not have any unemployment problems. I hope the minister appreciates the fact that there should not be a one-size-fits-all approach to all councils and that on a day-to-day basis councils deal with an extreme amount of bureaucracy. The good minister said in her second reading speech—

Another 30 meetings have also been held with councils to listen to their views about their local issues.

I was one of those councillors on one of those councils. We had a presentation of an 1½ hours, maybe two hours. At the time, I was very disappointed at the lack of contribution that we were able to make as a council. It certainly did not help when we were presented with a notice in a \$5 Crazy Clark's picture frame that said, 'Well done for winning the last election'. In the interests of having strong and sustainable councils, I think it probably would have been more appropriate to receive a T-shirt that said, 'I survived the wipe-out'.

The bill refers to the regular review of local laws. I do not think the bill is sufficiently definitive in its approach. I think the bill is open to interpretation. It certainly needs a time frame. It needs to define 'regular'. Where does the review begin? Is it reactive? Is it in response to a change in a by-law? Does it trigger something? Is the review going to be annual? Is a review set down in a corporate plan? The bill states—

The local government must regularly review the performance of its system of financial management.

I certainly think that the bill leaves the issue of a review open-ended. We need some sort of definitive time frame to ensure that councils have a direction in terms of their obligations.

This leads me now to a very upsetting point in this bill and that is that a person automatically stops being a councillor when he or she becomes a candidate for election to the Legislative Assembly. I cannot think of one job in Australia for which an employer will only read an applicant's resume if the person quits their existing job. It is absolutely ridiculous. It is blatant discrimination. Queensland's own Anti-Discrimination Act of 1991 states—

One of the purposes of the Act is to promote equality of opportunity for everyone by protecting them from unfair discrimination in certain areas of activity, including work ...

Councillors do work. The act prohibits discrimination on the basis of political belief or activity. Serving as a local councillor is a political activity as well. If we slip to one of the most pertinent points, the act states—

An organisation of workers, employers, or people who carry on an industry, profession, trade or business must not discriminate ... in the terms on which a person may join.

I believe that it is only a matter of time before an individual case will be brought before the High Court. I understand that the issue has gone to the High Court but not as an individual case. The High Court ruling was that the state government can make that law, but that does not make that law right. It is only a matter of time before somebody tests that ruling and in the future we will find ourselves discussing an amendment before the House.

I think it was a wise move to establish the local government remuneration tribunal and the remuneration categories. It is always dangerous to give a blank cheque to a kid in a candy store. There has been lots of controversy over the years. I am glad that has been tightened.

The conflicts of interest provisions are too far reaching and are open to interpretation. It is in councillors' interests to be involved in as many sporting organisations across their division as they can to understand the grassroots of their divisions. It would not take much for councillors to block themselves from performing their duties as councillor in their entirety. Finally, with regard to the LGAQ the minister stated in her second reading speech—

One of the differences between this bill and the old act was the latter's recognition of the Local Government Association of Queensland. Such is the corporate strength, range and effectiveness of the LGAQ that this prescription is no longer needed today.

I would say that because of its strength it is needed more than ever. Certainly they do good work. Councillor Paul Bell as president, Greg Hoffman as director and Greg Hallam as executive director have certainly put their hearts and souls into that job. It is going to cost more than half a million dollars that councils will once again have to find themselves. After 113 years of service and of being the mediator between the two levels of government, the LGAQ's role is more important than ever. The good news is in the final pages of the speech. It states—

The Bligh government will continue to be an active partner and champion of local government. We will assist and support councils to provide the best possible services and infrastructure to Queenslanders.

I look forward to that extra funding for the SES, assistance with some 870 kilometres of unsealed roads and the contribution that the state government will make to the Scenic Rim Regional Council.

Mrs MENKENS (Burdekin—LNP) (4.42 pm): I am happy to make a contribution on the Local Government Bill before the House today. It is noticeable that where legislation affects the freedoms of all Queenslanders, such as this bill on local government and local representation that we are debating today, this government rushes through the legislation and guillotines the debate.

This bill has seemingly simplified the 1,154 pages of the former Local Government Act 1993 and the Local Government (Community Government Areas) Act 2004 into 291 pages. This was a high-volume act based on process and relied on continuing legal interpretation, but the new bill is principles based. Process will be removed from the new act and placed into regulations, and a number of provisions will be incorporated into other more relevant statutes or deleted completely.

I understand that there has been some extensive consultation with local government and other stakeholders, although of the 45 changes that have been requested by the Local Government Association of Queensland to this bill the government has accepted only 33. The bill reflects those particular changes only. The LGAQ is still requesting further changes to this bill before the House and has asked the government to reconsider its position on a number of matters. Just to run through a few of those requested changes, in chapter 3, part 2, division 1 the LGAQ has requested sections 39 to 42 not apply to a business unit of a council but rather a business activity. This would put beyond doubt that sections 39 to 42 do not apply to the ordinary council services such as supplying water, sewerage and waste management. These are essential services supplied to the ratepayers by their councils. Removing any uncertainty surrounding these services is imperative.

The LGAQ also requested the definition of 'enterprise' be reinstated, which would help eliminate any doubt about the ability of councils to form regional councils or become members of the LGAQ Ltd without the need to comply with the regime imposed by the various provisions of sections 40 and 41. These are the sections which control how councils conduct beneficial enterprises.

Section 71 deals with road levels. It stipulates a set time for the councils to respond to an application and also states that if the council changes the road level and this adversely affects the landowner then compensation must be paid. Section 73 requires the council to categorise the roads under its jurisdiction according to the surface of the road. Section 74 states that the local government must prepare and keep up to date a map of every road including every private road, a register of the roads that shows the category of every road, the level of every road that has a fixed level and other particular prescriptions under that regulation. These sections will certainly put undue financial pressure on local governments. I think it is reasonable that these sections should be held over and dealt with in the regulations proposed to support the bill once it is enacted.

Under section 286 of the current bill the LGAQ will be allowed to transition itself to LGAQ Ltd by 1 July 2010. I believe that in previous submissions the LGAQ has asked that section 286 be altered to state that the registrar of titles must, if asked by LGAQ Ltd, record the transfer of the vesting of any asset to the new entity and that there be an exemption from duty and administration fees of any such transfer. I urge Treasury to revisit this issue due to impracticalities of requiring the LGAQ to make ex gratia applications to the Office of State Revenue for every asset transfer that will arise during the changeover. If section 286 were amended as LGAQ suggests, this issue would be dealt with in a way that would not allow any confusion.

Among the local governments consulted were the three that my electorate overlays: the Whitsunday Regional Council, the Burdekin Shire Council and the Townsville City Council. Two of these councils were part of the forced amalgamation process, and I understand that that process has come at a very high cost to them. The Whitsunday Regional Council is seeking \$1.5 million in compensation for the cost of amalgamating the Whitsunday and Bowen shires, and the Townsville City Council is seeking \$6.3 million to offset what it has cost to merge Townsville and Thuringowa city councils. These amalgamated councils also face increased top-level council employee salaries. The defined benefit component of the 5,200 employees will be up to \$30 million short in future years unless the employer contribution rate increases from 12 per cent to 20 per cent—a huge burden on all our councils.

These local bodies have already faced a huge financial impost through their forced amalgamation and these new imposts are putting further financial strain on them. Since these costs have been imposed on them, they should be met by the state government. If the government does not review the asset transfer of the existing LGAQ to LGAQ Ltd, these associated costs will also have to be covered by the council. As we have heard from previous speakers, the LGAQ estimates it will cost up to \$500,000 for the transfer of assets from it to the new entity.

This government verbally acknowledged the responsibility for these costs. However, nothing in this bill reflects that position. At this stage it may be up to the local government and the LGAQ to come up with the funds to meet these costs. Of course, where do the councils get their money from? Ratepayers. Ratepayers will have to foot the bill if this government does not pay those costs. These are the same ratepayers who are already facing increased costs imposed on them by this government through rising electricity costs, rising vehicle registration costs and rising fuel costs.

I want to briefly comment on the amendments to the Animal Management (Cats and Dogs) Act 2008. The animal management act, which was passed by parliament in December last year, introduces new requirements for the registration and microchipping of cats and dogs and provides for the regulation of dangerous, menacing and restricted dogs. From a safety perspective I applaud those changes, but they will come at a huge cost to our local government bodies.

In December 2008 the ABC reported that the Whitsunday Regional Council stated that it would have to spend \$500,000 in capital costs to build new cat pounds to house stray cats. Is the government going to cover that cost or is the council going to have to add another financial burden on our already struggling ratepayers? It is also fair to ask: at what stage does a stray cat become a feral cat? Feral cats are one of the biggest problems in all our areas, particularly in our national parks.

There are a lot of issues in this bill. I realise there are time constraints and there are other members who wish to speak. Another issue is that the bill allows councillors to exclude their colleagues from important debates in the council chamber on what they perceive to be a conflict of interest. That is a very disturbing aspect of this bill. Also, the other troubling part of this bill is to do with the removal of an individual councillor. There are several areas of major concern in this bill. I draw the minister's attention to these in particular. I support the stand taken in the House today by the shadow minister. I look forward to the various amendments that will be moved to this bill.

Mr MALONE (Mirani—LNP) (4.51 pm): It is with pleasure that I rise to make a brief contribution to the Local Government Bill before the House tonight. Along with other speakers on this side of the House, I indicate that it is a shame that we have been forced to gag this debate because it is a very important part of the operations of local governments throughout Queensland. This bill is a total rewrite of the act and, unfortunately, we have to consider this bill in a very short time frame without being able to speak at length on it. I am certainly conscious of the time, so I will be brief.

My electorate originally covered the shires of Mackay, Mirani, Nebo, Belyando, Broadsound, Sarina, Livingstone, Mount Morgan, Fitzroy and Rockhampton. Under the amalgamated shires, my electorate now covers the regional councils of Mackay, Isaacs and Rockhampton. So the local government areas in my electorate have been concentrated. In every one of those shires I mentioned before were quite a number of communities. So it does not take a great imagination to realise that in every one of those smaller shires there were a number of representatives who made up the council and they were an integral part of those communities. They received very little remuneration but were the initial contacts for any issues in the community at the time.

In common with a lot of other members on this side of the House, I believe that we have virtually ripped out of those communities the volunteers that used to head up all of the committees around the place such as aged-care committees and landcare groups—all of those little community groups that

make up the fabric of our smaller communities. A lot of those smaller shires, through the SCAP funding, were able to put in place their water schemes. Very few had sewerage schemes but they were funded on a subsidy basis with the state government. Being the cynical person that I am, I think the amalgamation of the shires has taken some of the burden off the state government in terms of funding those subsidised sewerage and water infrastructure projects.

In real terms, the cost of the amalgamation of the shires into larger regional councils, which has run into the millions and millions of dollars, has not yet been met by the state government. There is real pressure on those bigger councils of Mackay, Isaac and Rockhampton to move forward. We have seen over the last two sets of rate notices that the rates have gone through the roof, along with all of the other charges. As some of my other colleagues on this side of the House have pointed out, not only are people in our communities being forced to pay higher water and power costs but also there are incremental charges in terms of waste, sewerage and all the rest of it. Their rates are part of the year on year increases in the cost of living in our regional areas, and I am sure it is happening right across Queensland.

In the last couple of years, the sounding boards within local government in Queensland have been taken away from our communities. They are the fabric of our communities. They have taken away from the community somebody they can talk to about what is happening in their community. If a culvert at the end of the road was damaged and residents needed somebody to have a look at it, they used to just call up the local councillor. That is becoming a problem now. Now they have to talk to an administrative officer rather than a councillor. It is going from what was a common-sense situation to absolute stupidity.

I have a situation in my electorate in the Mackay shire with a bat colony in the small town of North Eton. This bat colony is in the middle of the town. The bats have colonised a group of trees amongst a number of houses. The bats are basically camping in these trees. They are making a mess of the trees. This town is not connected to town water because it is too far out. The houses around the bat colony rely on rainwater, so you can imagine what is happening every time those bats fly out of the trees. With the new legislation that passed through this House, nobody can relocate those bats. It has been referred to the EPA, and the EPA officers just stand back and say, 'If anybody goes near those bats, we're going to—'

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Honourable member, I have given you a bit of leeway there, but there is nothing in this bill that deals with the issue that you are raising. I would ask you to return to the provisions of the bill currently before the House.

Mr MALONE: I appreciate your advice, Mr Deputy Speaker. What I was going to point out is that this matter has been referred to the local government in Mackay and, because of the regulation constraints the council is under, the council's health inspector has been unable to do anything to create certainty for those people who live in that area and to ensure that their health will not be compromised. I take your advice, but my view is that under the Local Government Act there should have been some provision for local governments to take control of issues to do with how the health department and health officers work within the communities. I certainly take your advice and will get back to the bill.

One of the big issues with these expanded councils has been the escalating costs of providing the services. Under the Remuneration Tribunal, the salaries of CEOs across these councils have gone through the roof and, quite frankly, so have the salaries of councillors. As I said, when we had the smaller councils a lot of the councillors were basically volunteers. They were paid minimal recompense and they worked as volunteers in the community. Nowadays local government is big business and like big business does not really want to deal with the little things that happen in our communities.

Quite frankly, my view is that in some cases we have lost the real fabric of our communities. In the townships of Sarina and Mirani, the council offices are almost vacant. The buildings that housed 10 or 20 people currently have two or three people working in them. The jobs and the security that were supposedly built into the council amalgamation act have been circumvented in more ways than one, and I will not go into the explanation of how that might have happened. With those few words and the support of the shadow minister, I conclude my remarks.

Ms JOHNSTONE (Townsville—ALP) (5.00 pm): I rise to speak in support of the Local Government Bill 2009 that is before the parliament. The role of local government in our communities is fundamental to preserving our unique Queensland way of life, and that is why I chose to become a candidate in the 2008 local government elections. Local government is no longer just about rates, roads and rubbish. The role of councils has evolved over time into a public service which provides many community services that enhance amenity and livability in our cities and towns. Good local government has a positive impact on many aspects of our lives. Investing in and building social capital in our communities is equally as important as investing in bricks and mortar. Conversely, poor local governments can bring detriment to the towns and people they represent by causing division and disharmony within our neighbourhoods.

As with all levels of government, diversity in representation of the electorate at a local level is a sign of a healthy and dynamic democracy. Local councillors also vary immensely in their abilities and aptitudes for the job. It is important to have legislation which supports local governments to ensure they are equipped to deliver quality services. That is why I have read this bill with interest and I am glad to take this opportunity to participate in the debate.

Of particular interest to me is the implementation of principles based legislation rather than prescriptive, regulatory based models. These principles—which include sustainable development, social inclusion, good governance and, above all, the ethical behaviour of councillors—are vital to ensure that our councils have the ability to be transparent and accountable within a framework that is flexible and allows for the development of local solutions for local communities.

I also support the changes which will give local governments the ability to operate responsively at a regional level. I support the reduction in red tape in allowing councils to control the review of their own laws when they see fit, and I support the reduction of the state interest check process. These principles will ensure that decisions and actions are taken within a framework which is likely to result in good ethical government and that suits the needs of that particular community. I am sure that my local councils will welcome this initiative in assisting them to reduce unnecessary administrative costs and maximise opportunities to invest in their respective communities.

The removal of the mandatory requirement for Indigenous councils to have community forums is another move I support. As the member for Townsville, I represent two councils in the parliament—the Townsville City Council and the Palm Island Aboriginal Shire Council. I take this opportunity to congratulate the Palm Island council in particular for continuing to work towards improved lifestyle, opportunities and sustainability for their community through exploring a range of options by which they can diversify their income base. As such, I support changes to this legislation that give additional control and flexibility to our Indigenous councils to use processes that will incorporate cultural aspects of governance that are relevant to the local traditional owners.

The bill is also very clear in relation to the separation of powers between the elected council representatives and those who are employed by the council. This is an important safeguard for the public so that they can be certain that decisions made about employment and the expenditure of public funds are being made through the correct procedures and overseen by the appointed CEO and not based on favours or political influence. The bill makes it clear that ordinary councillors do not have the authority to direct the CEO. This authority to direct and manage the CEO clearly lies with the mayor. It is my belief that this builds transparency and confidence in the ratepayers that their council is behaving with due diligence and integrity.

I support my colleagues, including the member for Cook, who have participated in the debate here today in their support for the requirement that local councillors step down from their local government responsibilities prior to standing as a candidate in a state election. As all members of this House are aware, transparency and the avoidance of conflicts of interest—perceived or otherwise—of our elected representatives is of the highest priority to our constituents.

I note also that the bill has clarified the minister's powers of intervention when a local government requires assistance or support or indeed is in trouble for whatever reason. These are important safeguards for the people of Queensland so they can be assured that when things go wrong the minister will have the ability to act in the best interests of the community involved. A dysfunctional council can bring enormous harm not only to their local community but to the image of local government as an institution, and I fully support this aspect of the bill.

I have always said that it is our mums and dads, our neighbours, our senior citizens and our community groups who hold the expert knowledge of our local cities and towns. This legislation respects this fact and reinforces the role local government plays in defining our communities within a framework that is based on just principles, financial accountability and transparency. I commend the bill to the House.

Mr ELMES (Noosa—LNP) (5.05 pm): I rise to speak to the Local Government Bill before the House, as it is a matter very close to my heart and deeply important to my constituents. However, I challenge the title of the bill. Queensland no longer has a system of local government 'that we know in this state', which was the promise made by then Premier Beattie in his second reading speech when introducing the Constitution of Queensland Bill and is contained in the *Hansard* of 9 November 2001. By this promise, this commitment, the then Premier misled the House, as just a short time later he, Anna Bligh and Andrew Fraser virtually set aside that Constitution to introduce a new system of local government which was announced by joint press release on 27 March 2008.

Regrettably, in order to ram through this deeply unpopular amalgamation process against the will of the electors in 81 of the 85 shires in which AEC plebiscites were allowed, they trampled on the system. Then Premier Beattie stated that 88 local government areas were 'ultimately unsustainable'; hence, the reason his government had to act. After the Fraser reforms, 38 of those 'ultimately unsustainable' local government areas remained. So now we have 38 'ultimately unsustainable' councils and some 26 or 27, if you include the Gold Coast City Council, as regional councils.

Regional is not local. Regional government is flawed and fundamentally so. Australia's model of government has three tiers—states, as ex-colonies, at the core; federal, not national, for we are a federation of states; and then local. By their respective electoral processes, state and federal parliaments are to varying degrees remote from their electorates in the sense that an individual vote has less of an impact. It is the consensus of the preferences of the majority which elect the government—that is, when the government holds a majority in the lower house of parliament, or in Queensland the only house in parliament.

At the local level, these checks and balances are absent. There is no formal opposition. Mostly, there are no political parties to put forward a program for which they are elected to perform, no means to hold the elected to genuine account, no active, effective voice for the constituency, no executive and no judicial protection. Traditionally, the checks and balances at the local level have been provided by the close proximity between the electors and the elected. Forced council amalgamations have made the elected remote from their electors without providing any of the checks and balances which exist at senior levels of government.

Local government is community government, arising from a community of interest. It is the level of government which most affects the environment in which we live and with which we are most engaged. Its value comes from the local community having a vote that really matters. It is appropriate that the community should be able to know personally who it is electing. By regionalising local government, the influence which the community has over its no-longer local government is diminished. By drastically reducing the number of elected representatives, even in the 'ultimately unsustainable' shires, the influence of the community on this critical level of government is reduced to meaningless.

In the case of the former Noosa shire, our representation will be diluted even further as the population growth rates of the former Caloundra city and Maroochy shire far exceed our own. The next electoral redistribution is likely to see Noosa with one councillor on the Sunshine Coast Regional Council, rather than the paltry two it has now. To those who say, 'Get over it' or 'Move on' or 'It'll cost too much to go back,' I say that they are advocating a model of local government which, as I said before, is fundamentally flawed. I will not rest until genuine local government is restored to where I live because without it we will have three levels of remote government immune from the electors. This is not the local democracy I want.

I turn now to the explanatory notes. In chapter 1 section 4, the minister asks us to set aside credibility and accept that the government believes in principles based legislation. These principles—

... highlight the absolute essentials of excellently performing local governments which citizens expect and deserve. The principles are at one and the same time, aspirational, inspirational, practical and demanding.

I contrast this lofty rhetoric with the action by this government in setting aside legislation to ram through deeply unpopular reforms clearly against the will of the majority of electors. The bill trumpets the local government principles underpinning the legislation at chapter 1, clause 4(2)(b), which reads 'democratic representation, social inclusion and meaningful community engagement'. It is a wonderful objective. It is the essence of what genuine local government is all about, and my side of the House totally supports this sentiment. But the system of now 'not-local' government forced on the people of Queensland meets none of those criteria.

Take my own community of Noosa as an example. Its strong local council, so rated by the Queensland Treasury Corporation, consisted of a mayor and nine representative councillors. Each of the 3,509 electors had a representative. Each elector had a genuine opportunity to know their representative. Each elector had the ability to directly influence their local representative—to make their views known to their local councillor sometimes very strongly, as the Noosa community has famously set high standards which it demanded their local council maintain.

Those in Noosa love Noosa. Noosa is special to them. That is why they chose to come from all corners of the country and the world to make this unique place their home, for themselves and for their children. But in the new Sunshine Coast Regional Council my constituents have been disenfranchised. Their vote now elects only two councillors, whose voices are lost in a council of 12 plus a mayor. Each councillor now represents 15,642 electors.

Indeed, every small community has been effectively disenfranchised by the forced local council amalgamation process initiated by the now Treasurer and nurtured through the parliament by the current Premier. Both should be ashamed to call what we now have democratic representation compared to what previously existed and what was promised by then Premier Peter Beattie when introducing the Constitution of Queensland Act 2001.

Even Paul Bell of the LGAQ made the same fundamental error of asserting that the forced local council amalgamations left 37 councils unaffected. The facts are that only five local councils were unaffected. The other 32 have not been amalgamated, but in each case the number of councillors has been reduced—often by as many as half. So the bill now before the House cannot meet this most crucial test. It has failed before it passes into law.

The second local government principle underlining the legislation destroyed by forced amalgamations reads in subclause 2(a) 'transparent and effective processes, and decision making in the public interest'. Again, this principle is a cruel and misleading joke. Take, for example, the budget process which the Sunshine Coast Regional Council and many, many others have been going through. These processes are so large, so complex and so stage managed by the bureaucracy that they stifle councillors so they cannot get across the impact of the decisions required of them in the time frame available. That is just one part of their job. If they cannot be across the detail of their role, what hope does any member of the community have? What does 'transparent' mean if the practical effect is not transparency? There is no capacity to understand and no chance for the electors to contribute. How can that be in the public interest if the public cannot express an interest? This is the result of ill-considered, ill-formed Labor-driven reform. And so it goes on.

Chapter 2, part 1, clause 10 introduces a power for local government to form a joint government activity. Here we have an admission of the failure of the forced local council amalgamation process. This part enables partnerships between local governments—an opportunity so callously and contemptuously disregarded by this government's so-called Local Government Reform Commission but now advocated as a viable option. It always was so and is a clear alternative to forced local council amalgamations.

It is a matter of important public interest to note the practical credentials for the administrator of this flawed amalgamation process. The Local Government Reform Commission, whose report informed forced council amalgamations reform, claimed—rather than provided evidence—that significant economic benefit would flow from forced amalgamation. The Local Government Reform Commission did not undertake any cost-benefit analysis to justify its position but, rather, relied to a significant extent on part of the commission's report. I refer to volume 1, page 39 on the work of Crows Nest, Rosalie, Goondiwindi and Waggamba shires from the curtailed Size, Shape and Sustainability review, and the experience of Cairns, Ipswich, Mackay, Warwick and Cooloola from the amalgamations during the 1990s.

A wealth of contemporary evidence from the outcomes of amalgamations in New South Wales, South Australia and Victoria was ignored. While acknowledging that there are costs inherent in amalgamations, amazingly the commission did not attempt to quantify these costs. Perhaps an even more startling conclusion is that, in the end, the costs incurred by and the benefits which accrue to amalgamated councillors will largely be dependent upon decisions the new local governments make during the implementation phase. In the final analysis, it would seem that a prime alleged reason for forced amalgamations will be a matter of chance.

What is emerging is a picture of reform failure. Mind you, to the thinking person it was self-evident, but it clearly shows the consequences of a minister never having had a real job, never having been in business and never having managed any large-scale enterprise, much less the amalgamation of local councils. His financial acumen and business skills are clearly on display again as Treasurer when he seeks to sell 25 per cent of the state's assets—that is, 25 per cent of the assets which have been built up by us in our proud 150-year history.

Then we go to chapter 2, part 1, clauses 12 and 13 and we contrast the intent of the explanatory notes with the draft legislation. Subclause 12(3) is supposed to make it clear that only the mayor has the power to direct and manage the CEO. In fact, it is subclause 12(4) which makes that clear. The explanatory notes then allege that it is incumbent upon the CEO to develop with the mayor a professional, effective working relationship, but the legislation is silent on this very important issue. It is also disturbingly silent on the resolution of any toxic dispute between the CEO and the mayor.

Given the failure of the amalgamation process, I and my constituents in Noosa are vitally interested in the processes by which the wrong against our community might be righted. We find no capacity for the community in this legislation to initiate change. We find that the rejection of ratepayers is perpetuated in this bill and any democratic change is strangled by local government, where self-interest of councillors will win through, or by the minister from a government that forced these changes, or by the Electoral Commission, which is just another arm of the executive.

Those opposite know inherently that what is good for ratepayers and democracy does not feature in their vocabulary. We find the counterdemocratic theme of Labor's approach embedded in clause 21, where the decision of the change commission is final. There is no appeal, no second go and no natural justice.

One of the more insidious aspects of Labor's approach to governing is its complete contempt for the concept of a conflict of interest. It seems that every piece of Labor legislation offers a different standard. There are no fewer than seven references in this bill to conflicts of interest with differing definitions—in clauses 24, 172, 173, 174, 187, 192 and 232. Why can there not be a single standard? Would not subclause 173(1)(b) be the appropriate standard?

The bill before the House today constrains consideration of a direct or indirect financial interest and, even more curiously, does not mandate that the community be informed. In keeping with the spin and secrecy principles, Labor has adopted the secrecy provisions to ensure that the information stays in-house. This is not appropriate for a truly democratic society. It is not consistent with the principles which purport to include transparency, democracy, good governance and ethical behaviour.

While on the topic of ethics, the explanatory notes inform us of a part 5—the ethics advisory committee—but guess what? That does not even make it into the bill. Chapter 3 deals with local laws, and we find seemingly innocuous provisions of the law-making process. However, the explanatory notes let the cat out of the bag. They let us all into the secret that the department will use its regional structure to build capacity in local governments to manage local law making including the state interest check. That is code for ‘Big Sister’: the minister is watching.

The erosion of local autonomy is highlighted again by the intent revealed in the explanatory notes. The intent is for the department to draft model local laws which the minister will then impose on councils. What was amalgamation really all about if regional councils are to be managed like naughty schoolchildren?

Chapter 4, titled ‘Finances and accountability’, recognises the status quo of vertical fiscal imbalance and a dependency on sources of revenue which are narrow, which are too often cyclical, and where the connection between the generation of the revenue by the tax does not relate to the expenditure of those revenues.

I would urge at this time the conduct of a review process which addresses this very serious issue at both the local and state levels. Chapter 4 part 3 clause 105 mandates an internal audit function. However, the bill does not indicate any expectation as to whether this is to be an in-house function or contracted out. I draw attention to the potential for a serious conflict of interest arising from contract services. Major accounting firms often offer accounting services, audit provisions and consultancy services. The legislation should be taking a position on this potential conflict which it does not at present.

There is a lot more that I would like to say. There are many more pages that I would like to put into the record of this parliament. Because the government has seen to it that no effective debate will take place on this very important legislation, I will not get to do that tonight.

I would like to remind the minister that she is the local government minister for all of Queensland—every single, solitary Queenslanders who lives in a local government area. I remind her that in Noosa on one day 18,747 people signed a petition protesting against local government reform, 33,000 people submitted submissions to the Local Government Reform Commission, 7,000 people—one of them being me—marched outside this parliament and at the last election 80 per cent of the people who voted in the Noosa state electorate voted for a candidate who put at the very top of their list the fact that Noosa should be returned to a council of its own making.

I would hope that, as a result of all of this, the minister would take the time to come to Noosa and talk to the people of Noosa. There is a very sustainable local government waiting to be put back into place. I certainly hope she takes notice of the comments that I have made. I look forward to giving her a warm welcome to Noosa if she desires to come there.

Mr POWELL (Glass House—LNP) (5.23 pm): There is no denying that the tapestry of local government that was in Queensland has been torn apart and restitched like a patchwork quilt as a result of, as the explanatory notes describe, the ‘most extensive reform process in more than a century’. My seat of Glass House previously would have interacted with councillors and staff from the Caboolture Shire Council, the Caloundra City Council and the Maroochy Shire Council. Now I work with representatives from the Moreton Bay Regional Council and the Sunshine Coast Regional Council—the nation’s third and fourth largest local government authorities by population, combined serving some 700,000 Queenslanders.

There is no denying that this restitching has proceeded with minimal pain in some situations. But in others the process has, and continues to be, a traumatic and frustrating endeavour. The process has not come without a cost. It has not come without a financial cost. Rather than deliver the cost savings and financial sustainability that the reformers intended, it has been a protracted and expensive activity, with financial repercussions continuing to stymie the daily operations of some of the new councils.

The costs of amalgamation continue to place a burden on some councils as they consider this coming year’s budget and the out years. But it has also had a cost on local government employees. Whilst there was an undertaking to ensure no job losses, as the processes of melding councils continues some individuals are being negatively impacted by what I can only term selective application of the Workforce Transition Code of Practice—the guidelines by which councils must adhere when transitioning staff to new local government arrangements.

I will not go into the details today, but as a number of ministers in this chamber will confirm, I have recently sought advice on behalf of one such employee. Suffice to say, the reform—the amalgamations—has come at a considerable cost to many Queenslanders, including personal distress and disruption. So there is no denying that this reform also requires a new and modern act that allows mayors, councillors and council staff to deliver efficient, accountable and effective governance and service delivery.

Chapter 2, part 1, proposed section 9 of the bill outlines the powers of local governments generally. Exercising this power requires progressively more and more responsibility and deliberation. I have the considerable pleasure of working alongside Councillor Adrian Raedel, the division 12 councillor for the Moreton Bay Regional Council. Councillor Raedel and I share the common territory encompassed by Bellmere, Mount Mee, Elimbah, Wamuran, Woodford and Bellthorpe. As Councillor Raedel will attest, to achieve good rule and local government it increasingly requires in his division a strong grounding in both primary production and the needs of an expanding urban footprint—the planning and infrastructure required to provide a quality of life to his and my constituents. It also requires finding the balance between the two. I look forward to working alongside Councillor Raedel in finding and delivering that balance.

Chapter 4 part 1 of the bill outlines the rates and charges a local government can impose. As a ratepayer in the Sunshine Coast Regional Council I applaud their decision to include a public transport levy—a levy designed to enhance and expand upon existing public transport on the coast.

I particularly applaud the work my local councillor, Councillor Jenny McKay, does each and every day to improve access to public transport for the hinterland communities of Maleny, Montville, Palmwoods and Eudlo. So I share her concern that this government will use the council's forward-thinking levy as yet another excuse to cost shift the financing of fundamental community services. Like Councillor McKay, her fellow councillors and the member for Nicklin, I do hope rumours that the successful Hinterland Connect trial linking Maleny to Nambour will not be funded in future years are just that—rumours—especially the rumours that suggest this is on the basis that the council could use its own levy to take over the operational costs.

Chapter 3, part 3, division 1 of the bill outlines local government's role in delivering road infrastructure. On that note, I would like to acknowledge Councillor Anna Grosskreutz for her and her council's assistance during the recent road closure on Peachester Road. During that incident I was able to witness firsthand their commitment to delivering safe and accessible local roads for the community of Peachester. I know Councillor Anna works equally hard for her constituents in Beerburrum, Glasshouse Mountains and Beerwah, and throughout her division. I look forward to continuing our partnership, in conjunction with the Department of Main Roads, to deliver safe roads for our communities.

Like others on this side of the House, I have concerns about clause 155 of the bill. That states that 'a person cannot be a councillor while the person is a government member'. Specifically, a person automatically stops being a councillor when that person becomes a candidate for election as a member of the Legislative Assembly. As previously mentioned, it is staggering that in this day and age we continue to place these restrictions on councillors.

As a public servant, working for the Bligh government and preselected as an LNP candidate, I was still able to hold my position. Yes, there was an expectation that I excuse myself from anything of a sensitive nature, which I happily did. And, yes, when the election was called I took leave. Listening to colleagues on both sides of the House, it is apparent that I am not the only former public servant who continued to hold a position while contesting an election.

Why can similar restrictions not be placed on councillors—that is, that they take leave from their position whilst campaigning? Surely this is a less discriminatory practice than what is being proposed. Surely this is a more cost-efficient practice for the constituents of that local government authority who will face a by-election regardless of whether the councillor is successful in their state campaign.

I think members will agree that former local councillors make significant and meaningful contributions to the business of this House. There are quite a few who have served this House with the dedication, passion and commitment that we all aspire to. Interestingly, the vast majority of those members sit on this side of the House. The cynic in me might question therefore the intent of this clause.

Fortunately for these members and the people of Queensland, these individuals were in a position that allowed them to step away from their role of councillor. Many who would like that opportunity are unable to because of financial and family commitments. We all know the challenges of campaigning are many. Why add yet another hurdle? I therefore add my support to the amendments circulated that change the point from which a councillor must resign to when they become a member of parliament.

Finally, I would also add my voice to those who are calling for a change in the conflict of interest provisions. Local government authorities have been through a lot. I know they await this legislation. I know many of their concerns have been addressed. In conclusion, I ask that the government consider these final two amendments as part of passing this legislation.

Mr HOOLIHAN (Keppel—ALP) (5.28 pm): In speaking to the Local Government Bill 2009 I would like to thank the current minister who was previously the minister who put this in train. I also express my deep thanks to the former minister and former member for Mulgrave, Warren Pitt, for his input in drafting this new bill. I thank the staff from the department of local government who were very instructive and very helpful. I was on the backbench committee which actually drafted this bill.

Instead of having the dinosaurs of the 19th century that exist in the Liberal National Party we need to look at the fact that in the 21st century we need decent councillors, bigger councils and efficiency of scale. This is a law which will be imposed on those councils so that they can operate in the 21st century.

We heard some comments this morning about the problems that occurred as a result of the SSS program. We ended up with some of those problems on the Rockhampton Regional Council which covers my area, but all in all the amalgamation of four councils into one has worked magnificently. The council works well and is able to work with the local members.

We heard some twaddle from the member for Noosa about how this is unconstitutional. He needs to have a look at section 70 of the Constitution of Queensland which imposes on the government of the day a requirement to have a good system of local government. That is exactly what has been proposed.

I refer to the wording of clause 4(2)(a) to (e) in relation to local government principles. I can assure members on both sides of the House that those local government principles were not exercised by a lot of the councils that previously existed. I do not intend to bore members with the details of that, but it certainly would curl your hair.

The old section 224A of the Local Government Act, which is embodied in the new clause 155 in relation to council members who fail to stay as councillors if they nominate for a state election, has been raised. Under the Electoral Act in Queensland, if a member nominates for a Commonwealth election they must resign from the Legislative Assembly. Everyone wants local government to be recognised as a genuine level of government but what does it say to the people who elect a councillor who suddenly decides they want to move up a notch and they want the ratepayers to pay for the time when they campaign?

Mrs Sullivan: Outrageous.

Mr HOOLIHAN: I take the interjection from the member for Pumicestone. It is outrageous. If councils want to be recognised as a genuine level of government then they have to act the same as other levels of government. The same obligations to resign are placed on members who sit in this House. All in all, as I indicated at the start, this bill will become a law for the 21st century and that will guide the operations of our councils, big and small. I heard the member for Gregory say that I would have no difficulty understanding what he is talking about in relation to western councils. I have been friends with the mayors of a lot of the western councils that have been mentioned today for many years and I know the work that they put in. They accept that everything had to be looked at. It went back on the table. Those amalgamations are in place and working. Anyone who wants to suggest that there should be deamalgamation should take into account, as the member for Cook mentioned, that on 21 March everything that could be thrown at local candidates in relation to amalgamation of councils was thrown, some of it not cleanly, but at the end of the day the people of Queensland accepted that amalgamation had happened, amalgamation was working and they wanted to move on into the 21st century. The 19th century dinosaurs who exist on the other side of the House should wake up. I commend the bill to the House.

Mr SORENSEN (Hervey Bay—LNP) (5.33 pm): I rise to speak to the Local Government Bill 2009. This bill of 291 pages will replace the previous bill of 1,054 pages. I believe that is a good start. When the Local Government Act 1993 was introduced it was not much bigger, but it grew over the years to the size it is today. Local government is a strange beast, especially the way it interacts with other acts associated with it, especially the Water Act, the Integrated Planning Act and the Environmental Protection Act. One of the biggest problems with the amalgamation of the Fraser Coast City Council was amalgamating the different rates across-the-board. The government has very much underestimated the cost of amalgamation for these local government areas. One only has to see the number of rate rises that have been introduced to make sure that they continue to be financial.

Another area that I believe needs to be looked at is cost shifting from state government down to local government. The other day the transport minister suggested councils should introduce a transport levy. I do not believe that this cost shifting should occur. The Minister for Community Services and Housing suggested in the paper recently that councils should be more responsible for the funding of housing in their area. Local government in the past has been roads, rates and rubbish but it still takes on many responsibilities such as community infrastructure, parks and gardens and foreshore management for those councils that have parks and gardens along the foreshore. One of the difficulties is that the different acts that interact with local government do not recognise the trees on the foreshore as infrastructure. I believe that we should be able to protect those trees on the foreshore as much as any

other infrastructure along the foreshore. We see trees falling at Hervey Bay and there is very little that the council can do about it as permits have to be passed through different departments. It would be great if the Local Government Act could look at that.

Recently I had a complaint from a gentleman who brought to my attention that the Ombudsman does not look into some of the corporations under the Local Government Act. I ask that the minister take notice of that complaint. I have not yet ascertained the details surrounding it.

I find clause 155, which states that councillors have to vacate the office upon nominating for another council or the Legislative Assembly, very unnecessary simply because local government is like an apprenticeship into politics. It certainly gave me experience of what residents really want. Some of the ideas from the opposite side of the House are interesting. I believe it is a disadvantage to local and state government that creates a costly by-election if the councillor does not win. That councillor still has the right then to turn around and run for council even if he does not win a seat in a state election. I find that totally unacceptable. If one is a state or local government employee it is recognised that they resign on the day before the election. I hope that we can solve some of those issues in the act. Thank you very much.

Mr KNUTH (Dalrymple—LNP) (5.38 pm): I rise to speak to the Local Government Bill 2009. This bill is about improving financial efficiency and accountability. There is conflict as a result of forced council amalgamations and I hope that the situation can be improved. Problems have been caused by these new councils being forced together.

There is a cost factor involved. I know that the councils have indicated that it is costing them over \$200 million to implement the process of forced council amalgamations. At the same time, the state government has contributed only \$30 million. That is a big difference.

There are a lot of serious issues that relate to local government such as the large increases in rates. Some rural councils were charging \$800 to \$900 a year. A lot of those smaller communities on the outskirts of towns do not receive the necessities that people in the city receive. Basically, they do not receive the services. Yet under the equalisation process they were forced to pay exactly the same amount in rates as those who live in the city. So they incurred a massive increase in their rates. We should also consider the size of some of these councils. For example, the Tablelands Regional Council covers 60,000 square kilometres, which is the size of Tasmania. Likewise, the Isaac Regional Council covers 60,000 square kilometres. It takes four hours to get from one end to the other of those council areas.

This bill seeks to improve efficiency and financial accountability for effective local government. Part 3 of chapter 3 contains provisions relating to the delivery of road infrastructure. The Herberton to Irvinebank road is a shocking road. On 25 May a minibus rolled on that road and many children were injured. The road is a deathtrap. Virtually every time people use that road they risk life and limb. The road is part of a tourist route. Herberton is one of the oldest towns on the Tablelands. Herberton and Irvinebank were rich tin-mining towns. Every time the council grades that road, after two or three weeks and a little bit of rain rocks appear. Basically, the money that is spent grading that road is a waste. It is a state government road. The state government contracts the council to maintain the road. We should forget about paying hundreds of thousands of dollars each year grading that road. After it rains, the gravel just washes off. It is catastrophic. The state government would be better off spending money sealing the road from Herberton to Irvinebank, once and for all. That way, no money is wasted year in, year out on grading it. Then the council could concentrate on maintaining that road from Irvinebank to Petford. All the council is asking is for that road to be sealed.

The member for Mirani referred to flying foxes. This issue may not relate to the bill, but I believe it does, because it is about improving efficiency in government. So far this year it has cost the Charters Towers Regional Council \$230,000 to chase bats from one tree to another. If councils and the state government could work together properly, rather than chase bats from one place to the other they could find a solution to this problem. It would bring efficiency to councils. The council would have more money to spend on other things. All the council needs is a helicopter to push the bats out. If the state government would allow us to do that, the council would have more money to spend elsewhere. I bring those issues to the attention of the House.

Mr MESSENGER (Burnett—LNP) (5.43 pm): I rise to speak briefly to the Local Government Bill 2009. I note once again that this government has used the provisions of standing order 159 to declare this bill urgent. By my calculations, and with the assistance of a parliamentary search, this is the 27th bill since August 2005 that has been forced through this place. Accountability and democratic government have just copped another poke in the eye by this government declaring the bill urgent and using its numbers to guillotine debate and pass this bill through the Queensland Legislative Assembly. This government has once again diluted the democratic and parliamentary process of Queensland.

Although many members took the time to prepare very well thought out and well-researched speeches of 20 minutes in length, as we have just witnessed with the last number of speakers, those speeches have had to be cut. We have to self-censor and place time limits. Even the shadow minister

had to reduce the length of his contribution. This is a clear example of this government abusing the parliamentary process and artificially placing a time constraint on the opposition's contribution to debate on bills so that there will be significantly less opportunity for the opposition to air well thought out and justified criticisms of this government.

I briefly mention the local government situation that exists at Agnes Water-1770, where this government is supporting a council which, against the wishes of the population, is going to put in a desalination plant that will endanger the Great Barrier Reef, when it is not needed and not wanted.

Mr HORAN (Toowoomba South—LNP) (5.45 pm): In the few minutes left, because by agreement we are providing time for the minister to make a short speech in reply, I want to speak about the Toowoomba Regional Council. Under the forced amalgamations, I do not think in Australia there was ever an attempt to bring eight separate councils into one. The council covers a vast area and different sorts of communities—from the north side of Yarraman right down through Cooyar, Crows Nest and Toowoomba right down through the Southern Downs to south of Clifton, to the south-west out through Millmerran almost to Inglewood, and going to the north-west almost to Dalby. It is a massive area, and this council amalgamation has involved a huge cultural change.

Those eight different shires had been used to local leadership. Those shires were proud of their local leadership and those local councils provided very hands-on government. I have used the example before of Anzac Day, when the local leadership is not there because of other things that councillors have to attend to. When the election was held, even though the people of Toowoomba City comprised about 66 per cent of the vote they were so angry that they largely used their votes to make sure that one person from every one of those eight councils was elected to the new Toowoomba Regional Council. That means that we have quite an experienced council as mostly former mayors or former deputy mayors from those surrounding councils were elected, as were two representatives from Toowoomba.

It has been a huge task for this one council to embrace eight former councils. It has had to bring together different sets of IR, different amounts in wages and different IT systems. The council has endeavoured to have a branch system whereby people in Clifton, Millmerran, Pittsworth, Goombungee, Crows Nest, Cambooya, Oakey—all of those surrounding areas—are all considered, looked after and managed by a structural system.

There has also been a huge cultural change in that the local government moved from being very hands-on, with local knowledge, to virtually being almost like a board of directors. There was a separation of powers, with the mayor having the ability to give directions to the CEO but councillors not having similar powers of direction. Many of us in our position often ring up a councillor and say, 'A certain issue has arisen. Can you check this out?' That is how we are used to operating. But nowadays, councillors have to pass on such issues and they are looked at by the bureaucracy. But the public still expects that that hands-on attention will be there from the councillors, because they are the people who were elected. They are the ones people ring up, or they ring us up and we pass on the message to the councillors.

In the time available to me, I make those points. I think the Toowoomba Regional Council has had a massive job of amalgamating eight shires into one. On top of that—and I will speak about this matter in the debate on another bill later tonight—is the water issue. Toowoomba is located on top of a mountain and water has to be brought up to it. That has also been a significant issue. With those words, I will conclude.

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (5.49 pm), in reply: I really appreciate the support of the members opposite and their consideration in allowing some time for me as minister to sum up this very important debate that has occurred today in support, I am pleased to say, of the Local Government Bill 2009. I do appreciate and recognise the general support for the bill that all members of the House have expressed. I do recognise that some members feel so strongly about the good work done by their local councils as well as the challenges facing their local councils that they would have liked to have spoken longer.

I am pleased to say that many of the matters that have been raised by honourable members during the five or so hours of debate on the bill are matters that are already addressed on the local government's website—www.localgovernment.qld.gov.au. That website lists a lot of the questions that people have raised today and the answers to those questions. Some of the matters that have been raised by members opposite are matters reflecting the uncertainty of their councils about how certain provisions are going to work. I am pleased to assure all honourable members that the team that has been so excellent at consulting in the development of this bill will now be the team that oversees the rollout progressively of the regulations and the education briefings for mayors, councillors, CEOs and staff of councils in all kinds of circumstances considering the geographic diversity of Queensland over the next six months before the bill is put into law.

I would like also to recognise that there are a couple of matters that surely will come up in the consideration in detail on which the opposition does take a different position to the government and they will be matters to reflect on then. Much of what has been mentioned by members opposite in relation to

the difficulties for councils is in relation to the amalgamation process. That is not part of this bill directly. I do nonetheless give recognition that many of the smaller councils—smaller not necessarily in physical size but in resources and in terms of their staffing—are still finding some of the changes in the world of local government, some associated with amalgamation and others associated with increasing demands for sophistication, for strategic thinking or for higher order operations very challenging indeed.

I say to honourable members today that I give my assurance as the Minister for Local Government that I do recognise the difficulty for those councils. My department and I will be doing all that we can to assist them to work through not only the bill but also the changes consequent on amalgamation to make the very best of this situation so that they can find what the larger regional councils have already been finding since amalgamation—the cost savings, the improved operations, the new services that can be rolled out to what were the component local governments but which as individual local governments previously they could not afford to provide. A good example of that is in the Bundaberg area where the amalgamation has led to the smaller Kolan shire being provided with a recycling service which it could never have afforded under the old arrangements. That is one of the benefits arising out of that particular amalgamation.

The Gladstone council, for example, says that one of the benefits that has arisen is that plant utilisation across their component local government areas has dramatically improved in terms of both the utilisation and the productivity and has saved considerable capital moneys on the purchase of new plant that may otherwise have been undertaken by the component local governments. Similarly, I have to pay my compliments to the South Burnett council which made it plain to me that it was not a council in support of the amalgamation but now that it has happened it is getting on with making the very best of it. It has come up with a particular way that the councillors can divide up their time and efforts so they can service a large geographic area and still work to make sure that there is a physical presence of a councillor in all the council areas surrounding Kingaroy on which the council is now based.

There are good stories about amalgamation and there will be more of these in years to come. I do attest to the need for the department to work with those smaller local governments to make sure that those benefits show through.

There is no doubt, as all honourable members have recognised in this new bill, that we as the state government are lifting the standards, making it harder and tougher than it has ever been before in the world of local government. In many ways we are doing this at community request. Members of parliament at the federal and the state level as well as elected members in local government have found that our constituents expect us to be more transparent than ever before, to be more accountable than ever before, to have higher ethical standards in our behaviour than before, to reach for the very best in terms of financial standards. That is what is reflected in the bill and, understandably, it causes some councils some nervousness.

I have to say, however, that I stand by all of the clauses and that I believe that, while the standards may be tougher in some ways for councils to reach, at the same time we are making it principles based legislation with the flexibility that allows for different sizes and circumstances. We are ridding them of many of the process driven, time wasting bureaucratic elements of the old Local Government Act and its associated regulations and practice. That surely will balance with the higher standards expected financially and through accountability. I stand by the tough provisions that we have for councillor behaviour and for councillors dealing with and coming to terms with matters of their personal material interest or matters of conflict of interest.

I am fortunate indeed as the minister to stand here at this time when the hard work in the development of the bill was done by my predecessors. I am pleased that I had the opportunity to trigger the process of reform and that Minister Fraser followed me and was particularly instrumental in the amalgamations of local government. He was followed by then Minister Pitt, who did so very many hours upon hours of travelling and consultation along with the department in order to develop this bill. I give them the proper credit that they should have in recognition of their contribution to local government.

Many others worked with us in the excellent consultation over the long period of years of the bill's development and not least of these was the LGAQ. I give particular recognition to Paul Bell, to Greg Hallam and to all of the staff of the LGAQ and to the LGMA. Many staff in councils and many elected members across the state have also contributed to this bill. I thank the local government sector and recognise their contribution, too.

Some staff in the department deserve to have their names recognised for the excellent work and the hard work that they have done. Those staff are led by the Associate Director-General, Michael Kinnane, and include Gabrielle Sinclair, Ross Alcorn, Rhyl Hurley, Jo Chiu, Sarah Coles, Rosie Caulfield, Laureena Rowe, Sarah McPherson, Amy Bridge, Don Willis and Allison Smith. I tip my hat to them and thank them very sincerely for the differences they are making to the world of local government.

It remains for me to make an offer to all honourable members of this parliament that if they are aware of a councillor or council experiencing some difficulty implementing this new Local Government Act, understanding it or if they are concerned about regulations, local laws or how things will be done, they should bring that to my attention as soon as possible. I give an undertaking to all members of the House that we will manage our consultation program, the rollout in tranches of the regulations as well as the education program to particularly address the needs of those councils. I am concerned that it is the councils with smaller resources that will have the greatest difficulty coming to terms with the new provisions. Therefore, it is the smaller councils rather than the large regional councils or the councils of South-East Queensland that should get the attention of the department in the six months ahead.

We aim to have as smooth an implementation of the legislation as possible. We hope that it will be prorogued in early December this year, and that would of course reflect that this is not only Queensland's 150th birthday but also the 150th birthday of local government in this state of Queensland. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—

Ms BOYLE (6.01 pm): I move the following amendment—

1 Clause 2 (Commencement)—

At page 18, lines 6 to 8—

omit, insert—

'(1) Amendments 20 and 21 of the *Local Government Act 1993* in schedule 1 commence on assent.

'(2) The following provisions commence immediately before the repeal of the *Local Government Act 1993* under section 287—

(a) section 283A;

(b) the remaining amendments of the *Local Government Act 1993* in schedule 1;

(c) schedule 1A.

'(3) Chapter 9, part 1 commences on 1 July 2009.

'(4) The remaining provisions of the Act commence on a day to be fixed by proclamation.'

I table the explanatory notes to my amendments.

Tabled paper: Explanatory notes to Ms Boyle's amendments to the Local Government Bill [\[335\]](#).

Tabled paper: Erratum to explanatory notes to the Local Government Bill [\[336\]](#).

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 11, as read, agreed to.

Clause 12—

Ms BOYLE (6.01 pm): I move the following amendment—

2 Clause 12 (Responsibilities of councillors)—

At page 23, line 30—

omit, insert—

'government's performance;

(e) complying with the Queensland Contact with Lobbyists Code.'

Amendment agreed to.

Clause 12, as amended, agreed to.

Clause 13—

Ms BOYLE (6.01 pm): I move the following amendment—

3 Clause 13 (Responsibilities of local government employees)—

At page 25, line 30, after '*Ethics Act 1994*'—

insert—

'(including the Queensland Contact with Lobbyists Code, for example).'

Amendment agreed to.

Clause 13, as amended, agreed to.

Clauses 14 to 16, as read, agreed to.

Clause 17—

Ms BOYLE (6.02 pm): I move the following amendment—

4 Clause 17 (What this part is about)—

At page 28, line 18—

omit, insert—

(d) the name of a local government area; or

(e) the classification of a local government area (from a town to a city, for example).’.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clauses 18 to 94, as read, agreed to.

Clause 95—

Ms BOYLE (6.02 pm): I move the following amendments—

5 Clause 95 (Overdue rates are a charge over land)—

At page 91, line 18, after ‘**Overdue rates**’—

insert—

‘and charges’.

6 Clause 95 (Overdue rates are a charge over land)—

At page 91, lines 20, 21 and 28, and page 92, lines 6, 11 and 13, after ‘overdue rates’—

insert—

‘and charges’.

Amendments agreed to.

Clause 95, as amended, agreed to.

Clause 96—

Ms BOYLE (6.03 pm): I move the following amendment—

7 Clause 96 (Regulations for rates and charges)—

At page 92, lines 20 and 21, after ‘rates’—

insert—

‘and charges’.

Amendment agreed to.

Clause 96, as amended, agreed to.

Clauses 97 to 104, as read, agreed to.

Clause 105—

Ms BOYLE (6.03 pm): I move the following amendment—

8 Clause 105 (Auditing, including internal auditing)—

At page 99, line 8—

omit, insert—

‘*Financial Accountability Act 2009*.’.

Amendment agreed to.

Clause 105, as amended, agreed to.

Clauses 106 to 154, as read, agreed to.

Clause 155—

Mr HOBBS (6.04 pm): I move the following amendment—

1 Clause 155 (Disqualification because of other high office)

At page 141, lines 24 to 27—

omit, insert—

‘person becomes a government member.’.

I believe that this amendment is very important. The government is saying that if a councillor wants to run for state parliament they have to resign their council position first. We believe that is discriminatory. There is no other organisation that is discriminated against in this way. The councillor should not have to resign until after they are elected to parliament. Now that the cost of council by-elections is getting higher and higher, it is more financially responsible for us to do this. Councillors who run for state parliament could stand down from their position during the election period, and I believe that would be fair.

We have to have a good training ground for members of parliament. What better way than being a councillor? They have the experience of being a councillor or a mayor for a period of time and they can come in here and hit the ground running. I think it is essential. We do that with all our other industries. We try to skill people up and give them career paths, and here we are denying a major partner in government—the third tier of government—the right to come into the next level of government. I do not think that is right at all.

We need good, skilled candidates. I recommend that the government supports this amendment. It is an important one. It is supported across-the-board by councillors, by the LGAQ, by the industry and by many, many Queenslanders. The ALP is the only group of people in Queensland who are opposed to allowing councillors to stand for state parliament without having to resign first.

Mr HORAN: One of the most important tenets of our democracy is that everybody should have the opportunity, if they wish, to stand for parliament. The current arrangements are discriminatory. One of the most important considerations for a person standing for parliament is what is going to happen to their job or their career if they are not successful. If you work for the Queensland state government, you can stand for parliament. You could be a police officer, a bureaucrat or a nurse and if you stand for parliament you have a set period of time when you have to take leave and be on holiday pay or whatever and if you fail you go back to your job.

For many people that is an important consideration because they have a family and they cannot risk losing their job. It is similar for people in private enterprise. I went through the same thing myself. I took holiday leave and if I did not get in I knew I had a job to go back to. I needed that job because I had a family. If we are fair dinkum about this, everybody should have the opportunity to put their hand up and stand for parliament regardless of their position. In this one particular case they are disadvantaged. It is an absolute deterrent to this particular class of people, councillors. They have a very strong disincentive put in front of them to stop them from standing for state government.

You could argue that they are already representatives of the people, and they are at a particular level—we have three levels of government in Queensland. But we should not be discriminating against one set of people and making it difficult for them. I think it is very sad for our democracy that for deliberate political reasons we endeavour to stop these people from standing for parliament. We do not do it to our own government employees. Private enterprise do not do it. Everybody else has a chance to put up their hand and stand for parliament without having to resign from their job first, but there is one group of people that if they lose they are out—they lose their job and they cannot go back to their job like everybody else can who stands for parliament to represent the people.

Mr DOWLING: Obviously, this is an issue very near and dear to my heart. When I was a councillor, I had to forgo my position on the Redland City Council to dare to challenge honourable members and their roles in this House. This clause clearly targets one specific group. I would have been allowed to run for federal office and not forgo my position on council if I had chosen to do that. This clause appears to deliberately protect honourable members in this place. We in this House are the only ones who are insulated by this. It is very, very discriminatory. There is no other way to describe it: it is total, absolute discrimination. I urge members on both sides of the House to support the amendment.

Ms BOYLE: When ratepayers vote for candidates in local government elections, they expect them to be committed to serving the full term in council. Some councillors could get on the council and use that period to raise their profile and then at the first opportunity jump across to state government. They would be simply using their role as a springboard to state parliament, and that is not appropriate.

All the protestations of the opposition do not ring true. The member for Cook had to resign from local government, and his career was clearly not impeded by that and he did things in good order. The member for Redlands just told us that he did the same thing. In fact, other fine members of the House have done the same thing—not the least of whom are the opposition spokesperson for this bill, Mr Hobbs, from the electorate of Warrego, and me as a former councillor on the Cairns City Council. We are all now members of this parliament. Therefore, this clause presents no barrier to people who are serving in local government in good order having a tilt at and being successfully elected to state parliament.

The Bligh government remains sure that the policy that is in the bill is the right policy. In fact, this was seen during public consultation and was also reflected through the media. While this is a controversial element of the bill, it was supported by the public as it was seen to reduce the risk of conflict between councillors' quest for higher office and their duties as elected councillors.

Mr McLINDON: I think this is very cut and dried. It is 2009 now. In this day and age, how can members of the government support such a discriminatory move against people who are probably better equipped than most and stop them from coming into the state parliament? I had five years on council. It was very interesting to hear the outgoing member for Cook say that it cuts both ways, but the reality is that discrimination cuts all ways, and I think it even contravenes the Queensland Anti-Discrimination Act 1991. We know it is black and white. We have seen it. There is no other job in Australia for which you need to sacrifice the job you are currently in to lodge an application.

Division: Question put—That the member for Warrego's amendment be agreed to.

AYES, 30—Blejje, Crandon, Cripps, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Johnson, Knuth, McArdle, McLindon, McLindon, Malone, Menkens, Powell, Pratt, Rickuss, Robinson, Seeneey, Sorensen, Springborg, Stevens, Stuckey. Tellers: Horan, Messenger

NOES, 42—Attwood, Boyle, Choi, Croft, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Kilburn, Lawlor, Male, Miller, Moorhead, Mulherin, Nelson-Carr, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, Wallace, Watt, Wells, Wettenhall, Wilson. Tellers: Keech, Darling

Resolved in the negative.

Non-government amendment (Mr Hobbs) negated.

Clause 155, as read, agreed to.

Clauses 156 to 172, as read, agreed to.

Clause 173—

Mr HOBBS (6.20 pm): I move—

2 Clause 173 (Councillor's conflict of interest at a meeting)

At page 153, lines 27 to 29 and page 154, lines 1 to 23—

omit, insert—

'(4) The following must be recorded in the minutes of the meeting, and on the local government's website—

- (a) the name of the councillor who has a conflict of interest, or could reasonably be taken to have a conflict of interest;
- (b) the nature of the interest, as described by the councillor;
- (c) if the councillor voted on the matter—how the councillor voted on the matter.'

This clause deals with a conflict of interest. There is also a material personal interest. What normally happens in any council is that a councillor would declare a material personal interest and they would then excuse themselves from the meeting. But a conflict of interest is different; it is a lesser issue. Under the rules now, the government is asking councillors to nominate if they are a member of a Rotary club or a service club, and we do not mind that bit. The part we object to is that other councillors can decide whether they then have a conflict of interest. This imposes a judicial type responsibility for which councillors do not have the special skills or expertise. It is open to abuse. It could stifle the rights of councillors. It could change the balance of power to achieve a particular outcome. Other councillors will become involved. It could cause tension and division within councils.

What if it is proven to be incorrect? If they deliberately want to exclude somebody from making a decision, then can defamation occur? The government removed it from clause 172. Why will it not remove that same bit from clause 173? A conflict of interest should only involve the councillor.

As I mentioned before, club membership is only a minor matter. Some councils have only four councillors and a mayor. So you may end up with two of them away or not being able to participate in the debate. Even if one of them is away, it does not really make it fair. Councillors are involved in community groups and service clubs all the time. Mostly, councillors tend to be involved in those sorts of groups. I think it is unfair and it should be taken out.

Ms BOYLE: I recognise that this is a clause that gives pause to some of the councillors around the state and that there is nervousness with regard to it. First of all, may I correct an impression that I know some local governments have, and that is that councillors will be obliged to know all of the interests that other councillors have. That is incorrect. The responsibility within our bill is that, if a councillor is aware that another councillor has a strong interest in a matter that has not been declared, then the onus is on the other councillor to make mention of that.

I looked at these clauses very closely myself, in memory of my local government days, and I raised some concerns because I, too, was active as many councillors are in many clubs. That made me more knowledgeable, for example, about the Ellis Beach Surf Life Saving Club or the Earlville Brownies or any other group of which I might have been a supporter, a member of a committee or a patron.

The situation will be this under these new arrangements: if a council is looking at a series of grants to community organisations—community organisations have put in submissions and they then come before the council according to the submissions and the dimensions on which the council

advertised that funding would be given—all councillors will be able to vote on that. There will be no particular need for a declaration of membership of any of those clubs or organisations. As the member says, very many councillors would be members of very many of the clubs on a long list. That may well be the list of submissions of grants for \$2,000 or \$3,000 for whatever community purpose. That would constitute the ordinary business of the council. If, however, as a councillor and patron of a particular club which got into financial trouble and which was not paying its rates, and that matter came before the council—

Mr DEPUTY SPEAKER: Order! Under the provisions of the resolution agreed to by the House and the time limit for consideration in detail of the bill having expired, the question is—

That clauses 173 to 328, schedules 1 to 3 and the minister's amendments as circulated be agreed to.

Amendments as circulated—

9 Clause 217 (LG super scheme)—

At page 185, after line 11—

insert—

'(3) In particular, the trust deed must provide for—

- (a) the yearly contribution that a local government must make for a permanent employee, based on the advice of an actuary; and
- (b) the terms and conditions on which the super board must obtain advice from an actuary in relation to the funds that the super board administers.

'(4) An **actuary** is an accredited member, or a fellow, of the Institute of Actuaries of Australia.'

10 Clause 220 (Amount of compulsory contributions)—

At page 188, lines 1 to 34, and page 189, lines 1 to 14—

omit, insert—

'220 Amount of compulsory contributions

'(1) The yearly contribution that a local government must make for a permanent employee is the amount stated, from time to time, in the trust deed.

'(2) The yearly contribution is taken to include any contributions that are required to be made under an industrial instrument.

'(3) The local government need not pay an amount as a contribution to the extent that the amount can not be accepted by a regulated superannuation fund under the Commonwealth Super Act.

Editor's note—

See the *Superannuation Industry (Supervision) Regulations 1994* (Cwlth), regulation 7.04.

'(4) The local government must pay the yearly contribution within the time stated in the trust deed.

'(5) The permanent employee must also make a yearly contribution calculated at the following rate—

- (a) if the employee is a special permanent employee—5% of the employee's salary under the trust deed;
- (b) if the employee is a standard permanent employee—6% of the employee's salary under the trust deed.

'(6) A **special permanent employee** is a permanent employee who, immediately before 1 July 1995, was required to make superannuation contributions under the repealed *Local Government Superannuation Act 1985* at the rate of 5% of the employee's salary under the trust deed.

'(7) A **standard permanent employee** is a permanent employee who—

- (a) immediately before 1 July 1995, was required to make superannuation contributions under the repealed *Local Government Superannuation Act 1985* at the rate of 6% of the employee's salary under the trust deed; or
- (b) immediately before the repeal of the *Local Government (Community Government Areas) Act 2004*, was a permanent employee of a community government under that Act; or
- (c) started employment on or after 1 July 1995.

'(8) A permanent employee need not make the yearly contribution under subsection (5) if the local government makes the contribution, in accordance with the employee's remuneration agreement, as well as the yearly contribution that the local government is required to make under this Act.'

11 Clause 231 (Members of grants commission)—

At page 194, lines 16 and 17—

omit, insert—

'(b) at least 1 member has knowledge of local government in relation to local government areas of indigenous regional councils and other indigenous local governments; and

(c) the other members have knowledge of local government.'

12 After clause 283 (Continuation of instruments to implement reform)—

At page 217, after line 17—

*insert—***'283A Continuation of electoral and related provisions**

'(1) Schedule 1A contains provisions of the 1993 Act about local government elections.

'(2) The *Local Government (Community Forums) Regulation 2008* continues in force.

'(3) This section and schedule 1A expire on 31 December 2010.'

13 After clause 307 (Amendment of s 112 (Additional entry powers for particular dogs))—

At page 226, after line 5—

*insert—***'307A Amendment of s 130 (Return of dog if not regulated dog)**

'(1) Section 130, heading, 'dog if not regulated'—

omit, insert—

'particular'.

'(2) Section 130(1)(a), from 'person' to '; and'—

omit, insert—

'person—

(i) reasonably suspected it was a regulated dog; or

(ii) considers a proposed declaration notice should be given for the dog; and'.

'(3) Section 130(1)(b), 'regulated dog'—

omit, insert—

'dog mentioned in paragraph (a)'.'

14 Clause 308 (Amendment of s 131 (Return of regulated dog to registered owner))—

At page 226, lines 8 to 10—

omit, insert—

'(1) Section 131, heading, 'regulated'—

omit, insert—

'particular'.

'(2) Section 131(1), after 'regulated dog'—

insert—

' , or a dog for which a proposed declaration notice is being made, '.

'(3) Section 131(2)(d), from 'if—' to 'applying for the dog.'—

omit, insert—

'if the dog is a regulated dog—the authorised person is reasonably satisfied the owner of or a responsible person for the dog has not complied with a permit condition for the dog.'

'(4) Section 131(2)—

insert—

'(e) if the dog is a dog for which a proposed declaration notice is being made—a regulated dog declaration for the dog has not yet been made.'

'(5) Section 131(3)(c), 'subsection (2)(d)(ii)'—

omit, insert—'subsection (2)(d)'.
'(6) Section 131(3)—*insert—*

'(d) if subsection (2)(e) applies—the regulated dog declaration for the dog has been made.'

15 Clause 318 (Replacement of ss 195 and 196)—

(1) At page 229, lines 24 and 25, 'complainant'—

omit, insert—

'defendant'.

(2) At page 229, line 26, 'complainant's'—

omit, insert—

'defendant's'.

16 After clause 325 (Insertion of new ss 217A and 217B)—

At page 233, after line 14—

insert—

‘325A Insertion of new s 221A

Chapter 10—

insert—

‘221A References to address of place stated in registration notice for cat or dog

‘(1) This section applies to a local government, other than a designated local government, until the deferred date.

‘(2) A reference in this Act to the address of the place stated in the registration notice for a cat or dog is taken to be a reference to the place where the cat or dog is usually kept or proposed to kept.’.

17 Clause 327 (Amendment of sch 2 (Dictionary))—

At page 235, after line 19—

insert—

‘(3A) Schedule 2, definition *authorised implanter*, after ‘regulation’—

insert—

‘or approved by the chief executive’.

18 Schedule 1 (Acts amended)—

At page 242, after line 17—

insert—

‘1A Section 109B(2)(c)—

omit, insert—

‘(c) if the council fixes a cost-recovery fee for the financial year—the criteria used to decide the amount of all cost-recovery fees fixed for the year.’.

19 Schedule 1 (Acts amended)—

At page 243, line 12, ‘regulatory’—

omit, insert—

‘cost-recovery’.

20 Schedule 1 (Acts amended)—

At page 247, lines 18 to 20—

omit.

21 Schedule 1 (Acts amended)—

At page 257, after line 14—

insert—

‘Local Government Act 1993**‘1 Section 5—**

relocate to the Local Government Act 2009, and in that Act insert in schedule 1A as section 5.

‘2 Section 7(1)(a)—

omit.

‘3 Section 7—

relocate to the Local Government Act 2009, and in that Act insert in schedule 1A as section 7.

‘4 Section 298(1), ‘chapter 4, part 1, division 2’—

omit, insert—

‘sections 152 to 156 of the Act’.

‘5 Section 353(1)—

omit, insert—

‘(1) This section applies if, under section 326, separate ballot papers are used in polls for elections of the mayor and another councillor conducted on the same day.’.

‘6 Section 408(1), ‘section 164(1)’—

omit, insert—

‘section 123 of the Act’.

- '7 **Section 408(2), 'reviewable local government matter under chapter 3, part 1'—**
omit, insert—
 'local government change under chapter 2, part 3 of the Act'.
- '8 **Section 408(3)—**
omit.
- '9 **Section 427(3)(a), 'under section 242(1)(a)'—**
omit, insert—
 ', in the approved form, to the chief executive officer before making the declaration of office under section 169 of the Act.'
- '10 **Section 427A(3)(a), 'under section 242(1)(a)'—**
omit, insert—
 ', in the approved form, to the chief executive officer before making the declaration of office under section 169 of the Act.'
- '11 **Section 429(3)(b), 'section 222'—**
omit, insert—
 'section 153 of the Act'.
- '12 **Section 433(2)(a), 'or section 242'—**
omit.
- '13 **Section 436(3), 'or section 242'—**
omit.
- '14 **Section 440(2), 'section 222'—**
omit, insert—
 'section 153 of the Act'.
- '15 **Section 441D(5)—**
omit.
- '16 **Chapter 5, parts 1 to 4 (sections 266 to 283)—**
relocate to the Local Government Act 2009, and in that Act insert in schedule 1A as chapter 5, parts 1 to 4 (sections 266 to 283).
- '17 **Chapter 5, parts 6 to 9 (sections 289 to 441F)—**
relocate to the Local Government Act 2009, and in that Act insert in schedule 1A as chapter 5, parts 6 to 9 (sections 289 to 441F).
- '18 **Section 1077A(2)—**
omit, insert—
 '(2) Section 242 of the Act does not apply to this section.'
- '19 **Section 1077A—**
relocate to the Local Government Act 2009, and in that Act insert in schedule 1A as section 1077A.
- '20 **Section 1180—**
insert—
 '(4) Without limiting subsection (2), the trust deed must provide for—
 (a) the yearly contribution that a local government must make for a permanent employee, based on the advice of an actuary; and
 (b) the terms and conditions on which the super board must obtain advice from an actuary in relation to the funds that the super board administers.
 '(5) An **actuary** is an accredited member, or a fellow, of the Institute of Actuaries of Australia.'
- '21 **Section 1182(2)—**
omit, insert—
 '(2) The yearly contribution that the local government must make is the amount stated, from time to time, in the trust deed.'
- '22 **Schedule 2, definition area—**
omit, insert—
 '**area** means a local government area.'
- '23 **Schedule 2, definition code of conduct—**
omit, insert—
 '**code of conduct** see section 441B.'

'24 Schedule 2, definition returning officer—*omit, insert—***'returning officer** means—

- (a) the chief executive officer; or
- (b) a person appointed under a regulation as a returning officer.'

'25 Schedule 2, definitions area, code of conduct, commissioner, conclusion, continuing candidate, cut off day, declaration envelope, declaration form, declaration vote, declaration voter, distribute, division, elect, election, election matter, election period, elector, electoral commission, electoral officer, electoral paper, electoral roll, exhausted ballot paper, fresh election, how-to-vote card, infringement notice, infringement notice offence, institution, issuing officer, mobile polling booth, nomination day, open to inspection, ordinary polling booth, ordinary voting hours, place, political party, polling booth, polling day, postal ballot election, returning officer, voters roll and voting hours—*relocate to the Local Government Act 2009, and in that Act insert in schedule 1A, section 1, after 'In this schedule—'.'***22 Schedule 1 (Acts amended)—**

At page 258, line 20, after 'overdue rates'—

insert—

'and charges'.

23 After schedule 1—

At page 274, after line 14—

*insert—***'Schedule 1A Local government elections**

section 283A

'1 Definitions

'In this schedule—'

24 Schedule 3 (Dictionary)—

At page 278, after line 15—

*insert—***'charges** includes any interest accrued, or premium owing, on the charges.'**25 Schedule 3 (Dictionary)—**

At page 285, lines 5 to 7—

*omit, insert—***'Local Government Electoral Act** means the provisions of the 1993 Act relating to local government elections that continue in force under section 283A.'**26 Schedule 3 (Dictionary)—**

At page 289, after line 21—

*insert—***'Queensland Contact with Lobbyists Code** means the Queensland Contact with Lobbyists Code made under the *Public Sector Ethics Act 1994*.'

Question put—That the motion be agreed to.

Motion agreed to.

Clauses 173 to 328 and schedules 1 to 3, as amended, agreed to.

Third Reading**Hon. D BOYLE** (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (6.26 pm): I move—

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

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (6.27 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.

WATER AND ANOTHER ACT AMENDMENT BILL

Second Reading

Resumed from 20 May (see p. 410), on motion of Mr Wilson—

That the bill be now read a second time.

Mr SEENEY (Callide—LNP) (6.27 pm): I have to wonder at the people who are in control of the House, given the terms of the motion that were moved this morning. I am happy to rise to speak to the Water and Another Act Amendment Bill 2009. The bill sets out to change the structure of the Water Commission and to change the structure of the board that advises the water commissioner.

I well remember in 2006 when the Water Commission was set up, and I remember the debate in this place with the then Premier, Premier Beattie. I remember saying at the time very emphatically that the Water Commission was simply a shield to shield the Premier from the looming crisis that he and his government were confronting. After five or six years of refusing to recognise the shortage of water infrastructure that was looming in Brisbane, they were facing the reality of a water crisis that meant that the City of Brisbane faced the very real prospect of running out of water.

The Water Commission was a political construct from the start. It was set up to shield the government—to shift the responsibility for that crisis from the government to this organisation called the Water Commission and to put the water commissioner in front of the public every night instead of the Premier and the minister responsible, having to explain why they faced the very real prospect of running out of water.

The Water Commission was given a whole range of roles. In summary, the roles that the Water Commission was given could be encapsulated into a descriptor that went something like this: 'The Water Commission was put in place to solve the complete mess that the government had created by not investing in water infrastructure from the time when the Goss government refused to build the dam'—

Ms Grace interjected.

Mr SEENEY: The member for Brisbane Central appears to be having some difficulty. I am not sure whether she requires assistance.

Mr Springborg: She is probably dreaming about the Labor convention.

Mr SEENEY: She is probably a bit worried about going to the Labor convention this weekend.

Sitting suspended from 6.30 pm to 7.30 pm.

Mr SEENEY: The Water Commission was set up in response to the water crisis in South-East Queensland that was of the Labor government's making—the water crisis that had its genesis in the rejection of the Wolffdene Dam. That debate has been had many times in this place. It has been well enough established that the Water Commission was set up as a public relations exercise to shield the government from the impact of the water crisis that came about because of its failure to build infrastructure.

It is interesting to look at the Water Commission's achievements as we consider this restructure of the Water Commission. It is interesting to look at some of the comments that the minister made in his second reading speech. He set out to explain why the bill before the House needed to restructure the commission. There was all sorts of praise heaped on the Water Commission. The one line that stands out for me is very early in the speech where the minister says—

The Queensland Water Commission has played a crucial role in securing our water supplies both in the short and the long term.

Under part 8 of the Water Act the Water Commission was required to publish every month a report on each of the projects that it administered as part of the government's response to the water crisis. Those reports are available on the Water Commission website for everyone to read. They represent, I believe, a better summation of the Water Commission's performance to date. We need to consider whether or not that performance is going to be made better or worse by the provisions of this bill which seek to restructure the commission.

The report that I looked at first was on the Western Corridor Recycled Water Project, which members are well aware of. The commission's report indicates that that project cost Queenslanders \$2.5 billion. They are the commission's figures, not mine. It was supposed to provide 230 megalitres per day of recycled water. It is currently providing 40. It is a hopeless failure in terms of any sort of return on investment. It was supposed to provide 230 megalitres of recycled water a day. It is providing 40 megalitres at a cost of \$2½ billion. That is the Water Commission's report on that project.

I now turn to the Gold Coast desalination project. At the end of March the desalination project had cost \$1.122 billion. It was producing no water. The commission says that it had been tested to capacity and then shut down. Members from the Gold Coast have raised in this House a number of concerns about the performance of the desalination plant.

Next is the southern regional water pipeline, which cost \$833 million. That is almost another billion dollars. It was supposed to transport 130 megalitres of water a day to Brisbane. At the end of March its peak performance was 70 megalitres a day. It had achieved just over half of its design capacity. There are a number of other projects along the same lines. The Moreton Bay Regional Council substitute recycled water project cost \$41 million and produced no water at all. The Bribie borefields project cost \$43 million and produced no water at all.

Just in that list of projects the Water Commission had spent \$4½ billion to produce 40 megalitres of water a day—to produce a little bit of recycled water to pipe to the power stations and to provide water to government owned corporations that were, I believe, forced to use it. Some \$4½ billion is the Water Commission's tally on projects that have basically not met their targets—have not even gone close to meeting their targets.

The truth is that the bill before the House tonight to restructure the Water Commission has been brought in because the Water Commission has been a screaming failure. The Water Commission has failed dismally in properly providing or securing our water supplies for the future. What it did succeed in the government's prime aim for the Water Commission and that was to build a public relations machine to protect the government from the fallout of the water crisis that afflicted Brisbane and South-East Queensland at the time.

The staff levels of the Water Commission blew out to 120-odd staff members, most of whom were engaged in producing public relations publications to protect the government from the political wrath that should have been directed towards it. In terms of delivering anything that was going to secure water supplies for South-East Queensland, the Water Commission spent, just in the list of projects that I read out, some \$4½ billion to produce next to nothing.

Is it any wonder that the government should set out to restructure the Water Commission? Is it any wonder that it should bring this bill into the House tonight to reduce the number of commissioners from three to one and to move that commissioner back within the ambit of the department. The government should have gone further. It should have adopted the position that we took to the election. It should have adopted our policy, just as it has adopted our policy in so many avenues in the past. It should have abolished the Water Commission and made the minister responsible, made the government responsible, as it should be, for the provision of this sort of infrastructure and this sort of long-term planning. It should have ensured that the minister, the department and the government were held to account by the people of South-East Queensland for their failings right back to the days when they did not build the Wolffdene Dam purely for political purposes.

Let us be honest about the bill that is before the House tonight. It is to correct one of the biggest mistakes in Queensland history in recent times. It is to correct the legacy of the previous Premier, Premier Beattie, who we all know was more interested in the spin and politics than the reality. The Water Commission is a classic case of spin and politics triumphing over reality. The Water Commission was all about spin and politics. It was all about putting a spin on the water crisis at the time. It was all about putting a spin on the government's reaction to the water crisis. It was all about a political lifeline for a government that knew it was facing the anger of a major city that looked like running out of water because of the government's failure to provide infrastructure.

The Water Commission was set up for that purpose. The \$4½ billion that I have outlined tonight is the Water Commission's legacy. The Water Commission is one of the fundamental reasons the Queensland government is in such a terrible financial state. This \$4½ billion would be fairly handy for the Treasurer to have at the moment when he is considering a budget in two weeks time. But \$4½ billion has been blown to produce some 40 megalitres of recycled water to supply to the power stations that really do not need it and did not want it.

Mr Rickuss: \$5,625,000 a megalitre.

Mr SEENEY: The member for Lockyer knows a bit about the cost of water. He knows a bit about the value of water. He has worked out, as irrigators do very quickly, that that is about \$5,600 a megalitre.

Mr Rickuss: No, \$5 million.

Mr SEENEY: Sorry, \$5.6 million a megalitre. It is a horrendous figure. That is the financial reality that the Water Commission has left us.

Mr DEPUTY SPEAKER (Mr Hoolihan): Member for Callide, perhaps you would continue with your speech and we will leave the member for Lockyer to make his speech later. You have the call.

Mr SEENEY: I am sure he will. Like me, the member for Lockyer understands water issues. It is obvious that the Water Commission did not. The Water Commission was never about water issues; it was about politics and PR. The cost of those politics and public relations efforts is being inflicted upon the Queensland budget now. It has been inflicted upon the Treasurer as he sits down to write his budget, which he will bring down in 10 days time. He does not have the \$4.5 billion that he had.

When the people of Queensland consider the question of where the money went from the rivers of gold that flowed in the boom years into the Queensland Treasury, they can be sure that the Water Commission was high on the list. That is why this bill is before the House. That is why the Water Commission is being restructured. The Water Commission should be restructured; it should be restructured out of existence. The bill before the House does not go far enough. There should be a provision in the bill to wind up the Water Commission completely and put the responsibility for the provision of water back where it should be—with the government, the minister and the department—and make the government take responsibility for its own mistakes.

We will support the legislation before the House because it is a step in the right direction. But it is a very small step compared to the step that should have been taken. It is at least a recognition that the Water Commission has failed dismally. The Water Commission has been a \$4.5 billion screaming financial disaster. They are figures that cannot be contested. The commission still has the responsibility to release a report every month under the emergency regulation that this House passed in 2006. It has to make available those reports every month on its website. The figures I quote are from March 2009. The next report is due within the next few days. I am sure that the figures contained in that report will be worse than the ones that I have quoted to the House tonight.

There are 4.5 billion reasons why this legislation should be before the House tonight. The Treasurer badly needs \$4.5 billion to balance his budget in 10 days time.

Mr O'Brien: You are making it up. You know you are making it up.

Mr SEENEY: If he had the \$4.5 billion he would not have inflicted upon the members of the Labor government the requirement to sell assets, to throw away its philosophical base and embark on a panic asset sale. The member for Cook suggests that I am making it up. The member for Cook should go to the Water Commission's website and look at the monthly progress report for every one of those projects. The figures are there because they have to be there. Under the terms of the emergency regulation that we passed through this House in 2006 there was a requirement for the commission to report on each one of those projects and that reporting requirement remains unchanged. The \$4.5 billion is there for the member for Cook to see. Every one of those projects has its production target and its production figures. The member for Cook, every member of the government and every Queenslanders can go to that site and have a look.

Out of the five projects I have listed that cost \$4.5 billion, the people of Queensland have received some 40 megalitres of recycled water supplied to customers who do not really want it. That is the story of the Water Commission. That is the legacy of former Premier Beattie and his panic response to a water crisis that was of his own making. People listen to political argument and think that it does not affect them, but this sort of political nonsense, when a government embarks on this sort of thing, ends up costing every Queenslanders dearly. There is no greater example than the one we consider here in the parliament tonight. There is no greater example of how administrative and political mismanagement can cost Queenslanders dearly. The Water Commission should be held up as an example for Queenslanders for generations to come. For generations to come Queenslanders will struggle to pay back the billions and billions of dollars that have been wasted—wrongly invested and wrongly used—by the Queensland Water Commission, simply because of the need for the government at the time to set up that public relations facade to protect them from the righteous anger of South-East Queenslanders when they faced the real prospect of running out of water.

While we will support the bill before the House tonight, we hope that it is a small step in the right direction. I note that the minister has an amendment that allows for the minister to give directions to the water commissioner. After the passage of this bill there will be a single water commissioner. I note that the minister has an amendment which gives the power of direction to the minister. That power of direction, according to the minister's amendment, has to be in extraordinary circumstances. We will not get a chance to debate the amendment because of the provisions of the guillotine motion that was moved in the House earlier and the restricted nature of this debate.

The minister's amendment does not go far enough. It gives the minister the power of direction in extraordinary circumstances. It should give the minister the power of direction in every circumstance. The minister should be the one who is responsible for the long-term security of South-East Queensland's water supply. The minister should be the one who answers the questions about the

\$4.5 billion that has been frittered away by the Queensland Water Commission over the last two or three years. The minister should be the one who takes responsibility for the fact that that \$4.5 billion is now not available to the Treasurer for investment in efforts to counter the difficult financial situation that the whole world finds itself in.

It is the avoidance of that responsibility that got us in this position in the first place. The amendment that is before the House should ensure that that responsibility cannot be avoided in the future. The Queensland Water Commission is an outrage. It was an outrage from the start. The figures that are part of its own monthly reports will illustrate to the people of Queensland just how much of an outrage it is. The bill before the House takes a small step towards correcting that. I regret that it does not go far enough but we will support it nonetheless.

Mr EMERSON (Indooroopilly—LNP) (7.47 pm): I rise to contribute to the debate on the Water and Another Act Amendment Bill. I start by acknowledging the remarkable efforts of the people of Brisbane in conserving water. Less than a decade ago, Brisbane residents were each using close to 500 litres of water a day, a third of it on gardens and swimming pools. Today that figure is about 150 litres per person a day. My own family was very proud when we saw our own domestic water consumption reduce to 80 litres per person a day. With two teenage children in the house, we thought that was a pretty good effort and, yes, we still kept having showers. But we were just one of the many families in the electorate of Indooroopilly who worked hard to reduce their water usage. Yes, there were tough rules in place to help us, but there was also a greater awareness of just how precious and finite our water resources really are.

Even given that, residents were rightly disappointed when the government requested the Queensland Water Commission to hold off allowing a 230-litre target, with the commission opting to keep the Target 200 restrictions in place for up to six months or until 1 December regardless of dam levels.

Despite the recent floods and combined dam levels of over 74 per cent, residents remain on medium-level restrictions. The government should not have made this promise only to have it broken. When governments make promises, residents and voters expect them to be kept. Unfortunately, this week we have seen further evidence that this government cannot be trusted to keep its promises, whether it is about water restrictions or asset sales.

The purpose of this bill before the House is to restructure the Queensland Water Commission. As detailed in the explanatory notes, this bill forms part of the government's implementation of its response to the *Brokering balance: a public interest map for Queensland government boards, committees and statutory authorities* report. When the Premier announced the review last year, she hailed it as a way of ensuring a modern, efficient and effective Public Service. This independent review, headed by Griffith university professor Pat Weller and former deputy director-general of the Department of the Premier and Cabinet, Simone Webbe, reviewed hundreds of government bodies and concluded that the Water Commission was performing work that could just as easily be done by departmental officers. When the review applied its test to the commission, the body failed to pass as being necessary.

Recommendation 53 of that report deals specifically with the Queensland Water Commission. The commission, the report stated, should be abolished. Unfortunately, the government has rejected that recommendation. Perhaps the minister was convinced by the Water Commission's submission to the review. The commission argued that it should survive and that the review should have considered its commercial benefit. The review authors dismissed this. They said that too often commerciality is presented as a means of bypassing accountability and due process for the expenditure of what remains public moneys. The review concluded that, given the Water Commission's major functions include providing advice to ministers, facilitating water security and ensuring that residents restrict their water use, there was no good reason its work could not be done by a government department bolstered by the experience of the commission.

This point that the review makes about the use and potential waste of taxpayers' money is important, especially when we look at the history of the Water Commission. The Queensland Water Commission was established in June 2006. Its stated role then was to ensure sustainable water supplies by developing long-term water supply strategies, establishing a regional water grid, implementing water restrictions, managing water demand, providing advice to government and reforming the water industry. But almost from the start there was criticism of the Water Commission's ballooning costs and the staff numbers in the commission over its three-year life.

The Water Commission's 2006-07 annual report states that it cost almost \$18 million—roughly nine times more than what Premier Peter Beattie originally promised. The following year's annual report stated that its costs blew out even further to \$25 million. I acknowledge that the government has said that it will cut the Water Commission's budget, but it is unclear how the magnitude of those savings is going to be achieved with no job losses and no changes to the commission's role.

The public can have little confidence, given the government's handling of the \$9 billion water grid and its \$1.2 billion desalination plant on the Gold Coast that started and spluttered to a halt needing repairs. Despite spending \$2.4 billion on building the Western Corridor Recycled Water Project, the

facility has just two customers, the Swanbank and Tarong power stations, and one of them has admitted that it does not need the water it is paying for. Given the government's bungling of its introduction of fluoride to the water supply, the public can have little confidence that the government can ever safely introduce recycled water to our drinking supplies even as a last resort. Then there is the disgraceful proposed construction of the Traveston Crossing Dam, despite the obvious impact it will have on the environment.

This bungling and waste of money brings me back to the Water Commission. As the Weller-Webbe review concluded, there is no reason its functions cannot be done by an existing government department. The Water Commission costs \$25 million a year to run. This is an unconvincing argument from the government about where it is going to cut costs. The greater awareness of Queenslanders of the need to preserve water makes the Water Commission increasingly irrelevant. As the independent review recommended, it should have been scrapped. It is unfortunate that the government rejected that recommendation.

Mr McLINDON (Beaudesert—LNP) (7.53 pm): I rise to make a contribution to the Water and Another Act Amendment Bill 2009. Fifteen days from now it will be the third anniversary since Premier Beattie—as he was at that time—held up a chart that even a 15-year-old could have drawn in a matter of seconds and told the Queensland people that that chart was going to solve all of Queensland's water problems. As we have heard from the member for Callide, that chart turned into some \$4.5 billion from the taxpayers. What did we see from that? A trickle of water and a four-minute shower timer, which worked only 15 or 16 times—or at least mine did.

We have seen from this bungle of the commission one of the greatest and most expensive political subcontracts in this state's history: \$4.5 billion to put in a political subcontractor to take the heat away from the government. We see now in a media release the Premier stating—

... although it was critical the work of the Commission continued, its move to the Department of Environment and Resource Management would achieve cost savings.

As the member for Indooroopilly asked, where are those cost savings coming from? The Premier's media release states further—

As I announced during the election campaign, the move to cut back on the communications functions of the Commission represents savings of about \$15 million over the next four years.

Where exactly are those savings coming from? The Premier's media release stated further—

... we have identified further savings of up to \$7 million over the same period.

That is \$22 million. That is nothing short of either finding efficiencies or making job cuts. That is exactly what the LNP was talking about in the lead-up to the election. We are seeing now nothing less than natural attrition. The media release states further—

Ms Bligh stressed that the move would not involve job losses but the QWC Chair and its two Commissioners would be replaced by a single Commissioner once their contracts expired on June 18.

When the LNP opposition went to the election, it was completely honest with the people of Queensland. We said that we were going to find those efficiencies and that we would tell people exactly where we were headed. The government failed to do that during the election campaign. What have we seen? Within eight weeks left, right and centre the exact things that the LNP was proposing are now coming to fruition. This government failed to tell the truth to all Queenslanders in the lead-up to the 21 March election.

We have to understand, too, that we are trimming back \$22 million. We have to ask the question: was the Water Commission set up properly in the first place? If it was, why is the Water Commission being phased out so quickly since the start of this long-term strategy? Is it because of the heavy rain that we have received and that the combined level of our dams is now 60 per cent? Who knows? The government may backflip and then reinstate the Water Commission when the rivers run dry.

Clearly, there is no plan. I was witness to that when I was a member of the Logan City Council. The council was getting media updates on the news. We were not being communicated with. The ratepayers of the Logan City Council were hit with \$120 million—that is \$1,300 per rateable house in Logan City—because of this bungle. Further, the minister stated the following in his second reading speech—

The structural changes to the commission are consistent with the government's public sector reform program, which aims to deliver reduced bureaucracy and improve efficiency.

Where did we hear that in the lead-up to the election? That is right: from the LNP. Our design was to improve efficiencies, and that is exactly what we are seeing only eight weeks later from a government that failed to tell Queenslanders the truth in the lead-up to the election. The minister stated further in his second reading speech—

The changes to the commission are only in relation to its composition, rather than its establishment and ongoing operation, and will provide for associated cost savings for government in the future.

Maybe we should pay an accountant the sorts of dollars that we spent on the Water Commission to get the state's books back into shape. The Water Commission was a complete abuse of taxpayers' money. To pay some \$4.5 billion to subcontract a political decision to take the heat off the government at the time is completely irresponsible. We are scaling back the Water Commission now.

Unfortunately, although the bill acknowledges that the Water Commission has been a complete bungle and that the government is trying to do a three-phase walkout, it should be doing the whole lot in this bill. I commend the government for taking this step in realising that the whole thing was a complete furphy in its initiation. I look forward to the Water Commission being removed completely in the next couple of months.

Mr RICKUSS (Lockyer—LNP) (7.58 pm): I rise to say a few words about the Water and Another Act Amendment Bill 2009. What has gone on with the Water Commission is absolutely astounding. It careened from disaster to disaster. It was put in place by the previous government purely as a ploy to try to take heat off the government because of the lack of water for Brisbane, the lack of planning, and the Wolffdene Dam that should have been constructed.

What is happening to the staff of the Water Commission? I hope the minister replies to that question. Are the surplus staff going to go over to DNR? I was involved with water in my area when South East Queensland Water and DNR used to manage the dams and the DNR minister used to have a majority share in all the dams. I have been involved in water for a long time. The shadow minister made a great point when he talked about the \$4.5 billion worth of projects that he got off the website.

If we looked at a five per cent return on that \$4½ billion, we would be looking at \$225 million. If we then divide that by the 40 megalitres, the return is \$5,625,000 per megalitre of water. If looked at a return of only three per cent, it is \$3,375,000 and a one per cent return is \$1,125,000. Surely the government has to be realistic and write off some of that \$4½ billion. It has to start dealing with the people with whom the Water Commission and the infrastructure department have not managed to deal, such as the irrigators in the Lockyer area, and start using some of this water. Some of this water has to be used realistically. I return to the long title of the bill. It states—

A Bill for an Act to amend the Water Act 2000 and to make a consequential amendment to the Public Service Act 2008

Some of the members on the other side of the House should actually read the Water Act 2000. People on this side of the House such as the member for Callide and me use it like a bible; it sits on the bedside table and we read it whenever we have some spare time. It is a shame that some members opposite have not actually read the act. What is going on with this bill is just ridiculous. Under this amendment the commissioner is going to be given powers of direction in extraordinary circumstances. Will the extraordinary circumstances be when an election is coming? Is that when the extraordinary circumstances will come in? Unfortunately, the minister should have extraordinary powers all the time.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! The member for Lockyer is on his feet.

Mr RICKUSS: Thank you, Mr Deputy Speaker, for your protection. I was feeling harassed. The commissioner's power of direction is going to be extraordinary. That is in the amendment but it should not be there at all. The minister should have powers all of the time. The minister should be the one responsible for this issue. The minister is the one who should be answerable in this chamber. This is what this chamber is about. It is a chamber of debate. This is where the debate should be held: in here.

I cannot believe that this government still has sold only 40 megalitres of water per day out of a possible 200. This is just absolutely ridiculous. This has all been under the Water Commission's watch. Surely the minister must take control of this. According to the extraordinary powers that the government has put in place, he must start to write off some of the cost burden that has been put in place by this government and start to sell this water at a realistic price. As I said before, I would like the minister to tell me where the staff are going. Are they going to DNR? That is one of the big questions. The government needs to sell this water at a realistic price.

Dr FLEGG (Moggill—LNP) (8.02 pm): The Water Commission is one of the great embarrassments of modern Queensland political history. It was born out of the need of former Premier Beattie to have somebody else to hide behind when lack of planning on the part of this government resulted in South-East Queensland almost running out of water. If there were any point in having a Water Commission the government would have moved much earlier to put in place a bit of infrastructure to avert the crisis that we face. Make no mistake: under the reign of the Water Commission, because of the amount of money that has been squandered on water, Queenslanders have paid a higher price for the folly of the Water Commission than almost any other recent decision made by the government.

The Water Commission in its own right presided over a virtual doubling of the cost of water to South-East Queensland residents. It could not even control its own budget as it exploded in numbers of staff and in budget. We saw that, despite the huge amount of money and staff thrown at the Water Commission, its recommendations were regularly overruled by the government. We saw a dispute in

relation to the costing of water. In relation to the Water Commission's recommended model for costing water—a model that would simply produce a return on the billions of dollars being sunk into water infrastructure—the government had to overrule it because effectively water was being priced out of the reach of Queensland consumers and business.

As a result of that ludicrous situation, the government was forced to bring in special financing arrangements where money was made available to water bodies set up as a result of Water Commission recommendations at vastly reduced rates. I think around four per cent was charged for this large amount of money being lent from the Queensland Treasury across to water bodies. This is a significant part of the explosion of state debt and the burden that has led us to the situation that we saw this week where we have to hold a fire sale of assets because of that deterioration in state debt.

Under the Water Commission we saw the seizure of council controlled assets. Any Queenslanders who has had a look at water policy would be entitled to ask the question: what have we gained? Do we have any better water security? We certainly do not have any cost advantage as the cost of water to Queensland consumers is set to double. The biggest farce we can remember is when recycled water was touted as the solution to almost everything. The people of Queensland were going to be given the right to have a say in a plebiscite. Then they were not going to be given the right to have a say in a plebiscite. Then the government decided that, having spent \$2½ billion, it would not use recycled water anyway. Queensland water consumers will be paying for that \$2½ billion of barely used infrastructure for decades to come.

What does the continuation of the existence of the commission achieve for Queenslanders? There is the ridiculous explosion of the commission's budget, the waste that accompanied projects and the reorganisation of water, and a completely stalled dam project where nobody knows where on earth they stand. It is an irony of course that the Water Commission, who had so many of its own recommendations overruled, has only survived because the government has overruled the recommendation from a different report. What are we told will be its ongoing reason for existence? It is to provide education. Government departments across-the-board provide education, some better than others. We do not see a separate commission set up to provide health education. It is provided by the health department. I am not quite sure what the deficiency in the water department is that it is not capable of conducting water-saving campaigns without the maintenance of a separate commission. The justification for continuing the Water Commission is tenuous, to say the least. It continues to waste taxpayers' money in this state.

The reorganisation of bulk water was a case of moving deck chairs on the *Titanic*. The government seized water assets from the councils but had no organisation for what was to be done with those bulk water assets. Recently in my electorate of Moggill within a week two massive bulk water pipelines effectively blew up, flooding homes and closing roads, and the minister was completely unable to answer any questions about how old they are, how often the maintenance inspections were done or what their maintenance schedule is. I can tell him that a bulk water pipeline properly inspected and properly maintained should not explode once let alone twice within almost a week of each other. The residents and the motorists affected cannot get any sort of intelligent answer from anybody. The other irony is that the bulk water authority seized these assets from the Brisbane City Council and then when the pipes exploded and roads and houses were flooded it had to bring in the Brisbane City Council because it had no emergency response capability.

Mr Robertson: They are on contract.

Dr FLEGG: It is very convenient for the government that, having seized these assets without the ability to respond to emergencies, it then hides behind the Brisbane City Council as the public face and allows it to get the blame for the deficiency in the inspections and maintenance of these facilities.

To the thousands of people in my electorate who were inconvenienced by both of these incidents, there is a fair bit of confusion as to who is responsible—whether it is the water department, the Water Commission or the Brisbane City Council. But one thing is for sure: this reorganisation was a total farce that was done for political reasons and achieved absolutely nothing for the residents of South-East Queensland. So we are glad to see the Water Commission put on a diet—put in the steam room so that it shrinks in size and has its budget cut—but, for goodness sake, nobody has come up with any sound reason why it should continue at all.

Mr DICKSON (Buderim—LNP) (8.10 pm): I am pleased to speak briefly to the Water and Another Act Amendment Bill. I suppose we should be thankful that the government is going to save at least a small amount of money from this bottomless bucket that is the Water Commission. However, reducing the number of commissioners from three to one will not fix the fundamental problems that this government has created with this commission.

It is also of concern that the powers of this commission are now being handed over to just one commissioner. There have been too many errors and poor decisions made for the people of Queensland to have any faith in the Water Commission. There is no better illustration of this than the amazing backflip this week which has seen water handed back to local councils. Why? We can only

assume that the advice from the Water Commission did not correctly estimate the cost of the centralisation of this system. Wouldn't you think they would have done their homework on the costs before deciding to take over the whole of South-East Queensland? The Sunshine Coast alone faces a \$20 million deficit—a shortfall that it just cannot afford. This will have an enormous impact, compounded by the fact that the government did not adequately compensate the council for the water that it has taken away and the lost revenue.

The creation of a Water Commission to manage our water would have made sense if the previous system had been failing, but Sunshine Coast water was managed by a good authority which had been set up over many, many years. It was set up by the Caloundra City Council and the Maroochy Shire Council many years ago. They had a profitable system that was actually successfully delivering water to the people of the Sunshine Coast. Since the Water Commission has taken over we now know how to overfluoridate the water and we know how to destroy a system that was working extremely well. So the creation of a Water Commission to manage water has been a failure.

On the Sunshine Coast water was very well managed. The local authority had invested wisely in infrastructure for water security and the future was assured. Now we have a government famous for its water grid which not only removes the control of water but also takes away water security. The Water Commission and the government made much of the fact that this grid would ensure water could be delivered back to the Sunshine Coast if needed, but the grid pumps the water only one way. The pump only allows for water to be taken away from the Sunshine Coast. There is no ability to pump water back to the Sunshine Coast because those pumps are not in place. They were never put into the finance structure.

I remember when I was on the Maroochy Shire Council and I was on the water board, that there was a gentleman here by the name of Mr Palaszczuk, who made a statement that I did not know what I was talking about when I raised concerns about the building of pipes to the Sunshine Coast. But the government got it wrong. The government has taken away the water security that the Sunshine Coast used to have.

While the government is rethinking the number of water commissioners, it could look at getting rid of the commission entirely. That would result in some genuine savings. The government's independent review of boards and statutory authorities recommended that the commission be abolished. Why did the government not accept those recommendations? This week the government has announced the sale of state owned assets to create revenue for the state. Dispensing with the Water Commission would have saved at least \$28 million this year alone based on last year's figures. Instead, the government is going to make cuts to the Water Commission's budget through savings that are yet to be identified and by reducing the number of commissioners.

We had the recent debacle of incorrect levels of fluoride being used and we have the recycled water pipeline but recycled water has not been introduced at all. Recycled water is being used by industry, which I think is a good thing. But all of that money has been spent and the government promised that it would deliver recycled water to the community. I think the government did a backflip on that one, too.

That brings us to the Traveston Dam. The Water Commission set that up or the government set that up—I do not know which one. I think they both have to take responsibility because they are one and the same animal. They displaced a lot of people who did not need to be displaced. They want to build a dam in an area that will be too shallow—the ground is alluvial and water will probably leach out—and we will spend a good \$1 billion doing it. If the government wants to make savings, that is the first cut it should make. There is \$1 billion that could be saved that would not affect anybody's life and we would not lose assets that this government now owns and that raise ongoing revenue for this state. I think that is a debacle in itself.

Will reducing the number of the water commissioners do anything to improve the Water Commission? I wish we could have confidence that it will. We need water management that will genuinely deliver benefits to our community. As I said, the Sunshine Coast used to be self-sufficient. We do not know if that will continue in the future. Our dams are reasonably full at the moment. This government has never really planned ahead. It has been reactive. It has been reactive with water. That is why it brought the Water Commission on board. It was supposed to have done a fabulous job, but it must have failed because the government wants to cut the number of commissioners from three to one. The government failed with the water pipeline to the Sunshine Coast because it did not put a pump station in place. It would not take a genius to work out that when 100 metres falls to zero water is going to run one way, but I think this government thinks water can run uphill. Back to the Traveston Dam debacle, the people in that area are getting knocked from pillar to post.

Another thing is that pensioners on the Sunshine Coast will be paying an extra 30 per cent for water. Every retirement village in South-East Queensland that uses more than 10 million litres a year will pay an extra 30 per cent. When the government takes away the fuel subsidy there will be an increase in

the cost of food by at least 20 per cent. I could link this all back to the government's inability to run water. The Water Commission is just a part of it. The Traveston Dam is another part of it. The amalgamation of the councils and the Sunshine Coast Regional Council is another part of it.

Rates will go up because the government has taken water revenue away. Some \$20 million a year will be lost. That revenue has to be picked up somewhere and it will be picked up by taxing the ratepayer. It just gets passed on again. It is a bit like football: the government keeps making dummy passes to the people of Queensland. The Water Commission has to take full responsibility for that dummy pass. It has given the people of Queensland a dummy pass and they are running into Civoniceva. He is going to belt them, just like the public are going to belt this government at the next election. They are going to take this government out, just like it has taken out the Water Commission.

Mr CHOI (Capalaba—ALP) (8.17 pm): I thank the House for the opportunity to speak on the Water and Another Act Amendment Bill. The objective of this bill clearly is to amend the Water Act 2000 to modify the composition of the Queensland Water Commission. The bill is a direct response to a report by Weller and Webbe titled *Brokering balance: a public interest map for Queensland government boards, committees and statutory authorities*. The structural changes recommended by the report for the Queensland Water Commission the government believes are totally consistent with the government's public sector reform program, which aims to deliver reduced bureaucracy, improve efficiency and maintain security of necessary regulatory functions.

The Water Commission is an independent statutory body established in June 2006 under the Water Act 2000. The commission was established for the purpose of ensuring sustainable water supplies in the South-East Queensland region. At the time the commission was established, Queensland was at the height of one of its worst droughts on record.

I listened attentively to the honourable member for Moggill and other members of the opposition claiming that some of the infrastructure that has been installed in the last few years is a waste of public funds and that the recycled water pipeline is a white elephant. One cannot win with the opposition. A few short months ago it was criticising the government for not building infrastructure. It was saying that the conservatives are the only parties in this state that have built any water infrastructure. Now that we are building water infrastructure, those opposite are complaining that we should not be building it. They need to be reminded that less than 12 months ago we experienced the driest period on record for the last 100 years. They have such short memories. They are half smart by coming back here today and saying that we should not be building water infrastructure.

Queensland in fact is the only state government in Australia which has built any dam—being the Paradise Dam—in the last 10 years. In late 2001, a mere eight years ago, all the major dams in South-East Queensland were at 100 per cent full service level. It would have been hard to argue that we needed to build dams at that time. I think members also need to be reminded that there were 22 bulk water assets, 12 different bodies and 12 different water retailers, as compared to a single supplier in Sydney and a similar arrangement in Melbourne.

Mr Seeney: You didn't write this.

Mr CHOI: I did write it. I can show you. The commission was given responsibility for developing and implementing a significant water reform agenda and it has placed Queensland at the forefront of delivering regional water supply security. The current Water Act framework provides for the commission to consist of at least three commissioners who are appointed by the Governor in Council. The Water Act also provides that the commission may employ staff under the Public Service Act 1996 in order to perform its function.

This government has made a commitment to streamline the Public Service, including cutting unnecessary costs wherever possible, reducing bureaucracy and reducing unnecessary red tape. As part of this initiative, the Premier commissioned the independent review of Queensland government boards, committees and statutory authorities by Patrick Weller and Simone Webbe which was released on 31 March 2009. The report, which was aimed at achieving efficiency in the establishment and operation of government bodies, recommended the commission be abolished and its functions transferred to the Department of Environment and Resource Management.

This government considers that the commission continues to have a significant role in water supply security, and therefore the government did not support the recommendation to abolish the commission. However, the government has taken this opportunity to consider the broader arrangements for water related functions of the Public Service and how these functions can best be consolidated as part of finalising the structure of the new government departments. Also identified by the Weller and Webbe report was the opportunity to streamline statutory authorities where board governance exists but is not essential for successful operation of the authority. The report recommended the government consider, where statutory authorities were required, whether board governance is required.

For the remaining part of my speech, I would like to focus on the saving and efficiency which can be achieved with this bill. Consistent with this recommendation and the government's commitment to streamline the Public Service, this bill introduces amendments to the Water Act to simplify the governance arrangements of the commission, creating a single commissioner model. It is considered in the case of the commission that its function and powers may be undertaken more efficiently and as effectively without the need for its current board structure.

This bill provides for a single commissioner who will be appointed by the Governor in Council. The single commissioner will exercise the statutory functions of the commission rather than the current board of three commissioners, directly achieving savings through modified governance arrangements. Apart from the changes to the governance arrangements, the commission will otherwise remain a separate statutory authority with independent reporting requirements under the Water Act. Retaining the commission as an independent body while achieving savings through simplifying the governance arrangements ensures continuity in policy and regulation in urban water management. This allows the commission to seamlessly continue its critical work program. Also, in recognising the importance of South-East Queensland urban water management, the new arrangements introduced by this bill will have the benefit of retaining the expertise within the commission staff.

In considering how the government can best deliver water related functions through the Public Service, the recent machinery of government changes, aimed at streamlining the Public Service, repositioned the commission to report to the Minister for Natural Resources, Mines and Energy and Minister for Trade. This will deliver better coordination between the functions and activities of the commission and the new Department of Environment and Resource Management. This realignment of services also provides the opportunity to cut back on the communications functions of the commission, which represents savings of about \$15 million over the next four years. In addition, the corporate services and communications operations of the commission will be consolidated in the new Department of Environment and Resource Management. As a result, further savings of up to \$7 million are anticipated over the same period.

Following the election in March 2009, the Premier announced that there were to be reforms of the Public Service. The Premier has stressed that these reforms will occur without any job cuts. In implementing the restructure of the commission, no jobs will be lost and the new commissioner will be appointed to commence in alignment with the end of the existing commissioner's terms of appointment on 18 June this year.

This bill achieves savings and creates efficiency through streamlining the structure of the commission and part of this government's commitment to deliver the most efficient, most streamlined and most capable Public Service. This is achieved without affecting the ability of the commission to perform its critical functions and enables the commission to build on its considerable achievements in the future and get on with the job of ensuring a sustainable and secure water supply for South-East Queensland.

This is a bill that I fully support but before I sit down I want to make a few more comments. During the election period, the opposition consistently attacked the government, particularly in my area, because the government had decided to purchase water assets from the Redland City Council in order to achieve water security for South-East Queensland. A lot of residents in Redland city were not happy with that decision, so I think it is important to put a few things on the record because most of the residents believe that they own all the water in the Redland city area.

Here are the facts about water in Redland city. Water in the Redlands comes from two sources—Leslie Harrison Dam and Stradbroke Island. A large part of the surface area of Leslie Harrison Dam is in fact within the boundary of Brisbane City Council. A majority of the catchment area of Leslie Harrison Dam is in fact also within the Brisbane City Council area—that is, rain falls onto Brisbane but runs into Leslie Harrison Dam. In fact, only 36 per cent of the catchment area of the dam is located in the Redland City Council area. In other words, Redlanders have been using Brisbane water from Leslie Harrison Dam without paying either Brisbane or its residents.

The Redland City Council does not own Stradbroke Island. The island is largely owned by the state, with only a few small areas of leasehold or freehold. In other words, the resources of the island are the property of the state and therefore the people of Queensland. Only the pipes and associated infrastructure to take and treat water from Stradbroke were installed by the Redland City Council, and the state has decided to pay for that. I was also informed that the state had contributed up to 40 per cent of the initial cost of the infrastructure at the time. If I can put the above facts in another way, as Redlanders we have been using water from Leslie Harrison Dam, which gets a large amount of water from Brisbane. Shouldn't Brisbane residents be entitled to some of that water too? As Redlanders, we put a pipe to Stradbroke to draw water from it, but the island and therefore its resources are not owned by the Redlands but by the state and therefore by other Queenslanders as well. Shouldn't other parts of Queensland be entitled to this water, if not the majority of it?

Other interesting facts to ponder are that 59 per cent of the residents of the Redlands travel outside of the city to work elsewhere and therefore use water from other sources, and that 100 per cent of the electricity used by the Redlands is generated by turbines outside the city, which are required to be cooled by vast amounts of water outside the shire. It is very clear that the only proper way to manage our very precious water resource is to manage it regionally. Therefore, I fully commend the work of the Water Commission in the past, and I support the changes to the Water Commission. I support this bill.

Mr BLEIJIE (Kawana—LNP) (8.28 pm): I rise this evening to add my contribution to the debate on the Water and Another Act Amendment Bill 2009. The Queensland Water Commission was introduced by former Premier Peter Beattie in May 2006. Its role was to ensure sustainable water supplies by developing long-term water supply strategies, establishing a regional water grid, implementing water restrictions and managing water demand in the south-east region of Queensland. I submit to the House that there was another reason and this was a reactive, crisis bureaucracy set up by this government.

As I speak these words, my ears are burning because we have seen this happen over and over again for the past 11 years in Queensland. Last Saturday the government finally worked out that our state finances are not so good. Unfortunately, they are not as lucky as Kevin 07, who could dig into a hefty surplus left by a conservative government, because in Queensland there was no money. They had spent it all. They went bust in a boom. Now Queenslanders have to suffer because this government is going to have a fire sale of public assets.

This bill seeks to establish a single commissioner model for the Queensland Water Commission. We all know, however, that the original establishment of the QWC and the government's new-found crisis management strategy was to shield the former Premier from the crisis and purchase all of the assets from South-East Queensland councils at below market value to allow the state to control water centrally. One particular council on the Sunshine Coast referred to the government's takeover of water as the 'great water swindle'. It is quite strange now that the government wants to sell assets when regarding water all it wanted to do was buy them.

With respect to this bill and its downgrading of the QWC, I take this opportunity to remind the House that it was LNP policy at the last election to disband the QWC for what it was. Although the government report, which I will go into, recommended this course of action, this government has only taken a partial aspect of this recommendation. We still have a QWC but we just do not know exactly what it is going to do.

The good news in relation to the extent of rain that we have received in South-East Queensland means that our dam levels have reached 74.4 per cent as of nine o'clock this morning. The Baroon Pocket Dam has been at 100 per cent capacity for some time now. Whilst we are on the subject of this bill, I could not possibly let this chance go by without mentioning on the Sunshine Coast our very own 'Travesty' Dam. My apologies, Mr Deputy Speaker, that was a slip of the tongue. I meant the Traveston Crossing Dam. The dam is built on a sand base commonly known as unfit for the base of a dam of water, and yet the Premier had the temerity to stand before this House last month and tell the people of the Mary Valley region that with all the rain we have had their dam would have been filled seven times. I submit to the House it probably would have leaked and emptied in just the same amount of time.

The Mary Valley has some of the best pastoral land in Queensland, yet they have been told for three years that their land will be flooded for the common good of society. What a joke! To this date we still do not know what the situation is with the Traveston Dam.

Mr Schwarten: You don't.

Mr BLEIJIE: I take the interjection. Why don't you come clean to the people of the Mary Valley and tell the truth? I can understand why the government would be inclined to pass this bill at such a fast pace. The costs of running the QWC have increased dramatically. The initial budget of the commission was \$2.5 million. By 2007 it had blown out to \$18 million, and in the budget of 2008-09 the government had allocated \$27.8 million for the commission and its 85 staff. The government has let the commission exponentially grow in size and funding in its short life. In just three years the QWC has cost the Queensland taxpayer 14 times the initial amount set aside in 2006.

This piece of legislation will establish a single commissioner model for the QWC instead of the current chairperson plus two commissioners. We of course welcome the better efficiency of government bodies recommended by our own member for Southern Downs during the election campaign. The Weller-Webbe review was set up by the government in 2008. In the Premier's own words, the review 'has assessed the 459 current government bodies in order to identify which of those bodies may no longer be necessary and could be abolished'. The Weller-Webbe review recommended to the government that the Queensland Water Commission be abolished and its functions be transferred to the Department of Environment and Resource Management—again, an LNP policy.

This bill seeks to amend the Water Act 2000 and modify the composition of the Queensland Water Commission. The other real reason is that the truth has been exposed—the truth about this government wasting money and a blown budget. This blow-out impacts on our communities. The

Sunshine Coast is due to have water restrictions placed on its residents and businesses at the end of this month. Despite these restrictions being implemented at the end of this month, Sunshine Coast residents are still in the dark with respect to these restrictions which go right to the heart of the bill because the bill is in relation to the Queensland Water Commission.

It is not acceptable in my view for the state to come along and take over the running of the water and its assets from the council and then tell the council, as the QWC, you must do this and you must impose these restrictions and take the public and political fallout from it because this government will not. It is another buffer for the government. Let the Queensland Water Commission buffer the government from its mismanagement of water in Queensland. When that does not work, put it onto councils, so the government is giving itself two buffers.

Despite this bill amending the Water Act and giving the QWC only one commissioner, there are still going to be issues. One area in particular that I want to draw to the parliament's attention tonight is those residents in community title and retirement village complexes. Not only have they been hit with water restrictions; the process of community title schemes is that they have individual lot ownership—freehold title in these community titles. These people will be slugged because of an odd-even number system of restriction. Where you have a unit complex as No. 2 or an odd number of a street, they are having one pipe right into their complexes. One resident in my electorate has 86 unit dwellings in a community title scheme. They will have half an hour a week for 86 people because they are all considered as one, as an equal No. 2 on a street—86 people washing their cars and watering their gardens all at the same time. The Queensland fire brigade on the Sunshine Coast has said that the pressure in these pipes has already been fundamentally reduced because the pipes have not been looked after and we have seen bursting of pipes in recent weeks.

Mr Kilburn: They're run by the council.

Mr BLEIJIE: Not anymore—the Water Commission. This bill amends the Water Act 2000. I would ask the minister to consider this position of community titles and use the same numbering system as residential, that is, odd-even numbers in the residential complexes of the units. They pay their rates, they pay body corporate fees and they pay a water based charge like any other resident. When the government sold the electricity assets interstate, it gave a guarantee that prices would not rise. We have seen prices rise. Registration of motor vehicles has increased and now water costs have blown out because \$4.5 billion has been wasted. When will this government give Queenslanders a break and stop driving up the cost of living in this great maroon state?

Mr GIBSON (Gympie—LNP) (8.37 pm): Thank you, Mr Deputy Speaker.

Mr O'Brien: This will be a positive contribution, I am sure.

Mr DEPUTY SPEAKER: Order! Member for Cook.

Mr GIBSON: Thank you, Mr Deputy Speaker. I am glad that you can provide guidance to the member for Cook, as others have done this day. I rise to make a contribution to the Water and Another Act Amendment Bill 2009. In doing so, I express my regret that this bill does not go far enough. Of course we will be supporting this bill because it is a first step, but further action is needed. The Water Commission needs to be abolished. When we look at the premise of this bill, we see the fundamental difference between our side of politics, the LNP, and that of the Labor government.

If the Queensland public ever wanted an example, the Water Commission is the example that highlights the difference between Labor governments and conservative governments. It begins with accountability. Conservative governments are always about accountability. Yet we saw the establishment of the Water Commission in June 2006 as a means of deflecting accountability so that the minister could hide behind the Water Commission. That shows right at the very beginning how Labor governments treat accountability in this state, as opposed to those on this side of the House who would be willing to take on that responsibility. Had this bill been designed to abolish the Water Commission the government would have had our wholehearted support. We are about governments and ministers being accountable to the people, not about hiding behind established commissions.

It goes further than that when we look at the actions of the Water Commission. We see exactly how Labor governments are able to manage budgets. And that is that they do not. They are unable to do so. When we look at the history of the Water Commission from what was promised by the Premier of the day to what was delivered and what happened year after year we see blowouts, continuing increases, phenomenal increases to the point today where we have the Premier having to cap the budget of the Water Commission as it has gotten so far out of control.

Therein lies the second example of the difference between Labor governments and those of a conservative nature. It goes further than that. It comes down to the point of being willing to make the tough decisions, being willing to listen to the advice and then have the courage to step up and follow through. Again we see the Premier and this government failing to have the backbone, failing to have the willingness to show leadership on this issue.

Why is it that when the Premier commissioned a review into the functions of this commission and the review came back and highlighted, as the Weller-Webbe review did, that this commission should be abolished—not downsized, not have its role redefined, not go from three commissioners to one but very simply abolished—it was not done? I paid attention to the comments made by the member for Capalaba when he talked about this government wanting to streamline the Public Service. The easiest way to streamline the Public Service would have been to accept the recommendations with regard to the Water Commission and abolish it.

That is what it would take. We understand that that would not be a politically popular decision, but it takes leadership, it takes courage and it takes a vision for what is best for the people of Queensland. A commitment to the people of Queensland is something that those on this side of the House, members of the LNP, have and would be willing to show.

There are many things that the Water Commission has done, and I am willing to recognise that there has been some good done. It will not take me long to talk about it. What the Water Commission has been able to do is effectively educate the people of South-East Queensland in demand management. The people of South-East Queensland should be commended for that. To me the Water Commission's shining achievement is getting the people of South-East Queensland to understand, as those in rural and regional Queensland often do, that 300 litres per person per day is excessive. Target 140 shows what the people of Queensland are willing to do if we engage with them. If we are willing to bring them on side and work with them that is what can happen. For that I give the Water Commission credit. However it did not need to be a Water Commission to do that.

As the member for Moggill pointed out, we see very good education components within departments—within the health department, within the police department and other areas. That function could have easily and will easily be managed within a department.

There are areas that the Water Commission managed that are atrocious and are nothing short of scandalous. I remember being on the Public Accounts Committee last year and doing a public inquiry into water infrastructure projects. The term 'invoice tendering' was being used. That just shows the lack of budget control that this government had and was willing to embrace when it came to water infrastructure.

I note the contributions of some of those opposite. They accused us of having a short memory. They accused us of saying that we do not remember what was happening. Those on the opposite side seem to forget it was a Labor government that scrapped the Wolffdene Dam. When water infrastructure was being planned for the future—not in a crisis but planned for—it was a Labor government that did not support that dam being built.

What we have seen in the last few years has been catch-up. It has not been planning. It has not been prudent work in this area. It has simply been water infrastructure catch-up.

Mr DEPUTY SPEAKER: Order! If members wish to continue conversations, please do it outside the chamber and let the member be heard.

Mr GIBSON: I am sure the member for Brisbane Central is interested in my contribution to this debate.

Ms Grace: Don't bet on it.

Mr GIBSON: There was one other role of the Water Commission that I—

Mr Horan: They have a big weekend coming up.

Mr GIBSON: I take the interjection from the member for Toowoomba South. I am sure those on the other side do have a big weekend coming up and a lot of other things are occupying their minds at the moment.

Mr Seeney interjected.

Mr GIBSON: I look forward to watching the media. I will come back to the bill before the House.

One of the functions of the Water Commission has been the monitoring and reporting on infrastructure projects. I wish to touch on an infrastructure project that is very dear to my heart—an infrastructure project that this government put forward without any planning and that this government pulled out of the air on 27 April 2006. Before the Water Commission was established the then Premier flew into the Gympie electorate in his helicopter and landed at the airport and announced to the people of Queensland that like a water messiah he had come to build—and these were his words, not mine—a megadam.

It has shown itself to be a farce—a farce environmentally, a farce socially and a farce economically. Over the life of the Water Commission I have been following with keen interest its monitoring and progress reports when it comes to the Traveston Crossing Dam. I might bring some points contained in these reports to the attention of the House. I think that there are some very valid points in them.

One is the cost. In these times when we have seen such blow-outs on infrastructure projects one would think that the Traveston Crossing Dam cost would be constantly updated and there would be reviews of it. I note in the first progress report of September 2006 that the forecast final cost is \$1.7 billion. I note in the April 2009 report, which is the most recent, that the cost is only \$1.592 billion. Somehow this dam is getting cheaper as the days go on.

I wonder how this is going to occur. Are they going to pay the workers less to work on the dam site?

Government members interjected.

Mr GIBSON: I take the interjections of those opposite because they obviously have no idea how the cost is being reduced. There has been no costing done. This project is a sham.

Mr Seeney: Always was.

Mr GIBSON: Always was and always will be. Should it ever gain approval it will be to the detriment of the people of Queensland. It will be to the detriment of the environment of Queensland. Unfortunately, the proposed Traveston Crossing Dam has already gutted the community of the Mary Valley. Those opposite should be disgusted with the way that this government has kicked people when they are down. Those opposite who pretend to defend the workers and those who are disabled should be ashamed about the way this project has been pursued.

The Water Commission has played a role that is a blight on the record of Queensland's water infrastructure. This bill does not go far enough. We should tonight be voting on the abolition of the Water Commission. However, we will support this step as the first of many to see—when an LNP government is in power—that the Water Commission is dead and buried.

Mr RYAN (Morayfield—ALP) (8.50 pm): I rise in support of the Water and Another Act Amendment Bill 2009. In speaking to the bill I would like to firstly reflect on the valuable work which has been carried out by the Water Commission to date. The commission was established under the Water Act 2000 to ensure the delivery of sustainable and secure water supplies for the South-East Queensland region and other designated regions. It has achieved this by providing advice to this government, developing long-term water supply strategies, establishing a regional water grid, implementing water restrictions and managing water demand. All of these functions are the commission's responsibility under the Water Act.

The changes to the composition of the commission as set out in the amendment bill form part of the government's response to the Weller-Webbe report, but those changes in no way hinder the vital operation of the Queensland Water Commission as an independent statutory body. These amendments demonstrate the government's commitment to act quickly and decisively on the recommendations of the Weller-Webbe report while ensuring the commission can still get on with the job of managing the water supplies of South-East Queensland for the next generation of Queenslanders.

To avoid any doubt, these changes are not a reflection on how well the functions of the commission have been carried out to date. The commission has led and continues to lead the development and implementation of world-class water supply planning and water restriction frameworks. A reality of our variable climate and growing population is the need to plan for future generations. The Queensland Water Commission and the amendments set out in this bill are key components of that plan. The commission has been instrumental in developing the draft South-East Queensland Water Strategy which is a long-term strategy to guide the region's water initiatives in conjunction with state and local governments. This strategy, and the work of the commission, is designed to meet the region's water supply needs for the next 50 years and will deliver a new standard of water security in Australia's fastest-growing region.

The previous Target 140 campaign has been instrumental in reducing water consumption in South-East Queensland. I commend the people of Queensland and the people of the Morayfield state electorate on their superb commitment to water conservation. Recent rain and storm events have contributed to our water storage supplies and combined dam levels have now exceeded 70 per cent. This means that water restrictions can be eased under the commission's drought exit strategy. This strategy is yet another piece of work by the commission which ensures that our water supplies can continue to meet the demands placed on them while rewarding those hardworking water savers within the community.

The commission has also established the South-East Queensland water grid, including the Water Grid Manager. By connecting the region's major water sources, water treatment plants and bulk water transport networks, the water grid enables the coordination of delivery of urban and industrial waste supplies across South-East Queensland. To facilitate the operation of the water grid the commission also developed contracts governing commercial transactions between grid participants. These contracts relate to the water market rules. The water market rules are administered by the commission and govern the operational and commercial aspects of wholesale water sales to grid customers and the supply of services to the grid manager. The water security planning and restrictions functions of the

commission, as well as its role in setting up and administering aspects of the water grid and the water market, are just some of the functions that remain critical for ensuring water supply security in South-East Queensland.

The changes to the composition of the commission which are set out in this bill do not change the core functions of the commission or the important work that the commission continues to undertake. To be clear, the amendments to the Water Act introduced by this bill do not hinder the vital operation of the Queensland Water Commission as an independent statutory body delivering valuable reform in the South-East Queensland water sector. What these amendments are all about is further securing water for Queensland's future and underpinning the modernisation of the regulation of the water sector. Modern times require modern, relevant and contemporary consideration of current and future water security for Queenslanders. The amendments contained in this bill are good amendments and I commend the bill to the House.

Mr POWELL (Glass House—LNP) (8.53 pm): This evening we are debating the Water and Another Act Amendment Bill 2009, which is principally about the role of the Queensland Water Commission. As the minister mentioned in his second reading speech, one of the roles of the Water Commission is to have responsibility for the South-East Queensland water grid. Whilst the Queensland Water Commission was not responsible for the government's grab for the assets of local government, one would have hoped that it had learnt from what occurred in that instance in relation to the lack of consultation and the poor compensation to the local governments involved.

Unfortunately, one of the first roles of the Queensland Water Commission was in implementing the Northern Pipeline Interconnector Stage 1 which can only be described as an ugly leaking scar throughout the length of my electorate. The government's poor planning led to the crisis in the first place and required this pipeline to be built with such haste. Even so, it was not necessary for this to occur with such rough riding over the constituents in my electorate. There was appalling consultation, poor compensation and poor project management that, as we have heard this evening, led to huge cash blow-outs. Given that the water grid was ideally designed to be able to pump water in both directions, there are still no return pumps on that pipeline to ensure that the water can come back up to the Sunshine Coast. There is an expectation from Sunshine Coast residents that water would come north if it was required at any stage, so why not put the pumps in when it was first built and save money?

This bill is about reducing the number of commissioners from a chair and two commissioners to the one. I understand that that one commissioner will now be responsible for not only the Traveston Crossing Dam, which my colleague the member for Gympie has so eloquently outlined, but also the Northern Pipeline Interconnector Stage 2. If the Water Commission does continue to persist with these developments, my constituents and I and those of neighbouring electorates can only hope that in this instance, now that we have had a bit of rain and there is water in the tanks and the dams, there might be an opportunity for better planning. My constituents and I hope that there will be better consultation as this pipeline is laid out, that there will be better compensation for those affected, that there will be consideration as to how the impact of this pipeline may be reduced on the landowners and primary producers in the area and, ultimately, that there will be better project management that ensures the costs are kept to a minimum. I do have to wonder though, given we are reducing the leadership of the Water Commission from three to one, whether this will happen at all.

Perhaps as the Weller-Webbe report recommended, the government should give up on the Queensland Water Commission completely and return the powers to the Department of Environment and Resource Management whose officers are, after all, some of the experts who advised the government not to proceed with the Traveston Crossing Dam in the first place.

Mr DOWLING (Redlands—LNP) (8.57 pm): I will be supporting the Water and Another Act Amendment Bill 2009. The actual existence of the bill is a reflection on poor state Labor government planning for the growth that everyone else saw coming every day, day after day. This Water Commission is a direct result of the elephant that was in the room in the previous Beattie Labor government and in the current Bligh government. It had to invent this entity, this Queensland Water Commission, as a direct result of lack of planning. My community actually had planned for its growth and took offence at the loss of their water business, their assets et cetera and the imposition of new water restrictions imposed by the Queensland Water Commission.

My community will be pleased to see that commission being reduced in size down from a chair and two commissioners to a single commissioner. In actual fact, I suspect that my community would be happier if that commission was done away with altogether and did not exist at all and the water business was returned to Redland city ratepayers. The Queensland Water Commission is certainly not welcome in the Redlands. The passion and the anger over the loss of the Redlands water is quite evident. I suggest that it may have been a contributor to the loss of two Labor seats—my own and that of Cleveland. With the commission being reduced in size one would expect to see some real savings. It should deliver efficiencies. We live in optimistic times.

We also note with interest the Weller-Webbe review report of 31 March 2009, which recommended that the commission be abolished and that its function be transferred to where it more rightly belongs: the Department of Environment and Resource Management. That recommendation was not supported. It begs the question: why? My community believes that the Water Commission is used to separate government from the tough decisions, for the government to have a foil between it and the ugly choices and the ugly things that are being imposed upon the community, such as water pricing, which is a most sensitive issue in difficult times, and even in good times. My community is expecting increases in water prices of over 500 per cent as a direct result of the poor planning of failed previous Labor governments and their inability to manage the state.

My community holds the Water Commission responsible for water restrictions. While our dam, like that of the Gold Coast, the Hinze Dam, was overflowing, we were having more restrictions placed upon us. My community would be much happier if the Water Commission was wound up and water was given back to Redlanders.

The role of the commission is to ensure water supplies by developing long-term water strategies, establishing a regional water grid, implementing water restrictions and demand management, providing advice to the government and reforming the water industry. The Water Commission is doing the job that the state government should have been doing. The Water Commission is doing what should have happened in the last 10 years under the former Beattie Labor government and under the current Bligh government. Those two governments used the Queensland Water Commission as a foil.

If we believe the government, the new structure of the Water Commission is a positive thing. But the questions that I would put to the government on behalf of Redlands residents are as follows. Will the Water Commission ever be abolished? Will the Water Commission's area of responsibility be increased from its current limit of South-East Queensland? Will the Water Commission be used as a blunt instrument later on to do the government's bidding in other areas throughout the state where the Labor government has let down Queenslanders?

I again remind honourable members of the role of this Water Commission. Its role is to ensure a sustainable water supply by developing long-term water strategies, establishing a regional water grid, implementing water restrictions, managing water demand, providing advice to the government and reforming the water industry—doing what the Beattie government did not do and the current government cannot do. The commission will be making the tough decisions on water—the decisions we expect this Bligh Labor government to make, not the Water Commission. It is a sad day when we—and I use the royal 'we'—see this Labor government using a commission to do its bidding, to be the bearers of bad tidings.

Dr ROBINSON (Cleveland—LNP) (9.02 pm): I rise to speak to the Water and Another Act Amendment Bill 2009. I start by suggesting a renaming of the bill. I have called it 'Son of Frankenstein'. Son of Frankenstein has become necessary because its father, Frankenstein, became such a monstrosity. Although I welcome the passing away of Frankenstein with this amendment bill, the amendments do not go far enough. I note that the aim of the bill is to reform the Water Commission in its delivery of water services. I note that the role of the Water Commission supposedly is to ensure sustainable water supplies by developing long-term water supply strategies, establishing a regional water grid, implementing water restrictions, managing water demand, providing advice to government and reforming the water industry. The intent of the bill, to simplify the poorly constructed operations of the Water Commission and to reduce wastage, is too little. In my view, the reforms contained in the bill do not go far enough. Son of Frankenstein is still too big a monster.

I wish to go on record as condemning the government's failed water policy from the inception of the Water Commission in June 2006 for its wastage, its overcharging for water, its roughshod attitude to local councils and for its contempt of local residents in delivering water services. The residents of the electorate of Cleveland and the broader Redland city continue to reject the way in which the government, via its Water Commission, has treated them. In Redlands city, water supply and security have been a high priority for successive Redland councils long before the area reached city status. Water has been like liquid gold to the people of this region and they are fiercely parochial about this precious resource. It is acknowledged that long-term drought conditions and growing populations put water resources under pressure. However, the foresight of former councils and councillors ensured that the Redlands has always had sufficient water to provide for its community.

In an article in the *Redland Times* of 25 May 2007, former Redland shire mayor Don Seccombe said that the state government taking control of dams, weirs, bulk water pipes and waste water treatment plants in South-East Queensland while councils controlled the domestic distribution system and water retail businesses was 'not good for the Redlands'. Councillor Seccombe represented the vast majority of residents in the Cleveland electorate when he stated—

... all the investment this Council has made over decades to secure water supply have been stripped from us. Redlands has planned ahead and paid for its water security over the years and now we are being penalised and will have to continue to pay to help secure water for the rest of South East Queensland.

Former chairman of the Redland Shire Council, Councillor Merv Genrich, was also incensed by the takeover of Redland water by the Water Commission. The well-managed Redland water was replaced by an inferior management system in the Water Commission. The comments by the mayor and the chairman were echoed loudly by many in the community, and the unrest about the state government's takeover continues today.

Serious environmental concerns were raised with regard to the plan to take extra water from North Stradbroke Island as the underground island aquifer may be less full than expected. There were fears that piping more water off North Stradbroke Island could turn parts of it into barren dunes and upset the delicate ecosystem. Straddie's Blue Lake's crystal waters are home to a range of native animals, including the rare soft spined sunfish. It is also of cultural significance to local Indigenous people. As well as the council, sandmining company CRL also extracts water from North Stradbroke Island. A community reference panel was set up to look into issues affecting Straddie and a separate technical advisory panel was also involved in the investigation.

Residents have expressed concerns about the operations of the Water Commission. They are concerned about the adequacy of compensation—or inadequacy of compensation—paid to the council for water assets. The Redland City Council was ripped off by this government by at least \$30 million in the buyout of the water infrastructure. Residents are concerned about the prospect of excessive water price rises owing to the cost blow-outs of Frankenstein. Residents are concerned about the needless toughening of restrictions in the Redlands in the future.

It was evident during the recent election campaign that fluoridation and recycled water are both controversial issues within the Redlands community, and the residents of Cleveland also feel deeply that their say has been stripped away by an arrogant and domineering government. Health and safety issues surrounding both fluoridation and recycled water have not been adequately addressed by the government. What assurances can Cleveland residents expect from Son of Frankenstein in order to alleviate their concerns? The answer is none.

In conclusion, let me restate that the people of Cleveland and I are glad to see the end of Frankenstein and do not believe that the needed reforms in Son of Frankenstein go far enough. The proverbial drops of sinister sauce that this government has put in the chalice of this bill do not go far enough to pacify the monster. It appears that the people of Cleveland and South-East Queensland need a new designer, a new government, before water will be on the level.

Mr WENDT (Ipswich West—ALP) (9.08 pm): I want to touch on the role of the single commissioner model that will be introduced by this bill. As we have heard, the single commissioner model will replace the current board model as the government structure for the Queensland Water Commission. Nevertheless, it is important to note that the structural changes made to the Water Act by this bill will ensure that many requirements remain. For example, the requirement that the Governor in Council continues to make the appointment of the commissioner is to be maintained. As such, in this model the single commissioner will then be responsible for undertaking the existing statutory and regulatory functions of the previous full commission. Importantly, the role of the single commissioner remains unchanged. That is, it is still to ensure a sustainable and secure water supply for South-East Queensland.

What this simplified government structure will achieve is immediate cost savings to Queensland. Of course this is consistent with the Weller and Webbe recommendations which required that, where statutory authorities are necessary, consideration should be given to whether board governance is required. Nevertheless, it is also important to note that the bill does not propose any changes to the current arrangements for the commissioner's duration of appointment, terms and conditions, resignation or termination of appointment nor, for that matter, does it change the types of interests that the commissioner must disclose. As such, under this bill the single commissioner must disclose to the minister—which in the previous case was a chairperson—any direct or indirect pecuniary interest in a matter which may conflict with the proper performance of a commissioner's functions. As a result, in the event of a conflict of interest, the commissioner would be prohibited from performing or continuing to perform any functions related to the matter in question.

On another point, this bill also puts in place other arrangements such as the appointment of an acting commissioner by the responsible minister. This will allow the ongoing function of the commission in the event of circumstances such as where the single commissioner is unable to perform his or her duties or is absent from office for any reason. In addition, the bill also removes the provisions of the Water Act that currently provide the arrangements for meetings, associated quorums, related governance requirements and other business of the commission. As honourable members can imagine, under the new arrangements with only a single commissioner provision for meetings and other meeting business is no longer necessary.

In relation to independence functions and jurisdiction, it should be known that, even though the bill modifies the structure of the commission to have just one commissioner, it will ensure that it retains the commission as an independent statutory body. As such, the changes to the commission are only in

relation to its composition rather than its establishment and ongoing operation. In this way the current functions of the commission will remain in place and the single commissioner will continue to report to the current Minister for Natural Resources, Mines and Energy and Minister for Trade.

One might ask: are there going to be any cost savings and efficiencies to be gained under the new bill? I am pleased to advise that scaling back the structure of the commission to a single commissioner will be consistent with the government's public sector reform program, which will aim to deliver reduced bureaucracy and improved efficiency but, at the same time, maintain the integrity and security of necessary regulatory functions. It is considered that these changes will provide the government with associated cost savings and efficiencies into the future while allowing the commission to build on its considerable achievements and, in the end, get on with the job of ensuring a sustainable and secure water supply for South-East Queensland.

In conclusion, the changes to the governance of the commission are expected to commence after 18 June 2009, which is the expiry date of the current commissioner's term of appointment. I would like to take this opportunity to express my thanks to the current water commissioners, Elizabeth Nosworthy, Jamie Quinn and David Green. I am sure all members would agree they have been at the forefront of the unprecedented initiatives taken by the commission. At the same time they have made an enormous personal contribution to Queensland's ongoing water security. I commend the bill to the House.

Mr MESSENGER (Burnett—LNP) (9.12 pm): In rising to speak to the Water and Another Act Amendment Bill 2009, I acknowledge the contribution made by members of the LNP. I acknowledge in particular the member for Callide. In his contribution he made the point that the Water Commission was only constructed to take the political heat off the government. We would have to ask: why did that happen? It happened because, like so many other government agencies, it was mismanaged appallingly—just like child safety, health and electricity. This government has struggled from crisis to crisis. The only really good thing it has become relatively proficient at is managing the crisis. Rule 101 is to take the pressure off the minister and establish a commission—in this case the Water Commission. Then it was able to trot out a public servant who would speak on TV and read out the list of excuses as to why the government had failed to manage water properly.

What would Fred Haig have said? Who was he? He was a water commissioner of Queensland. I found that out.

Mr Robertson: He was a public servant that they used to roll out to talk about water instead of politicians. You hypocrite! You absolute hypocrite! You got caught out again.

Mr MESSENGER: Unlike the present water commissioners, who are lawyers or bureaucrats, Fred Haig was actually a water commissioner who was an engineer. In the good old days they actually chose a water commissioner who was an engineer.

Mr Gibson: Do you think they might know something about water?

Mr MESSENGER: I take the interjection from the member for Gympie. They do know something about water. I learnt about Fred Haig from a dam called Monduran Dam, which is just north of my electorate and supplies half the water supply for the Burnett-Bundaberg region. There was a lovely plaque overlooking Fred Haig Dam. It said on the plaque—

Ms Struthers: We've heard this story before.

Mr MESSENGER: I take the interjection. The member should hear it again. The plaque said, 'Fred Haig, Water Commissioner, 1955 to 1974'. I did a little calculation and it worked out to 19 years. In 19 years Fred Haig, water commissioner, water engineer, built 12 major pieces of water infrastructure. That started me thinking. I wonder how many pieces of major water infrastructure the Labor government, the other side of parliament, actually built in a similar time period—19 years. I went to 1989 when the Goss government came in and I did a little calculation through 19 years to last year—2008. Guess what? How many major pieces of water infrastructure were built in 19 years? One piece of water infrastructure!

Mr Hopper: Which one?

Mr MESSENGER: It was Paradise Dam.

Mr Gibson: Does that deliver water for South-East Queensland?

Mr MESSENGER: No, it does not deliver water for South-East Queensland. In fact, it delivers water for half of my area because it is not linked into the northern half. Guess what? Paradise Dam is about 70 per cent full and yet farmers only have 40 per cent allocation. I am getting ahead of myself. I really need to talk about this. There was a conservative government supplying a water commissioner who was actually an engineer and actually built things. They looked into the future and predicted the needs for this great state and actually planned ahead and built for the future. That is what the other side has failed comprehensively to do. What were they forced to do? They were forced to then go into panic mode, react to a crisis, pull a plan out of the bottom drawer that had been laughed at by the whole of the DNR community and say, 'We will put a dam where it is going to average one metre.'

Mr Gibson: Average 0.5 to 1.5.

Mr MESSENGER: 'All the evaporation—we will put it on an alluvial plain, we will let it leak out and then we will move cemeteries and main roads'—absolute poppycock. It is absolute craziness that they have gone ahead with this. The member for Gympie said it was going to cost \$1.7 billion or \$1.5 billion—the government is going backwards in its price. I predict that it will probably cost \$2 billion or \$3 billion if this government actually goes ahead and displays its normal mismanagement—

Mr Gibson: Arrogance.

Mr MESSENGER:—and arrogance. This government has been caught out. The Labor side does not plan. It lurches from crisis to crisis. The kicker to the story is that after I introduced this story into the parliament, guess what happened? Suddenly the plaque describing Fred Haig and his achievements disappeared. It was ripped off the wall. Vandals must have been attacking this plaque at Fred Haig Dam, because it disappeared. I took photos. I could not believe it. Of course, those on the opposite side had nothing to do with the removal of that plaque. Talk about rewriting history!

I am coming up to my time limit, but I have to relate a conversation that I had with people from the Burnett when they were describing the politicians who were responsible for our water management. They asked, 'Why is the Premier so reactive? What did she do when she was a child? Did she go to school and grab canteens from all the other schoolchildren, dip them into the toilet to fill them up and maybe put little fluoride tablets in their canteens? Did they give her \$10 worth of pocket money and she spent \$20?' This is what we have. We have a Premier who has mismanagement in her DNA. She is reliving some sort of childhood fantasy.

Madam DEPUTY SPEAKER (Ms O'Neill): Order! I refer you to the name of the bill.

Mr MESSENGER: I would love to talk about the bill. The bill is the Water and Another Act Amendment Bill. Before I close, I would like to speak about another water issue and that of course is at Agnes Water-1770. This government is supplying \$30 million of taxpayers' money to a desalination plant that is supposedly going to supply water for Agnes Water-1770. Guess what? In the title 'Agnes Water', there is a hint: there is plenty of water there. There is a lot of underground water. They will not run out of water. This desal plant is not needed or wanted.

Madam DEPUTY SPEAKER: Order! Would the member please come back to the clauses of the bill?

Mr Dick: He can't. He's incapable.

Mr MESSENGER: Thank you, Madam Deputy Speaker. I understand that those members opposite do not want to hear the truth. They do not want to hear that this government is supplying \$30 million to damage the Great Barrier Reef and endanger two species of turtle. A water commissioner should stop this project, but the government chooses instead to spend \$30 million when we are going broke on a piece of water infrastructure that we do not need. In closing, I commend the bill to the House.

Mr CRIPPS (Hinchinbrook—LNP) (9.21 pm): I rise to make a contribution to the debate on the Water and Another Act Amendment Bill. I do so as a former shadow minister for water, a portfolio that I held for a short time during the course of the last parliament. The explanatory notes accompanying the bill state that it amends the Water Act 2000 to modify the composition of the Queensland Water Commission. In reality, the bill abandons the failed Queensland Water Commission, which was established by the state government to absorb the criticism it faced about its dismal track record in respect of planning for the future water needs of South-East Queensland and building infrastructure accordingly.

The explanatory notes accompanying the bill would have us believe that the bill has been introduced as part of the state Labor government's implementation of its response to the recent Weller report on statutory boards, committees and authorities. Once again, the reality is that, while the winding up of the Water Commission is consistent with the wider reform of statutory bodies proposed by the recent Weller report, the recommendation to effectively axe the Queensland Water Commission could not come at a more convenient time for the state Labor government.

The explanatory notes accompanying the bill state that the so-called structural changes to the Queensland Water Commission are consistent with the reform program being implemented by the Bligh government to reduce bureaucracy and improve efficiency. I certainly hope that this will be the case because the establishment of the Queensland Water Commission was extremely successful at increasing bureaucracy and reducing efficiency.

The commission was established by the government under the Water Act in June 2006 as a statutory body responsible for water supplies in South-East Queensland, although there was provision for the commission to assume responsibility for water in other regions. They were responsibilities that were previously held by the responsible department. It perplexes me that the explanatory notes state that the functions carried out by the commission remain critical for ensuring the continued implementation of regional water supply security in South-East Queensland.

The state government obviously does not think that is right because it is moving tonight to emasculate the Queensland Water Commission, reducing the commissioners to one and moving the functions into the responsible department. The minister has also flagged an amendment to the bill that will allow the minister to direct the commissioner in certain circumstances. This is confirmation that the Queensland Water Commission is being effectively euthanased by this bill. It is a final recognition that the commission was a very expensive political experiment, undertaken by former Premier Beattie, whose government at the time was under enormous pressure to do something—anything—about the water crisis that South-East Queensland was facing at the time, which has failed miserably.

Certainly, the average use of water in South-East Queensland per person has been significantly reduced following expensive education campaigns and the imposition of extensive water restrictions on local communities. Undoubtedly, the behaviour of South-East Queenslanders in respect of the use of water has changed and it appears those behavioural changes will be enduring. I acknowledge the efforts of South-East Queenslanders, but it is a ridiculous proposition that the formation of the Queensland Water Commission was the silver bullet that was able to marshal the people to comply with the new water restrictions.

State government departments undertake public education programs all the time. Indeed, this state Labor government spends an inordinate amount of public money undertaking a seemingly endless series of public education campaigns to promote its latest initiatives. There is absolutely no reason the department of natural resources and water, as it was then, could not have undertaken the public education programs and implemented the development of the infrastructure that it determined was required to address the water crisis.

At this point I turn to the infrastructure that was built over the last few years by the state Labor government—the desalination plant at Tugun, the western corridor recycled water pipeline and the plant at Bundamba and the obscene amount of money that has already been spent on the Traveston Crossing Dam project, and the list goes on and on. This infrastructure and the massive bills that the state Labor government now has stand as monuments to the worst examples of the excesses and irresponsible management of the government of Queensland under the Labor Party.

The LNP prior to the election announced that it would scrap the Water Commission and make the responsible minister once again responsible for water in terms of the infrastructure required by the community. There is nothing unusual about that scenario. For many years the minister acted on the professional and independent advice of public servants in the department. The state Labor government flick-passing those responsibilities to the Queensland Water Commission a few years ago was either a terrible vote of no confidence in the capacity of those officers in the department or a cynical political exercise to take the pressure off the then Beattie government that had failed to plan for the future. The return of responsibility to the department for these matters by the provisions in this bill proves that the latter is the case rather than the former. The state government should be embarrassed about that.

As a North Queensland, it may not be immediately clear why this debate is relevant to my region and my electorate. Generally speaking, we have plenty of water and we realise how lucky we are. The speaking list tonight is dominated, understandably, by South-East Queenslanders, but the taxpayers in my electorate and in other regions of Queensland outside South-East Queensland will have to pay the higher taxes to help meet the costs of this disgraceful failure in the delivery of an essential service—the delivery of water—by the state Labor government. And I speak tonight for them. Our water supply in North Queensland may not have been subject to the gross mismanagement of the state Labor government, but it has its hands in our pockets to pay the bill.

My constituents and other people in North Queensland are concerned about the massive debt being racked up by the government and they ask me where the money is going. The blowout of the annual budget of the Queensland Water Commission to \$27 million is a good clue.

Mr HORAN (Toowoomba South—LNP) (9.27 pm): In speaking to this bill I want to talk about the extension of the Water Commission's area of influence, which is part of this bill, and in particular the supply of water to Toowoomba through a proposed pipeline, which has commenced construction, from Wivenhoe Dam to Cressbrook Dam. This whole issue of water and the Water Commission is just a classic example of the wanton waste of money by successive Labor governments that has put us in the position that we were in this week when the government announced the massive fire sale of assets and the introduction of a petrol tax for the first time ever in Queensland.

I refer to the Wolffdene Dam, which was a proposal knocked back by Labor governments. It was a dam for South-East Queensland, whose water is now supplied by the Water Commission and the water grid. It was a dam that was deep and it was a dam that had a good catchment with high rainfall intensity, so it was absolutely ideal. We saw a lack of foresight and we saw the government play politics in that 1989 election, and then there was the follow-up by Premier Goss and his then water minister. I think the bloke on the committee who investigated it at the time was Henry Palaszczuk. For political reasons, the government did not build that dam. That was one of the greatest infrastructure tragedies in

South-East Queensland. We have had 70,000-odd people come over the border to live in South-East Queensland—year after year after year they have come—but not one thing was done about water. The government seemed to have this view that it would just keep raining and that people would use a little less water or whatever. There was this fairytale idea that we would not need water.

But what happened? Eventually, what happened was that the government had to make decisions in blind panic. When the drought extended through and we were down to about 30 per cent water or less, panic set in. Worst of all was that the current Premier, Anna Bligh, was the Treasurer and Minister for Infrastructure at the time so the fox was in charge of the chicken coop. That is when we had this particular problem. This week, the chooks have come home to roost with the massive sell-off that the government thinks is necessary and the petrol tax that has been introduced.

I can probably describe the situation in this way. The water infrastructure that was put in over the last two or three years was put in in blind panic at the worst possible, most expensive time. The cost has been enormous. The sell-off of assets that has resulted now is again happening in blind panic at the worst possible time at the bottom of the cycle.

Others have spoken about the western corridor recycled water pipeline, which is part of the Water Commission's infrastructure, which links the various different dams and so forth. That has been part of the bureaucracy and the cost of the Water Commission. If ever there was an example of wanton waste, it was the western corridor recycled water pipeline. It was proposed to cost \$1.5 billion but it has cost at least \$2.5 billion. It was the El Dorado for any young bloke who wanted to go down there and get a contract; it was the El Dorado goldmine of South-East Queensland. Gravel was at almost any price and, if the gravel was put in the wrong place, they could just whistle up some more and put it in the right place. The price of some of the aggregate was unbelievable. People with machines were shifting little trees that were smaller than me and that could have been dug out with a pick. There was blind panic to buy easements across various farming properties, and the prices paid were absolutely unbelievable. That was a great example. If we add that \$1 billion in overblown money with the \$1.5 billion in the initial cost, it is a cost of \$2.5 billion. That is a big example of how we had all this cost and this waste going on all the time and the meter was ticking over.

Suddenly, there was no surplus money. Suddenly, the government had to borrow again. Suddenly, the government had to borrow again and again and again because Premier Beattie had spent millions every which way you looked in wanton waste, including in wage rises, just to keep people quiet as a result of the problems he had created in different parts of the state. So, suddenly, the government is in the position of having a massive debt but nothing was put aside during the boom years and now we are going to have the fire sales that were announced this week. I do not think Queenslanders will forget what has happened.

Part of this has been the Water Commission. It has grown year by year. There have been multimillion dollar increases and massive staff increases. Now we get a half-baked response to a report that says it should be scrapped and only the function should be adopted within the department so we can save a bit of money. So we will have some half-baked solution where, instead of having two commissioners and one chairman, we will have one commissioner who will be half in the department. I presume it will be one leg in and one leg out or whatever it is, and there will be this funny, wishy-washy arrangement instead of getting straight down to it and running the department properly and efficiently, keeping the cost down and delivering water efficiently.

The continued track record of the Labor government is just wanton, wanton waste like we could never believe. The government has never thought about the future. Major infrastructure for things like water should be built a decade ahead of time to be ready for what the growth might be, whether that be another 700,000 people or whatever. Trying to build it instantly and on the spot creates massive cost overruns.

The most glaring example of wanton waste has been the Traveston Dam. This is another example of not good government but just political stunts. When Premier Beattie was facing the 2006 election and all the polls were showing him that Queenslanders blamed him for having built no water infrastructure whatsoever and for the fact that we were about to run out of water, he jumped in the Channel 9 helicopter, flew up the Mary Valley and gave an exclusive to Channel 9, saying, 'There. That's where we'll build it.' He knew there would be protests from all the good, decent families who live in the area but he could not have cared less, as long as he tried to turn the public perception around and told them that he was going to build dams.

A social desert exists today in the Mary Valley. The households have shifted out. The best steer country in Australia has been left barren and people have had to move out. No-one knows what is going to happen. It is probably one of the worst sites that could have been picked because it is shallow. Apart from the river itself and the few creeks either side, it is all sandy loam and the water will only range from 0.5 metres to 1.5 metres deep. Also, the wind and the sun would just evaporate the water. At the moment, when the floodwater goes over the banks, it goes away quickly and you can see it evaporate

almost before your eyes. What has that little exercise cost so far? Another half a billion dollars has gone down the drain and there is nothing to show for it. The government does not even know if it will go ahead. It was a stunt. That just adds to the costs and the meter keeps ticking over.

It is another reason the government has to sell the Motorways franchise, the rail services through Toowoomba, Central Queensland and North Queensland, the forest plantations and anything else. It is because of these monumental billion-dollar mistakes year after year. You would have thought this money was growing on trees the way it has being wantonly wasted. So here we are tonight looking at this sort of half change to the Water Commission. The government is basically walking with one leg either side of the barbed wire fence to get rid of one commissioner and one chairman and leave one and shift them into the department.

One of the issues is the ability within the Water Act to extend the area of influence of the Water Commission. That will influence the area I live in, where a water pipeline will be built from Wivenhoe to Cressbrook. Toowoomba is in a unique position in Australia. It is a major city of about 100,000 people and it is a major service centre to all the energy and mining jobs of Western Queensland and the agriculture jobs of South-East Queensland. Unemployment in the town is at about 1.7 per cent because of all the work we are providing. We are providing great export opportunities through the port of Brisbane and it is doing so much for Queensland. There are 10,000 tonnes of grain a day coming through the town at the moment, as well as all the coal exports and so forth.

The area is growing but we are in the unique position where we are probably one of the few cities in the world of that size that sits on top of a mountain. We are right on the top of a mountain and we have no possibility of water running downhill to where Toowoomba is located so water has to be lifted from either the western fall or the eastern fall of the range. Our water is currently lifted 484 metres up a vertical lift. This is a massive lift that requires hundreds of horsepower. Now with a pipeline down to Wivenhoe, the vertical lift will be approximately 650 metres. The capital cost to build that pipeline is about \$187 million.

It is about time Toowoomba was given some special consideration. Other cities in Queensland have got esplanades, convention centres and all sorts of sophisticated transport systems for the benefit of their citizens. All we need is a reasonable bit of assistance towards getting that \$187 million to bring the water to the top of the range so that the expanding city and the surrounding areas in that big Toowoomba Regional Council, which encompasses eight former shires, can be serviced with water. That area goes right out to Oakey, Jondaryan, Highfields, Crows Nest and lots of other areas, hamlets and villages surrounding the city.

The government is providing a 40 per cent subsidy, which is the normal subsidy, of the \$187 million. That leaves Toowoomba city having to find \$112 million just to provide water. I think it is time that the uniqueness of the city was recognised. It sits on top of a mountain range and it makes a big contribution to the economy of Queensland with some of our mining exports. For example, Russell Mineral Equipment provides 85 per cent of the world's mining robotics, and many other exports are being undertaken, with Easternwell mining and the grain that is coming through. Toowoomba should receive some consideration for its contribution to South-East Queensland and the state.

I think it is important that that occurs. As I have said, many other parts of the state have received massive injections for all sorts of transport systems, esplanades, swimming areas, convention centres, football stadiums and basketball stadiums. We just want something that will give us a drink of water. Whilst the 40 per cent is welcomed, it should be increased to something that recognises in a more substantial way the special and unique geographic location of Australia's biggest inland city—other than Canberra—on top of a mountain and the sheer cost that the council and ratepayers have in lifting that water some 650 metres vertically.

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (9.40 pm), in reply: I thank members for their contributions. I particularly thank opposition members for the unusual form of support that they have provided to this bill tonight. There are a number of things that I would observe, particularly in terms of the contributions of both members opposite who are in their first term. Whilst I appreciate that they are on a very steep learning curve, the important thing is to always understand and appreciate history because they will find there are members in this place who have been here for a fair while and who are more than willing to correct the record at the members' expense should they seek to provide their own interpretation of how we have got to this position with respect to this bill tonight.

I would start by reminding those members, particularly from councils surrounding Brisbane, of the performance of those councils historically. When I had this portfolio in the early part of this decade, the No. 1 priority in terms of getting any level of cooperation from councils was to put in place a systems loss plan. Why? Because 10 to 20 per cent of the water that they were reticulating through their council water systems was being lost through leakage and poor maintenance—10 to 20 per cent. I will tell you the level of cooperation we got from councils initially when we sought to bring that under some level of control. It was zip—absolutely none.

I find it particularly galling that new members would come in here and try to rewrite the history books. I assure them as the person who was there at the time that councils came off a very low base in appreciating the true value of water. Not one council in South-East Queensland had a drought management plan.

Mr Seeneey: The state government didn't have a drought management plan. What was your drought management plan?

Mr ROBERTSON: I was the one who put it in place.

Mr Springborg: What, pray for rain?

Mr Seeneey: Cross your fingers and hope.

Mr DEPUTY SPEAKER: Order! The member for Callide will cease interjecting.

Mr ROBERTSON: The first part of that drought management plan was to bring councils online to get them to reduce system losses. The second part was to put in place a regime where councils would have to make the tough and unpopular decision to put in place water restrictions. That was the start of an overall plan. So do not tell me, in terms of the performance of the Water Commission, that councils knew better in terms of managing their water supply.

The other interesting fact that I might bring to the attention of members is that over the last month or so the Queensland government has received a lot of criticism in light of the burst water main at Mount Crosby; that as a result of the takeover of bulk water assets we have somehow mismanaged it to the extent that we had this major incident at Mount Crosby with respect to the burst water main. This was reiterated by the member for Moggill tonight. I just happen to have the report into that incident which shows that, when that pipe was installed back in the 1960s, it was a seven-millimetre thick pipe. It has an estimated life of 80 years. When it burst, the thickness of that pipe, or that coupling, was one millimetre. It beggars belief that in 10 months—and that is how long the Queensland government has had responsibility for that particular pipe—a pipe goes from seven millimetres thick to one millimetre thick. Of course it doesn't. Perhaps what it does raise—and I am happy to carry on with this debate if members want me to—is real issues about how councils maintained their water pipes over a much longer period of time. I am happy to have the argument if members want me to go down that path, but it beggars belief that a water pipe can go from seven millimetres thick to one millimetre thick in a few months. That is absolute rot. If members opposite want me to carry on with that argument, I am happy to do so but I expect it is in none of their interests that I do so tonight. If they want me to keep going down that line, I am happy to do so.

I also found it particularly galling to listen to the member for Toowoomba South giving the benefit of his advice about Toowoomba's water needs. Was it not the member for Toowoomba South who actively campaigned against the use of recycled water to provide water security for the good people of Toowoomba? Now he stands up in this place with his hand out saying the Queensland government should act to solve Toowoomba's water problem. Well, sunshine, you had the chance; you squibbed it; lack of leadership. The reason that Toowoomba has a water supply of less than 11 per cent today is down to gutless people like you.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Minister, those remarks are unparliamentary and I ask you to withdraw.

Mr ROBERTSON: I withdraw. What I also found galling tonight was another case of rewriting of history in the name of Fred Haig. Again, members opposite really need to read the history about good old Fred. No doubt he was a good water commissioner, but tell me what has been the performance of those 12 dams that Fred Haig built over the period of time that the member for Burnett mentioned. I have to tell you that the vast majority of them are underperforming. They have underperformed from the day they were built. Do not come in here and tell me that you have some sort of specialist knowledge about where to put dams, because the reason that so many of our dams underperform is that they were subject to political decisions by the National Party over such a long period of time with no basis in fact. The history and the facts speak for themselves.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! Honourable members, please.

Mr ROBERTSON: Mr Deputy Speaker, how they squeal. When subjected to the facts, don't they get sensitive? Because on each and every occasion that a member from the opposition stands to try to lecture us about water, I will take them down the path of their own history and expose them for the frauds that they are.

The simple fact is this: the Water Commissioner has brought a discipline to water resource planning and infrastructure delivery that has hitherto been unknown in Queensland. The fact is that behavioural change can move water consumption on a per person basis from over 300 litres per person

per day down to 140. Even when we lift restrictions, the fact that the good people of South-East Queensland maintain that discipline at around about 170 litres per person per day speaks volumes for the effectiveness of the work that they did. I pay credit to Elizabeth Nosworthy and the other two water commissioners for the work that they have done over the last couple of years. They have transformed how this state, and in particular South-East Queensland, understands and uses water. The people of South-East Queensland will thank them in years to come for the work that they have done. I stand here tonight and thank them for the work that they have done.

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 3, as read, agreed to.

Insertion of new clause—

Mr ROBERTSON (9.49 pm): I move the following amendment—

1 After clause 3—

At page 4, after line 11—

insert—

'3A Insertion of new s 343A

'After section 343—

insert—

'343A Commission not generally subject to direction

'(1) Despite section 343, the commission is not subject to direction by an entity of or representing the State.

'(2) Subsection (1) applies subject to any other contrary provision of this Act or a contrary provision of another Act.'.

I table the explanatory notes to the amendment.

Tabled paper: Explanatory notes to Mr Robertson's amendments to the Water and Another Act Amendment Bill [\[337\]](#).

Mr SEENEY: The opposition will not be supporting the amendment that has been moved by the minister. For those members who are not aware of it, the amendment the minister has moved sets out that the commission is not at the direction of the government. It states—

(1) Despite section 343, the commission is not subject to direction by an entity of or representing the State.

My contention is that the Water Commission should be at the direction of the minister and should be at the direction of the government. The government and the minister should be responsible for outcomes and the water-planning regime in South-East Queensland. It is a point that I made extensively in my second reading contribution.

It is interesting to note that the minister chose not to address anything that I raised in my second reading contribution. He did not address for a moment the \$4½ billion worth of capital that the Water Commission spent on behalf of the government for precious little return—for a return, as I pointed out, of some 40 megalitres a day of recycled water supplied to two customers, neither of whom wanted that water.

That is the sort of issue the minister needs to take responsibility for. That is the sort of issue the government needs to take responsibility for. If the minister's amendment is accepted, it provides the out that the government is obviously looking for. It provides the separation that the minister is apparently looking for. It reinforces the very reason the Water Commission was set up in the first place.

The Water Commission, I remind members, was set up in the first place to provide distance between the government of the day, led by Peter Beattie, and the disastrous situation that had arisen in South-East Queensland because of the failure of that government to plan for water infrastructure and because of the failure of that government to build water infrastructure such as the Wolffdene Dam.

When it got into a political fix, what did that government do? It set up the Water Commission to separate itself from the political consequences. The amendment the minister has moved seeks to further that separation. It seeks to reinforce that separation. That is the reason it should be opposed.

It is interesting that the amendment is part of a continuing determination of the minister and the government not to take responsibility for their own actions. The minister stands in this House and criticises the achievements of previous governments and previous water commissioners—people like Fred Haig who built dams right across Queensland that not only have provided an enormous economic base for the communities and the irrigation systems that have grown up around those dams but also have provided the economic base for so many of the projects that members who sit in this House and who represent urban seats have enjoyed the benefit of for their constituents.

It is through that type of investment, that type of foresight that was exercised by previous ministers through the water commissioner of the day—one example of whom was Fred Haig—that water infrastructure right across Queensland was built. Yet the minister of the day today comes in here and seeks to rubbish those achievements. The minister today seeks to come in here and not only rubbish those achievements but put forward an amendment which perpetuates this situation whereby he can separate himself and his government from the responsibility to act in a similar manner.

That is the reason we have a situation whereby \$4½ billion was spent by the Water Commission over the last two or three years to produce 40 megalitres a day of recycled water for two government owned corporations that are the only customers and that take the water under protest. That is the result this minister and this government have produced. When the government produces that sort of result, it has no right at all to come in here and criticise the achievements of previous governments and previous water commissioners.

The amendment that we see before the House tonight is entirely unacceptable and it seeks to perpetuate a situation which is entirely unacceptable. I note that even though the minister had plenty of opportunity to justify the outcomes that the Water Commission has produced over the term of its life the best he could come up with was the reduction in water consumption in Brisbane. That in itself is a desirable outcome and it was achieved at enormous cost in terms of public expenditure. The Water Commission became a public relations machine. As a public relations machine it did the government's bidding. It certainly did the government's bidding. But then the government was happy to take responsibility for that. It was happy to take responsibility for the reduction in water consumption. It was something that it was pleased to go out and claim credit for. When it comes to the \$4½ billion that was wasted—

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Member for Callide, resume your seat. Under the provisions of the resolution agreed to by the House and the time limit for the consideration in detail of the bill having expired, I put the question—

That clauses 4 to 7, the schedule and the minister's amendments as circulated be agreed to.

Amendments as circulated—

1 After clause 3—

At page 4, after line 11—

insert—

'3A Insertion of new s 343A

'After section 343—

insert—

'343A Commission not generally subject to direction

'(1) Despite section 343, the commission is not subject to direction by an entity of or representing the State.

'(2) Subsection (1) applies subject to any other contrary provision of this Act or a contrary provision of another Act.'.

2 After clause 6—

At page 7, after line 3—

insert—

'6A Insertion of new ch 2A, pt 7

Chapter 2A—

insert—

'Part 7 Minister's reserve power

'360ZH Public interest directions for commission's non-advisory functions

'(1) The Minister may give the commission a written direction about the performance of its functions if satisfied that, because of exceptional circumstances, it is necessary to do so in the public interest.

'(2) However—

- (a) a direction under subsection (1) can not be given for any of the commission's advisory functions; and
- (b) before giving the direction the Minister must consult with the commission.

'(3) The Minister may carry out the consultation in any way the Minister considers appropriate.

'(4) The direction may state a period within which, or a way in which, it must be complied with.

'(5) The stated period must be one that, in all the circumstances, is reasonable.

'(6) The direction may suspend or otherwise affect the operation of another instrument made or given under this Act.

'(7) The Minister must publish a copy of the direction in the gazette within 15 days after it is given.

'(8) In this section—

advisory functions, for the commission, means its functions under section 345(a), 360D(1)(b), 360E, 360I, 360ZCO, 360ZCP or 1141.

functions includes powers.

instrument does not include subordinate legislation.

360ZI Relationship with other instruments under Act

- (1) This section applies if there is an inconsistency between a direction given under section 360ZH and another instrument made or given under this Act.
- (2) The direction prevails to the extent of the inconsistency.
- Example of another instrument—*
a regional water security program
- (3) If the direction suspends or otherwise affects the operation of the other instrument, the direction does not amend the other instrument.
- (4) In this section—
instrument does not include subordinate legislation.'.

Division: Question put—That clauses 4 to 7, the schedule and the minister's amendments as circulated be agreed to.

AYES, 44—Attwood, Boyle, Choi, Dick, Farmer, Finn, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Swarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

NOES, 32—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Robinson, Seene, Sorensen, Springborg, Stevens. Tellers: Horan, Messenger

Resolved in the affirmative.

Clauses 4 to 7 and schedule, as amended, agreed to.

Third Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.04 pm): I move—

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

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.04 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.

SPECIAL ADJOURNMENT

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (10.05 pm): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 16 June 2009.

Question put—That the motion be agreed to.

Motion agreed to.

ADJOURNMENT

Ms SPENCE (Sunnybank—ALP) (Leader of the House) (10.05 pm): I move—

That the House do now adjourn.

Bayside Domestic Violence Initiative

Dr ROBINSON (Cleveland—LNP) (10.05 pm): It is with deep regret that I share with the House the news that the Bayside Domestic Violence Initiative—BDVI—will cease its domestic violence court support service at the Cleveland Magistrates Court from 30 June, only a few short weeks away. The decision has come about because of a lack of funding. It is certainly not the choice of the members who have worked extremely hard to establish the service and provide assistance to its clients.

BDVI began in 2003 with a small number of members who were committed to the goal of securing ongoing funding to provide a domestic and family violence service in the Redlands, Wynnum and Bayside island areas. The Cleveland court support began in early 2008 and 18 months of service has been possible due to the fundraising efforts of a dedicated group of local businesswomen. I wish to pay tribute and congratulate those wonderful women, the Females and Friends of the Finance Industry, also known as FFIFI. FFIFI luncheons have become a social event in Cleveland and, most importantly, have raised much-needed funds for the BDVI.

In just 18 months the funding provided by FFIFI's efforts have helped the BDVI to assist 238 applicants and respondents. The service has proved invaluable and its closure will be a great loss to the staff and applicants at the Cleveland domestic violence courts. Despite numerous submissions for recurrent funding for a responsive domestic violence service and application for court support funding, no commitment has been forthcoming despite the group's efforts and achievements in the field of domestic violence being widely acknowledged. Despite this recognition funds have not been made available to continue the court support, nor to initiate any other responsive services to people experiencing the trauma of domestic and family violence in our community.

Sadly, the BDVI committee has decided to put a resolution to its upcoming annual general meeting on 20 June to voluntarily close the organisation if there is no commitment forthcoming to fund a comprehensive domestic violence service. Only this week we heard the news that a 42-year-old man has been charged with the attempted murder of a 38-year-old woman in the bayside suburb of Alexandra Hills, a suburb that is covered by the Bayside domestic violence service. In the Cleveland Magistrates Court in the six-month July to December 2007 period there were a total of 238 domestic violence applications resulting in 180 orders and 76 temporary orders being made.

With the immense loss of the service provided by the BDVI the people of my electorate and neighbouring electorates will be left high and dry at times when they are feeling most exposed and in need of support from experienced and deeply caring personnel. I call on the Minister for Women and the Deputy Premier and member for Capalaba whose electorates are also served by this initiative to give further consideration to the application of BDVI for funding starting in the 2009-10 period as a last ditch chance to save this much-needed service for the women of bayside Brisbane.

Special Olympics Soccer State Games

Mrs ATTWOOD (Mount Ommaney—ALP) (10.08 pm): I rise to commend the work of organisers and volunteers of the Special Olympics Soccer State Games held on 26 April this year at the Lions Club at Richlands. I was pleased to be able to officially open the games on that grand day as the local member of the neighbouring Mount Ommaney electorate and also as the Parliamentary Secretary for Disability Services.

Congratulations to Robyn Chinchin, Debbie Knust and Katrina Streeting to name but a few of the dedicated people who give their time and talents to provide healthy opportunities for our special athletes. There is an extraordinary story of how the Special Olympics movement began and how it now serves around 2.5 million athletes in over 165 countries. It provides athletes with continuing opportunities to increase physical fitness, demonstrate courage, experience the joy of competition and participate in the sharing of gifts, skills and friendships with their families, other athletes and the community.

Special Olympics is dedicated to empowering individuals with an intellectual disability to become physically fit, productive and respected members of the community through sports training and competition. The events depend on a large number of hardworking volunteers, devoted family and friends and, of course, the courage of all of the fine athletes who participate in the games. Special Olympics is an international year-round program of sports training and competition for individuals with an intellectual disability eight years and older. As stated previously, it is recognised world-wide and continues to be committed to high-quality training and high levels of sportsmanship. This commitment has earned the organisation the right to use the word 'Olympics' in its title—the only organisation other than the Olympics movement itself authorised and approved to do so by the International Olympic Committee. Approximately 3,000 athletes competing in nine national sports around Australia participate to achieve their personal best. This is a fantastic opportunity for athletes to realise their potential and receive training to compete at a local, state, national and international level.

I would like to draw the distinction between Special Olympics and the Paralympics, an event which runs parallel to the Olympic Games. Special Olympics is an all-year-round program that focuses on competition sports and training for all people with an intellectual disability. Paralympics caters for athletes with intellectual or physical disabilities that are elite in their sport. Special Olympics offers an opportunity for athletes of any ability to compete at any level. The focus is not on elitism. Modified rules relative to the level of ability of the individual are implemented. Athletes are encouraged to achieve their personal best and this is evident in their oath: let me win, but if I cannot win, let me be brave in the attempt.

Indooroopilly Electorate, Government Purchase of Land

Mr EMERSON (Indooroopilly—LNP) (10.12 pm): Queenslanders rightly expect their state government to be open and honest with them about its plans which could impact on their community. Sadly, we are repeatedly presented with example after example that honesty is in short supply when it comes to the Bligh government and its willingness to tell Queenslanders its true intentions.

In my electorate of Indooroopilly I am working with residents who have been confronted by this arrogant and unaccountable government, keeping its plans secret despite the stress and concern it causes locals. For instance, in Chelmer the government has secretly purchased land on the corner of Oxley Road and Richardson Street. Local residents were left in the dark, with the government and its relevant department initially refusing to confirm the purchase or its plans for the site. All local residents had were rumours, with the government not willing to reveal its plans.

Through the efforts of my office, I have now been able to confirm that the department of emergency services has bought the land as the site for a possible ambulance station, although it will not say when or if it will be built. Locals living near the site, which is a low-density residential area, have expressed their concern about the impact of such a use for this land. The government should come clean on its plans and immediately begin appropriate community consultation.

In Sherwood, the government has already been caught out as it tries to keep its plans secret from the community. The Alan Fletcher Research Station in Magazine Street is a six-hectare parcel of land on the banks of the Brisbane River which will be left vacant when the station relocates to Dutton Park in 2011. The government has repeatedly refused to reveal its intentions, with the relevant department as recently as last month denying there are any plans for the site. However, the government has been caught out, because while on the one hand the department says it has no plans for the site—and the government refuses to discuss the future of the site with locals—in a submission to the Brisbane City Council the government says that it is looking to convert the site into a major sporting precinct. This site is totally unsuitable for such a development. The street is narrow and the neighbourhood is a quiet, mostly residential area. The government even admits in its submission that the sports proposal will cause major problems for locals, warning that 'potential impacts on surrounding residents will need to be managed'.

It is now obvious to locals why the government is intent on keeping its plans secret. I have called for the government to preserve this area as green space and parkland, which would enhance the suburb. Instead, the government appears intent on ruining the area. At the very least, the government should be honest with residents about its plans. That will save a lot of time and money and give peace of mind. Unfortunately, honesty does not seem to be a priority for this government.

Italian Week

Ms GRACE (Brisbane Central—ALP) (10.14 pm): On Saturday, 20 May 2009 I had the pleasure of representing the Premier at the Co.As.It. Annual Italian Week Ball in the presence of His Excellency Dr Gian Ludovico De Martino di Montegiordano, Italian Ambassador to Australia; Annastacia Palaszczuk, Minister for Disability Services and Multicultural Affairs; and Justine Elliot, federal Minister for Ageing. The ball was held this year as part of the Italian Week 2009 celebrations, which are in their third year and ran from 26 May to 2 June.

The Queensland government strongly supports Italian Week, which is an example of the multicultural nature of our state and which accords with the Bligh government's Toward Q2 vision to facilitate a truly multicultural and thereby fair society in Queensland. It is also a smart thing to do, as the teaching and use of Italian language, culture and cuisine makes Queensland a more attractive place for tourists and more competitive in business and trade.

Queensland has a very strong presence in all things Italian. In fact, over 100,000 Queensland people are of Italian origin. Of those, 27,000 are Italian speakers and around 15,000 are Italian citizens. Italians are one of the largest ethnic groups in the state. Nearly 80 per cent of them are concentrated in the city of Brisbane.

As we know, this year Queensland is celebrating its 150th anniversary, and Italians the world over celebrate the Italian national day on 2 June. Interestingly, both the Italian state and self-governing Queensland were born in the same month of the same year: June 1859. As far back as 1891, Italian migrants arrived in North Queensland to work in the cane fields, where some soon became industry leaders. It was an absolute pleasure to have been part of the recent Italian Festival, held in Ingham.

After 1950, the nature of the Italian community in Queensland changed as cane cutting gave way to employment opportunities as labourers and painters in the post-1950 building boom. It was around this time that Brisbane became home to the majority of Queenslanders of Italian origin.

Despite the predictions of some about the death of Italian culture in Queensland, there has been a surge of Italianita that has been fuelled by interaction between Australia and Italy and driven by the second and third generations of those Queenslanders with Italian ancestry, of whom I am a proud member. I congratulate the producer of this year's Italian Week festivities, Mr Alessandro Sorbello, and Dr Francesco Capecci, Italian Consul for Queensland and the Northern Territory, on the success of this year's Italian Week. I predict that Italian Week will quickly become a major event on Queensland's multicultural calendar.

In conclusion, I refer to the earthquake earlier this year that devastated the region of Abruzzo, bringing great sadness to many families in Italy and around the world. I have been elected chair of the Queensland Australian Abruzzo Earthquake Appeal Fund and warmly welcome the acceptance of Premier Anna Bligh to become Queensland's patron of the appeal. I thank the Premier for contributing \$10,000 on behalf of the people of Queensland to the appeal. Any members who want to contribute can do so through my office.

Helensvale Golf Club

Mr CRANDON (Coomera—LNP) (10.17 pm): Members will remember the torrential rainfall that was experienced by people in the South-East Queensland region during the last sittings of parliament. This period of rainfall was the last in a series of events that the region has been subjected to over the past 11 months. It needs to be said that this rainfall was, for the most part, welcome.

However, for the Helensvale Golf Club the rain came at a cost that on its own would have been manageable. At this point I would like to table a letter from John Wheatley, the president of the Helensvale Golf Club, which outlines the club's losses and concerns.

Tabled paper: Letter, dated 21 May 2009, to Michael Crandon MP from John Wheatley, President, Helensvale Golf Club, in relation to the restriction of drainage during heavy rainfall [338].

Unfortunately, this last deluge added another 11 lost days to the already accumulated 114 lost days, referred to in the letter, for Helensvale Golf Club in the past 11 months. Those 11 lost days included four weekend days. Weekend days are when the greatest revenues are generated on a golf course. A total of 125 lost days in 11 months—125 days out of 330 days—is almost 40 per cent of the days during that period. The loss in revenue terms amounts to \$250,000—a quarter of a million dollars. That is before the last 11-day loss.

Using a formulae outlined in the letter I have tabled, this last 11-day period adds more than \$20,000 to that sum. That is \$270,000 that has been ripped out of the annual revenues of a not-for-profit public golf course that has some 600 local members, 80 per cent of whom are aged over 65 and, therefore, look forward to the amenity the course provides on a very regular basis. The course also supports a youth program for five- to 18-year-olds of around 40 members.

These members have been deprived of the use of their golf course for an extraordinary period of time. These members pay their annual dues in an expectation that they will have reasonable use of the golf course. How many organisations can sustain this level of loss of productive time? How long will the membership remain tolerant of this type of loss to their amenity, to the loss of their membership entitlements?

The losses described above are avoidable. The golf club acts as a drain for the Helensvale area, which is quite acceptable. However, the issue that causes the lost days is not the drainage into the golf course; it is the blockage beyond the golf course boundaries that has been neglected by the Gold Coast City Council over many years. The blockage slows the drainage into Coombabah Creek to a trickle. Unblocking the drainage system between the golf course and Coombabah Creek is not without some difficulties. For example, there is a bat colony in the area. But the issues can be managed. As John Wheatley states in his letter, 'The EPA agree that the offending area needs clearing and has offered to manage such a project'.

The Helensvale Golf Club is nearing a point financially where it is—

(Time expired)

Brisbane Valley Rail Trail

Mr WENDT (Ipswich West—ALP) (10.20 pm): Tonight I wanted to provide the House with an update on the growing and improving Brisbane Valley Rail Trail. For those new members in the House who are unaware of the trail, I should probably inform them that the BVRT is Queensland's first major rural rail trail and extends from the Wulkuraka Railway Station in Ipswich to the township of Blackbutt, a total distance of around 148 kilometres.

It was back in January 2007 that this government first made a commitment to provide \$8.8 million over the following five years to construct three new regional recreation trails as part of a new strategy to deliver more and better coordinated outdoor recreation opportunities for South-East Queensland residents and visitors. As we all know, one of the drivers for continuing growth in South-East

Queensland is our outdoor lifestyle and, with that, access to our diverse high-quality landscapes. With this in mind, areas such as our beaches, national parks, recreation areas, rural hinterland and Moreton Bay play an integral part. Therefore, it is no surprise to find that outdoor recreation is important to our way of life and, more increasingly, as a way of improving our health and physical activity levels.

The BVRT uses the previous rail corridor—and for those who are interested it has been around 20 years since the last rail motor ran on that line—and is being developed by the Queensland government by extending two sections previously developed by local councils. Ultimately, the trail will stretch for 148 kilometres and will wind its way through some of the most picturesque countryside in Queensland. It is already proving to be a haven for thousands of visitors and residents from South-East Queensland who are keen to walk, cycle or ride their horse free from traffic and roads.

Mr Speaker, as you can imagine the state government is not only supporting the trail with cold hard cash and resources but has also recently announced the opportunity for local community groups along the trail to put forward projects that would enhance the trail, with the chance of being awarded one of five grants of up to \$10,000. These BVRT community partnerships grants were open to not-for-profit bodies, incorporated community organisations, local councils and tertiary institutions. They provided for amounts of between \$2,000 and \$10,000 that could be used to deliver up to half the costs of new rail trail projects such as community events, facilities, environmental works and other enhancements. At the current stage only South-East Queensland groups were able to apply and to be successful they had to show how their projects would provide economic and community benefits, encourage community participation in development of the trail, provide activities around the trail or improve quality of life for trail users.

The successful applicants were \$10,000 for the Queensland Outdoor Recreation Federation, \$9,536 to the Ambassadors of the Brisbane Valley Rail Trail, \$3,060 for the Brisbane Valley Heritage Trails group, \$1,893 to the Brisbane Valley Multicultural Association Inc, and \$2,800 to the Linville Hall Committee.

I should not let this opportunity pass without thanking two of the very special people who have been great supporters of the trail over the last few years, Reg McCallum and Libby Delacey. I could safely say that the trail would not have got off the ground if not for their help and dedication to the trail.

Non-Conforming Petition, Dingoes

Mr SORENSEN (Hervey Bay—LNP) (10.23 pm): I table this non-conforming petition signed by about 1,300 concerned residents of Hervey Bay who would like to see dingo feeding stations on the island which they feel would help protect tourists and local residents from dingo attacks.

Tabled paper: Non-conforming petition requesting the protection of dingoes [\[339\]](#).

Mr Speaker, I would like to draw your immediate attention to dingo management on Fraser Island. My electorate is in uproar over the current treatment of the Fraser Island dingoes. While the dingo management strategy is now being reviewed thanks to the present minister, the ear tagging of the dingoes and the ranger pelting them with slingshots is leading to almost daily negative media coverage of the actions of the National Parks and Wildlife Service and the current management of the dingoes.

Let us discover what Uluru and Fraser Island have in common. The National Parks and Wildlife Service of the Northern Territory decided that it would cut food sources by telling people not to feed dingoes. Within a few weeks there was a fatal attack. In Queensland, parks and wildlife closed the local rubbish dumps followed by the burying of fish offal by law. Within weeks there was a fatal attack. Let us hope other governments do not make the same mistake.

One has to ask why the World Heritage listed Fraser Island does not have an interpretive centre as do most other heritage areas in Australia, such as the interpretive centres in the Northern Territory where the local rangers and Indigenous people work together to promote and educate the tourists. The rangers on Fraser Island are only used as an enforcement agency and are not engaged in the promotion of the island. The Butchulla people, the traditional owners of the land, should be more involved in promoting their culture and the care of the dingo. The Butchulla people are appalled at the treatment of their camp dogs and call for the immediate stop to current practices. I urge the government to look to the future of our magnificent heritage and preserve the dingo for all the world to see.

The Dingo Discovery Sanctuary and Wildlife Centre founder, Lyn Watson, has received numerous applications from around the world—Japan, Brazil, America and Europe—wanting to help the pure bred dingo. Fraser Island has a unique ecosystem of which the dingo plays an important part. What would happen if the Fraser Island dingo were to become extinct? I feel it would be the same thing as happened in the dingo fenced villages. Goannas, rodents and snakes are taking up residence in these areas because the natural predator, the dingo, has been locked out.

(Time expired)

School Chaplaincy

Mr RYAN (Morayfield—ALP) (10.27 pm): School based chaplaincy is a feature of most schools in the Morayfield state electorate. For instance, my past primary school, St Eugene College at Burpengary, embraces the guidance and chaplaincy support provided by current Oblate priests, Father Tony Maher and Father Paul Smithers. SU Queensland Chaplaincy services also provides dedicated professional support to public school students in the Morayfield state electorate.

Chaplaincy Week, or 'Chappy Week' as it is more endearingly known, was held around Queensland but more particularly in the Morayfield state electorate in the last week of May. A number of celebrations involved local schools in the Morayfield state electorate. One such event was called 'Chappy Day' and it was to be hosted by the Morayfield State School. Unfortunately, a severe weather event meant that the Channel 7 helicopter, 96.5 FM Radio and the school community had to cancel their respective activities for Chappy Day. Nonetheless, I wish to acknowledge the hard work done by the principal, Ms Vicky Gahan, the staff, students and parents of Morayfield State School and the Morayfield State School P&C in preparation for Chappy Day. Whilst the students were no doubt disappointed, I trust that all involved are excitedly looking forward to next year's events.

One event that was not cancelled because of the recent severe weather was the 'Bring about Hope' chaplaincy dinner. The dinner was held at the Jinibara State School and recognised the hard work and valuable contributions of local school based chaplains. Along with the member for Kallangur, I attended this dinner and was pleased to join with other attendees in celebrating the messages of hope and contentment and the support provided by local chaplains. I especially acknowledge the hard work and compassion of Laura, who is the chaplain at Burpengary Meadows State School; Deb, who is the chaplain at Jinibara State School; Paul, who is the chaplain at Narangba Valley State School; and Steve, who is the chaplain at Narangba Valley State High School. The oversight, leadership and support provided by Carina from SU Queensland and Jenny Dobbin, who is the SU Queensland area manager, should also be acknowledged.

The dinner was a particularly enjoyable evening, with entertainment being provided by local artists Freak Morice and Candice Long. ABC commentator Phil Smith was the guest speaker. I congratulate the organisers on the success of the dinner event and trust that the funds raised will continue to support the good work of chaplaincy in schools in the Morayfield state electorate.

Gold Coast Sport and Recreation; Paradise Kids

Dr DOUGLAS (Gaven—LNP) (10.29 pm): Last weekend I had the pleasure of attending the debutante ball held by Gold Coast Sport and Recreation. It is an event which is held biannually. The 14 debutantes are young disabled women in the prime of their lives. They looked a picture in their lovely white gowns as they were presented to the patron and matron of the ball by their disabled male partners. These young people and their families relished this wonderful occasion. After being presented to society, the young women, their partners and their parents graced the dance floor. I do not believe there was a dry eye in the ballroom. Gold Coast Sport and Recreation supplied all of the lovely dresses and sought sponsors for the young men's suits, the hairdos, the flowers and everything else which made this a very special occasion.

Gold Coast Sport and Recreation is a community based and registered charity which provides sporting and recreational opportunities to over 1,400 young people from the Gold Coast with disabilities every day of every week of every year. I would especially like to mention the following people who helped out at the debutante ball: the Reverend Dr Ian Mavor, Mrs Daphne Pirie, Marion York, Karen Winzar, Sherene Gibson, Ian Gibson, John Malone, Cheryl Haack, Jenna Campbell, Anna-Louise Kassulke, Lorraine Redden and Akaisha Deck.

The Reverend Dr Ian Mavor, as patron of the ball, discussed with me his involvement with another community organisation called Paradise Kids. Paradise Kids is an extension of the adults Hopewell Hospice at Arundel on the Gold Coast. Paradise Kids provides accommodation for children with terminal illness. This hospice allows families with terminally ill children to grieve, love and feel safe in a wonderful caring environment. There are 7,000 hours donated by Gold Coast volunteers each year to care for these children. Paradise Kids has also just introduced a new service whereby families of children with disabilities from all over Queensland can gain respite.

As you hear, Mr Speaker, this hospice for children is also a place of respite for their families. Just recently two mothers of disabled children from Dalby were able to take a break as their dying children were cared for by professional health workers while they enjoyed what most other mothers take for granted.

Paradise Kids and Gold Coast Sport and Recreation are two organisations which give our children in most need support. I feel privileged to be a representative of the Gold Coast, where these two organisations contribute so much to the health and wellbeing of the people of Queensland.

Beenleigh and District Cane Festival

Mrs KEECH (Albert—ALP) (10.32 pm): Last weekend on Saturday, 30 May the streets of Beenleigh were alive with the sound of children's laughter, bagpipes, marching bands and the streets decorated with barrels of sugar cane as we celebrated our traditional cane festival as well as the crowning of the charity and cane queens. I was fortunate to be able to join on the official dais the mayor of the Logan City Council, Councillor Pam Parker; the member for Waterford, Evan Moorhead; the member for Coomera, Michael Crandon; and the member for Forde, Brett Raguse, together with visitors from Rotary clubs in surrounding districts.

Once again it was a terrific parade, with lots of work having been conducted by the Rotary club of Beenleigh. Schools, businesses, ACCESS and community members also joined the parade to ensure it was a great success. After the parade was finished—which took quite a long time—we all went down to the showgrounds to again enjoy the multicultural bands, together with all the other stalls that were at the showgrounds.

The fundraising efforts this year were absolutely incredible and continue the tradition of 45 years of raising much needed funds for our local community groups. Recipients this year of the quest were the Volunteer Marine Rescue at Jacobs Well, Beenleigh PCYC, Beenleigh Together Against Truancy, Beenleigh Region Chaplaincy, Anglicare, Beenleigh Girl Guides and other community organisations.

That evening at the Beenleigh Community Centre we all joined three amazing young women who were the Cane Queen entrants. To Brooke Tyson of Daisy Hill, Krystal Opperman of Ormeau and Amy Lewis of Belivah: you did an absolutely amazing job. The judges, Paul and Christine Stevens, had an incredibly difficult job in deciding on the winners. Congratulations to Brooke Tyson, who became the Cane Queen winner and was also crowned the runner-up Charity Quest Queen, raising \$8,054. The Charity Quest Queen winner was Krystal Opperman, who raised a massive \$10,170, and Amy Lewis did a tremendous job in a very short amount of time raising \$3,925. Funds raised totalled more than \$22,000 and will go to all our organisations.

Thank you very much to Di Crawford and Sue Mulraney, all the members of the Rotary club of Beenleigh—in particular my husband, Peter—and sponsors Hatton Garden Jewellers and Quest Newspapers' *Albert & Logan News*.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.35 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, 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, 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