



# RECORD OF PROCEEDINGS

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## THURSDAY, 8 OCTOBER 2009

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The Legislative Assembly met at 9.30 am.

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

### REPORT

#### Office of the Governor

**Mr SPEAKER:** I lay upon the table of the House the annual report of the Office of the Governor 2008-09.

*Tabled paper:* Office of the Governor—Annual Report 2008-09 [[1032](#)].

### SPEAKER'S STATEMENTS

#### Commonwealth Parliamentary Association

**Mr SPEAKER:** I advise the House that the annual general meeting of the Commonwealth Parliamentary Association Queensland Branch will be held in the Legislative Assembly chamber on Thursday, 29 October at 1 pm.

#### P150 Celebrations

**Mr SPEAKER:** Later this day I will be circulating in the House what the parliament will be doing for the P150 celebrations for 2010.

### TABLED PAPERS

#### MINISTERIAL PAPERS Tabled BY THE ACTING CLERK

The following ministerial papers were tabled by the Acting Clerk—

Minister for Transport (Ms Nolan)—

[1033](#) Response from the Minister for Transport (Ms Nolan) to an ePetition (1211-09) sponsored by Ms Simpson from 109,935 petitioners regarding government changes to vehicle registration renewals

[1034](#) Response from the Minister for Transport (Ms Nolan) to an ePetition (1257-09) sponsored by Mr Dickson from 685 petitioners regarding the preservation of water skiing on the Maroochy River

### MINISTERIAL STATEMENTS

#### Pacific Tsunami Warning Centre

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.31 am): The Pacific Tsunami Warning Centre has issued a tsunami warning for Papua New Guinea and island nations in the south-west Pacific, including Fiji, after an 8.1 magnitude earthquake struck off Vanuatu this morning. I am advised that no tsunamis have been reported at this stage. However, a further warning has been issued for Willis Island and Barrier Reef offshore islands between Bowen and St Lawrence, with the impact, if any, expected some time after 10.45 this morning. Maritime Safety Queensland is cooperating with Emergency Management Queensland on any required response. I will provide further advice on this matter as it comes to hand.

And it has come to hand. I have just been advised via technology from the minister for community safety and emergency services that the tsunami watch for Australia has just been cancelled. But I am sure I speak for everyone when I say that we will be watching our friends and neighbours in the South Pacific, who already suffered last week, as this plays out in their countries.

#### Trade Mission

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.33 am): From today until 19 October 2009, I will be leading a trade mission to India, the United Arab Emirates and Russia. This trade mission will advance Queensland's global export profile and assist Queensland companies to maintain and grow exports in these increasingly important markets.

India is now Queensland's second largest merchandise export destination and is overall ranked the fourth largest trading partner for the state. Our merchandise exports to India totalled more than \$6.6 billion in the last financial year, and that was an astonishing growth of 128 per cent over the preceding financial year. India was also Queensland's largest export destination of knowledge-intensive merchandise exports, with a value of just over \$470 million.

In India, I will be promoting the strength of the relationship that we enjoy with India. I will also be meeting with Commonwealth Games officials to promote the Gold Coast as a potential host for the 2018 Commonwealth Games and to showcase our expertise in the sports business sector. I will also be meeting with education agents in India and reassuring them that Queensland is a place that welcomes young Indian students with open arms, that we have some very good universities and vocational training institutes and that those parents who are considering this option for their children can rest assured that Queensland is a safe destination.

The United Arab Emirates is Queensland's largest merchandise export market in the Middle East, taking 70 per cent of all Queensland's merchandise exports to the region. In 2008-09, merchandise exports were valued at more than \$280 million. We are proud that Queensland was the first Australian state to establish trade representation in Abu Dhabi, opening an office there in February 2007. During this visit I will officially open the new Trade Queensland office in Abu Dhabi. While there, I will also attend meetings and functions to promote Queensland's expertise and competitiveness across a range of areas including tourism, education and training, construction and infrastructure, and food and agribusiness. In addition, I will highlight to potential investors Queensland's credentials as an investment destination.

We are also here in Queensland the most active Australian state in leading the development of government, business and cultural ties with Russia. Total merchandise exports to Russia from Queensland were valued at more than \$570 million in 2008-09, representing two-thirds of all of Australia's merchandise exports to Russia. Already, there are a number of major Queensland companies successfully exporting to Russia, particularly in the agribusiness, mining technologies and services, and education and training sectors.

**Mr Nicholls:** Commissars.

**Mr Fraser:** Do you want to go?

**Mr Lucas:** We'll get old Arthur Scargill over there to go.

**Ms BLIGH:** Comrade Mikolavich may well be wanting to come along. My visit to Russia will not only support existing Queensland companies who are doing business there but also assist in opening new doors for Queensland exporters.

Importantly, I will be meeting with Moscow's Minister of Agriculture, Ms Yelena Skrynnik, to reinforce Queensland's reputation for safe, reliable and high-quality meat and food exports, including kangaroo. Queensland's capacity for exporting a reliable supply of safe, high-quality meat is second to none, and meat production and export is very important for our state's economy. This is the message that I will be driving home, particularly in relation to Russia's recent ban on the importation of our kangaroo meat.

Russia makes up two-thirds of our kangaroo meat market, so this ban has had a very significant impact on industry and the jobs that it supports. I thank the member for Gregory for the work that he is doing in his area, alongside the government, to make sure that we are working with producers because this is an important industry. This meat product is one that I am becoming increasingly familiar with. My eldest son has developed a great taste for kangaroo and we now eat it at least twice a week. We have kangaroo bolognese, kangaroo san choi bao—

**Mr Lucas:** That makes my curried sausages look very, very good in comparison.

**Ms BLIGH:** The Deputy Premier will be pleased to know that if he looks in the meat section in Coles supermarkets he will find kangaroo sausages known as Kanga Bangers. I can recommend the Kanga Banger, but I am not sure that it deserves the currying that the Deputy Premier might do to it.

My government is actively assisting our commercial kangaroo harvesters to improve the integrity and traceability of the kangaroo product to facilitate the re-entry into the Russian market and this will form a major part of my talks with the Moscow government. I would like to reiterate the importance of my upcoming trade mission to these key markets, especially during this tough time for business, as it will increase the state's capacity to grow exports, grow the economy and importantly grow jobs.

### **Abbot Point; Moura Link-Aldoga Rail Project**

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.38 am): Queensland has been through some very tough economic times, and we are certainly not out of the woods yet, but my government has been prepared to take the hard decisions needed to keep our record capital building program going and protect jobs. We want Queensland to emerge from this period in a stronger, not weaker, position—a Queensland growing its prosperity. I believe that Queensland has a bright future and today I can outline two projects that point to that future.

Today I am pleased to announce the beginning of environmental investigations into a proposed \$1.25 billion Abbot Point harbour development for North Queensland. This development could mean that Abbot Point becomes an industrial powerhouse capable of rivalling Gladstone. North Queensland Bulk Ports Corporation is looking to develop a new protected harbour on around 320 hectares of reclaimed land that will be able to handle a number of different exports or shiploads of raw materials for mineral processing.

The corporation's Abbot Point multicargo facility project includes 12 shipping berths, a tug harbour and a dredged access channel, swing basin and berth pockets. Under the proposal, all dredged material from construction—expected to be some 25 million cubic metres—will become reclaimed land so that it does not have to be disposed of at sea. This project offers the opportunity for many new users to export a range of products and is in addition to the existing coal port expansions currently planned and underway at Abbot Point.

The Queensland Coordinator-General has declared the Abbot Point multicargo facility project a significant project. Like every other significant project, it will require careful consideration of its potential impacts and the Commonwealth government will also be conducting a full EIS. If it meets these conditions, the multicargo facility and Abbot Point State Development Area would underpin new trade for Queensland, create economic growth and help to deliver a bright future for our state.

I can also inform the House today that the Central Queensland regional coal industry is on track to receive a major boost. This follows conditional approval by the Coordinator-General for a project linking the Moura-Gladstone line with the Aldoga industrial precinct north of Gladstone. The Moura link and Aldoga rail yard project are key pieces of infrastructure in the Central Queensland regional coal supply chain. This QR Ltd project has a capital value of \$500 million and will require a construction workforce peaking at 350, and around 700 new jobs will be created when the new facilities open.

Construction could begin late next year on the project, which includes a new rail link from the Moura short line into the Aldoga industrial precinct north of Gladstone, and a rolling stock maintenance yard and provisioning facilities at Aldoga in the north of the Gladstone state development area. The north coast line, just east of Yarwun, will also effectively quadruple in size to ensure more efficient movement of coal and freight in and out of Gladstone. The Coordinator-General's report recommends that the Moura Link-Aldoga Rail Project can proceed subject to a range of conditions.

The new line would carry rail traffic from Moura and Surat in the south, diverting rail traffic through less populated areas to the immediate north of greater Gladstone, to the existing north coast line south-east of Mount Larcom. It will ensure a quick, direct link between the coalfields and the industrial centre. I am sure that the member for Gladstone will agree that this will help to minimise the impact on the population centre of Gladstone. So it has benefits for both industry and for residents in that coal will be transported more efficiently, and noise and coal dust impacts will be minimised for the people of Gladstone. I am happy to arrange a briefing for both the member for Whitsunday and the member for Gladstone on both of these projects, should they seek one.

These projects tell you one thing, and that is that the coal industry in this state is growing. It is growing and will continue to expand, and these upgrades are needed to keep pace with demand. It is precisely this level of demand that means this industry will continue to create thousands of jobs. Those working in the industry will have job security regardless of the ownership structure.

### **Carrara Stadium**

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.43 am): On the subject of infrastructure, I am very pleased to advise that in one of our fastest growing regions, the Gold Coast, it will be projects like the Carrara Stadium upgrade that demonstrate we are acting on our vision to create a brighter future for Queensland. I welcome the belated support from the member for Mermaid Beach.

**Government members** interjected.

**Ms BLIGH:** Oh, that is right. They were not united on that one. Work on the impressive \$126 million project, which will be home to the Gold Coast AFL team, will begin as early as next month. This week we have had a preview of what it has to offer. This stadium is great news for Gold Coast Aussie Rules and great news for the Gold Coast economy. It will support local jobs now, boost tourism and sport, and build the infrastructure that the Gold Coast needs for the future. We can see from the images available today that it is going to look absolutely fantastic. I refer members to images on the Premier's website to get a sneak peak. There was a very good image in the *Gold Coast Bulletin* today and I would refer members to it.

I have no doubt that this stadium, with its capacity of 25,000, will be a great home for the Gold Coast football team and a place for footy fans to visit time and time again. I cannot think of a better place for southern football fans to come during the miserable southern winter to enjoy a game of footy, to have a great holiday, to boost local tourism and to ensure growing opportunities for the Gold Coast.

### ***Celebrity MasterChef***

**Hon. AM Blich** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.44 am): As members know, I recently participated in the Network 10 program *Celebrity MasterChef*. As Queenslanders will see when my episode goes to air next week, this was an excellent opportunity to showcase some of our state's fantastic produce to the nation. I was delighted to receive thousands of ingredient ideas from people all over the state, and I thank local producers who went to great lengths to ensure that I considered their products when selecting my final dishes. While I cannot reveal the full details of all the dishes until the show airs, I am confident they represent the diversity of delicious ingredients that we have available to us here in Queensland.

**Mr Lucas:** You didn't ask for my recipe.

**Ms Blich:** I can absolutely assure the people of Queensland that the Deputy Premier's recipe for curried sausages did not see the light of day.

**Ms Simpson:** Biological warfare.

**Ms Blich:** I take the interjection from the member for Maroochydore, who just accused the Deputy Premier of an attempt at biological warfare by supplying the ABC with his curried sausages.

Quintessentially, Queensland ingredients like Moreton Bay bugs, Bundaberg Sugar and Gympie beef all feature in my program episode, as does a fine selection of our wonderful fruit and vegetables—potatoes from the Atherton Tableland, asparagus from Mundubbera, celery from Stanthorpe, carrots from Kalbar and strawberries from the Sunshine Coast.

In addition, there were also a few well-kept secrets such as vanilla beans from the Daintree. This area is Australia's only vanilla bean producing area, and I can recommend them to other chefs in the parliament. There is organic cream from Inglewood—Barambah Organics dairy products I think are the best in the country—and prosciutto cured in Holland Park using Queensland pork. The Borgo family in Holland Park produce the only European meat smallgoods in Queensland, and I can highly recommend them, as indeed I do red wine from the Granite Belt's wine country.

While my performance in the *MasterChef* kitchen will be for others to judge, I can say that it was an adventure. Like all adventures some things went very well and others went spectacularly wrong. So I think it will be interesting television. I am confident the produce that I chose will speak for itself in demonstrating the great quality and variety that we have here in Queensland. Unfortunately, I will not be here when it goes to air, but I will be in Moscow talking about the importance of Queensland produce, particularly our beef and our kangaroo.

### ***The Tragedy of the Montevideo Maru***

**Hon. AM Blich** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.48 am): Finally, I would like to inform the House that a Queensland filmed documentary about a World War II maritime tragedy will be the focus of Remembrance Day commemorations on the Foxtel History Channel this year. *The Tragedy of the Montevideo Maru* recounts the tragic story of Australian soldiers locked in the hold of a Japanese prison ship who drowned when the vessel was torpedoed off the coast of the Philippines. Using interviews with former prisoners of war and by re-enacting key moments, *The Tragedy of the Montevideo Maru* tells the story of the sacrifice and suffering of these forgotten Australian soldiers.

The film, which just finished shooting this month, received \$83,000 in Queensland government support through a number of PFTC schemes and grants. The film, which will screen as a two-part documentary in November, shows interviews with survivors from all over the world including New Zealand, England, Scotland, Japan and America. It also features an interview with 93-year-old Lorna, an Australian nurse, about her experiences as a prisoner in Japan.

Queensland producer of the program, John Schindler, has said he was drawn to the story because his own mother lost four friends on the *Montevideo Maru*. This was one of Australia's greatest maritime tragedies with the loss of 1,053 lives. I join many Australians in admitting that I know very little about it.

This documentary will put faces to those numbers. I think many of us know our history of World War II from productions largely out of Hollywood and the UK and Europe. I commend this local Queensland producer for bringing the story of Australians in World War II to our attention. I think it is a great opportunity on Remembrance Day this year for us to all make sure that people see it.

### **Mental Health**

**Hon. PT Lucas** (Lytton—ALP) (Deputy Premier and Minister for Health) (9.50 am): One in five people will experience a mental illness in any given year. The social and economic impact is extensive. Prevention and early intervention is key, particularly with respect to promoting better outcomes and improved labour force participation.

This week is Mental Health Week. This is an annual national awareness event held in October every year to raise awareness of the importance of mental health and wellbeing in the wider community, to increase community awareness and education about mental health issues and to encourage participation in life-enhancing lifestyles. The theme for Mental Health Week in Queensland is 'Be active, get connected, stay involved.'

Mental health is a state of wellbeing and Mental Health Week aims to stimulate, educate and engage Queensland around mental health and related issues. In 2009 we are asking Queenslanders to be active, get connected and stay involved. World Mental Health Day is Saturday, 10 October. I am pleased to be joining the Queensland Alliance for their walk of pride event on the day to raise awareness and understanding of mental health.

An important part of Mental Health Week is the annual Queensland Health mental health achievement awards which will be held tomorrow. The awards are designed to recognise the achievements of individuals and organisations who have worked to improve understanding, awareness, service provision and the general betterment of mental health in Queensland.

Awards are given out across six categories: consumer and/or consumer organisation; carer and/or carer organisation; non-government or community organisation; government mental health service or program; individual award; and media award. While the winners will be announced on Friday, award nominees include: Fran Metcalf, Madonna King—whom I gave my curried sausages to and survived that—Noel Muller, Brook Recovery, Empowerment and Development Centre and Harmony Place, to name but a few.

On 23 September I was pleased to join the Queensland Alliance and the college of psychiatrists to tour some community mental health facilities along with community based services provided by Queensland Health. This included community facilities such as Open Minds at Woolloongabba, Stepping Stone Clubhouse at Coorparoo. The Queensland Program of Assistance of Survivors of Torture and Trauma, which provides services to refugee and humanitarian entrants to Australia. Harmony Place, which connects people with linguistic and cultural differences to mental health services. Brook RED Centre, which is in the Premier's electorate and is an absolutely wonderful centre—I had a great time there—Queensland Health. Burke Street Community Mental Health Service. Social Cognition Group for young males with schizophrenia, run by Dr Frances Dark, with a group of young men aged between 18 and 25. Queensland Health's Somerset Villas at Windsor and Toowong Private Hospital, which provides mental health inpatient services and other support programs for patients.

I thank the Queensland Alliance and the college of psychiatrists for these extremely worthwhile visits which gave me the opportunity to observe a variety of the mental health services firsthand. I very much valued the opportunity to talk directly to consumers and patients about the services that they access. Breaking down the stigma of mental illness is paramount.

That is why today I am pleased to be welcoming to parliament Mackay's Choir of Unheard Voices—a group of mental health clients brought together in a collaborative project between Queensland Health and the Mental Illness Fellowship of North Queensland. They represent thousands of unheard voices in every community. Today they have travelled more than a thousand kilometres to pass their message on to parliament.

The choir has recorded its own CD and has performed at a number of events, including a recent national conference, and on national morning television. Today they will be performing in the red chamber at 1 pm. I invite all of my parliamentary colleagues to attend what will be an inspiring performance and demonstrate just how much we can all achieve when we put our hearts and heads together.

I point out to the Premier that in Queensland sugarcane was first grown in my electorate in Hemmant.

### **Government Owned Corporations, Appointments**

**Hon. AP FRASER** (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.53 am): Queensland government owned corporations operate in dynamic and competitive markets. To ensure our GOCs perform strongly and deliver commercial and service outcomes for the benefit of all Queenslanders, it is essential they are managed by experienced and skilled board directors. Last week I announced the appointment of 14 new board directors with a wealth of industry know-how which will position our GOCs to manage the challenging times ahead.

As announced previously, Mr Peter Young AM, a former chief of ABN Amro, has been appointed as the new QIC chair. Mr Young has worked with a number of major financial institutions in the international and Australian markets over a career spanning 30 years. He has considerable experience in the investment and wealth management industry, and is currently chairman of Transfield Services Infrastructure Fund Ltd and a director of Fairfax Media. Mr Young is a quality appointment to this prestigious position and becomes the third chairman in QIC's history.

Mr John Prescott AC has been reappointed as chair of QR. Former Agforce head, Peter Kenny, and former Brisbane City Council chair of transport, Maureen Hayes, will join him on the board. Mr Stephen Lonie, Mr Denis Byrne and Mr David Harrison have been reappointed as chairpersons of CS Energy, Stanwell Corporation and the Port of Brisbane Corporation respectively.

Mr Scott Spencer has been appointed as chairman of SunWater. Mr Phil Hennessy will move to take up the position of chair of SEQ Water. Mr Robert Shead will chair Forestry Plantations Queensland. Other notable appointments include the former member for Cunningham, Stuart Copeland, to the Powerlink board and former director of Verve Energy, Martine Pop, to CS Energy. Through these recent board appointments, the government has ensured the boards have a mix of skills that will enable them to prudently manage their investments into the future.

In keeping with our commitment of recruiting knowledgeable and experienced professionals to our ranks, Ian Fletcher, the current chief executive and comptroller-general of the Intellectual Property Office within United Kingdom Trade and Investment, will next month become the new director-general of the Department of Employment, Economic Development and Innovation. Mr Fletcher has extensive experience in trade and investment, in the development of intellectual property and innovation and in electricity and gas policy, and has served in a number of high-level public sector roles during his 27-year career. He has already established a substantial understanding of the department's business. I recently met with him in Europe during the recent Queensland Treasury Corporation investor engagement program. Mr Fletcher will be an immensely beneficial addition to our department and to the state of Queensland.

Mr Fletcher will fill the vacancy created by the retirement from the Public Service of Mr Peter Henneken. Mr Henneken has served this state with great distinction over a period of more than 40 years, in a variety of different roles, most recently as director-general of the Department of Employment, Economic Development and Innovation. Mr Henneken has worked under both sides of politics, and is renowned and respected for his frank and fearless advice.

He has always advised governments with professionalism, matched only by his experience—a fact which I am sure members would agree with. Most importantly, he has always delivered that advice with a sense of humour. His hands-on commitment to engagement with industry, with business, with peak organisations and with the union movement is legendary in this state. A Henneken breakfast is a rite of passage. I am sure I join with all members across both sides of the chamber in wishing Peter all the very best in the next phase of his career. The state of Queensland is better off for his hard work and commitment over the last four decades.

### **Solar Hot Water Program**

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (9.57 am): Our changing climate is arguably the greatest challenge governments across the world face today and we must explore every option that will contribute to reducing its impact. At the same time, a good government must also look at ways to support Queenslanders who are faced with rising electricity prices. Through our innovation and determination we are delivering on these goals.

At the last election we made a commitment to provide discounted solar hot-water systems to Queensland families. For eligible participants, the Queensland Solar Hot Water Program offers Queenslanders solar hot-water systems at a fraction of the price of electric systems. It is just \$500 or for Queensland pensioners only \$100 for a standard installation. Our program works alongside the Commonwealth's solar rebate as applicants for our program must be eligible to claim the \$1,600 rebate from the federal government.

Today, I am pleased to announce that installations under the Queensland Solar Hot Water Program will begin this afternoon following agreement with our first supplier, Conergy Australia. This means that affordable systems will now be rolled out and installed which is great news for Queenslanders.

Conergy is an Australian subsidiary of a larger overseas company. It has a state office here in Brisbane and its solar systems are manufactured using both Australian and overseas materials. The installations of these systems will be carried out by local workers which means jobs for Queenslanders. We anticipate our program will create up to 500 jobs while delivering up to 200,000 solar hot-water systems.

Indeed, already more than 40,000 Queenslanders have registered their interest in our program. The program aims to cut Queensland household energy costs by up to \$96 million and reduce carbon emissions by up to 640,000 tonnes over three years. That is like taking more than 139,000 cars off the road in Queensland permanently. That is a saving of up to \$300 per year on a householder's electricity bill, and this is delivering on our Toward Q2 strategy to reduce Queenslanders' carbon footprint by one-third.

This has been a challenging program to deliver, particularly in an environment where the price of renewable energy certificates have been significantly declining over the past few months. Whilst Conergy is a small and relatively new company, we hope that by participating in this scheme it will consolidate and grow its presence here in Queensland. I acknowledge that there may be some risk in going forward with a company of this size. However, it needs to be appreciated that the large suppliers have to date not chosen to participate in our scheme. It also needs to be appreciated that one of the outcomes we are seeking to achieve is to have a solar hot water industry grow here in Queensland to create new jobs in a future carbon constrained economy. Meanwhile, we are continuing our negotiations with other companies and we are hopeful that more suppliers will be joining our program soon.

This is a bold policy that seeks to make solar hot water cheaper for Queensland families. We have worked hard to deliver this commitment during a very volatile period in the lead-up to the introduction of Australia's Carbon Pollution Reduction Scheme. We are a government that supports Queenslanders and the development of new industries and jobs, and we are a government that delivers on our commitments.

## Construction Industry

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.00 am): The Queensland government has made some tough decisions during these tough economic times to ensure that the construction industry can support jobs and deliver a brighter future for Queenslanders. While talking about bright, I thought I would table the latest photos of our Kurilpa Bridge for the information of members.

*Tabled paper:* Bundle of photographs of the new Kurilpa Bridge [[1035](#)].

This morning I noted that a correspondent with the *Courier-Mail* from Surfers Paradise made some scathing remarks about it, which she is entitled to do. It is quite a witty and thoughtful piece she has put together. It just shows that beauty is in the eye of the beholder and that not everybody agrees on every piece of artwork and no-one will ever agree on every piece of architecture. But I happen to think it is great and I think most people think like I do. I think it is just a terrific piece of infrastructure and it is good that people are having a view about it. As Mae West said, it is better to be looked over than overlooked.

Right now work across the state is progressing on the record \$18.2 billion infrastructure program and my department is playing a lead role in delivering \$8.5 billion of this record investment. As a result of this record investment, tens of thousands of tradespeople have jobs. Let us take, for example, the \$445 million redevelopment of Lotus Glen Correctional Centre on the Atherton Tableland. As of early September, \$241 million worth of contracts have been let, which included consultants, managing contractors and subcontractor packages, and by consultants of course we mean consulting engineers, architects and the likes. This has resulted in about 1,800 full-time equivalent jobs, which include 68 full-time positions to carry out \$9 million worth of civil works; \$17.3 million worth of contracts for concrete, blockwork and structural steel works that have created some 130 full-time equivalent jobs; \$26.7 million worth of hydraulic and fire systems contracts have been awarded, equating to 202 full-time equivalent positions; and \$24 million worth of mechanical contracts have been awarded, resulting in 181 jobs. Electricians have received \$29.3 million worth of contracts which means another 181 full-time equivalent positions—no doubt members of the ETU, or I hope they are anyway. More than \$24.8 million worth of contracts have been awarded for security services, creating some 187 jobs.

Further north in Cairns, work is progressing well on the \$79.5 million William McCormack Place stage 2 project. This project will provide government office accommodation and has been designed to achieve a five-star rating under the Green Building Council of Australia's office building rating scheme. As of August, almost \$8.6 million worth of contracts have been awarded to concreters, creating 65 full-time equivalent jobs. Electricians have received \$4.3 million worth of contracts, creating 32 full-time equivalent jobs—and again I hope they are members of the ETU—and mechanical contracts to the value of \$7 million have resulted in 53 full-time equivalent positions. As the members for Cairns, Barron River and other members from that area have told us, Cairns is really struggling. If not for this level of infrastructure spend by this government, things would be exceedingly worse in the Far North.

Moving to the Gold Coast, almost 10,000 local jobs will be created during the construction of the Gold Coast University Hospital. As of August, \$83.5 million worth of contracts have been awarded, creating approximately 630 full-time positions, while at Zillmere trade packages for concreting, electrical and mechanical work to the value of \$14.4 million creating some 108 full-time equivalent positions have been awarded for the construction of the Joint Contact Centre. These are great examples of the Queensland government creating jobs that deliver the future prosperity of this state and highlight why it is so important to support the construction industry.

### Free-Flow Tolling

**Hon. CA WALLACE** (Thuringowa—ALP) (Minister for Main Roads) (10.05 am): The transition to free-flow tolling on the Gateway Bridge and Logan Motorway is almost complete. Later this month the roads around the old toll booths will be reinstated and motorists will experience further benefits of free-flow tolling as they are able to travel through the toll points at full speed. Motorists in South-East Queensland have embraced the concept of free-flow tolling and yesterday Queensland Motorways issued its one millionth go via tag—one million! A record 280,000 go via tags have been issued to motorists since July and motorists are enjoying the convenience and advantages of using the go via tag for their travel on toll roads.

Around 80 per cent of the trips on the Gateway and Logan motorways are now paid using a go via tag. In addition to the go via tag, motorists also have the option to pay their tolls using a go via video account or go via video pass. More than 210,000 go via video passes have been arranged by road users since the transition to free-flow tolling began. The implementation of free-flow tolling has improved traffic flow and travel time reliability, enhanced safety conditions, lowered pollution and reduced congestion. As motorists are no longer queuing and weaving at toll points, safety conditions around toll points have improved, with accidents reduced by 80 per cent since free-flow tolling began—80 per cent, which is good news. When the Gateway Upgrade Project is completed in 2011, motorists will experience further benefits with an extra six lanes of traffic available on the new bridge, four lanes from Old Cleveland Road to the bridge and six new lanes north of the bridge to the new airport interchange. Yesterday the Premier and Deputy Premier recreated history when they shook hands across the gap in the 260-metre main river span of the \$1.88 billion Gateway Upgrade Project.

**Mr Reeves:** A great project!

**Mr WALLACE:** It is a great project; I take the interjection from the Minister for Sport and Child Safety. It is a great project which his constituents will certainly see the benefits of. Progress on the bridge duplication is steaming ahead, with construction currently about three months ahead of schedule. We are delivering a brighter future for Queenslanders with work on track to open a second Gateway Bridge by the middle of next year as one of a multitude of road projects being constructed around our great state as part of our record \$3.53 billion roads investment this year.

### Callide Infrastructure Corridor State Development Area

**Hon. SJ HINCHLIFFE** (Stafford—ALP) (Minister for Infrastructure and Planning) (10.07 am): I rise to advise the House of the declaration of the Callide Infrastructure Corridor State Development Area. The Callide infrastructure corridor will deliver on the Premier's election commitment to acquire a land corridor for underground gas pipelines—a gas superhighway. These pipelines will transport coal seam gas through Callide to Curtis Island where the proposed liquefied natural gas, or LNG, plants will be built within the Gladstone State Development Area. The continued economic development of Queensland requires effective linking of existing and future industrial centres with strategic infrastructure and services. It is anticipated that a medium-sized LNG industry—that is, 28 million tonnes per annum—will result in the creation of some 18,000 direct and indirect jobs in Queensland. The development of a single multi-user infrastructure corridor will enable the creation of multiple underground gas pipelines.

Going underground will benefit both landowners and proponents in terms of minimising impacts and achieving potential efficiency gains. Some minor modifications were made to the corridor route as a result of the stakeholder engagement program and the various desktop and field assessments carried out by the Department of Infrastructure and Planning. Again, these amendments were made to minimise disturbance to landowners and to the environment while maintaining access, efficiency and constructability benefits for project proponents. The declaration of a Callide Infrastructure Corridor State Development Area is another example of the state government's commitment to delivering a brighter future, especially for employment in our regions. Just six months into our term, the Bligh government continues to deliver on its election commitments.

### Remote Indigenous Housing

**Hon. KL STRUTHERS** (Algera—ALP) (Minister for Community Services and Housing and Minister for Women) (10.09 am): The Bligh government is pulling out all stops to fast-track the construction of Indigenous housing in our remote communities. We are determined to close the gap on Indigenous health and economic status and housing is central to that. Significant progress has already been made on securing 40-year leases over Indigenous land for housing in remote Indigenous communities. We have begun earnest negotiations with the mayors of remote communities and Doomadgee has signed up already. We need the support of mayors and their communities to secure the housing investment and I commend them on their constructive discussions with us so far. We share the same goals: better housing and better living standards for Indigenous community members.

Our negotiations with mayors are addressing a range of issues, including native title, cultural heritage and land tenure. The leases are required as part of the National Partnership Agreement on Remote Indigenous Housing. Queensland is not alone; this agreement applies to all states and territories. In a meeting I had with Indigenous mayors yesterday, Palm Island Mayor Alf Lacey acknowledged that the remote Indigenous housing program and the state funding for remote Indigenous housing in Queensland is the biggest investment ever in housing. Mayor Lacey and other mayors indicated that they were keen to get on with the job with us. It is all about delivering jobs, delivering housing and delivering a better deal for Indigenous people in remote communities.

The 40-year leases will ensure the delivery of \$1.16 billion worth of housing to remote communities by 2018. Over the next 10 years, we will build more than 1,100 new dwellings and upgrade more than 1,200 homes across 34 remote Indigenous communities in Queensland. Mayor Lacey was right: this is the biggest investment ever in Indigenous housing in this state. Ownership of the land will stay with the trustees: the councils. Councils will receive lease fees and rate payments in return for agreeing to a lease with the state government for the purposes of building houses and managing tenancies for the life of the lease.

Over the past five years, the state government has funded and delivered over 200 new dwellings, 120 replacement dwellings and over 1,200 upgrades to housing in Indigenous communities in Queensland. Now, we are working side by side with the Rudd government. We are delivering an unprecedented investment in Indigenous housing. Let me say that again: an unprecedented level of investment in Indigenous housing—something we have never seen in this state and in this nation. There is a common factor there: a Rudd government and a state Labor government working in partnership. We, too, share the same goals to make up for 11 years of neglect by the Howard government. It is about Labor governments delivering a brighter future.

### **Mental Health**

**Hon. A PALASZCZUK** (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (10.12 am): The Bligh government is committed to assisting people with a mental illness on their journey to recovery and to participating as valued members of our community. As the Deputy Premier announced today, this is Mental Health Week and it serves as a reminder of the importance of good mental health to the wellbeing of individuals and communities.

Last month a report on the *AM* radio program reminded us of the challenges we face as a community when dealing with mental illness. The report revealed that 75 per cent of mental illness occurs before a person turns 25. That is a very large statistic. Recently, the Deputy Premier and I hosted a round table forum with community mental health representatives which focused on the pivotal role that community services play in assisting people with a mental illness to live and participate in the community. The second round table following on from the first in June is timely and builds upon the good work that we started a few months ago. It focuses on the roles and contributions made by the mental health community non-government sector and in Queensland I am proud to announce that this sector is growing.

One of our key initiatives this year has been to support good mental health, which has meant that we announced \$6.5 billion over three years to pilot a young person's early intervention program. This new program will offer short-term intensive support in two community houses to people aged between 15 and 25 years who are showing early signs and symptoms of mental health problems.

An estimated two million Queenslanders access mental health services every year through their doctors, mental health services and the community sector. That is why the Bligh government is working towards the development of the Queensland Plan for the Mental Health Community Sector 2009-2017. We are committed to supporting people with a disability to lead productive and rewarding lives. We want to ensure that people affected by mental illness have access to the same educational, employment, social and recreational opportunities as all Queenslanders. That is why we are working with people to help them on their road and path to recovery.

### **Climate Change**

**Hon. KJ JONES** (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (10.14 am): While the federal coalition implodes and the LNP continues to deny climate change, the United Nations Climate Change Conference in Copenhagen this December is shaping up to become one of the most important international treaty negotiations of our time. Fortunately, international talks are not dependent on the policy position of the conservative parties in Australia. A successful deal in Copenhagen will provide a clear path for how the world will reduce emissions, how countries will share this responsibility and how we will deal with climate change impacts. There has been a series of negotiation sessions leading up to Copenhagen, including one happening right now as I speak in Bangkok. Issues being discussed include emissions reduction targets, technology development and financing for mitigation and adaptation. Other forums are also contributing to an international deal. The G8 and the Major

Economies Forum on Energy and Climate, of which Australia is a member, agreed this year to key pillars of a Copenhagen deal, including a target to keep the rise in average global temperature within two degrees above pre-industrial levels.

Achieving an effective agreement in Copenhagen is critical to Queensland. Being an emissions intensive economy, we are the state that is most vulnerable to climate change impacts and with the most to gain from effective global action. Our government recognises the impacts that a price on carbon will have on our industries and regions and we have been very proactive on this issue. Throughout the design of the Carbon Pollution Reduction Scheme, we have continually raised important issues with the Commonwealth, including the need for adequate support for the coalmining sector. We also recognise that the nature of any international agreement will have significant implications for Queensland. That is why we are watching the negotiations and Australia's position closely.

Queensland has a keen interest, for example, in the development of a framework that would enable increased abatement through native regrowth and harvested wood. We are also interested in opportunities for low-cost abatement action in the agriculture and land use sector and ensuring that Queensland is well placed to take advantage of opportunities in the international carbon market. In addition, Queensland is contributing to the latest international climate change science right here in Brisbane.

Reaching agreement at Copenhagen will be difficult, but it is very necessary if we are to avoid the worst impacts of climate change. That is why Queensland is committed to playing its part in an effective global response.

## ORDER OF BUSINESS

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (10.16 am): I advise honourable members that the House can continue to meet 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.

## GAMBLING AND OTHER LEGISLATION AMENDMENT BILL

### GREAT BARRIER REEF PROTECTION AMENDMENT BILL

#### Declared Urgent; Allocation of Time Limit Order

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (10.17 am): I move—

- (1) That under the provisions of Standing Order 159, the Gambling and Other Legislation 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 12.45 pm;
  - (b) consideration in detail to be completed by 12.58 pm;
  - (c) third reading by 12.59 pm; and
  - (d) long title agreed by 1 pm.
- (2) That under the provisions of Standing Order 159, the Great Barrier Reef Protection 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 6.30 pm;
  - (b) consideration in detail to be completed by 9.58 pm;
  - (c) third reading by 9.59 pm; and
  - (d) long title agreed by 10 pm.
- (3) If the stages have not been completed by the times specified, Mr Speaker shall put all remaining questions necessary to pass the relevant 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.

I want to make a few points about this motion. Firstly, I would like to thank the opposition for its cooperation in determining these times. As members would see, the opposition has decided that it wants four hours of debate on the second reading of the Great Barrier Reef Protection Amendment Bill and over two hours of debate on the consideration in detail stage of that bill. I appreciate that that suits the opposition's agenda and the government is happy to go along with that. I also know that the opposition is going to oppose this motion and I am disappointed with that. But I would make the point that with each of these bills—the first one particularly—the opposition is supporting it and for the second one we will have a lengthy debate.

At the end of the day the government is responsible for getting its legislation through this parliament. It is not helpful, as we have seen this week and we continue to see in this parliament, for many members to get up and make lengthy 20-minute contributions in many of the debates. Getting up and rambling and repeating oneself or repeating what every other member on your side of the House has said is not helpful to the debate in the parliament of Queensland.

**Opposition members** interjected.

**Ms SPENCE:** I think that many members have the intelligence and the skill to make their point in a shorter time. We do see that from many members of this House. Everyone knows that the shorter, sharper and smarter contribution is one that is going to be listened to. That does not necessarily involve a 20-minute contribution. Some parliaments only have 10-minute contributions in second reading speeches. Last week I discussed this with members of the Victorian parliament. We are one of the few parliaments around that still has 20-minute speeches.

**Opposition members** interjected.

**Ms SPENCE:** I do not necessarily agree with that. I think we should still have 20-minute speeches in the standing orders. I think there are some members who have done the research and have the intelligence and give very good 20-minute contributions in debates. But too many members, on both sides I have to say—more on the other side, of course—stand up and repeat themselves and what has already been said ad nauseam. That is not helpful and I do not think that their constituents expect them to do that.

The opposition has to realise that this government was elected with an agenda. We will have our bills debated in this House. Those opposite need to start being a bit more responsible about which bills they really want to speak on and how long their contributions will be in those debates. We are not going to have a parliament that we have seen in the past that sits regularly until two o'clock and three o'clock in the morning because members want to be self-indulgent and speak on every bill for the maximum length of time. We will organise the debate of this House. We will be fair to the opposition. We want every member to be able to get up and make a contribution. But at the end of the day if members want reasonable sitting hours then they are going to have to start thinking about how much they want to speak and for how long.

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.22 am): I second the motion.

**Mr SEENEY** (Callide—LNP) (10.22 am): Obviously the opposition will be opposing the motion that has been moved by the Leader of the House. What an outrageous contribution the Leader of the House made in putting this motion before the House. What an outrageous proposition that members of parliament are somehow irresponsible because they choose to come here and speak on behalf of their constituents about the legislation that the government introduces. That is the very purpose of the House. Members are elected for that reason. It is the reason that we are paid to come here. In this parliament half of the members want to do the job they are paid for, the other half do not. The members who sit on the government side of the House do not want to do the job that they are paid for.

We have seen an increasing tendency in this place to shut down the parliament and curtail debate. There is no enthusiasm in the government. There is no energy or keenness to engage in debate. It is a government that is tired, worn out and in its death throes. It is dying slowly and surely from the inside out. That is reflected in their performance in this parliament. It is indicated by the motion that the Leader of the House has moved this morning. Those opposite do not want to be here to discuss the issues or to fully explore the legislation that it introduces into the House. Its members want to get in and get out. It is the same every day that this parliament sits. The cabinet come in with their heads down. The backbenchers are here because they have to be here. There is no vitality in the government.

That is in very stark contrast to this side of the House where opposition members want to participate in parliamentary debate. That can be seen by the speaking list. Every member of the opposition wants to give voice to the concerns of their constituents about the legislative program that the government seeks to introduce. It is outrageous for the Leader of the House or for any member of the government to say that that is irresponsible. It is the responsibility of every member of the parliament to address the legislation that the government introduces on behalf of their constituents. That is what we will do. The government and the people of Queensland can be assured that every piece of legislation that is introduced into this House will be fully scrutinised by the opposition. The government can be assured that whatever it seeks to introduce into this parliament will be tested and challenged by the opposition. It does not matter whether that keeps the Leader of the House from her bed for a few extra hours on a Thursday night. It is the role of the opposition and we will fulfil that role. We oppose the motion.

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (10.27 am): Given that the opposition believes that democracy is being stifled by this kind of behaviour, I point out that I went to Victoria because I heard that every Monday the opposition leader of the House and the Leader of the House sit down and talk about how much time they will spend on each piece of legislation. I thought that that level of cooperation could be very useful in Queensland. I found out why they do it. They do it because Jeff Kennett changed the standing orders in 1993 so that every Tuesday the Leader of the House moves a motion that the government will get through six bills in the week by Thursday 4 pm. They will get through six bills whether there is debate on them or not. That is the kind of democracy they have in Victoria. We obviously do not operate that way.

We give those opposite the opportunity of having lengthy debate on every single piece of legislation. I make the point that at the end of the day the government will get its legislation through this House. We will give the opposition ample time to debate it. We have done the right thing today by sitting down with the opposition and asking it how it would like to divide the time of the House and I ask all members to support this motion.

Division: Question put—That the motion be agreed to.

**AYES, 46**—Attwood, Bligh, Croft, Darling, Dick, Farmer, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Kiernan

**NOES, 38**—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Sorensen, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Messenger

Resolved in the affirmative.

## PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE

### Reports; Crime and Misconduct Commission Report

**Mr HOOLIHAN** (Keppel—ALP) (10.32 am): I lay upon the table of the House the Parliamentary Crime and Misconduct Committee's Annual Report for 2008-09. As chairman of the committee, I wish to acknowledge the valuable input made by the members of the committee and the work of the committee secretariat throughout the year. I would also mention that this report covers two parliaments. I draw attention to the work of the members of the prior committee as well as the current members.

*Tabled paper:* Parliamentary Crime and Misconduct Committee—Annual Report 2008-09 [[1036](#)].

I also lay upon the table of the House a report of the Parliamentary Crime and Misconduct Commissioner on the work and activities of the Crime and Misconduct Commission under chapter 11 of the Police Powers and Responsibilities Act 2000. These activities relate to controlled operations carried out by the CMC in the exercise of its crime function. The parliamentary commissioner is required to inspect the CMC's records, at least annually, to ascertain the extent of the CMC's compliance with the controlled operations provisions. I commend the reports to the House.

*Tabled paper:* Parliamentary Crime and Misconduct Commissioner—Report of the work and activities of the Crime and Misconduct Commission under chapter 11 of the Police Powers and Responsibilities Act 2000, September 2009 [[1037](#)].

## MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

### Reports

**Mr SHINE** (Toowoomba North—ALP) (10.33 am): I table two reports of the Members' Ethics and Parliamentary Privileges Committee, firstly, Report No. 100 entitled *Matter of privilege referred by the Speaker on 19 August 2009 relating to an alleged deliberate misleading of the House by a member*. I commend the report and the committee's recommendations to the House.

Secondly, I table Report No. 101 entitled *2008-09 Annual Report* for the period 1 July 2008 to 30 June 2009.

*Tabled paper:* Members' Ethics and Parliamentary Privileges Committee, Matter of Privilege referred by the Speaker on 19 August 2009 relating to an alleged deliberate misleading of the House by a member, Report No. 100 [[1038](#)].

*Tabled paper:* Members' Ethics and Parliamentary Privileges Committee—Annual Report 2008-09, Report No. 101 [[1039](#)].

## SCRUTINY OF LEGISLATION COMMITTEE

### Interim Report

**Mrs MILLER** (Bundamba—ALP) (10.33 am): I table an interim report of the Scrutiny of Legislation Committee calling for public submissions on the operation of part 7 of the Statutory Instruments Act.

The committee of the 52nd Parliament commenced a review of statutory requirements regarding staged automatic expiry of subordinate legislation. The committee of this parliament is continuing the review by tabling an interim report and inviting public submissions on 10 key issues. Submissions are invited by 11 December 2009 and a public hearing will be held in February 2010.

*Tabled paper:* Review of Part 7 of the Statutory Instruments Act: interim report and call for public submissions [[1040](#)].

## SPEAKER'S STATEMENT

### Turnour, Mr J; School Group Tours

**Mr SPEAKER:** Honourable members, I am happy to welcome Mr Jim Turnour, MP, the federal member for Leichhardt, to the Speaker's Gallery this morning. Visiting Parliament House this morning will be the Holy Spirit School of Bray Park, the Suncoast Christian College in the electorate of Nicklin and the Mansfield State School in the electorate of Mansfield.

## QUESTIONS WITHOUT NOTICE

### Queensland Rail

**Mr LANGBROEK** (10.34 am): My question without notice is to the Minister for Transport. On Tuesday, when asked about blue-collar workers and Queensland Rail, the minister said—

Queensland Rail employees have the most rolled gold employment conditions and entitlements, I think, of anyone.

I ask: does the minister stand by her view that, when compared with other public sector employees, Queensland Rail employees have 'rolled gold' employment conditions?

**Ms NOLAN:** Queensland Rail employees have no forced redundancy entitlements and no forced transfer. The question that was asked on Tuesday was about a process of reform that we have gone through on the north-west line about which I have spoken, for instance, to the member for Charters Towers. In that instance we have made quite substantial reform on the line which has led to a saving to taxpayers and a better quality of service for customers, and we have done that within the context of those workers having those very stringent entitlements. I think that is a real positive. I think that is a very good example of a Labor government making a reform but doing that in a way that also protects the workers involved. That is probably the best example of where this Labor government stands: we can reform, we can make change and we can do that whilst protecting workers.

In addition to talking about the north-west reform on Tuesday, in response to a question about retention payments I also made the broad point about workers' entitlements in QR generally. Right now it is the case that QR workers have these very strong conditions and that, in the context of the privatisation which we have announced, we have made it very clear that those conditions will continue for at least two years beyond the point of any sale. I think that that is a really strong guarantee to give to workers. I think it suggests that this is a government that can make change whilst also protecting workers' interests. The alternative that you propose to us is to make no change—

**Mr SPEAKER:** Order! Direct your comments through the chair.

**Ms NOLAN:** The alternative that the opposition proposes to us is not to make change whilst protecting workers, which is what we propose to do; it is essentially to turn back the clock. It is to ensure either that nothing changes or that we go backwards.

*(Time expired)*

### Queensland Rail

**Mr LANGBROEK:** My second question without notice is also to the Minister for Transport. At 4 pm yesterday a train with 36 wagons of cattle, which was scheduled to travel from Julia Creek to Rockhampton today, was cancelled due to a lack of track access safety officers. Given that this will result in 900 people at the Rockhampton meatworks being unemployed for two days next week, will the minister advise the House how this compares to 'rolled gold' employment conditions?

**Ms Bligh:** It's got nothing to do with it.

**Ms NOLAN:** These two points would strike me as being entirely unrelated. There is clearly an operational matter in relation to the availability of one train of the many hundreds of trains that we run every day in a Cattletrain service that essentially operates as a vehicle of agricultural subsidy.

**Opposition members** interjected.

**Ms NOLAN:** That is what Cattletrain loses.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Stop the clock. I will wait for the interjections to cease. There is no need for interjection at this point, I would have thought. No member has been personally offended. I call the honourable minister.

**Ms NOLAN:** There is clearly an operational matter that has arisen in the case of this particular train, but that has not been because of some kind of employment or structural change or policy change within Queensland Rail. Are you seriously suggesting—

**Mr SPEAKER:** Order! You will direct your comments through the chair, Minister.

**Ms NOLAN:** Is the Leader of the Opposition seriously suggesting that the train should have run without the necessary safety requirements? Is that actually the proposition that the Leader of the Opposition is putting to us? The government has made no policy or employment changes in relation to track maintenance or safety staff. There is clearly an operational matter here which is entirely unrelated to employment matters. The proposition that these things are in some way related is frankly absurd. I cannot put it any more comprehensively than that.

### **Aviation Industry, Defence Contract**

**Mr WENDT:** My question is to the Premier. The Australian Defence Force is looking at new helicopters. We all know that Queensland has a growing level of importance in defence locations and facilities like Amberley. Does Queensland have any expertise in this particular area of helicopter production?

**Ms BLIGH:** I thank the honourable member for the question. He knows out in his neck of the woods what growing expertise we have in the aviation sector and how important it is to growing jobs in a diverse economy.

I am pleased to advise the House that my government is working very hard to urge federal ministers to consider a Queensland based firm for the upcoming naval combat helicopters. The federal government earlier this year announced plans to increase the Navy's combat aviation capability. It wants 27 new naval helicopters at a purchase price of around some \$3 billion.

In Queensland we have a company called Australian Aerospace, which is currently building the Eurocopter NATO frigate helicopter at its Australian Aerospace Eagle Farm facility. This company, Australian Aerospace, is a great Queensland success story. There was an incentive provided through our Investment Incentives Scheme, which is opposed by those opposite. They proposed during the election campaign that they would cut that scheme. That incentives scheme brought this company here in 2002. It was required to create 130 jobs to meet its requirements under that grant. What has it done? It has created now more than 1,000 jobs Australia-wide, most of them here in Brisbane, and it is giving skills and opportunities to Queenslanders.

I understand that the alternative to the Australian Defence Force using this company for these helicopters is going offshore and buying an off-the-shelf helicopter from probably the United States. I table for the information of the House correspondence that I have recently sent to both Greg Combet, the Minister for Defence Personnel, Materiel and Science, and John Faulkner, the Minister for Defence.

*Tabled paper:* Letter, dated 18 September 2009, from the Premier to Senator the Hon. John Faulkner, Minister for Defence, regarding the federal government's decision to acquire a fleet of new naval helicopters [\[1041\]](#).

*Tabled paper:* Letter, dated 18 September 2009, from the Premier to the Hon. Greg Combet AM MP, Minister for Defence Personnel, Materiel and Science, regarding her letter to Senator the Hon. John Faulkner about the federal government's decision to acquire a fleet of new naval helicopters [\[1042\]](#).

What I want is for the federal government to take the opportunity not only to give better equipment to our defence forces but to use that expenditure to create more jobs in Queensland and more Australian jobs. What we have emerging in the south-east corner of the state is a burgeoning aviation sector. I thank the member for his question and his interest in this sector. Australian Aerospace stands to benefit from a \$3 billion Defence Force contract. My understanding is that it is the only Australian based company that has the capacity to build these helicopters, and in my view the contract should stay here in Australia.

### Citytrain

**Mr SPRINGBORG:** My question without notice is to the Minister for Transport. Yesterday on radio the minister claimed that an offender was fined \$4,000 for sniffing glue on a train but could provide no details. Will the minister now provide details of the time, date and place for the offence, or was this just another throwaway line from a minister who has absolutely no idea?

**Ms NOLAN:** The Deputy Leader of the Opposition, in pretty classic National Party form, has misled the House with the premise of his question.

**Ms Bligh:** Surprise, surprise.

**A government member:** He should go to jail.

**Mr Lucas:** Their rule doesn't relate to the chamber; only to estimates.

**Ms Bligh:** They couldn't sustain it in the chamber.

**Ms NOLAN:** That is right. Yesterday on radio I made the point that under section 143AF, I think, of the Transport Operations (Passenger Transport) Act there is a provision for fines of up to \$4,000 and six months in jail for people who are caught creating a disturbance or causing a nuisance on a train. I simply made the point that that is the broad provision which applies. It is misleading to suggest, as the Deputy Leader of the Opposition has just done, that I made the point that that had occurred in this particular circumstance. That was not what I said. I made the general point that under the act that is the provision that applies. The transcript will bear that out and, as such, the Deputy Leader of the Opposition is deliberately misleading the House.

**Mr SPEAKER:** Order! That is unparliamentary, Minister. You will withdraw that.

**Ms NOLAN:** I withdraw, Mr Speaker. But I would make the point that it is not unusual for an inaccurate proposition to be put from that side of the House in the premise of a question. We will all recall the member for Callide having admitted that he has done that deliberately in the form of what he called a 'tactical lie'. I think the people of Queensland expect a degree of honesty from all of us in both our questions and our answers. I do not think it would be too much for the people of Queensland to expect that the Deputy Leader of the Opposition, who has been here making a pretty minimal contribution over a very long period of time, would know the rules and would be able to frame a question on the basis of honesty.

### Bligh Labor Government

**Mrs SULLIVAN:** My question without notice is to the Premier. It has been a busy two weeks for the Bligh government. What key election commitments have been fulfilled?

**Ms BLIGH:** I thank the honourable member for the question. The member for Pumicestone, like all members of my team, is getting on with the job of implementing the election commitments that we took to the last election. Mr Speaker, as you heard earlier from the Minister for Natural Resources, Mines and Energy, the first of our solar hot-water systems will be installed today on the roof of a Brisbane home.

We are determined to do everything we can to increase the amount of energy coming from a renewable source here in Queensland. We have an abundant supply of sunshine and we have the capacity to be the solar state of Australia. The most effective form of solar energy that is currently available with available technology is solar hot water. It stands to provide every household that is currently on electric water with the chance to save almost or more than 30 per cent of their electricity bill and to do it from a renewable source. We are getting on with the job with an election commitment in relation to our solar hot-water program.

In addition, we ran our first summer school program as part of our efforts to improve the literacy and numeracy results of Queensland students. We have seen our first heavy-vehicle recovery unit starting to do its job busting congestion in South-East Queensland. Every one of these was an election commitment made during the election campaign—delivered within the first 12 months of the term of government.

We have also announced our eighth state development area to facilitate the construction of the gas superhighway into Gladstone to facilitate the LNG industry, and we have delivered on vegetation management laws to conserve endangered regrowth. A whole suite of election commitments has been delivered within less than the first year of the term, and we are on the job of doing what we told Queenslanders we would do if we were elected.

When it comes to jobs, we know there are a number of jobs that are unsafe on the other side of the House.

**Mr Lucas:** They are not rolled gold.

**Ms BLIGH:** There is no rolled-gold employment guarantee for the member for Dickson, and all week we have seen that fiasco unfold. We know that the federal Leader of the Opposition does not have a rolled-gold guarantee of employment either. We now have the spectacle of the former Liberal member for Moreton claiming in today's press that he is being bullied by the LNP and that it is trying to expel him because he was risky enough to say that he believed the member for Dickson, Peter Dutton, had been shafted by a party organisation that does not have any political nous. What we have seen over the last week is a fiasco in the Liberal National Party, and as we get closer to the federal election we will see more of it.

### Queensland Rail

**Ms SIMPSON:** My question is to the Minister for Transport. Is the minister aware that Queensland Rail's failure to maintain the livestock facilities at Oakey is putting 750 jobs at risk, with meatworkers to be stood down for up to three shifts a week? Will she explain how this is a rolled-gold service?

**Ms NOLAN:** As I have already made clear in this parliament, cattle trains which were interrupted earlier in the year as a result of some issues with locomotives across the network have been quite recently restored and are now operating again. Just last week I visited Quilpie after the member for Gregory suggested I do so. That is one of the major rail heads for cattle train services. When I was there, I was able to speak with the mayor and members of the community about the restoration of cattle train services.

What has happened with cattle train services as a result of my intervention is that services which were earlier disrupted have now been restored. I understand there are about 13 cattle train services under order on that south-west line for the remainder of the year. Cattle train services are currently operating, and just last week I was out on the line and was in a position to have a look at them.

In the longer term it is clear that we need to come up with a more secure, sustainable and commercial basis for cattle train services because cattle trains currently operate at a loss of around \$25 million per year. I have been talking to western mayors, to people who use those roads, to the major abattoirs and to beef producers about how we can come up with a commercial and sustainable basis for cattle train services going forward.

I think that we have quite a good model to do that. Despite much complaint from the opposition, we have just moved grain trains to a commercial sustainable contracted basis through the signing of a major contract between Queensland Rail and GrainCorp. I note that is something that the opposition said could not possibly be done because of the variability in the crop. The broad point that I would make is that there are services operating now, and there is a future for the transfer of agricultural commodities on a commercial and sustainable basis in this state. But we cannot continue to operate these services without a contracted basis and simply as a vehicle for agricultural subsidy.

*(Time expired)*

### Salaried Doctors, Enterprise Bargaining

**Mr O'BRIEN:** Mr Speaker, I join you in welcoming my friend and colleague the member for Leichhardt to the chamber today. It is so gratifying to be able to work cooperatively with a federal member for a change, particularly in the area of health. It is a breath of fresh air. My question without notice—

**Mr SEENEY:** Mr Speaker, I rise to a point of order. There are standing orders about preambles to questions. I do not think they include policy speeches on behalf of federal members.

**Mr SPEAKER:** It is true that as Speaker I have asked all members to make sure that their preambles are eliminated. I would ask the honourable member to come to the point and ask his question.

**Mr O'BRIEN:** My question without notice is to the Deputy Premier and Minister for Health. Can the Deputy Premier and Minister for Health please update the House on developments in the enterprise bargaining agreements with salaried doctors? How will this contribute to building a strong health workforce for the future?

**Mr LUCAS:** This week the formal ballot process for Queensland Health salaried doctors enterprise bargaining agreement has commenced, with the ballot closing on 26 October 2009. This process has involved ongoing engagement with Queensland doctors and their representatives. I am pleased to inform the House that it has been endorsed by the QPSU, AMAQ and SDQ. It is a bit different from what the member for Caloundra was saying recently. The AMAQ on 22 September issued a media release titled 'AMAQ recommends medical officers vote yes'. AMAQ believes it is in the best interests of its members to vote yes. On Thursday, 1 October an agreed joint statement between Salaried Doctors Queensland, Queensland Health and the Queensland Public Sector Union agreed—

SDQ, Queensland Health and QPSU state that the agreement represents the best offer that can be made having regard to the interests of all parties. SDQ supports its members exercising their own discretion in voting on the agreement and SDQ endorses the agreement.

After all the stuff that the member for Caloundra went on with several weeks ago, Salaried Doctors Queensland and AMAQ have endorsed it. The AMAQ has been consistent all the way through on that. This agreement will see significant advancements in fatigue management, building on ongoing strategies to improve safety for doctors and patients. The government has offered doctors a rostering arrangement to reduce maximum shifts from 16- to 14- to 12-hour shifts, implemented over the next two years and an increase to the shift break from eight to 10 hours over two years. It will build on the government's strategies to tackle fatigue, and that is why they have endorsed the agreement.

Yet again, those opposite could not help but get involved in competitive unionism. They were caught up in that between the AMAQ, SDQ and QPSU, and they used that to their political gain. That is what they sought to do. I warn those opposite: it is the oldest trick in the book—building publicity to increase recruitment during negotiations.

Those opposite know so little about running government, have such poor political judgement about negotiations and have a complete disconnect with the real lives of Queensland workers that they would happily jump into the middle of a turf war and claim something as a result thereof when the written facts prove differently. Since 2007—this government treats fatigue seriously—we have been implementing a \$4.6 billion medical fatigue risk management strategy to address fatigue related risk for doctors and patients. That was developed in conjunction with and was supported by Salaried Doctors Queensland and the AMAQ. On 1 July 2008 SDQ welcomed safety standards to reduce doctor fatigue. On 2 July 2008 AMAQ doctors welcomed the prescription to fight fatigue. I will table those documents.

*Tabled paper:* Media release, dated 22 September 2009, from the Australian Medical Association Queensland Branch titled 'AMA Queensland recommends medical officers vote "yes" [\[1043\]](#).

It is more than that. It is about having more doctors. We increased the annual intake of medical intern positions from 250 in 2005 to 551 in 2010 and to 644 in 2011.

*(Time expired)*

### **Citytrain, Answer by Minister for Transport**

**Mr SEENEY:** My question without notice is to the Minister for Transport. A few moments ago the Minister for Transport, in an answer to the Deputy Leader of the Opposition, claimed that the transcript of the interview that the Deputy Leader of the Opposition referred to would bear out her claim that his question was misleading. I quote from the transcript of that interview where the interviewer asked the minister—

But you can't tell me one person who has been charged, convicted or fined that \$4,000 for sniffing glue on a train?

The transcript records that the minister replied—

No, I don't have the figure in front of me, but I'm advised that it has happened.

The question for the minister is: how does this transcript bear out the minister's claim that the question from the Deputy Leader of the Opposition was misleading?

**Ms NOLAN:** I welcome the opportunity to be quite precise in this response. Let me explain the situation.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Minister, resume your seat. You have asked the question; I want to hear the answer. I call the Minister for Transport.

**Ms NOLAN:** The discussion was about a recent incident on a railway line where a young woman had complained on radio that she felt unsafe as a result of some people chroming on the train. We were discussing quite a specific instance. This matter has been investigated by Queensland Rail, so on radio I was discussing that specific case.

What happened—and I explained this to Madonna King—was that in this specific case the guard asked the young people involved to leave the train. If we have a look at the transcript we find that I said, quite rightly, that in this case the people were kicked off the train. The interview then went on—and again the transcript bears this out—to discuss the broader point of penalties for chroming on trains. I made the broader point that a provision applies under the Transport Operations (Passenger Transport) Act for fines of up to \$4,000 and six months in jail for people who create a nuisance on a train.

The Deputy Leader of the Opposition has, I would argue, misled the House in that he has suggested in his question that I indicated a \$4,000 fine not generally under the act but in relation to this specific incident.

**Opposition members** interjected.

**Ms NOLAN:** That is right; in the general case. The Deputy Leader of the Opposition has been misleading in that he has taken the general and applied it to the specific. That is the premise which is incorrect. I invite members to have a look at the transcript because it will very clearly bear that out.

## Unemployment

**Mr HOOLIHAN:** My question without notice is to the Treasurer and Minister for Employment and Economic Development. Can the Treasurer update the House on the latest unemployment figures released today?

**Mr FRASER:** I thank the member for Keppel for his question. The unemployment data has been released in the last half-hour. That data does contain some sobering results for Queensland and underlies the need for us to remain square-shouldered in our determination to focus on job creation. The upshot of the data that has been released this morning is that unemployment has again moved up in Queensland by 0.1 per cent on a revised August result to leave Queensland with an unemployment rate of six per cent. Six per cent of course is a result that no-one in this chamber will welcome. What it does mean for those folk on this side of the chamber is that we redouble our resolve to continue our efforts to create jobs, to support the employment market and to make sure that Queenslanders are provided with job opportunities.

Underneath that result are a number of important points. In the last month jobs were actually created in Queensland. Six hundred jobs were created. That is obviously a direct result of the determination of our government to support the economy at a time like this. That job creation, however, was not sufficient to overcome the rise in the labour market.

We again saw a rise in the participation rate, which means that Queensland has the highest labour market participation rate in the nation and is the only state over the last month where the labour force actually grew. The labour market grew by 4,400 people, which obviously resulted in a higher unemployment rate despite the fact that, as the data shows, 600 jobs were created in net terms over the last month in Queensland.

The reality is that there are now 142,000 reasons why every member of this government is utterly determined to provide support to the Queensland economy, because that is the number of people in Queensland who are on the unemployment queue. That is the challenge before us. There are 142,000 reasons why each and every member of this government believes absolutely that we must maintain our resolve to fund a building program, to support jobs, to support the economy, to support the regions of Queensland that are so reliant on that public spend in order to maintain their head above water. That is why we as a government remain determined to support and facilitate the development of an LNG industry. That is why we as a government are determined to implement our reforms for apprentices and trainees and gain the opportunity for young people to re-enter the labour market—to ensure we have the skills that we need for the upturn that surely must follow.

Earlier this week the Reserve Bank made its move. It was a matter of great debate as to whether the timing is correct. What everyone understands is that the challenge is still before us. The numbers today reflect that the challenge is certainly before us as a state. This government's response is to redouble our efforts and to redouble our resolve.

**Mr SPEAKER:** Order! Before I call the member for Clayfield I point out to the House that question time, because of its late start, will cease at 11.35 am. I call the honourable member for Clayfield.

## Jobs

**Mr NICHOLLS:** My question is to the Premier. Before the election the Premier promised Queenslanders she would create 100,000 extra jobs. ABS figures out today show that Queensland's unemployment rate has jumped from 5.5 per cent to 6.3 per cent seasonally adjusted. With another 19,000 Queenslanders joining the unemployment queue in the last month alone, will the Premier now admit that she perpetrated a cruel hoax on the people of Queensland with Labor's false and fabricated jobs promise?

**Opposition members** interjected.

**Mr SPEAKER:** Order! Premier, we will wait until we get order in the House. I call the honourable Premier.

**Ms BLIGH:** As the Treasurer has said, we understand that unemployment is a very difficult thing for those people who are facing it. This government's resolve to create jobs is as strong as ever—in fact stronger. We took to the election campaign the single most important economic stimulus to create and protect jobs that is available to a state government—that is, a multibillion-dollar building program. We have protected that program in the most difficult of economic circumstances.

The employment data today actually paints a very mixed picture. Yes, in trend terms we have seen unemployment climb slightly in Queensland, but this is a percentage of people who are looking for work. What we have actually seen now is the participation rate start to increase and there have been 600 new jobs created in Queensland in the last month—600 jobs created.

We need to do more. We need to see more of that happening. I hope that what this data tells us is that more people participating in the labour market in fact signals a return of a degree of optimism, and I think that is important for investor confidence. What we know is that we took to the election a strategy that, in the face of the worst global recession in three-quarters of a century, would see our side of politics intervening in the economy and investing in job-creating building programs, as governments around the world were doing. What our opponents took to the election was, firstly, a denial that there even was a global recession happening and, secondly, a view that in that global recession they should cut public spending.

Not only did they deny that a global recession was happening anywhere; they took the view that they should cut public funding. One only has to look at their conservative colleagues in Western Australia to see what that means. It had the same policy, and yesterday we heard that at the Royal Perth Hospital more than 400 jobs are being lost. What sorts of jobs? Jobs in cancer treatment and jobs in neurology. So brain surgery and cancer treatment are being cut. That is what Queenslanders would have seen under the policy taken to the election—fewer doctors, fewer nurses, fewer teachers, fewer road builders. Under this government we will have more people employed in the public sector and we will have more private sector employment because of our building program.

### **Camp Hill Police Station**

**Mr KILBURN:** My question without notice is to the Minister for Police, Corrective Services and Emergency Services. Can the minister please update the House on the replacement of the Camp Hill Police Station?

**Mr ROBERTS:** I thank the member for the question and for his continued efforts in lobbying for that new police station. While I am on my feet, I want to acknowledge the member who asked the question and indeed all members for their support for the Queensland Fire and Rescue Service urban search and rescue teams who are serving in Sumatra and Samoa and advise the House that a 36-member team will be returning from Sumatra to Brisbane later today.

The replacement of the old Camp Hill Police Station, which is currently housed on Old Cleveland Road and houses 26 officers, was a commitment of the Labor government in the election of 2006, and I am very pleased that we are now able to deliver on that commitment. One of the issues of which the member is well aware which he inherited since being elected at the last election was the difficulty in securing an appropriate piece of land for that station, and the member had me in his electorate examining the alternative sites and I do thank him for drawing those particular problems to my attention. I also need to acknowledge in resolving this matter the efforts of the Brisbane City Council and particularly the Lord Mayor, who also worked with the Queensland Police Service to secure the block of land that we will now build the new station on. I again acknowledge the member for Chatsworth for his continued support and advocacy for that project.

The new station is required due to the government's continued increase of police resourcing across Queensland. Police numbers have increased significantly, particularly in the south Brisbane district. Police numbers have now outgrown the existing station and those officers will move into a greatly enhanced facility at this new location. Indeed, in terms of the south Brisbane district, over the last five years numbers have increased by 20 per cent from 389 to 468 officers over that period. The new station, which is due for completion next year, will provide a modern policing environment for those officers who are assigned to the station. Importantly, it will also include a major incident room which will be a great improvement on the old station. That incident management room is useful not only for police emergencies but also, if required, for natural disaster emergencies which might occur in the region.

As I told the House yesterday, over the past six months, along with this station, which has now been announced, there have been a number of stations completed. In fact, I have announced the completion of six new stations and a communications centre. I have opened new stations at Ayr, Holland Park, Mount Morgan, Burpengary, Sippy Downs, stage 1 of the Fortitude Valley station and also the north coast joint communications centre. In the coming months I will be opening new stations at Crestmead, Whitsunday, Ravenshoe, Port Douglas and Carseldine.

*(Time expired)*

### **Public Hospitals, Disposable Food Containers**

**Mr McARDLE:** My question is to the Minister for Health. Given that the minister is more interested in posing for photos than caring for patients, will he advise why there are patients in the Princess Alexandra Hospital being given polystyrene food bowls like the one I am holding up? Is this symbolic of the health system in Queensland under Labor—dangerous and impossible to get into?

**Mr LUCAS:** I am happy to make some inquiries in relation to that matter and get back to the honourable member with respect to it. I do not know the circumstances upon which he is claiming this—whether he is claiming this in relation to people, for example, who are in beds, whether it is people who are in cafeterias or whether it is people in various circumstances. I am more than happy to make those inquiries as to whether it is appropriate in the circumstances, what happens in other facilities and what happens in the private sector. The honourable member would know, for example, that one of the things that is an important factor when it comes to serving people in hospitals and the like is the efficiencies of doing that. Why is that important? Because no-one more than members of the opposition spent their time at the last election criticising support staff in relation to hospitals. Those opposite would rather get rid of people than look for other efficiencies. Frequently in our health system—

**Opposition members** interjected.

**Mr LUCAS:** Can I just tell you guys: one thing I do not need here is a script to deal with intellectual Neanderthals like you. One thing I say to myself every day when I come in here is that since 1989 you have failed to be able to develop any policies. I have never, ever seen—

**Mr SPEAKER:** Order! The honourable member will direct his comments through the chair.

**Mr LUCAS:** Yes, Mr Speaker. I have never, ever seen a group so deficient and so unable to develop policies. We had a shadow health minister who developed a policy for mental health that did not have working people doing the patient records. That is what he proposed. Honourable members opposite would also know that frequently in hospitals disposable items are a critical aspect of ensuring hygiene and safety in relation to items and equipment. I will make inquiries in relation to this. But is it not interesting at the moment—

**Opposition members** interjected.

**Mr LUCAS:** It is interesting to note that the Premier is going away. Let us have a look at what happened last time the Premier was away in terms of spokespersons by volume for the week of 27 September. The Deputy Premier had 1,022 media items that week. Lawrence Springborg, the deputy leader, had 240 items that week. John-Paul Langbroek, the leader, had 111 items that week. There were double the number of matters in the press that week that the Premier was away from the deputy leader. Time and time again he is usurping you—

*(Time expired)*

### **Bruce Highway Upgrade**

**Mr WELLS:** I address my question to the Minister for Main Roads. I refer to the fact that motorists who use the Bruce Highway between Caboolture and the city are beginning to report the benefits of the upgrade of the Bruce Highway. Will the minister tell the House what improvements motorists will experience as they travel this busy stretch of road?

**Mr WALLACE:** I thank the honourable member for Murrumba for the question. He is a keen advocate for his constituents and a keen advocate for improvements on the Bruce Highway, and this is more good news for our roads right across the state. The Department of Transport and Main Roads started construction of the \$198 million project to upgrade a six-kilometre section of the Bruce Highway from four to six lanes between Uhlmann Road and Caboolture in late 2007.

The upgrade of this stretch is progressing well, with just some finishing touches expected to be completed over the coming weeks, weather permitting. This project is the final stage of the federal government's \$385 million to upgrade the Bruce Highway from four to six lanes from the Gateway Motorway to Caboolture. The member for Pumicestone is a keen advocate for those roadworks. She knows just how important they are as well.

We are working with the Rudd government to deliver a brighter future for Queenslanders. This final upgrade will improve transport efficiency, traffic flow and safety in the region and accommodate for a continued growth in one of the fastest growing areas of our state. It will significantly reduce travel time for the many motorists who commute between Caboolture and the city or the Sunshine Coast and the city every day.

This upgrade includes widening the highway from four to six lanes between Uhlmann Road and Caboolture, a major upgrade of the Caboolture-Bribie Island Road interchange, including the installation of traffic signals, the provision of an antithrow screen and dedicated pedestrian and cyclist facilities; widening the Captain Whish Bridge over the Caboolture River from two to four lanes in each direction; upgrading the highway access at the Buchanan Road interchange and Uhlmann Road interchange and the BP service centres; and the installation of wire rope median barriers to reduce the potential for cross-median crashes.

The southbound carriageway of the highway south of the Caboolture River was opened to three lanes early last month. Widening work on the northbound carriageway to the northern side of the Caboolture River has been completed, with three lanes open to traffic last week. Final asphalt surfacing will be completed in conjunction with works for the nearby Caboolture-Bribie Island Road upgrades.

As the finishing touches are applied to this project, I once again thank all road users for their patience during the construction period. It is important that road users right across the state remember that, with a record program underway in this state—\$3.53 billion worth of work; \$18 billion over the next five years—they should be very careful around roadworks and they should obey traffic signals from traffic workers. They are good men and women who put their lives at risk in certain circumstances to keep our roads safe.

**Mr Dick** interjected.

**Mr WALLACE:** Again, I make a plea to motorists—and I take the interjection from the Attorney-General; he is only too well aware of some of the risks that traffic controllers put themselves at in keeping our roads safe—to please be careful, obey the traffic signals and, importantly, obey the direction of the traffic controllers.

### Social Housing, Open Space

**Mrs MENKENS:** My question is to the Minister for Community Services and Housing and Minister for Women. Will the minister explain why her department has allocated the Caboolture cemetery as the open space for the public unit complex to be constructed in King Street, Caboolture? By doing so, is the minister accepting that this type of open space is all her public housing tenants are worth?

**Ms STRUTHERS:** I thank the member for the question. As she knows, two of the great loves in my life are housing and my son—maybe not in that order—

**Ms Jones:** Alex first.

**Ms STRUTHERS:** Probably Alex, depending on how grumpy he is in the morning. I find it interesting that the member would ask me a question about public housing—

**Mrs Sullivan:** When they don't want any.

**Ms STRUTHERS:** That is exactly right. I take that interjection, because I am just amazed at how many members on the opposite side of the House are involved in some kind of objection to social housing in their local area.

The member knows that it is Labor governments that have had a strong position on social housing. It is Labor governments that have worked together to bring about one of the biggest investments in social housing ever in this state, ever in this country. It is Labor governments that are rolling out the biggest ever investment in housing for seniors and housing for people who need it the most. We are rolling out projects right across the state. As we stand in this House today, we are seeing 900 dwellings under construction. We have projects in Caboolture, we have projects at the Gold Coast, we have projects in Cairns and we have projects in Western Queensland and in Rockhampton.

Yesterday morning I met with housing institute professionals for breakfast. What did they say to me? They said that one of the biggest issues that we are facing is the nimby syndrome. Members have heard me talk about that before: not in my backyard. The opposition is focused on opposing our social housing program.

Every morning when I wake up I go to work and I am working with positive people in the department of housing, positive people in community groups around this state who want to roll out more social housing. What does that mob opposite do? That mob opposes it. The member for Cleveland does not want social housing in his area—'Not in my area.' The member for Surfers Paradise—'Not these houses, not in this area. Surfers Paradise? Not in this area.' Does the member for Clayfield want social housing in his area? No. The member for Southern Downs has a wonderful project in Dragon Street in Warwick. Does he want social housing in his area? No. He does not want social housing in his area.

It disturbs me greatly that we have one of the greatest opportunities at the moment to roll out social housing right across this state. What do the members opposite do about it? They oppose it. I think what underpins that opposition is that the opposition really wants to privatise all housing. It does not really want us to have a public housing program.

*(Time expired)*

### Regional Courthouses, Technology Upgrades

**Mrs SCOTT:** My question is to the Attorney-General and Minister for Industrial Relations. Can the Attorney-General update the House on how technology upgrades in regional courthouses are helping protect vulnerable witnesses?

**Mr DICK:** I thank the honourable member for the question and particularly for her advocacy of justice issues in her electorate and throughout this state, particularly for the disadvantaged, the marginalised and the vulnerable. Regional courthouses will feature state-of-the-art technology when

videoconferencing systems are installed this year. More than \$600,000 is being spent on upgrading the Gladstone, Bundaberg, Gympie and Kingaroy courthouses. I know that the people of Kingaroy will be particularly interested in hearing the good news that this government has for the people of Queensland.

The courtrooms used for District Court sittings will be upgraded so that they will have full videoconferencing facilities. Mobile videoconferencing facilities will also be installed so that videoconferencing can be used in other courtrooms. Vulnerable witness suites will also be upgraded. These suites are separate rooms that enable child witnesses and sexual assault victims to give evidence without having to come face to face with the accused. That will help reduce the trauma and intimidation that vulnerable witnesses face when giving evidence.

Videoconferencing technology provides many advantages to the courts, including helping to improve access to justice—one of the key measures that this government seeks to implement throughout Queensland. The equipment can enable witnesses to give evidence from remote locations, reducing delays and improving the efficiency of our courts. In regional courthouses this technology will be particularly useful in improving the efficiency of proceedings. It can also help eliminate the need for children who are victims of crime to have to confront the accused person in open court. In some instances, these witnesses are able to prerecord their evidence.

The Bligh government's delivery of this upgrade is part of Queensland's commitment to a fair, modern and progressive justice system—a justice system that provides improved access for some of the state's most vulnerable witnesses, including children. These upgrades are part of a state-wide rolling program of investment in courtroom technology. State-of-the-art technology is now being used in more than 250 courtrooms throughout Queensland and equipment will be replaced or upgraded at 15 courthouses during the financial year.

In addition to the regional upgrades, \$1 million will be invested in upgrading and standardising audio and video equipment in the Brisbane Magistrates Court, including upgrades in 24 courtrooms and four vulnerable witness suites. This is a government that is delivering services for Queensland, delivering infrastructure for Queensland, delivering improvements for Queensland and delivering better justice for Queensland, and for all Queenslanders. This is a government for all Queenslanders, particularly the investments that we are putting into regional and rural Queensland—areas that are represented by members of the opposition.

We are progressing Queensland, we are modernising Queensland, we are moving Queensland forward, unlike those members opposite who are rooted in the past by inclination, by design and by orientation, which was evidenced by the baseless and ridiculous arguments we had last night over a speech and an argument that was based in the past.

*(Time expired)*

### **Gladstone Base Hospital, Oncology Services**

**Mrs CUNNINGHAM:** My question without notice is to the Minister for Health. Can the minister clarify progress on providing enhanced oncology services to public patients at Gladstone Base Hospital?

**Mr LUCAS:** I thank the honourable member for the question. During the last sitting week I met with the member for Gladstone about this matter. The ability to treat the maximum number of oncology patients in the member's local community is a matter of obvious concern to her. I will make a couple of preliminary comments about it. First of all, it is really important to understand that in a state as diverse as Queensland we need to have what one calls a hub-and-spoke model when it comes to provision of medical services. That does not mean that all of the hub is in Brisbane and all the spokes are outside of Brisbane. In fact, the opposite is the case. They call hospitals 'base hospitals' for a reason. They are hubs for other spokes.

We desire to increase and have been increasing our services in relation to regional Queensland cancer treatment. The more that we can do that, the more convenient it is for the people. Of course there are certain cancers, for example head and neck cancers, for which, no matter how large regional oncology centres are, one needs to go to Brisbane to receive treatment. Having said that, in the past we have had difficulties in recruiting an oncologist to Gladstone. One needs to understand that in relation to these matters Gladstone is primarily serviced from Rockhampton. The last thing one would want to do in any regional centre is have two regional centres with less than critical mass for the provision of those services. The appropriate situation is to have a hub and a spoke.

The honourable member and I talked about how we might facilitate better interaction between what happens in Rockhampton and what happens in Gladstone. I do not think that is an unreasonable point at all. It may be that with modern technology we can facilitate that. I gave the honourable member an undertaking that I would go to Gladstone. In fact, I was scheduled to go this week but it was not convenient to her. I did want to make it a time that was convenient to her so that together we can talk with people about those oncology issues. I am more than happy to do that.

The Minister for Public Works and I opened the Queensland Cancer Fund housing in Rockhampton that is specifically for the purpose of providing housing for people who have to travel to Rockhampton for cancer treatment. That is not so much a Rockhampton issue, as I said earlier in the week; it is an issue with respect to those regions it services.

The honourable member has put this fairly and squarely on the radar. It is an issue that we need to work through. As our agreement with the visiting medical officers acknowledges, one of the great challenges in regional centres is where there is only one or two specialists in an area and as a result it is particularly tough on them because they are on call far more often. It is those lifestyle issues far more than remuneration that are the real problem in terms of their recruitment and retention. That is something that needs to be a priority in the future.

### Road Rules

**Mrs KEECH:** My question is to the Minister for Transport. Can the minister advise the House of the new road rules for safer Queensland roads that will be commencing shortly?

**Ms NOLAN:** I thank the member for Albert for her question. This is an area in which she maintains a very strong interest. That is enormously commendable. Tragically, today Queensland's road toll stands at 274 people having died on the roads throughout the course of the year. That is 21 higher than for the same period last year. I have made it clear that I have two views in relation to road safety: the first is that this is an area that requires constant vigilance; the second is that, because in this field what we are fundamentally trying to do is create behaviour change on the part of all people on our roads, there has to be a very strong evidence base to the policy changes that we make. We have to convince people that the changes we make are happening for good reason. That is what is happening here.

I am pleased to advise the House that from this Monday, 12 October a series of changes to Queensland's road rules will come into force. From Monday it will become an offence to drive with a passenger of any age without a seatbelt. The driver will risk a fine of \$300 and three demerit points for doing so. Research has shown that wearing a seatbelt or a child restraint can improve a person's chances of surviving an accident by up to 50 per cent. It is nonetheless still the case that many Queenslanders die in road accidents every year quite simply because they are not wearing a seatbelt. As a result, the law is becoming more firm in that regard. It will become the responsibility of the driver to ensure that all of their passengers are wearing a seatbelt, with \$300 and three points being the possible fine.

There are other changes to road rules from Monday, including making it illegal to do a U-turn over a single continuous line or to drive with fog lights during the day and when there is no fog. It will become illegal to ride a wheeled recreational device such as a skateboard on the road at night. This is a comprehensive package of changes.

These road rules are strongly evidence based. They are consistent with a national package of reform. I urge Queenslanders to make themselves aware of this package of change. The changes come into force from Monday. They aim very clearly to make all Queenslanders safer on our roads.

## TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL

### First Reading

**Hon. RG NOLAN** (Ipswich—ALP) (Minister for Transport) (11.35 am): I present a bill for an act to amend the Maritime Safety Queensland Act 2002, the Transport Infrastructure Act 1994, the Transport Operations (Marine Safety) Act 1994, the Transport Operations (Passenger Transport) Act 1994 and the regulation under that act, the Transport Operations (Road Use Management) Act 1995, the Transport Planning and Coordination Act 1994 and the Transport Security (Counter-Terrorism) Act 2008 for particular purposes, and to make consequential and minor amendments of legislation as stated in the schedule. 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:* Transport and Other Legislation Amendment Bill [\[1044\]](#).

*Tabled paper:* Transport and Other Legislation Amendment Bill, explanatory notes [\[1045\]](#).

## Second Reading

**Hon. RG NOLAN** (Ipswich—ALP) (Minister for Transport) (11.35 am): I move—

That the bill be now read a second time.

This bill proposes changes to legislation to strengthen the transport sector and contribute to a healthier and greener Queensland. These changes will help achieve our Toward Q2 ambitions. Amendments in this bill will: prevent adverse impacts from transport generated environmental emissions; allow the general manager of Maritime Safety Queensland to direct the master of a ship; allow a person who would otherwise be disqualified to hold a driver authorisation in exceptional circumstances; provide a trial for transport inspectors to undertake enforcement of high-occupancy vehicle lanes; and make minor changes to ensure delivery of the government's transport infrastructure program and to improve or clarify legislation.

The bill proposes amendments to the Transport Infrastructure Act 1994 and the Transport Planning and Coordination Act 1994 to ensure environmental emissions generated from transport infrastructure do not adversely impact the health and amenity of our community or the operational integrity of Queensland's transport system.

As land use patterns change and development surrounding public transport infrastructure intensifies, it is paramount that measures to mitigate impacts on environmentally sensitive development, such as housing and education facilities, are integrated into development to ensure community health and wellbeing. Complaints regarding environmental emissions from public transport can result in more stringent operating conditions that may reduce the operational integrity of the transport network. Where the operational integrity of the network is compromised, so is the quality of service provided to Queenslanders.

In many cases complaints are made by landowners who have purchased property adjacent to public transport because of the convenient access to transport services. Some of these people then begin to complain about the public transport services because of the noise, vibration or light that is emitted from these services, in behaviour typically associated with the not-in-my-backyard mentality. Much of the land surrounding public transport corridors was developed before knowledge about the adverse impacts of environmental emissions on community health and amenity was advanced. This is no longer the case. We now have a better understanding of potential threats to community health and amenity. Techniques and construction materials for mitigating adverse environmental impacts are understood and readily available for use by the building industry. There is no reason for land to be developed without taking measures to mitigate adverse environmental emissions from public transport.

The amendments to the Transport Infrastructure Act 1994 and the Transport Planning and Coordination Act 1994 will enable the Department of Transport and Main Roads to utilise the integrated development assessment system framework to place conditions on specified development on land affected by environmental emissions from public transport. The department will be able to ensure development conditions mitigate impacts on the health and wellbeing of the development's occupiers and users. This will help to reduce community complaints regarding environmental emissions because new developments will be designed and constructed with community health and amenity in mind. When a person buys a property with the knowledge that the development was designed and constructed in compliance with the exposure limits, it is unreasonable for them to complain about everyday emissions from public transport.

Further amendments to the Transport Infrastructure Act 1994 will extend the same powers to apply to emissions from freight rail and ensure we can protect the safety of Queensland's ports and their neighbouring communities. The amendments will provide the department with the power to ensure development near a port does not adversely impact the port and that development addresses risks posed to the health, safety and amenity of the community. The amendments also add a new requirement to ensure that the construction and operation of all government supported transport infrastructure is carried out in a way that reduces impacts on the environment.

Practices, management strategies and benchmarks developed in Queensland and Australia will be recognised as best practice approaches for addressing issues related to the construction, maintenance and operation of transport infrastructure. The amendments reaffirm the government's commitment to environmentally responsible infrastructure and development.

The government is serious about ensuring a high level of maritime safety and guaranteeing protection for Queensland's marine environment. The bill will amend the Transport Operations (Marine Safety) Act 1994 to enable the general manager of Maritime Safety Queensland to direct the master of a ship to navigate or operate the ship in a specified way.

**Mr Messenger** interjected.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Member for Burnett, not only are you out of your seat, you are also disorderly. The transport minister has the floor.

**Mr MESSENGER**: I rise to a point of order. I find that the transport minister is wasting time this morning. In the spirit of cooperation she could table that speech so there is enough time—

**Mr DEPUTY SPEAKER**: Order! That is not a point of order. Please take your seat. The transport minister has the call.

**Ms NOLAN**: A related amendment provides a power to direct a person in charge of a place to allow the ship to be berthed there and grant access to the ship. Maritime Safety Queensland will be able to better manage the operation of ships in exceptional circumstances when the public interest requires it, for example, in a similar situation to that experienced earlier this year with the arrival of the cruise ship *Pacific Dawn*. Honourable members will recall the *Pacific Dawn* entered Queensland waters carrying passengers and crew affected by the H1N1 virus, commonly known as swine flu. However, at that time no regulatory provisions were available to expediently deal with the ship. The proposed amendments ensure that the next time Queensland is faced with such a situation it is adequately empowered to do so.

I stress that these powers can only be exercised in exceptional circumstances when the exercise of the power is clearly in the public interest. These powers will be utilised in circumstances such as a health crisis or a natural disaster when the public interest demands it.

Transport legislation contains provisions to prevent people convicted of particular crimes from receiving an authorisation to drive a public passenger vehicle. These provisions were first introduced in 1994 and have been amended over the subsequent 15 years. In the intervening period, the government has introduced the blue card system for regulating child related employment and ensuring the protection of children and young people. As the transport provisions and blue card provisions were introduced at different times, there are some inconsistencies. These amendments seek to bring transport legislation into line with the blue card legislation as far as practical.

The amendments mean that a person convicted of a category A offence who is under 17 at the time of the offence will be eligible to apply for driver authorisation as these offences will now be considered category B offences. For category B offences, the chief executive must refuse a person's application or suspend or cancel a person's driver authorisation unless the person can demonstrate to the chief executive's satisfaction that an exceptional case exists. If the application is rejected by the chief executive, the applicant has the right of appeal.

In making the decision, the Transport Operations (Passenger Transport) Act 1994 makes provision for the Commissioner for Children and Young People and Child Guardian to advise the chief executive on whether the commissioner considers that an exceptional case exists. In such a case, the chief executive must take the commissioner's advice into account. This amendment provides an individual, in these circumstances, with the natural justice process while still maintaining a high level of protection for the travelling public. Members would no doubt agree that this amendment provides the right balance in ensuring the community has safe and secure public transport while allowing individuals to have their individual circumstances reviewed in determining whether they should be allowed to drive public transport vehicles.

Another significant amendment provides for a trial to be conducted in 2010 of additional powers for transport inspectors to undertake enforcement activities for high-occupancy vehicle lanes. This government wants to ensure that high-occupancy vehicle lanes are being used as effectively as possible to contribute to a sustainable transport system for South-East Queensland. Ensuring the efficient operation of our transport network is a key element of the government's congestion management approach.

By using our existing network more efficiently, we can make great gains in reducing the impact of congestion. That is why this government is taking the innovative approach of trialling giving transport inspectors additional powers to enforce high-occupancy vehicle lanes, such as T2 and T3 transit lanes and bus lanes. When used properly, high-occupancy vehicle lanes offer improved travel time and greater reliability for members of the community who choose a green travel option, such as car-pooling or catching a bus. Unfortunately, some road users are continuing to ignore the restrictions that apply to high-occupancy vehicle lanes.

Currently, only police officers have the legislative powers necessary to undertake enforcement of high-occupancy vehicle lanes. This government is taking a new approach by introducing a trial of additional powers for enforcement of transit and bus lanes by transport inspectors. The aim of the trial is to deter misuse of high-occupancy vehicle lanes by an additional on-road enforcement presence.

The amendments in this bill give transport inspectors additional powers to allow them to stop private vehicles that are unlawfully using high-occupancy vehicle lanes during the trial. Transport inspectors are a highly visible and experienced presence on our roads. Through their work with heavy vehicle management and vehicle safety, they are already an important part of a safe, well managed road system.

At the end of the trial period in 2010, the government will consider the results of the trial with a view to making a decision about whether to make the powers ongoing. If the trial is successful in combating traffic congestion, the government will continue these powers. These amendments form another part of the government's commitment to tackling the problem of congestion. They are an important part of creating a healthier, greener and stronger transport system and helping create tomorrow's Queensland.

In 2007, the Transport Operations (Passenger Transport) Act 1994 was amended to provide for secure taxi ranks, supervised by rank marshals and security guards in Brisbane and regional locations. Secure taxi ranks have proven to be very successful in ensuring the quick movement of late-night revellers from entertainment precincts. Marshals and guards at secure ranks reduce the risk of incidents and increase the feeling of safety for patrons and taxidriviers. This has direct benefits for the taxi industry as a whole by increasing public confidence in taxi services and thereby increasing patronage.

The amendments in 2007 also introduced a taxi industry security levy for taxi service licence owners to fund secure taxi ranks. The legislation requires taxi service licence holders in areas where a secure rank is operating to pay an annual levy. The levies paid by taxi service licence holders contribute around 40 per cent of the cost of running the secure ranks, with the Queensland government meeting the remainder of the costs.

The Department of Transport and Main Roads currently pursues nonpayment of the levy through the court system. This is time consuming and costly for the department. These amendments will allow the department to suspend or cancel the taxi service licence for nonpayment of the levy. It is important that the department is able to effectively recover debts from nonpayment of the levy to ensure that all taxi service licence holders in areas where a secure rank is operating contribute equally towards the ongoing and successful operation of the rank.

This bill proposes amendments to the Transport Infrastructure Act 1994 to relocate the authorised officer's appointment and powers currently contained in three waterways management plans. The relocation of these powers to the Transport Infrastructure Act 1994 will achieve consistency with other transport legislation by: automatically recognising a police officer and inspectors appointed under the Fisheries Act 1994 as an authorised officer for enforcement purposes of a waterways management plan; and reflect contemporary drafting standards by enabling these authorised officer's powers to be open to greater scrutiny.

The bill also amends the Transport Security (Counter-Terrorism) Act 2008 to define 'law enforcement agency'. This ensures the chief executive's capacity to apply, in Queensland, information relating to transport security obtained from other jurisdictions is clear. Finally, the bill amends the Maritime Safety Queensland Act 2002 to remove a redundant requirement for the general manager to prepare a strategic plan and amends references to individual port authorities in the Transport Infrastructure Act 1994 to reflect name changes under the Corporations Act 2001. I commend the bill to the House.

Debate, on motion of Ms Simpson, adjourned.

## GAMBLING AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 7 October (see p. 2640), on motion of Mr Lawlor—

That the bill be now read a second time.

**Mr RICKUSS** (Lockyer—LNP) (11.48 am): I will make my comments to the Gambling and Other Legislation Bill 2009 very brief. It is disappointing that this bill has been guillotined.

The Gambling and Other Legislation Amendment Bill was last before the House back in 2008. The minister in charge at that time—the Treasurer—mentioned that Gambling Research Australia was conducting research into these bills and some of the problems associated with gambling. I have looked at the website of the Gambling Research Australia Ministerial Council on Gambling. It contains a report entitled *Reported gambling problems in the Indigenous and total Australian population*.

I encourage the minister to look at this report. It is quite horrifying. Page 57 of the report highlights the fact that 37 per cent of the Indigenous population in Queensland in remote areas have a problem with gambling while 14 per cent of the total Indigenous population have a problem. I would like the minister to make some comments on this. It is quite horrifying. I encourage all members to go to the Gambling Research Australia website and look at some of the research documents that are there. It is quite amazing what research is being done.

As for card based gaming, I mentioned in a 2008 speech that I think some of the gambling venues could do a lot more with card based gaming. They have cards for winning points and winning prizes. Surely this area could be involved in responsible gaming. They have the cards there. Surely they can tell people when they have gambled \$100 or \$200, because they are recording it for their own purposes anyway. Let us improve this card based gaming so that it is involved in responsible gaming as well. I mentioned that in 2008 and I mention it again now. I feel that some of the venues could do a lot more with card based gaming. They could flag timed breaks or, if a patron has lost \$100, they could flag, 'Do you realise you have lost \$100?' et cetera. I feel that more needs to be done by these people in terms of responsible gambling because they are making quite a good amount of money out of these machines.

As for transferring machines between clubs, I honestly do not know how that is going to work. Are we going to end up with a disaster like the old quota system in the dairy industry, where people will end up paying ridiculous amounts of money to get the machines back to their clubs? There are some questions that need to be asked about that transfer system. Let us face it: Woolworths and Coles are the big operators of gaming machines. The Queensland Hotels Association will always carry on a bit, but Woolworths and Coles are the big operators. They have 3,000 or 4,000 machines each, or something like that. It is not as if we are trying to protect some of the poor little pubs that have half a dozen gaming machines. Woolworths and Coles are the big operators. Unfortunately, the way I see it, they will become bigger operators with this system.

**Mr Messenger:** Three minutes.

**Mr RICKUSS:** Yes, Mr Whip. With those few words, I encourage people to look at the Gambling Research Australia website because there is some good documentation there. Managing gaming machines in clubs is going to be a nightmare. I do not know how they are going to do it. I can see it being like the dairy quota situation all over again.

**Mrs CUNNINGHAM** (Gladstone—Ind) (11.52 am): I add my disappointment that this bill has been guillotined. Gaming and gambling have been identified as a problem in the community for a small number of people and the bill deserves full discussion.

Following on from the member for Lockyer on the issue of capping machine numbers, let us be honest: the hotel industry has had capping for six years and this brings clubs into line, but I can see that small clubs, such as bowling clubs and small groups that operate particularly in rural and regional Queensland, could be disadvantaged. I would be interested in the minister's comment as to how the impact of perhaps escalating machine prices and the transfer cost of a machine licence from one club to another could be ameliorated so as to not disadvantage some of these small clubs who may only want to move from six machines or three machines to 10. I am not a big gambler myself, but I do know that these small clubs look forward to having a small number of machines in order to enhance their income and to provide recreation for their members.

I welcome the ability for P&Fs attached to private schools to undertake art unions. To be honest, I did not realise that that inequity existed. I am sure that a number of schools that wish to fundraise through that avenue will welcome that change.

The changes to the racing industry will assist the racing control bodies to protect the integrity of the Queensland racing industry by giving the control bodies the power to obtain information from the holder of a race information authority. My only comment on that is that Queensland Racing has significantly disadvantaged rural and regional Queensland racing. The Calliope Jockey Club has one race. It will not be providing too much information. The Gladstone Turf Club, which has worked tirelessly to improve its facilities, keeps having its number of meetings reduced through the activities and the actions of one or two senior members of Queensland Racing. I would hope that these changes highlight to the Queensland Racing board the damage that it is doing to rural and regional racing. It is vitally important that rural and regional turf clubs are assisted and enhanced rather than crippled by what Queensland Racing is doing at the moment.

There are also amendments to the Residential Services (Accreditation) Act to clarify and provide certainty for the aged rental scheme sector. But, because this bill has been guillotined and I think democracy has been done a disservice, I will not speak on that. I will give time for others to speak.

**Mr SHINE** (Toowoomba North—ALP) (11.55 am): Likewise, I will abridge my remarks and restrict them to those matters that are raised in the foreshadowed amendments that have been circulated in the context of how they relate to conditions that operate in Toowoomba. In recent times constituents have come to me complaining about the proposed extension of hours for hotels in particular, especially the extension of hours to 3 am or 5 am. Constituents are complaining about an increase in unacceptable drunken public behaviour—vomiting and urinating in the main streets—and damage to private and public property seems to be on the increase, as well as incidences of violence.

Toowoomba is not a city that you would compare in terms of tourist attraction with places like Cairns or the Gold Coast. Nor would you compare it with, say, Fortitude Valley in terms of night-life. I personally do not believe, therefore, that we need hotels to be open till 5 am or even 3 am. I personally

believe that, in this day and age, 2 am would be a sufficient time limitation for operation in Toowoomba. Nevertheless, there are currently establishments in operation that do have licences for longer hours. As I said, there have been a number of incidences creating concerns in the community.

I commend the activities of a group of concerned persons—mainly Michael Maguire, Chris Meibusch and Dan Toombs—who, out of their own pockets, have been running a campaign to oppose the extension of hours that has been foreshadowed. I would like to table information that they have put out in the public arena—a brochure entitled *Join us to say no*—with respect to a public meeting on 25 June 2009 and a brochure entitled *We've won!* with respect to the recent announcement by the government about the moratorium and so on.

*Tabled paper:* Brochures from South Queensland Law regarding extended trading hours [1046].

These people have, as I said, out of their own pockets, expended a large amount of money because of their concerns for the welfare of the people of Toowoomba.

Likewise, the Toowoomba *Chronicle* has taken up the issue. Only yesterday we saw in the *Chronicle* an article concerning the decision to ban glass and the proposals in relation to glassing. There were three graphic photos in the Toowoomba *Chronicle* yesterday indicating some horrific injuries to people. Finally, I quote from the editorial in yesterday's *Chronicle*—and I commend the editor for his remarks—

There also is an initial extra cost involved if hotels are forced to change to tempered glass.

But the inescapable fact is that glassing has the potential to maim for life or even kill.

And if potential weapons are removed from situations where glassing can occur then that is something which would be seen by the community as desirable.

Shocking pictures in The Chronicle and in every other news organisation in Australia leave no doubt as to the horrific injuries which can be inflicted in this sort of gutless attack.

Anything that can be done to stop glassing must be encouraged.

I table that editorial.

*Tabled paper:* Article in The Chronicle, dated 7 October 2009, titled 'Stamp out glassing' [1047].

**Mrs SCOTT** (Woodridge—ALP) (11.59 am): I rise to make a number of comments on the Gambling and Other Legislation Amendment Bill 2009. I should at the outset declare my personal concern for those in my community who have a gambling habit. While people use statistics on the amount of money gambled in the Logan area, it should be remembered that a massive club the size of our Greenbank RSL draws its members from a very wide area. I have tensions that arise between my desire to protect the vulnerable from feeding money into poker machines and, indeed, into all forms of gambling—because gamblers usually have multiple forms of gambling—and the more positive aspects of club life, and I do want to acknowledge those.

There are many in my community who enjoy the social aspects of visiting our larger clubs to meet with friends, enjoy a meal, music, maybe a show and may have put aside \$20 or so to play the pokies. They gain a great deal of enjoyment from this and I believe the social aspect to be very important. Many of our clubs are important sporting organisations and encourage junior sports, with thousands of youngsters and families participating in healthy activities and often producing athletes with great potential.

Our clubs also provide a great deal of employment, training for many of our young people and, in the case of my own clubs, contribute substantial funding back into our community. The Gambling Community Benefit Fund also assists many of our community organisations including P&Cs, sporting groups and NGOs to upgrade facilities and provide much needed equipment.

Having established that there are many good aspects to our clubs in our communities, I believe this legislation offers additional safeguards and places additional responsibility on the operator. We have for some time had provision for people to be excluded from clubs and even to self-exclude. It will now be a fineable offence if a club distributes material to these persons promoting any form of gambling. Clubs and hotels are now required to train all relevant staff in the responsible service of liquor, and there will now be a similar regime to deal with gambling. Staff will need to be alert to ensure responsible gambling practices in their venue. However, a serious gambler need only turn on their computer these days and they are able to lose their home and every cent they own in the privacy of their own home.

Similar to alcoholism and drug addiction, gamblers need professional help. Relationships Australia are active in our clubs and are there to work with people and their families to assist, but the gambler needs to recognise they have a problem. Tass Augustakus from Family and Kids Care Foundation in Kingston has great skills and has helped many people of all ages to deal with habits of addiction, as do many other organisations such as Lifeline, the Salvation Army and ADRA.

I am particularly pleased to see in the bill the provision to clarify the status of aged rental scheme homes to be covered under the Residential Services (Accreditation) Act. I have a number of complexes in the Woodridge electorate operating in this way—that is, providing accommodation, meals and personal care in return for up to 95 per cent of a person's pension. If well run, I believe these complexes offer a reasonable service. Those who live in the complex have all their needs taken care of, good social contact with other residents and service providers, and the safety and security of community living. Many people then enjoy life out in the community without too many additional worries. However, over the years my office has received complaints, often concerning the poor quality and quantity of food on offer and sometimes the lack of proper maintenance of the complex. This clarification is welcome, and I commend the bill to the House.

**Mr RYAN** (Morayfield—ALP) (12.03 pm): I rise to contribute to the debate and support the Gambling and Other Legislation Amendment Bill. This amending bill will introduce a number of important and fundamental reforms in the areas of gambling, liquor licensing and racing. These reforms will be warmly welcomed by the people of the Morayfield state electorate because these reforms respond to community concerns about appropriate safeguards in the areas of gambling and liquor licensing. This government is about setting standards, providing safeguards and safety nets, and allowing communities to realise their full potential. This government is about getting the balance right between harm minimisation and having faith in the capacity of members of our community to make responsible decisions about their own circumstances. The amendments contained in this bill achieve that end.

This bill is consistent with the Queensland Labor government's vision for a fair, safe and caring Queensland. The Toward Q2 strategy clearly refers to this vision. The strategy provides that caring for our communities means helping out when it is needed. This bill responds to that vision. In relation to the amendments to the Liquor Act, which will be affected by this bill, the people of the Morayfield state electorate will be pleased to see that this Labor state government is sending a strong message to the operators of licensed premises that the safety of patrons in the local community is an important accompaniment to a liquor licence.

I made particular effort to discuss the proposed amendments to the Liquor Act with members of my community. I would like to specifically thank the members of my local Neighbourhood Watches for their feedback. They, along with all members of my community, will be pleased to see that this amending bill will improve safety in our local communities by introducing reforms in relation to the use of regular and irregular glass, a moratorium on extended trading hours after midnight in suburban areas—like the areas contained in the Morayfield state electorate—and an explicit statement that the objective of harm minimisation must be taken into account when making decisions to grant liquor licence applications.

I would like to conclude my remarks by briefly speaking about the gaming act amendments contained in this bill. Gaming machines were first introduced in Queensland to improve the viability of an ailing club industry. The assistance gaming machines provide to clubs ultimately benefits the community through improved club facilities and supporting charitable causes. I would particularly like to note the contribution made to my community by the Caboolture Sports Club. The Caboolture Sports Club is a not-for-profit organisation that returns support to local sports, schools, local athletes, charities and other community organisations. Last year they gave over \$700,000 to sporting groups and people in my local community.

I would like to commend the community groups that provide support to people with alcohol and gambling problems in my electorate. I would like to particularly thank them for the assistance that they provide to those people. I am pleased to see that this bill will introduce a number of safeguards in relation to community safety for people with gambling issues. I am particularly pleased to see that one of those safeguards, the cap on gaming machines in our local community, will send an important message to people in our community in relation to gaming. It will be particularly welcome by my community. I commend the bill to the House. I commend the minister and the department for their contribution.

**Mr POWELL** (Glass House—LNP) (12.07 pm): I rise to speak briefly to this bill. I am pleased with the progress of the proposed legislation thus far which clearly recognises the potential harm from gambling in the community. I accept that gambling is a source of revenue and therefore encourages industry development. However, we must work towards a balance where, in an attempt to achieve something positive, we do not welcome something that has the ability to be detrimental to society. It is not worth the risk, especially when there are numerous opportunities to create revenue while at the same time create positive development of the individual, family and community as a whole.

I would like to present some brief information which supports this position. Macedon Ranges Shire Council has been quite public in its belief that pokies have an adverse social and economic impact on success in the community. In addition, it says that any benefits of the industry are likely to be outweighed by negative impacts. The Victorian Department of Justice comments that gambling taxation has a flow of income out of the local community which may have the effect of stifling consumer spending and economic activity in the regions affected. This, in turn, would act to reduce employment and increase unemployment in the area.

To take this a step further, where low-income populations and heavy gambler populations coincide in the same geographic area, the adverse social and economic impact of gambling will be heavily concentrated in particular localities. In short, the presence of machines may damage many local businesses by directing funds out of the community. I support the bill's objective of therefore imposing caps on all gambling and entitlements across the state, and applaud the moves to establish a reallocation scheme. I also note that the legislation recognises the harm gambling potentially causes to minors which is a brilliant move. Recognising where minors fit into the system will lead us on to the right path towards reducing the gambling problem.

The explanatory notes suggest that a consistent approach to the regulation of gambling offences related to minors is desirable and I agree. Furthermore, young people should not only be penalised in order to deter them from gambling but should be redirected towards more profitable avenues. I am a firm believer that people, and especially young people, will generally gravitate towards whatever is presented before them. To again cite the Victorian Department of Justice, gambling is simply too accessible. It questions whether it is the number of machines per venue that is causing harm or the convenience of where the machines are available.

As shown in a case study comparing Western Australia with Queensland it was found that Western Australia has restricted its availability of continuous forms of gambling. It does not permit pokies in hotels or clubs and restricts pokies to a single casino site. At the time of the study in 2002 the number of gaming machines in clubs, hotels and casinos in Western Australia was zero, zero and one respectively. This was in stark contrast to Queensland's numbers of 610, 748 and four. Is it therefore any surprise that Western Australia had the lowest rate of problem gambling in all of Australia?

At the end of the day, clubs in my electorate are proving they can be successful and profitable without the need for pokies. I think particularly of the Wamuran Sports Clubs. I hope more and more clubs make the socially responsible decision to avoid pokies and instead provide more positive interactions for the broader community. I commend the bill to the House.

**Mr CRANDON** (Coomera—LNP) (12.10 pm): Some of the purposes of the Gambling and Other Legislation Amendment Bill 2009 are to put a cap on gaming machines in clubs and reallocate gaming machines and to make it an offence to direct promotional material to excluded persons. There must be a balance between encouraging sensible industry development and promoting harm minimisation and protection for the community.

Gambling is a serious social issue. It is noted that revenue is not proportional to the amount invested in community protection against the dangers of excessive habitual participation. Recent applications for extended gambling hours in low socioeconomic areas is a despicable cash grab by those making applications. Thank goodness there has been a moratorium put in place so that the issue can be looked at properly. The last thing we want to see is an increase in machines in low socioeconomic areas. The member for Mermaid Beach referred to Logan City. The bottom end of Logan City is in my electorate.

On Wednesday, 2 September 2009 I wrote to the Queensland Department of Employment, Economic Development and Innovation's Office of Liquor and Gaming Regulation with a submission in relation to an application lodged. I registered my strong opposition to the request for extended licensing and gaming hours. The applicant's premises is located in an area that has a high proportion of people on low and very low incomes.

I said that this region has higher than average gaming expenditure when compared with the broader Queensland community. Any extension to gaming hours would only exacerbate the problem. I discussed the fact that the area is heavily weighted towards residential housing and extending the hours would place those with gambling issues under added pressure to stay away from their families for even longer periods.

To support my objection I provided some data sourced from the 2006 Australian census statistics and the 2006-07 gambling survey. According to the 2006 Australian census this area has some challenges with regard to affordability for such things as gambling. For example, the number of separated and divorced people in the area is 19.2 per cent compared to 11.3 per cent for the rest of Australia. The unemployment rate for the area at the time of the survey was 9.3 per cent compared to 5.2 per cent for the rest of Australia. Those in non-trade qualified blue-collar occupations—for example, machine operators—amount to 21 per cent of the population compared to 10.5 per cent for the rest of Australia. So the list goes on. The area was clearly doing it very tough.

How does this all relate to the problem of gambling? According to the Queensland housing gambling survey 2006-07, people in the higher risk gambling groups tend to gamble for longer sessions. The survey also indicates, among other things, that they gamble more often and participate for much longer each time. It also refers to the fact that Aboriginal and Torres Strait Islanders, an at-risk group, make up 2.9 per cent of the problem gambling group. This area has an Indigenous population around double the average.

In view of the time constraints, I will end there. But the point I wish to make very strongly is that we really do need to look very carefully at the gambling issue, particularly in those lower socioeconomic areas.

**Mr WELLINGTON** (Nicklin—Ind) (12.14 pm): I rise to participate in the debate on the Gambling and Other Legislation Amendment Bill 2009. I commence my contribution by putting on the record my disappointment that the government has chosen to guillotine this debate. I realise members have been speaking for significant periods of time on the bill, but the reality is that this is the people's House. All 89 members of the parliament do have a right and an opportunity to speak about the issues that they feel are very relevant to their electorates and issues that impact on all Queenslanders.

I certainly support the bill. I have real concerns about the effect that inappropriate gambling and the inappropriate consumption of alcohol have not just on our community but on individuals. The One Punch Can Kill campaign is a very effective way to bring home to young people and to all people in our community that we have to be very much aware that we are responsible for our actions. We cannot blame someone else. If people choose to gamble all of their income away and then their family no longer has the capacity to support themselves and the husband and wife are not able to provide the essential needs to their children, then they have to take responsibility for that.

It is of real concern the effect that the addiction to gambling and alcohol has and how it destroys people's lives and destroys families. It really destroys the quality of life of many children in our community. We as elected representatives of parliament have a responsibility, once we are aware that there are problems, of trying to change the law to rectify that. I believe this is a genuine attempt by the government and the minister to respond to problems that are acknowledged in our community. I certainly support the minister's and government's attempts to improve the legislation that controls and regulates the gambling and liquor industries in Queensland. There is no doubt that the liquor industry is a very powerful industry in Queensland and in Australia, as is the gambling industry.

I will restrict my further comments to the amendments proposed in relation to the moratorium on extending trading hours. I believe that is a very sensible approach. I thank the minister and the government for introducing those amendments and the moratorium on extended trading hours. On behalf of my constituents, I would also like to thank the government for banning the use of regular glass in certain licensed premises.

The amendment to section 97 is worded along the lines that the chief executive may classify all or part of licensed premises as high risk if the chief executive is satisfied. It goes on to outline a range of other criteria. I am very pleased that in the drafting of this clause the minister chose to use the discretionary word 'may'. It does give the chief executive officer a wide discretion. I think that is very important in these times. The chief executive is aware of the powers and responsibilities that are placed upon him under this bill and under our current legislation. I am pleased that the government is giving him that discretion. I certainly have no doubt that he will exercise those discretionary powers wisely.

The final comment I will make—and I know that other members have spoken about this—is that it is great to see that parents and friends associations of non-state schools are now going to have the legal capacity to conduct art unions in their own right. I must confess that I certainly was not aware that they did not have that legal power. That is good to see. I commend the bill to the House. I look forward to listening to other members' contributions in the remaining time that we have.

**Mr WATT** (Everton—ALP) (12.18 pm): I rise in support of the Gambling and Other Legislation Amendment Bill which makes a number of positive reforms to the gaming and liquor licensing landscape in Queensland. It introduces a state-wide cap on gaming machines in clubs. It requires mandatory responsible service of gambling training for staff working in gambling venues. It introduces penalties against pubs and clubs that distribute promotional material to problem gamblers. All of these initiatives will certainly address the scourge of problem gambling that exists in society.

The amendments recently circulated will also allow for the prohibition of glasses in high-risk licensed premises. Given the spate of glassing incidents we have seen in Queensland over the last couple of years, it will help reduce harm to people having a quiet drink in a pub.

The major aspect of this bill that I want to talk about relates to the amendments regarding the moratorium on licensees seeking extended trading hours for pubs and clubs in the suburbs. This has been an enormous issue in the electorate of Everton. Earlier in the year a company called ALH, which is a division of Woolworths, applied for extended hours for a number of its pubs, including two in the electorate of Everton—the Albany Creek Tavern and the Brook Hotel. The applications were for the Albany Creek Tavern to extend its trading hours to 5 am seven days a week and for the Brook Hotel to extend its trading hours to 3 am seven days a week. Not surprisingly, there was a huge community outcry about these applications. Both pubs are located in residential areas. In addition, the Albany Creek Tavern is within about 200 or 300 metres of three different schools and a large number of businesses, many of which have already been experiencing problems with vandalism, which is undoubtedly due to the behaviour of certain patrons when they leave the pub at its current finishing time on a Friday and Saturday night of 2 am.

There was a massive outcry from the community and I was happy to lead a community campaign against those two applications. That campaign involved over 1,200 people signing petitions against the extended trading hours applications. I also organised a public meeting at Albany Creek which was very well attended, and the depth of feeling on this issue was really on display that night. As a result of the strong feeling of people in Albany Creek and Mitchelton about these applications, I and a number of other members of parliament on the government side lobbied the Premier and the minister to do something about these applications. We did not want to take the chance that they would go through, so I am very pleased to see that the moratorium is now being introduced. I have written to ALH seeking further action by it in the meantime, but I congratulate the local community on its campaign.

**Ms NELSON-CARR** (Mundingburra—ALP) (12.21 pm): I also rise to support the Gambling and Other Legislation Amendment Bill because I see it as another step in boosting the health of our communities. In the very short time that I have I want to comment on the insidious nature of gambling and the fact that society is increasingly seduced by it. Whilst it would be difficult or probably impossible to outlaw gambling per se, that does not alter the fact that gambling is encouraged everywhere we look, despite the pathetic caveats which suggest responsible gambling. Today we are only a computer or a call away from instant gambling. It is hard enough for problem gamblers to stay away from clubs and pubs, and I do welcome the legislation for its moratorium.

However, what we increasingly find is that we are being constantly harangued by high-profile people with constant updates during sporting events. Millions of people watch a major football event on TV. When are broadcasters actually going to act responsibly themselves? Despite the figures representing a small percentage of significant problem gamblers—I think there are something like 293,000 that we know about—on average about seven other people will be affected by problem gambling. Let us not forget that gambling is a problem if a person spends more time or money than they can afford to. It causes all sorts of havoc that we have been hearing about today. But it is these constant updates during those sporting events, presented by broadcasters and watched by millions of people, which have me and a number of other people who deal with the consequences of gambling very worried. We also have to remember that anybody can become a problem gambler and it develops really quickly. It is not a problem that discriminates when it comes to anything like age, income, education or ethnic background. It is about time that we as a society said that enough is enough.

**Mr CHOI** (Capalaba—ALP) (12.23 pm): I also rise today in support of the Gambling and Other Legislation Amendment Bill. The Productivity Commission in its 1999 report into Australia's gambling industry found that problem gamblers represent 2.1 per cent of the adult population. Although this number may appear to be small, they contributed to over one-third of total expenditure on gambling annually—a staggering \$3.5 billion. The report found that they lose on average \$12,000 per person each year compared with just under \$650 per person for other gamblers. The most pertinent finding, however, in relation to this bill is that the prevalence of problem gambling is related to the degree of accessibility of gambling, particularly gaming machines.

This bill is a responsible measure to address this problem by restricting access to EGMs whilst retaining accessibility for recreational gamblers. It achieves its main objective in minimising harm arising from problem gambling by introducing a state-wide cap on the number of EGMs whilst at the same time balancing the rights of clubs, most of which are not for profit, which benefit the community that they serve from the revenue generated from EGMs.

For the majority of Australians, gambling is a harmless and enjoyable recreational pastime. For a nation that comes to a halt to watch a horserace, the love of a punt is part of our national identity. For some, however, gambling is not a harmless pastime; it is an addiction every bit as powerful and as consuming as drug addiction or alcoholism. What else but an overwhelming addiction would compel parents to leave their children unattended in car parks while they gamble to the point that there is no money left to put food on the table?

The effects on individuals, their families and the community at large are far reaching and devastating. The link between compulsive gambling and depression, breakdown in personal relationships, loss of employment, bankruptcy, domestic violence and even suicide is well documented, as is the link between problem gambling and crime. Many find themselves in desperate situations when they have been unable to recoup their losses and turn to crime as a means to keep on top of their escalating debts. It is estimated that for every problem gambler an additional five to 10 people are directly affected to varying degrees by this person's actions. Exactly why a recreational gambler crosses the line and becomes a problem gambler may be due to a number of contributing factors, but certainly the easy accessibility of gaming machines is considered to be a significant factor in this transition.

Given the time limitations, I want to make a final comment. I want to take this opportunity to congratulate the Capalaba Warriors Junior Rugby League Club for its courageous and wise decision to refuse to allow pokie machines into its club. Despite the obvious benefits in terms of the income that

EGMs generate for clubs, the committee decided that the family values of the club must come first. I applaud the club for recognising that short-term gain from gambling income does not justify the long-term cost to the community, particularly when young people are being exposed to it. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

Sakurai and Smith in their 2003 report for the Australian Institute of Criminology argue that 'gaming machines have the potential to contribute greatly to the number of problem gamblers as they are highly accessible and readily available, playing modes that allow intensive and independent play'. To put it simply, it just makes it all far too easy.

Mr Speaker, I was recently alarmed when I was made aware of a proposal for a bistro which included the application for a licence to install a significant number of EGMs. I was told the bistro itself would not be a viable business but the inclusion of pokies would make that a workable business. I asked the question is it right that a gaming licence be granted to prop up a business plan because it is not capable of generating sufficient income from its primary purpose? What's next? A Chinese restaurant applies for pokies so that you can play a few rounds whilst you wait for your favourite sweet and sour takeaway? What about a few games while you consume your Big Mac? I know this is a bit far fetched but that's at least what someone in the business community is thinking to capitalize on the vast amount of profit each machine brings in.

I applaud the government for their decisive action in stemming the proliferation of EGMs before we reached a point where machines are the primary reason for establishing a business, and the provision of a club, hotel or tavern just an excuse to justify their existence.

#### HOW WILL THE NEW BILL CHANGE THIS

Restricting the number of EGMs in Queensland will also allow us to focus our attention on efficiently managing what we already have. It is a responsible measure to address a problem that threatened to increase proportionately as the number of gaming machines increased.

Mr. Speaker, this Bill also introduces important reforms in the way that problem gamblers are managed by providing mandatory responsible service of gambling training for all hotel and club staff employed in gambling related roles. In much the same way that staff employed to serve alcohol are expected to accept a level of responsibility for their patrons, staff employed in gaming areas will be equipped with the knowledge that will assist them to identify and manage problem gambling in their work environment. This is a commonsense approach and an acknowledgement of the fact that gaming staff are generally in the best position to recognize problematic gambling behaviour and take appropriate action to minimize the potential harm.

The introduction of card based gaming technology will also allow for greater control of gambling behaviour by giving players the ability to voluntarily determine a spending limit in advance. In this way, players are less likely to spend beyond their means. Industry trials for this technology have resulted in positive feedback from venue operators and patrons.

This Bill also replaces the current voluntary code of conduct relating to excluded persons with clear penalties for not respecting the exclusion provisions. It will now be an offence to send promotional material to persons who have either voluntarily excluded themselves or been excluded by the venue. This clearly demonstrates the Government's commitment to assisting and supporting those problem gamblers who are taking steps to address their problem by ensuring that unscrupulous licensees are not trying to entice them back to their premises.

Mr Speaker I would like to take this opportunity to commend the Capalaba Warriors Junior Rugby League club for their courageous and wise decision to refuse to allow poker machines into their club. Despite the obvious benefits in terms of the income that EGMs generate for clubs, the committee decided that the family values of the club come first. I applaud the club for recognizing that the short term gain from gambling income does not justify the long term cost to the community.

Finally Mr. Speaker, at some point in the future I believe that all levels of government need to take a long hard look at the true costs to the community that gambling inflicts and weigh this up against the revenue that it generates so that we can ask ourselves honestly whether we as a society can really justify this price.

I commend this Bill to the House.

**Mrs STUCKEY** (Currumbin—LNP) (12.26 pm): I rise to address the Gambling and Other Legislation Amendment Bill 2009. The focus of my contribution to the debate will be in relation to the gambling amendments in terms of caps on gaming machines, the mandatory responsible service of gambling and the effects on our society. As members have already heard from my colleague and shadow minister the honourable member for Mermaid Beach, the opposition will be supporting these amendments. These amendments rectify several deficiencies in amendments made in 2003 and 2007—namely, in 2003 a cap on the number of gaming machines in hotels was legislated. However, as is so often the case with this incompetent Labor government, the legislation was incomplete as there was no cap on clubs. In 2007 the government legislated offence provisions for minors in casinos yet did not implement the same offence for minors who participate in lotteries or wagering activities. In 2007 the chief executive's access to the Queensland Police Service crime reporting database was removed and these amendments before us now, two years later, see it rectified.

It would appear that most of these amendments are required now due to the half-hearted effort the government adopts when amending legislation. Instead of taking the time to think things through or consult widely, the government rushes in and makes a bare minimum of change—just tweaking around the edges. Being mindful of time, as this debate has been truncated significantly by the Leader of the House, I seek leave to have the remainder of my speech incorporated in *Hansard*.

**Madam DEPUTY SPEAKER** (Ms Johnstone): Has the member shown the speech to the Speaker and sought his approval?

**Mrs STUCKEY:** The Speaker has reviewed and agreed to my speech being incorporated.

Leave granted.

While the Bligh Government continues to milk the gaming industry for all its worth in an attempt to offset its countless deficiencies in other sectors, let us stop and take a moment to examine the social cost of Queensland's gambling addiction.

The Queensland Household Gambling Survey 2006/07 found that many gamblers had experienced adverse effects on their day to day lives as a result of their gambling habit.

38% reported that their gambling affected their work performance

34% thought they had not enough time to look after their family

58% would gamble if something painful happened

58% had someone in their immediate family who had a drug or alcohol problem

51% had someone in their immediate family who had a gambling problem

72% felt seriously depressed in the past 12 months

39% had been under a Doctors care for stress in the past 12 months

48% had wanted to get help, yet only 28% actually did

There is no doubt that gambling puts an added strain on families, many of whom are well and truly juggling to make ends meet. The addictive lure of gambling sees Queenslanders throwing away hundreds of millions of dollars that could be far better spent on providing the necessities of life for their families. Gambling is not only a concern in itself, but is also a significant scourge of societies in many developed countries, one that contributes to many other issues, including child safety.

Mind you various forms of gambling take place in undeveloped countries and remote communities as well, where in many cases uneducated people throw away their money without realising its worth.

However the issue of child safety is of paramount concern and raises the following questions: How many children are being left unsupervised for long periods in high risk situations while their parents spend hours feeding their gambling addiction at the local hotel? How many children are forced to go to school without adequate nutrition because the family's food budget has been gambled away? How many children witness violence and disputes when the weekly budget of money goes into a slot machine never to return?

The Bligh Government continues to peddle the line 'gamble responsibly' in their advertising campaigns. But I query, as I did in legislation in February 2008: how can these two ideas be associated together? Such an oxymoron is hardly a rational attitude towards the problem of gambling. All advertising of gambling should be banned except inside over 18 venues, and it should be treated the same as the advertising of cigarettes. Honesty about the odds of winning could also be printed on such materials.

Promoting 'gamble responsibly' as a proactive message to inform our children about its dangers is deceitful and misleading. Children are the ones most at risk of developing addictive patterns of behaviour. Trivialising gambling by constantly being fed a steady diet 'it's cool to gamble' is perpetuating a cycle of generational gambling addiction.

I agree gambling occasionally is fun and I have had a bet on several occasions over the years although I have to say pokies hold no interest for me. Living in an electorate that abuts the Qld and NSW border I am well aware of the role clubs have played for decades and the enormous social benefits that the safety and friendliness of clubs offer to our aged pensioners, many of whom are starved of company.

In Queensland it is currently not mandatory for employees working in gaming areas to have any form of training. Presently a gaming venue only needs one Gaming Nominee Licence, which is a two day course, and 2 gaming employee licences, which requires no course. These amendments now make it mandatory for employees to have Responsible Service of Gaming certificates (RSG).

This mandatory training is long overdue but I am surprised the current courses on offer are only 4 hours. What input from industry stakeholders has the Government sought to ensure that the course is adequate, and what evaluation measures have been put in place to ensure it is effective? I recognise this is an impost on employers, however the social costs are significant and therefore recognition of previous training and experience should be considered.

As of 28 February 2006 there were a total of 40,171 poker machines. This figure did not include the number of gaming machines in the state's four casinos. It appears that every time the Government talks about gaming machines they deliberately omit those in our Casinos. It would appear from the individual Casinos websites that there are around 4000 gaming machines in the states four casinos.

In 2003 the Government capped the number of gaming machines in hotels at 19,310 and now in 2009 they are capping them in Clubs at 24,705. Why this was not done in 2003 along with hotels is astounding and why the four Casinos still do not have a cap is bewildering. Therefore the total cap for hotels and clubs is set at 44,015. According to research by St Vincent de Paul Society Queensland, this is the highest per capita in not only all of Australia but all of the world. (letter from President St Vincent De Paul Society, April 2008)

Considerable public outrage ensued when the Bligh Government back-flipped over the \$20 note limit for pokie machines. The Queensland Council of Social Service believes this is a major reversal on a proven, successful harm minimisation strategy and there are concerns that it signals a return to the old revenue raising approach to gambling. (QCOSS News 13 July 2009).

This policy reversal comes at the same time as the Government considered applications to extend the gambling hours of 80 hotels in Queensland and gives the green light to a new club in Logan allowing for 200 machines.

Logan already has a heavy concentration of both poker machines and problem gambling. Logan's pokies consumed an average of \$5803 during the month of August 2009, which is almost higher than the statewide average. Collectively the poker machines in Logan pulled in some \$11million last month. Logan is considered to be a low-socio economic area with a high rate of unemployment and this, mixed with easy access to gambling, is a recipe for disaster. (Courier Mail 21 September 2009)

The newest attempt to supposedly limit people's ability to gamble is the introduction of card based gaming. This allows people to set daily limits, to set how much money to be set to the credit meter from your account each time they insert their card, and sends a reminder to the screen as to how long they have been playing. While there seems to be support for this new card system as part of a harm minimisation strategy, I am concerned as to how it is being advertised to the public.

An example of this is Simplay's brochure, which focuses purely on making gambling easier and not drawing people's attention to the benefits of budgeting how much to spend and sticking to it. Their slogan is 'using a Card Based Gaming system can enhance your gaming experience. It's so Easy'. It is designed purely to attract more people to gambling.

It could be fairly safely said that problem gamblers are not the best at budgeting so this measure may not reach those it is intended to assist.

The fact that people can gather a number of these cards to enable them to play at various venues is also of concern. In my electorate there are a number of surf clubs with pokies that they need for their survival, and whilst I acknowledge the lifeline the profits bring to these clubs I also recognise the downfalls. The new card system will not prevent people from getting cards from each venue and the system cannot track problem gamblers across different facilities.

It would also appear that the self-regulation of excluding problem gamblers from Casinos and clubs is failing. Errors by gaming operator Tabcorp meant that gambling addicts were able to continue their habit, and even remain on a company's rewards scheme, after they had tried to deal with their problem by excluding themselves from casinos. (Courier Mail 14 July 2009). It is time to consider a mandatory system which restricts problem gamblers from all aspects of gambling.

Another major consequence is how gambling affects children. Most clubs and hotels have crèches which allow the parents to have their child babysat while the parents are gambling away their weekly food or rent money. The State President of the St Vincent de Paul Society Queensland would like to see removal of these facilities. Perhaps stricter limits of time spent in these crèches would have a positive effect. (Courier Mail 25 April 2009)

In the Minister for Fair Trading and Tourism's second reading speech he praises the contribution clubs make to our community as a way of justifying the need for gambling, however, according to the Queensland Council of Social Service, the Gambling Benefit Fund for 2008/9 is \$36.7 million, 1.18% of the total amount that Queenslanders spend on gambling. Given the massive revenues from gambling to the industry and the fact that it is damaging to some individuals and families a 1.18% return to the community at large is hardly a fair compensation.

It is no wonder that this Government is keen to rake as many dollars out of the industry as possible. Bligh and her cronies had bled the state dry and put Queensland into enormous debt before the world economic crisis.

A number of deserving groups in my community have benefited from the Government's Gambling Fund and they are most grateful for their successful bids for a share of this revenue.

They are—Currumbin State School P&C, Ozcare—Majella House,

Retired Online, Tugun Surf Life Saving Club, Centacare—Southern Star Community, Currumbin District Horse Club, Tallebudgera State School P&C

And Palm Beach Currumbin Cricket Club

All gambling is not evil and most clubs and hotels do ensure that responsible gambling takes place in their venues and that problem gambling is identified and addressed. A prime example of this is the Currumbin RSL which is situated in my electorate and is known as 'the best little club in the world' as a result of its string of awards. Currumbin RSL is committed to providing Responsible Gambling Services. This is achieved through the implementation of Queensland Responsible Gambling Code of Practice which provides a proactive whole-of-industry approach to the promotion of responsible gambling practices. It also encourages the creation of gambling environments that minimise harm to individuals and to the broader community.

I do believe though that the Code of Practice should be a mandatory code with penalties for the clubs who do not act responsibly.

One way that the Currumbin RSL is helping to minimise problem gambling is by having a Customer Liaison Officer who is available for patrons to talk to if they think they have a problem. The patron will then be referred onto a specialised agency for financial or gambling counselling.

Last ANZAC Day the Club restricted access to the popular Two-Up afternoon to members only, even though they knew they would not raise as much money for Legacy without the large crowds of young people. But thankfully they realised there are higher ideals at stake than the amount of money that would be generated.

The Currumbin RSL also holds training courses in bar and gaming procedures and responsibilities, to ensure their staff are well trained. These courses are also open to the public. Their Bar and Gaming Operations course is 38 hours in duration and covers both Responsible Service of Alcohol and Responsible Service of Gaming and Gambling.

The monies raised through their gaming services contributes to the \$140,000.00 in cash and donations made to schools, youth sports and community groups in the region each year via its own Community Benefit Fund. The Fund also sponsors numerous community events like D'Alliance and Christmas by the Creek.

In summary, this bill purports to introduce a raft of harm minimisation strategies and to a small degree it will achieve this. But the fact remains that problem gambling is on the rise and this Government's general focus on harm minimisation allows for a 'soft' somewhat piece-meal approach that does little to reduce the problem. It is almost an admission that the problem will continue to grow and the Government are not really interested in arresting it.

Gambling is best described as an emotional illness which requires rehabilitation, counselling and lots of support. Problem gamblers will steal, beg and borrow to support their habit and their families. Children and loved ones are all innocent victims. Much more needs to be done by the Bligh Government which raked in almost \$1 Billion to decrease the problem of gambling as each year the number of people gambling is dramatically increasing. I do not see an earnest effort on behalf of this Labor Government to supply the necessary support services that are required in an accessible and non-discriminating manner.

The Government, Clubs, Hotels and Casinos all have an obligation to spend more of the estimated \$3 Billion generated from gambling each year on solving this problem. In February this year people in our community lost from the pokies in Queensland's clubs and pubs \$133 million, and in March a staggering \$150 million. (Courier mail 25 April 2009)

That is a lot of hungry mouths that have not been fed and a lot of people facing homelessness and loss of self-esteem.

**Mr GIBSON** (Gympie—LNP) (12.28 pm): At the outset I express my concerns with the guillotine of this debate. It is an important issue. It is one which this parliament has a responsibility to look at properly and I express grave disappointment that we are not being given a full amount of time. That being the case, I will restrict my remarks to a few key areas of the Gambling and Other Legislation

Amendment Bill 2009. Whilst I note that the LNP is supporting these amendments, after listening to the speeches that have been made I have also noted that many people have concerns about the issue of gambling. Both sides of the House have raised very valid concerns because gambling can be a very destructive influence on families' lives. We have all heard of examples that have been shared with us about how lives have been torn apart by the insidious effects of gambling.

I want to focus my remarks though on the elements in this bill that relate to card based gambling. My concerns are that it has the potential to detach gamblers from the actual value of the money they are gambling. A cashless system inhibits the consequences of gamblers from seeing their money actually disappear from in front of them. I acknowledge that it may have benefits for those who are problem gamblers, but my concern is for those who are yet to develop those problems—perhaps they are in the at-risk category, perhaps they gamble infrequently but as part of their measure of control they set themselves a limit in cash that they are able to see and when that cash is gone they are able to cease gambling. The physical act of inserting money into gaming machines or pushing chips across a table helps gamblers keep check of the money that they are gambling. They are also able to physically see their winnings and then make some decisions with regard to whether they want to hold on to those winnings or whether they wish to put them at risk through further gambling.

My concern is that people who are not necessarily problem gamblers will gamble more than they usually intend to in a gambling session. In particular, the value that will be set on the gaming card will become an acceptable value for gambling in one session. I believe there will be some scope as to the range of the amount to be put on the card, but if someone usually gambles only \$20 but their card is set at \$100 my concern is that they may overextend their gambling because they are not physically seeing their money go before them. I note that there is an absence of direct empirical evidence of card based gambling being successful in harm minimisation.

Some features of the system that is being proposed are the ease of moving between machines and the ease of operation. That may encourage increased gambling and increased spending, thus facilitating the development of further problem behaviours in at-risk gamblers. It is my view that there needs to be more studies done on the impact of card based gambling as a harm minimisation tool before it is implemented, because the effectiveness of the system remains unresolved. We need to be assured that the system will be beneficial in harm minimisation and not just exacerbate the gambling tendencies of social or at-risk gamblers.

I hope that the department and the minister will be reviewing card based gambling during its implementation and will report back to the House of the impacts of it, whether they be positive or negative. I commend the bill to the House.

**Mr McLINDON** (Beaudesert—LNP) (12.31 pm): I would like to make a brief contribution to the debate on the Gambling and Other Legislation Amendment Bill. At the outset, I must say that it is very disappointing that, once again, we have had debate on a bill guillotined. I think the biggest gamble around here now is preparing a 20-minute speech because we are not sure what debate on a bill is going to get cut.

**Mr Watt** interjected.

**Mr McLINDON:** I take that interjection from the member for Everton. I suggest that he buys a Gold Lotto ticket and goes to the next election under the Bligh government's banner.

I welcome the 12-month moratorium on extended trading hours and approvals after midnight. The member for Springwood would also regard this amendment as welcome news, particularly as it relates to establishments in residential areas. The shadow minister has been calling for this move for quite some time now. I find it amusing that the minister said that his hands were tied and that it was the responsibility of the office of Liquor Licensing. Then we saw the power shift and the Premier stepping in. It is funny when the old hot potato goes between the minister, Liquor Licensing, the commission and then back to the Premier. Obviously where there is a will there is a way. I really would have appreciated it if that change was delivered by the minister in a timely manner.

I also agree with the comments of the member for Woodridge in that there are many positive social aspects to gambling, such as being a place to meet and a form of entertainment. On 20 August I asked the minister whether he would reject the application for pokies by the Brisbane Lions in Logan City, given the data and research available on the negative impacts of pokie gambling in Logan City. Unfortunately, like the moratorium on trading hours, the response was that the decision on the application would be in the hands of the Queensland Gaming Commission. Yet we have seen that where there is a will there is a way and they can step in.

I think the biggest flaw in this bill is the fact that it has a reallocation scheme. What is not to say that vulnerable areas like Logan City—and we have the statistics of \$5,800 in turnover per machine in that area—would become like a magnet for those pokies. It would be like playing musical chairs. Of course, all the pokies would end up in the most vulnerable areas. I guess it is no coincidence that there

is a correlation between the number of unemployed people and people on welfare and the incidence of suicide and relationship problems in those areas where there is a high incidence of gambling. Over the course of my time as a member of the Logan City Council I have met with people from Relationships Australia and many other people who are at the coalface and I have also seen the damage that is caused by placing pokies in vulnerable areas. I note that Logan City was looking for a theme song. My humble suggestion to Mayor Pam Parker is *Blow Up The Pokies* by The Whitlams. It is a fantastic song that was written by Tim Freedman. It would be fantastic to see Logan City take up that song as its theme.

Having worked in the hospitality industry, I have also seen many fights, particularly glassings. I would say that we need to haste with caution and make sure that we do not penalise those venues that are doing the right thing. I would hate to see a knee-jerk reaction and glasses in clubs and venues become plastic cups right across-the-board when really glassings are isolated incidents and we should be looking at individual responsibility. I suggest that it is more the culture that we need to change rather than having a knee-jerk reaction and penalising all of those clubs and venues across the state that are doing the right thing.

Of more concern also is the problem gamblers. I have had to have kids in their pyjamas behind the bar while the parents are fighting it out in the pokies room. I have seen it all. I have seen the stereos ripped out of cars to make sure that they can keep playing. I have seen somebody sitting there drinking until their wage comes in after midnight so that they can start up again. Yes, it comes down to individual responsibility, but we have to start thinking outside the square and looking at different ways to alleviate their pain. As gambling generates \$1.8 billion of the state's income, we can only imagine that that figure will double in another 10 years. It is also very concerning that a study done by Monash University has shown that 52c of the dollar is contributed by problem gamblers.

It is important to note that the Loganholme Soccer Club, which has a membership base of over 1,000, and the Logan City Rugby Union Club, which has a membership base of over 500, do not have one pokie machine, and they are two of the most successful sporting clubs. I welcome the contribution made by members on both sides of the House on this very important issue. I ask the minister and the government to start thinking outside the square and revolutionise the way we gamble in Queensland.

**Mrs PRATT** (Nanango—Ind) (12.35 pm): I rise to speak to this bill and first put on the record how sad it is that the government felt the need to guillotine this debate when every member of this House has acknowledged the seriousness of problem gambling. Every member here would also know that we encourage people—almost from childhood—to gamble. It is advertised on the television all the time. Everyone buys Lotto tickets or Instant Scratch-its. They are forms of gambling. There is also internet gambling available now.

One of the main concerns I have is gambling with regard to pubs and clubs. Alcohol and gambling seem to go hand in hand. Alcohol definitely seems to loosen the purse strings. Problem gambling impacts on families. I acknowledge that most people can handle gambling responsibly. But there are huge issues. We continually hear about kids being found in cars while their parents are gambling and rents and other expenses not being paid. So overall, the issue of problem gambling is growing. I think it is sad that we have had to have the debate on this bill guillotined.

I support the moratorium on extended trading hours. I do not think we need to extend them. I would like to see the trading hours wound back. It is a shame that people suffer from incidents that have occurred. My own town of Kingaroy is not a big town, but I am often woken up in the early hours of the morning by late-night revellers on their way home using extremely bad language. When we think of the number of children in our houses along the streets, we know that they do not need that kind of influence in their lives. So I appreciate the moratorium but, as I said, I would like the trading hours to be wound back.

I also note that there is to be no increase in the number of machines and that they will just be moved to where they are required. I personally think there are too many machines now. I am not a wowser. On the odd occasion I put a dollar or two through the machines. That might mean that I am a wowser for the clubs, but I value my money. I feel that I work hard to get it and I do not particularly want it going down some machine's throat.

I also acknowledge the fact that a lot of benefit comes back to our communities through the gambling fund, but every time I stand up and congratulate people on getting some funding I also tell them not to forget where the funding came from and some of the consequences of getting that funding. It might be that somebody somewhere is feeling the pain because they or someone they know may have a gambling problem. This bill also removes a number of inequities that exist between pubs and clubs and P&F groups. I think that is appropriate and that amendment is more than welcome.

I also acknowledge the greater level of training that staff are required to undertake to ensure that venues are safe. I also welcome the fact that glasses will be replaced by plastic cups in some venues. I am not aware of any glassing incidents in my electorate, but I do not doubt that they have probably occurred on occasion. Glass is a terrible weapon when it is smashed across someone's face. It is

absolutely horrendous to see that occur. So I think that any way of restricting that is good, but we are becoming a nanny state and that worries me to a huge extent. We must remember that there are problems. Owing to time constraints, I will conclude my speech. I genuinely support the bill, but let us not forget the people who have no control over their gambling.

**Ms FARMER** (Bulimba—ALP) (12.40 pm): I rise to support the Gambling and Other Legislation Amendment Bill. I feel particularly strongly about the reforms in this bill that are designed to minimise the potential harm gambling can cause. They include a cap on club gaming machines, mandatory responsible service of gambling and zero tolerance toward venues that demonstrate an unwillingness to commit to eradicating gambling related offences.

Although addressing problem gambling requires a range of interventions—from prevention, education, treatment, enforcement and research—there is no doubt that there must be a legislative framework that protects problem gamblers. Because while the cause of a gambling problem is the individual's inability to control their gambling, it is the casino or lottery that provides the opportunity for that person to gamble. It is the nature of that opportunity that a legislative framework can address.

There are 67.3 per cent of Queenslanders who gamble in some way. The non-gambling group accounts for 24.7 per cent of Queenslanders. There are approximately 14,000 problem gamblers in Queensland and about 54,000 in the moderate risk gambling group—that is, people who may have experienced adverse consequences from gambling or are at risk of doing so. This is 68,000 Queenslanders who will be or are at risk of financial ruin, legal problems, loss of career and family or even suicide. The economic costs will include income lost by gamblers who lose their jobs, costs related to enforcement and judiciary processes for those who commit crimes to support gambling habits, and the requirement for family members or others to bail out problem gamblers.

Parental problem gambling can be associated with serious psychosocial maladjustment in their children. Their children will be more likely to experience physical abuse. Gambling problems correlate with depression, anxiety and suicide, not only in adults but also in adolescents. There are a number of other important points about minors and gambling that concern me, including research from the United States that shows that a vast majority of children have gambled before their 18th birthday and the knowledge that adults who seek treatment for problem gambling report having started gambling at an early age. Minors are the most vulnerable people in the gambling equation and I am pleased to see that the bill addresses that. In addition to the current penalties that apply to operators who allow a minor to gamble, this bill contains amendments to the relevant acts to make it an offence for minors to participate in lotteries and wagering activities.

Unfortunately one of the reasons I feel so strongly about minimising harm to problem gamblers is the tragic stories I have heard from some Bulimba constituents. They have been the partners or family members of problem gamblers who, through no fault of their own, have found themselves bankrupt, lost their houses, their confidence and/or their futures. On their behalf, I commend this bill to the House.

**Mr WETTENHALL** (Barron River—ALP) (12.41 pm): I rise to support the Gambling and Other Legislation Amendment Bill 2009. The amendments to the Liquor Act contained in this bill have been deemed necessary to get the balance right between minimising the risk of liquor related harm and improving the ability of Queensland's hospitality industries to operate effectively and without unnecessary red tape.

**Mr HORAN:** I rise to a point of order. I had the call. I was up first and I am the next on the list.

**Mr DEPUTY SPEAKER** (Mr O'Brien): There is no point of order. The member for Barron River has the call.

**Mr HORAN:** I make the point that I was up first.

**Mr WETTENHALL:** Two of the amendments relate to the new approved managers and the need for them or the licensee or permittee to be available at the premises. The first amendment removes the requirement for an approved manager to be physically on site during an extended hours trading period between seven o'clock and 10 o'clock in the morning. The period of trading from 7 am to 10 am, for example during a breakfast function, represents a lower risk to the community than late-night extended hours trading and therefore such strict conditions for approved managers are not required during the early trading period.

An approved manager will still need to be reasonably available during morning trading between 7 am and 10 am, which means that they must be contactable and within an hour's travel from the premises or a period of time set by the chief executive. This is consistent with requirements during normal trading hours. The chief executive will reserve the right to impose licence conditions that require the approved manager to be on site during the 7am to 10 am period for high-risk events or at high-risk venues.

The second amendment will allow the chief executive to vary the amount of time that is considered to be reasonably available for an approved manager or licensee to travel to the premises. At the moment the travel time cannot be more than one hour. This may be appropriate for most licensed

venues in cities where amenities are generally accessible and trained staff abundant. However, in rural and remote areas, where travel distances are often much greater and qualified staff harder to find, the requirement to be, or have an approved manager to be, within one hour's travel distance from the venue during trading hours can be potentially onerous on small licensees.

The proposed amendment therefore allows the chief executive to increase this time upon application by the licensee. The chief executive will have to consider the locality of the premises, availability of trained staff and the nature and extent of the business conducted under the licence before approving such an application. With those comments, I commend the bill to the House.

**Mr HORAN** (Toowoomba South—LNP) (12.44 pm): It is a shame that debate on this legislation has been cut so short by the guillotine, leaving only two and a half to three minutes for each speaker. On top of that, the Minister for Transport took up nearly 15 minutes of the limited time we had introducing a bill into the parliament against the spirit of the arrangement.

I will speak firstly on the caps on machines in clubs. A number of clubs in my electorate, such as the City Golf Club, the Toowoomba Hockey Club and the South Toowoomba Bowls Club, do a fantastic job. The management of the cap will bring some stability to the industry and will achieve the aims that both sides of this parliament are looking for. The cap restricts the total number of machines to maintain the level of gambling that is occurring.

One of the big issues in Toowoomba at the moment is the issue of late hours for hotels. One of the major chains that owns a number of hotels has applied for these late hours. In my own electorate I have one facility, the City Golf Club, that has applied for extended hours. Whilst it is one of the best clubs around, the golf club does sit within the suburban area of the electorate. I have spoken to people from the nearby area and introduced them to the minister during the community cabinet in relation to this matter. I wrote to the Licensing Commission stating that I did not support the application for those extended—

*(Time expired)*

**Mr DEPUTY SPEAKER:** Under the provision of the resolution agreed to by the House and the time limit for the second reading having expired, the question is that the bill be now read a second time.

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

Motion agreed to.

Bill read a second time.

### Consideration in Detail

Clause 1—

**Mr MESSENGER** (12.47 pm): This is approximately the 30th debate on a bill guillotined by this government since mid-2005. I believe it is the seventh debate on a bill guillotined since the beginning of this parliament. Clause 1 relates to the title of the bill. I believe that it is an apt title for this bill. I believe that this gambling legislation is very important to this place—unlike the government. Just like gambling addicts are addicted to poker machines, this government is addicted to forcing legislation through this chamber that has not been properly discussed and scrutinised. It is using its parliamentary numbers arrogantly. It is one more reason to restore an upper house and have a royal commission into corruption so that we can comprehensively examine the way public monies generated by this legislation are spent.

Pokies generate massive revenue for this government. Almost \$600 million is generated in taxes for this government. It is therefore important to ensure that the money the state receives from gambling taxes is directed to good use. I would like to see that money directed and targeted at projects that will result in good social outcomes. We do not need to be spending pokie taxes on Labor spin doctors and Labor mates and cronies rorting the system. I table a newspaper article.

*Tabled paper:* Article, undated, titled 'Mum's teeth crumble as dental wait blows out to more than 7 years: A picture of decay' [1048].

I would like to see the moneys gathered from poker machine taxes by this government and the next LNP government reserved for the better funding and resourcing of our public dental programs. There are too many people who are in agony because of the mismanagement of dental health. Caroline Michell, whose picture I have tabled, has been waiting five years for dental care.

**Mr WETTENHALL:** I rise to a point of order. Mr Deputy Speaker, the member for Burnett has strayed so far from anything to do with the clause that I ask you to rule on the relevance.

**Mr Horan** interjected.

**Mr DEPUTY SPEAKER:** Member for Toowoomba South, I do not need your assistance. Thank you all the same. I was just about to ask the member for Burnett to perhaps return to the clause that the House is currently considering.

**Mr MESSENGER:** In closing and in returning to the bill, I would say that, if we have funds which are generated by an activity which results in great social harm and injustice, we should use those funds wisely to fix another problem which causes great social harm and injustice as well.

**Mr LAWLOR:** I have no response to that tirade.

Clause 1, as read, agreed to.

Clauses 2 to 22, as read, agreed to.

Clause 23—

**Mr STEVENS** (12.50 pm): Clause 23 inserts new section 56B. Section 56(3)(b)(ii) states—

within the relevant local community area for the old premises ...

Subsection (4) states—

... relevant local community area, for the old premises, means the area that would, under a community impact statement prepared under section 55B, be the local community area for the old premises ...

However, if it is an area such as the Goondiwindi Golf Club on one side of the river, for instance, and it is putting its transfer across to the new Goondiwindi club on the other side of the river—and I use that purely as an example—how does the CEO determine relevant local community area for the old premises?

**Mr LAWLOR:** He consults with the community. This goes to a process where they have community meetings and he consults with the community to find out exactly what the community feelings are.

**Mr Stevens:** But how does that determine relevant community?

**Mr LAWLOR:** He ascertains what the view is of the local community.

**Mr Stevens:** I understand he does that, but it defines relevant local community and swapping the licence to the new premises.

**Mr LAWLOR:** Yes. Are you talking about the transfer of the licence?

**Mr Stevens:** Yes, correct. I probably should not use something as close as that, but you have the answer.

**Mr LAWLOR:** The community would be defined in the community impact statement. I table the explanatory notes for three amendments circulated in my name.

*Tabled paper:* Gambling and Other Legislation Amendment Bill, explanatory notes for the minister's amendments to be moved during consideration in detail [\[1049\]](#).

Clause 23, as read, agreed to.

Clauses 24 to 64, as read, agreed to.

Clause 65—

**Mr STEVENS** (12.53 pm): I refer to the consumption of liquor on premises by residents and guests. This relates in particular to Hamilton Island and those areas that are under resorts et cetera and that are looking for that 24-hour trading for guests—room service and those sorts of matters. It says basically that the liquor has to be served and must be consumed in a residential unit on the premises. It would be my understanding that, if the liquor licensing premise served liquor to that unit and those people then moved out of that residential unit to consume that liquor that was sold by the premises, the premises would be breaking the liquor licensing laws. Unfortunately, it creates an onus to ensure the alcohol is consumed within the premises—and I do not see how that can be sustainable. Even moving from one unit within a complex to another unit means they are technically not consuming within the unit to which it has been served.

**Mr LAWLOR:** This particular amendment is designed to—of course, in all cases common sense will apply—remedy an anomaly that occurred in the last act which found, for instance, that mini bars and the service of alcohol to these particular resorts was illegal in a technical sense. That was one of the unintended consequences of the act. This amendment is used to rectify that.

When you talk about taking alcohol outside the actual room—you can take it onto the verandah and so on—common sense applies in these situations. Common sense did not apply when you were not able to use a mini bar and you were not able to have room service. That was not common sense at all and that is what this clause is designed to rectify.

Clause 65, as read, agreed to.

Clauses 66 to 69, as read, agreed to.

Insertion of new clauses—

**Mr LAWLOR** (12.56 pm): I move the following amendment—

**1 New clauses 69A and 69B—**

Page 76, after line 12—

*insert—*

**'69A Amendment of s 64 (Authority of commercial special facility licence)**

'Section 64(1)—

*omit, insert—*

'(1) A commercial special facility licence authorises the licensee—

- (a) to sell liquor on the licensed premises, for consumption on or off the premises, during the times stated in the licence; and
- (b) to sell liquor on the licensed premises, for consumption on or off the premises, at any time to a resident on the premises; and
- (c) to sell liquor on the licensed premises, for consumption on the premises, at any time to a guest of a resident on the premises while the guest is in the resident's company.'

**'69B Insertion of new s 65A**

Part 4, division 3—

*insert—*

**'65A Consumption of liquor on premises by residents and guests**

'Liquor supplied under the authority of a commercial special facility licence to a resident on the licensed premises, or to a guest of a resident in the resident's company, for consumption on the premises at any time other than during the times stated in the licence, must be consumed in a residential unit on the premises.'

Amendment agreed to.

Clauses 70 to 72, as read, agreed to.

Insertion of new clause—

**Mr LAWLOR** (12.56 pm): I move the following amendment—

**2 New clause 72A**

Page 77, after line 8—

*insert—*

**'72A Insertion of new pt 4, divs 8 and 9**

Part 4—

*insert—*

**'Division 8 Moratorium on extended trading hours approvals**

**'89 Definitions for div 8**

'In this division—

**commencement** means the commencement of this division.

**delegate** means a person to whom the chief executive may delegate the chief executive's powers under section 42.

**extended trading hours application** means an application made under division 7 for an extended trading hours approval for premises between 12a.m. and 5a.m.

**extended trading hours precinct** means an area that—

- (a) has a concentration of premises that have an extended trading hours approval between 12a.m. and 5a.m; and
- (b) is prescribed under a regulation.

**moratorium period** means—

- (a) the period from 16 September 2009 to 15 September 2010, both days inclusive; and
- (b) any extended period under section 95.

**'90 Restriction on making extended trading hours applications**

'(1) A person may not make an extended trading hours application during the moratorium period.

'(2) An extended trading hours application made or purportedly made during the moratorium period, whether before or after the commencement, is of no effect.

'(3) Subsections (1) and (2) do not apply to premises that are in an extended trading hours precinct.

**'91 Treatment of certain applications for extended trading hours approvals made before start of moratorium period**

- '(1) This section applies to an extended trading hours application made to the chief executive before the start of the moratorium period for premises that are not in an extended trading hours precinct that, immediately before the commencement, the chief executive had not finally decided.
- '(2) The application must not be considered or further considered by the chief executive until after the end of the moratorium period.

**'92 Certain proceedings in court or tribunal for extended trading hours approvals taken to end**

- '(1) This section applies to a proceeding in a court or tribunal—
- (a) commenced between the start of the moratorium period and the commencement; and
  - (b) relating to an extended trading hours application for premises that are not in an extended trading hours precinct; and
  - (c) that has not been decided by the court or tribunal at the commencement.
- '(2) The proceeding is taken to end and must not be further considered by the court or tribunal.

**'93 Certain court or tribunal decisions of no effect**

- '(1) This section applies to a decision of a court or tribunal before the commencement—
- (a) on a proceeding commenced between the start of the moratorium period and the commencement; and
  - (b) relating to an extended trading hours application for premises that are not in an extended trading hours precinct.
- '(2) The decision is taken to have no effect.

**'94 Protection from liability**

- '(1) A decision of the chief executive under this division not to consider or further consider an extended trading hours application—
- (a) is final and conclusive; and
  - (b) can not be challenged, appealed against, reviewed, quashed, set aside or called in question in any other way, under the *Judicial Review Act 1991* or otherwise (whether by the Supreme Court, another court, a tribunal or another entity); and
  - (c) is not subject to any writ or order of the Supreme Court, another court, a tribunal or another entity on any ground.
- '(2) The State, the chief executive or a delegate does not incur civil liability for acting, or failing to act, under this division in relation to an extended trading hours application.
- '(3) If a civil proceeding relating to an extended trading hours application was started before the commencement against the State, the chief executive or a delegate, the proceeding is stayed and the court dealing with the proceeding must dismiss it.

**'95 Minister may extend moratorium period**

'The Minister, by gazette notice, may extend the moratorium period by a period not exceeding 3 months if satisfied that it would be in the public interest having regard to this Act's object to regulate the liquor industry in a way compatible with minimising harm caused by alcohol abuse and misuse.

**'Division 9 Banning use of regular glass in certain licensed premises****'96 Definitions for div 9**

'In this division—

**regular glass** means glass other than tempered or toughened glass.

**regular glass container** means a container made entirely or partly of regular glass capable of holding a liquid, for example, a drinking glass, bottle or jug.

**glassing** means an act of violence by a person that involves the use of regular glass and causes injury to any person.

**relevant period**, for licensed premises, means the period of 1 year before a notice under section 98 is given.

**'97 When all or part of licensed premises must be classified as high risk**

- '(1) The chief executive may classify all or part of licensed premises as high risk if the chief executive is satisfied—
- (a) one or more glassings have happened at the premises during the relevant period; or
  - (b) there has been a level of violence at the premises during the relevant period that is unacceptable having regard to this Act's object to regulate the liquor industry in a way compatible with minimising harm caused by alcohol abuse and misuse.
- '(2) However, before classifying the premises or part of the premises as high risk the chief executive must—
- (a) give the licensee of the premises a written notice under section 98; and
  - (b) have regard to the licensee's response, if any, to the notice.

*Note*—

A guideline may be made by the chief executive under section 42A informing persons about the attitude the chief executive is to adopt on a particular matter or how the chief executive administers this Act.

**'98 Notice to licensee of licensed premises considered high risk**

- '(1) If the chief executive considers that all or part of licensed premises are high risk, the chief executive must give the licensee of the premises a notice under this section.
- '(2) The notice must state the following—
- (a) that the chief executive considers all or a stated part of the premises to be high risk;
  - (b) the reasons the chief executive considers the premises or part to be high risk;
  - (c) an invitation to the licensee to show within a stated period, not less than 14 days after the notice is given to the licensee, why the premises or part should not be classified as high risk.

*Examples of parts of licensed premises that the chief executive may decide not to classify as high risk—*  
accommodation rooms, restaurants, bottle shops

**'99 Representations about notice**

- '(1) The licensee may make written representations about the notice to the chief executive within the 14 day period.
- '(2) The licensee may request that all or part of the licensed premises not be classified as high risk.
- '(3) The chief executive must consider all written representations made under subsection (1).

**'99A Ending process without further action**

- 'If, after considering any representations by the licensee, the chief executive no longer considers the ground exists to classify the licensed premises or part as proposed, the chief executive—
- (a) must not take further action about the classification of the premises; and
  - (b) must, as soon as practicable, give notice to the licensee that no further action will be taken about the classification of the premises.

**'99B Notice classifying relevant premises as high risk**

- '(1) This section applies if, after considering any representations by the licensee under section 99, the chief executive still considers all or part of licensed premises should be classified as proposed.
- '(2) The chief executive must give the licensee a written notice—
- (a) classifying all or a stated part of the premises as high risk; and
  - (b) stating the day from which the classification starts.
- '(3) The notice under subsection (2) must not classify a part of the premises not mentioned in the notice under section 98.

**'99C Obligations of licensee who receives notice that licensed premises are high risk**

- '(1) Subsection (2) applies to a licensee who receives a notice under section 99B classifying all or a stated part of the licensed premises as high risk.
- '(2) The licensee must not at any time during the trading hours for the premises or stated part—
- (a) serve liquid to a patron in a regular glass container; or
  - (b) leave or place a regular glass container in an area to which a patron has access.
- Maximum penalty—100 penalty units.

**'99D When licensee may apply to end the banning of regular glass in the licensed premises**

- '(1) This section applies if 1 year has elapsed since all or part of licensed premises were classified as high risk.
- '(2) The licensee may make written representations to the chief executive to revoke the classification.
- '(3) The chief executive may revoke the classification only if the chief executive is satisfied that the licensee has put measures in place at the licensed premises that sufficiently minimise the risk of harm caused by alcohol abuse and misuse.

**'99E Judicial review only to apply to chief executive's decision**

- '(1) A decision of the chief executive under this division—
- (a) is final and conclusive; and
  - (b) can not be challenged, appealed against, reviewed, quashed, set aside or called in question in any other way, (whether by the Supreme Court, another court, a tribunal or another entity); and
  - (c) is not subject to any writ or order of the Supreme Court, another court, a tribunal or another entity on any ground.
- '(2) However, subsection (1) does not limit the *Judicial Review Act 1991*.

**'99F Chief executive may publish details of classification of premises on website**

'The chief executive may publish details of licensed premises or parts of licensed premises classified as high risk on a website of the department on the internet.

*Editor's note—*

The department's website is <[www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)>.

**'99G Commissioner must provide information**

- '(1) The chief executive may ask the commissioner to give the chief executive the information the chief executive requires to decide whether to classify licensed premises as high risk under this division.
- '(2) Subject to subsection (3), the commissioner must provide the information requested.
- '(3) The obligation of the commissioner to comply with the chief executive's request applies only to information in the possession of the commissioner or to which the commissioner has access.'

Amendment agreed to.

Clauses 73 to 77, as read, agreed to.

Insertion of new clause—

**Mr LAWLOR** (12.57 pm): I move the following amendment—

**3 New clause 77A**

Page 78, after line 10—

*insert—*

**'77A Amendment of s 121 (Matters the chief executive must have regard to)**

'Section 121(a)—

*omit, insert—*

'(a) if the application is an application to which section 116 applies—

- (i) the matters mentioned in section 116(6); and
- (ii) the public interest in so far as it relates to—
- (A) the Act's object to regulate the liquor industry in a way compatible with minimising harm caused by alcohol abuse and misuse; or
- (B) the impact on the amenity of the community; and'.

Amendment agreed to.

Clauses 78 to 113, as read, agreed to.

### Third Reading

**Hon. PJ LAWLOR** (Southport—ALP) (Minister for Tourism and Fair Trading) (12.58 pm): I move—

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

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

Motion agreed to.

Bill read a third time.

### Long Title

**Hon. PJ LAWLOR** (Southport—ALP) (Minister for Tourism and Fair Trading) (12.58 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.

Sitting suspended from 12.58 pm to 2.30 pm.

## MINISTERIAL STATEMENT

### Further Answer to Question; Citytrain

**Hon. RG NOLAN** (Ipswich—ALP) (Minister for Transport) (2.30 pm), by leave: Yesterday on ABC Radio I was interviewed about chroming on trains. The interview related to a specific incident, which had earlier been discussed on radio, in which a young woman had felt intimidated by a group of people on a train, and to the broader issue of chroming generally. I table the transcript of the interview I conducted yesterday.

*Tabled paper:* Transcript of an interview of Hon. Rachel Nolan, Minister for Transport, by Madonna King on 612 ABC on Wednesday, 7 October 2009 regarding chroming on trains [[1050](#)].

This morning in question time the Deputy Leader of the Opposition asked me a question that related to my ABC Radio interview. In the question he said—

Yesterday on radio the minister claimed that an offender was fined \$4,000 for sniffing glue on a train but could provide no details. Will the minister now provide details ...

In response to the question I stated that the Deputy Leader of the Opposition had misled the House. With the benefit of reading *Hansard*, it is clear that I misunderstood the Deputy Leader of the Opposition's original question. When he said that 'the minister claimed that an offender was fined \$4,000 for sniffing glue on a train,' I took the words 'an offender' to mean that he was referring to the specific case I was interviewed about. But it is reasonable on reading *Hansard* to take the question as referring to any case. As such, I correct the record and apologise to the Deputy Leader of the Opposition and unreservedly withdraw any comments that may have caused confusion or offence. I think it is clear from *Hansard* that this was a genuine misunderstanding of the question. That that was always my understanding is borne out by my words.

In relation to the broader issue, I can report to the House that in the 12 months to September 2009 some 3,013 people were fined for causing a nuisance on the public transport network. While figures are not available for how many of them specifically related to chroming, I am advised by Queensland Rail that transit officers have issued notices under section 143AF to persons creating a nuisance or disturbance on a railway whom they suspected or were told had been chroming. This clearly substantiates my broader point made on radio that the act does provide a power—which is utilised—for persons caught chroming on a train to be dealt with under the nuisance provision.

## GREAT BARRIER REEF PROTECTION AMENDMENT BILL

### Second Reading

Resumed from 4 June (see p. 790), on motion of Ms Jones—

That the bill be now read a second time.

**Mr ELMES** (Noosa—LNP) (2.33 pm): I would like to make one very short comment at the outset of this debate. I find it incredible that in the lead-up to today's debate on the Great Barrier Reef the government has been saying for months how important this is—government members have said all week how important this debate is yet they are happy, in the statements they have made, to have this bill passed by Christmas—yet at the start of this week we debated two education bills together on which there was no division and we have considered another bill on gambling which both sides of the parliament agreed with but on which debate had to be closed down.

Then debate on arguably the most important bill to come before the House in this sitting week is incompetently gagged and the debate that would like to be had by all members of this parliament, to express their point of view on behalf of their constituents and on behalf of the Great Barrier Reef, has been curtailed. That does not suggest to me that this debate and the government's protection of the Great Barrier Reef have got off to a great start. I do hope, as we move through proceedings this afternoon and tonight, that between both sides of this House we may be able to get some sort of a resolution that will both protect the Great Barrier Reef and protect the livelihoods of the primary producers who live in the three catchments.

The Great Barrier Reef is one of the wonders of the modern world. Its uniqueness and value are known nationally and internationally. This importance is acknowledged formally through its World Heritage recognition in 1981. It is the largest of the World Heritage areas, at 35 million hectares. The inscription on the register reads 'superlative natural phenomenon'. With some 2,900 reefs in total and 760 fringing reefs, this is the world's most extensive coral reef system. Indeed, it is protected under the Convention on Biological Diversity, as it hosts critically important habitats for the conservation and sustainability of biological diversity. These include seagrass beds and mangrove forests. They include nesting grounds for the threatened green and loggerhead turtles as well as the internationally endangered dugong and critical breeding areas for the humpback whale. They include myriad bird species amongst which are reef herons, ospreys, pelicans, frigate birds, sea eagles and shearwaters. It is the home to some 1,500 species of fish, 350 species of hard corals, 4,000 species of mollusc, 500 species of sponges, and so the list goes on.

We should also keep in the forefront of our minds as we debate this legislation today how culturally important the reef is to Queensland's Aboriginal and Torres Strait Islander communities. Of further note, it is economically important for Queenslanders as it provides employment to some 63,000 people engaged in the tourism, fishing and recreational industries, yielding annual revenues in the order of \$5.8 billion, including \$5.1 billion from tourism, \$610 million from recreational activity and \$119 million from commercial fishing. Quite apart from this, it is just a fantastic part of a rich tapestry of life to be there, to see and to experience all it has to offer.

The Great Barrier Reef is vitally important, so it then follows logically that anything that threatens the health and wellbeing of this treasure should be vigorously fought. We on this side of the House support intelligent, evidence based action to combat any real threat, particularly to the 450 inshore reefs. We see it as our obligation as leaders in our society to ensure that our generation and all the generations which are to follow us have the opportunity to experience its wealth. It is incumbent upon us as custodians to honour that most important duty and obligation.

Accordingly, as a party prepared to stand up for principles, we believe in the carrot-and-stick approach. In the case of the welfare of the Great Barrier Reef, we share the very logical and considered views of the groups which represent the agricultural industries in calling for a continuation of the carrot approach through Reef Rescue and a further rollout of the principles embodied within the Delbessie Agreement within the leasehold sector and on to the freehold sector, or 'Six Easy Steps'. This is the better approach, where industry is engaged in genuine consultation with responsible government entities—where the objectives are clear, where the objectives are shared, where the objectives are to achieve outcomes which improve the environment, where the objectives are to maintain or even improve the outputs from industry, where the outcomes are achieved cost effectively.

We know also that even in the very best of industries there will always be the recalcitrant who will not move readily to adopt best practice, who will be reluctant to change from the 'way we have always done it'. We want those individual land managers identified and strongly encouraged and assisted to adopt best practice. We know that in the broad approach to these issues there will be the need at the end of the day for the stick, and we will support its use in the circumstances which I will outline. Indeed, so do all of the industries currently engaged in discussion on the regulatory impacts of the bill. They do not want any bad apples in their industry. However, it is those few who refuse to budge from the practices of the past who are made out by this government to be in the overwhelming majority. Nothing could be further from the truth.

Like bacon and eggs, where the chicken is involved but the pig is committed, so, too, do we have Anna Bligh's green mates interested in conservation but it is the land managers who are actually committed to it. Every Queenslander knows that this is part 2 of the preference deal done with Greens just prior to the March election. The real pity is that the price to be paid is the counterproductive regulatory approach to this issue which we now see on the table.

The LNP cannot support this bill in its present form. I understand even the minister has reservations about it. However, we have come into this parliament with a suite of amendments which, taken together, will make a very crudely constructed bill workable to achieve the improvements in water quality which everyone in Queensland who understands the potential impact on the reef and those dependent on it also want. I ask the minister to join with me in a show of bipartisan support to work closely with industry to remove all of the wrinkles from this bill and shape it so that we can get a win-win-win situation—a win for the reef and the environment, a win for industry and common sense, and even a win for the Premier so she can keep faith with her green mates and their sweetheart deal.

The Great Barrier Reef Protection Amendment Bill is a worthy title. It is reassuring to think that more action is proposed to protect Queensland's greatest icon. One reads it in expectation of finding a continuation of the laudable, incentive based approach embedded in the reef plan, of seeing complementary legislation, of seeing inclusivity and cooperation fostered further. If there is a single piece of legislation which demonstrates more starkly for all to see the difference in approach between that of the Bligh government and the encouraging and incentive based approach from my side of politics, then I beg someone to show it to me.

The Bligh government's approach through this bill is divisive and vindictive. As its key objective, it seeks to reward the armchair green extremists for harvesting the preferential support at the last election, which tipped this government over the line, but this reward is at the expense of the agricultural communities in the Burdekin and the other two Wet and Dry Tropics catchments. It puts at risk this mainland based agricultural economy, which generates \$3.8 billion annually from cattle, cane and horticulture. We believe that this is just the start. As time goes on, we will see this regulatory approach regressively extended to other industries, areas and activities. The prime example of this is that the horticultural industry is engaged in the present discussions. Why is that, if it is not to be the next cab off the rank?

I spent some time one night re-reading the minister's second reading speech. I had been hoping against hope that I might have missed an important paragraph, but that was not the case. I was hoping to see the minister's plan for the agricultural community. I was looking to see what she has in mind for industries which generate \$3.8 billion from cattle grazing, dairying, sugarcane production, bananas, cotton, chicken, pigs, fruits and vegetables. What is the plan? I do not know because there is not one word—not a single word, not even a syllable—in all of that lofty rhetoric which would give farmers on the land any hope for the future. What the minister does say is—

... 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.

Well of course they shouldn't, but will they be under the legislation in its present form? In the minister's speech there is not one positive word about the farmers and their contribution to the state's economy of \$3.8 billion. It is important that I repeat that we on this side of the House will work with the government to improve this legislation to achieve the improvements in water quality for the reef—that is, those improvements which science informs us are the appropriate management options to reverse the decline in water quality.

The reason for this bill rests on the single assertion that, if the reef water quality targets are not achieved within the given time frames, the reef will die. It will not get sick or stagnate; it will die. In her second reading speech the minister goes on to state—

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 minister says that she will attack agriculture—the producers of our food and exports—but makes no attempt to address either climate change or the crown-of-thorns starfish. In attacking agriculture, as she proposes, the minister is also throwing out the baby with the bathwater. The minister also stated—

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.

I will let the minister in on a secret: the longline fisher folk are taking out coral trout in large numbers, and one of the natural predators of young crown-of-thorn starfish is the coral trout. A little attention to the longline fishing industry to make it a little more sustainable will see the crown-of-thorns starfish problem start to be managed. All through the government's proposal there is a lack of balance, a lack of understanding and a lack of compassion. In her second reading speech the minister tells us—and again I quote—

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.

Let us examine the credible and undeniable science of which the minister speaks. The only science to which the minister refers in her second reading speech is the 2008 *Scientific consensus statement on water quality in the Great Barrier Reef*. It is reasonable to infer that this is the credible and undeniable science to which the minister refers and on which she bases her justification for this draconian legislation. It may be that she has other scientific reports available to her but not to anyone else—reports which have not been peer reviewed or published in learned journals. If she has, I ask that these be tabled immediately so that the research can be tested. The last thing we want is some kind of voodoo science doing irreparable harm to our food producers and our land managers. I do not believe any minister, but particularly this minister, for whom I have a high regard, would make far-reaching decisions on utterly unsupportable grounds.

**Ms Jones:** I wouldn't; that is right.

**Mr ELMES:** No trouble at all, Kate. The conclusions from the scientific consensus are these—

1. Water discharged from rivers to the GBR continues to be of poor quality in many locations.
2. Land derived contaminants, including suspended sediments, nutrients and pesticides are present in the GBR at concentrations likely to cause environmental harm.
3. There is strengthened evidence of the causal relationship between water quality and coastal and marine ecosystem health.
4. The health of the freshwater ecosystems is impaired by agricultural land use, hydrological change, riparian degradation and weed infestation.
5. Current management interventions are not effectively solving the problem.
6. Climate change and major land use change will have confounding influences on GBR health.
7. Effective science coordination to collate, synthesise and integrate disparate knowledge across disciplines is urgently needed ...

One has to ask the question: are these conclusions consistent with the government's evidence? As always, the devil is in the detail. The language used in the body of the statement is calm and reasoned. Consider this in relation to the part of the report dealing with the conclusion that water discharged from rivers to the GBR continues to be of poor quality in many locations. The scientific consensus statement says—

Concentrations of nitrate and nitrite have elevated in groundwater in areas under intense agriculture—a portion of this groundwater is believed to enter coastal waters.

Note we are talking about a portion. How elevated are the levels? How big is the portion? What is the quantum? What effects might it have? No answer is given to any of these important questions. The statement also goes on to say—

... river loads of nutrients, sediments and pesticides are higher than in pre-European times—this is inferred from changes in land use and estimated through monitoring and modelling, although with significant model uncertainty ...

Again, that is inferred, not proven: 'with significant model uncertainty'. Indeed, all of this scientific consensus rests heavily on the work of Jon Brodie and his modelling of land use in pre-European times which was first published in 2003—some considerable time ago, and much has changed since. This, in turn, is based heavily on modelling against the two near-pristine catchments at Normanby in the Dry Tropics and Dalrymple Creek within the Herbert catchment in the Wet Tropics, and extrapolating those findings across a vast area of the state. This reliance is open to question and is acknowledged as such by the scientific consensus statement, where it says 'with significant model uncertainty'. Next consider this in relation to the part of the statement dealing with the conclusion that the health of the freshwater ecosystem is impaired by agricultural land use, hydrological change, riparian degradation and weed infestation. Again, I quote—

Concentrations of pesticides in waterways are highest in areas of intensive agricultural activity—the implications of this for community structure in freshwater ecosystems are potentially severe but our knowledge is limited ...

The last line again: 'our knowledge is limited.' Consider this in relation to the part of the statement dealing with the conclusion that current management interventions are not effectively solving the problem—

Understanding of the effectiveness of management interventions has improved in the last five years, but there are still significant knowledge gaps that undermine our present ability to identify investment priorities and provide confidence in likely water quality outcomes.

Note again, there are still significant knowledge gaps that undermine our present ability to identify investment priorities and provide confidence in likely water quality outcomes. It then goes on to say—

Economic and social impediments to practice change vary between regions, complicating the design of policies to achieve agricultural practice change—

And even more telling—

Knowledge of the effectiveness of restoration techniques is insufficient to guide investment—the effectiveness of riparian vegetation and wetlands as potential filters of sediments, nutrients and pesticides is known for some cropping areas, but is limited for grazing areas.

Note again, knowledge of the effectiveness of restoration techniques is insufficient to guide investments.

Now consider this in relation to the part of the statement dealing with the conclusion addressing climate change and how major land use change will have confounding influences on the GBR health, and again I quote—

Increased rainfall viability and intensity of weather events (droughts, floods etc) will make land management more difficult and increase the risks of soil erosion and loss, thus increasing loads of sediment and nutrients discharged into the GBR lagoon. Droughts reduce vegetation cover and expose soils to higher erosional losses to freshwater and marine environments during floods. Changing hydrology may have severe effects on the catchment of water quality ...

Remember that climate change will increase soil erosion and loss. Note also that a drought that we know of in the Burdekin lasted 70 years from 1801 to 1870, ending only some 135 years ago when Queensland was just a fledgling state. Severe drought is a risk that will not respond to legislation. I ask members to also consider this in relation to the part of the statement dealing with the conclusion. I quote—

... Effective science coordination to collate, synthesise and integrate disparate knowledge across disciplines is currently limited and inadequate, and is needed as a matter of urgency to manage GBR water quality. Science integration is the key to informing management decisions for the Reef Plan, and is required to understand and quantify the following links between the system components that determine GBR water quality and ecosystem health:

- within and across catchments of the GBR, so that the linkages between catchment actions and the health of catchments and the GBR can be quantified;
- between biophysical, social and economic variables so that realistic targets and implementation strategies can be developed and assessed;
- across local to regional to GBR scales, to determine whether existing and proposed activities are sufficient to achieve the reef plan goal of reversing water quality declines within a 10-year timeframe ...

I hope honourable members come to the same conclusions that I did. Under close examination the conclusions do not always match the evidence. Further, there is a great need—an enormous need—for funding to collate all of the science and to present it urgently so that legislators can make an informed decision, which is certainly not the case at the moment.

Is this really the credible and undeniable science of which the ministers speak? When we look at it, is it so credible and undeniable? Would the authors claim it was credible and undeniable? Absolutely on the credible front but undeniable in supporting the action proposed by this government? I genuinely do not think so.

So if it is not here in the scientific consensus statement, where is the credible and undeniable science on which the urgency for this draconian bill rests? If it is not the science of John Brodie, Jim Binney, Dr Fabricus, Professor Iain Gordon, Dr Heather Hunter, Dr Peter Reagan, Professor Richard Pearson, Dr Mick Quirk, Dr Peter Thorburn, Jane Waterhouse, Dr Ian Webster or Dr Scott Wilkinson, then whose is it?

Neither is it the science of Dr Peter Ridd from James Cook University, with 25 years of Great Barrier Reef research under his belt. He says that the reef is in pristine condition. His special area of interest is as a physical oceanographer paying particular attention to sediment transportation. His conclusion is that there is no significant threat to the reef from human activity.

But the area of greatest diversion from the seemingly conventional wisdom relates to Peter Ridd's view of sediment loads. Dr Ridd's view is that there is no doubt that sediment loads from agricultural causes is responsible for an increase in sediment loads. But he claims that those loads are minor, last only a few days each year and never reach the outer reef. By contrast, Peter Ridd's research shows that the reef's suspension of sediment from wave action—that is, sediment which has been there for 80,000 years—is more significant.

Further, he claims that what human activity has placed on the reef is only a very small fraction of what is there. His key question is: can the results of human activity increase the level of nutrients across the entire reef for a significant period of time across each year? His answer, based on his research, is that.

.. it would be virtually impossible to quantify the effect of man-induced increases in nutrients as they are so small.

Is the urgent need for this bill based on the science of the World Wildlife Fund, or that of the Queensland Conservation Council, or that of Wildlife Queensland, or that of the Australian Marine Conservation Society? What do they say? They all welcome this legislation.

But take the WWF. It has two bob each way. On ABC news on 3 July 2009 Nick Heath welcomed this proposed legislation but also welcomed the funding from Reef Rescue, which only commenced in July this year, as a good mix of incentives for those who want to move voluntarily to the new models plus regulations for those who choose not to move voluntarily. Remember again that the minister in her second reading speech said—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.

So Nick Heath and Minister Jones both favour our approach. Nick Heath advocates incentives for the willing and punishment for the recalcitrant. So do we. But the Bligh government seeks to punish 4½ thousand land managers against the advice of its own experts. The Bligh government knows that only 1,000 land managers are likely to be an issue. Of those, many were denied funding under Reef Rescue as the money had run out. They are not unwilling. Nick Heath says to punish the unwilling. Many of the 1,000 are not unwilling; they are just unfunded. And why? Because the Bligh government would rather spend the \$50 million allocated to this legislation punishing them rather than spend \$50 million to assist them to adopt latest best practice and it is certainly not spending anything to obtain the good science which its own expert panel is crying out for.

The other key question which must be asked is: how do we know if this draconian approach is successful? The public benefit test for the Great Barrier Reef protection package of May 2009 gives us the answer at page 5. It says you will not know. It says—

It will not be possible to attribute the full extent of reduction in pesticide and fertilizer run-off specifically to the Package because the actions will occur in conjunction with the other policy and program initiatives aimed at improving Reef water quality, including the Commonwealth's \$200 million Reef Rescue initiative ...

There are other actions already in train. The ink is not yet dry on the Vegetation Management (Regrowth Clearing Moratorium) Act 2009, passed just after the last state election. Remember that is the first part of the Labor preference deal with the Greens.

Then there is reef plan which has taken many years to develop to the stage it is at now. It has morphed under the Rudd government into Reef Rescue and the money from this latest rebranding started to flow only in July this year. Would it not be prudent to see if these measures work—to measure their progress before embarking on a grossly unfair, stifling, regulatory regime?

Reef plan has its own shortcomings, though. It ignores, for example, the effects of climate change, shipping accidents, urban development, fishing and sewage, all of which can affect the water quality of the reef. I ask: what will the effect be on funding from Reef Rescue? Have any assurances been sought from the Commonwealth in this regard? Will the federal government be absolved from its incentive funding obligations on the grounds that incentive funding does not apply where a regulatory regime exists.

I have to ask: will the regulatory regime under this bill ultimately be counterproductive to the health of the reef? Of course it will. It must. Regulation always reduces compliance to the minimum possible standard. This is one of the greatest contradictions of this bill. We have Reef Rescue, a well thought through and targeted \$200 million voluntary program courtesy of the federal Labor government. It is working well. It is oversubscribed but underfunded. Then along comes this nasty piece of legislation which threatens to undo all of the goodwill that now exists.

It is Labor versus Labor—the same party with two different contradictory plans that are trying to achieve the same outcome. If this situation existed with a federal coalition government and a state Labor government, I suppose I could understand how it came about, although it still would not make any sense. The best way to sum up this point is via the following quote—

It is agreed that it was important that the various actions being taken by both Governments should be complementary and coordinated to ensure the water quality targets identified in the updated reef plan are achieved.

And who agreed upon this course of action? It came about from a communique on 3 January 2009 from the Great Barrier Reef Ministerial Council. In attendance was the Hon. Peter Garrett, the federal Minister for the Environment; the Hon. Martin Ferguson, the Minister for Tourism; our own minister, Kate Jones; Steve Wettenhall, the Parliamentary Secretary to the Minister for Tourism; and the Hon. Tim Mulherin, the Minister for Primary Industries and Fisheries.

Of course, the other burning question is: will the government's approach work? The fact is that we will never know, because there is not going to be any evidence gathered which will tell us. No individual farmer will have an association with this legislation proven, nor will any individual farmer ever have it proven that his or her erosion was reduced and by how much, fertiliser run-off reduced and by how much, pesticide run-off reduced and by how much because the monitoring and testing will not be done. There is all this huff and puff but, when it comes down to it, the Bligh government will not put our money where its mouth is, nor can it tax cane growers to pay for it as there are only about 25 per cent making any money. That is the trouble with socialism, isn't it? You eventually run out of other people's money to spend. That very lonely sediment monitoring station at the mouth of the Burdekin cannot differentiate between the myriad sources of run-off. It cannot attribute the sediment load to any operator or property. It cannot identify whether the sediment is recent or ancient.

Madam Deputy Speaker, I know that you do not like props, but I will hold up a map for one second. The green bit shows the catchment area, and there is one monitoring station to monitor 4,500 farms and land manager operations in that catchment area located at the mouth of the Burdekin River.

**Mr Horan:** That green area is as big as the United Kingdom!

**Mr ELMES:** It is about the size of the United Kingdom. One wonders how that one, as I said, very lonely piece of infrastructure is ever going to pick up which farmers are not doing the right thing and which regions within that are not doing the right thing. Is it any wonder that land managers believe that the sole purpose of this bill is to either fine or tax them out of existence?

The Burdekin River catchment on its own covers an area of 130,126 square kilometres extending from well south of the Tropic of Capricorn between Emerald and Longreach to far to the north of the city of Townsville. My rough calculations suggest that it covers about one-seventh of the land area of Queensland with, as I said, just one monitoring station at the mouth of the river in Ayr.

But let me backtrack. I will paraphrase a direct quote from the minister's own 2008 *Scientific consensus statement on water quality in the Great Barrier Reef*. It said that science integration is the key to informing management decisions for the reef plan and is required to understand and quantify the following links between the system components that determine GBR water quality and the ecosystem health across local to regional to GBR scales to determine whether existing and proposed activities are sufficient to achieve the reef plan goal of reversing water quality declines within a 10-year time frame. So there we have it. What the minister trumpets as credible and undeniable science says that we do not yet know if what we are doing will be successful.

Queensland is a big state. We love big things here. We have the Big Cow. We have the Big Pineapple. We have the Big Apple. And now with this bill in its present form we have the biggest waste of time! This bill has two purposes. It is part of a deal to repay a debt to the Greens for preferences at the last election and it is an attempt to do something meaningful for the health of the Great Barrier Reef which in its present form will fail. This is one situation where the government can have its cake and eat it, too. The Premier can fulfil her promise to the Greens, so let us just put that to one side. I say to the minister and to government members, both in this chamber and elsewhere, with all sincerity that the amendments I will introduce are designed to reward the good, to penalise the bad but specifically to turn this highly flawed legislation into something that this parliament, the land users in the three catchments and the entire state can be proud of.

If it were within my power, I would move now that this debate be adjourned. The key reason put forward by the minister in her second reading speech is not valid. Were we adjourning, I would ask the minister to join with me in bipartisan support for the Great Barrier Reef and support the adjournment of the bill. This would be on the basis that I had allayed her concerns that the 2013 goal of reef plan would not be achieved. Her scientific consensus panel is calling for funding to inform the Queensland community of the best policy options to protect this great asset. It is not telling us that the voluntary approach is not working. The credible and undeniable science is telling us that we simply do not know, and I strongly believe that we should find out.

If we were adjourning debate on this bill I would call on the minister to commit the funds saved by the adjournment of the bill—that is, \$50 million—and allocate it in two tranches to support the intent of the bill. The major part would be applied to accelerate the rollout of Reef Rescue. The lesser part would be to support science integration called for by the scientific consensus panel. I would call on the minister to secure from the panel its budget and the time frame necessary to inform this House of the appropriate management options by which to best protect the reef. I greatly regret that it is not possible to adjourn the debate and obtain the facts to support the health of the Great Barrier Reef. Accordingly, I will be moving a suite of amendments at the appropriate time which, taken together, will take this bill closer to its stated objective.

I also want to remind the parliament that the LNP is committed to the protection of the Great Barrier Reef. It is a moral responsibility. We are also committed to ensuring that the measures to protect the reef are valid. The logic underpinning this bill is this: water of poor quality continues to enter the GBR lagoon. The two biggest land users in the GBR catchment must be responsible therefore. The two biggest land users are cattle grazing and sugarcane growing. Therefore, they must be the biggest polluters. Therefore, we should regulate the activity of all cattle and cane farmers. The linkage has a simplistic charm. In the absence of aggregated scientific data which the scientific consensus panel calls for, it is a reasonable place to start. However, the logic loses its credibility when it seeks to regulate all 4,500 cattle and cane farmers. The explanatory notes tell us that only 1,000 operators will be required to prepare an ERMP initially. Many of these were willing to be part of the reef plan and, but for a shortage of funding, would be involved now. Grazing on state leasehold land under the Delbessie Agreement and its improved management practices is being rolled out. The Delbessie model will be used by AgForce to extend best practice management to freehold land.

The cattle and cane peak organisations are aware that the recalcitrant give their industries a bad name. It is not true that the recalcitrant are the norm. However, that is the conclusion which the government has reached and upon which it has drafted this bill. So I urge the government not to target the 4,500 unfairly. Do not punish the whole cane and cattle industries for their few recalcitrants. Do not demonise the whole industry for the actions of a few. Instead, I urge the government to identify the 1,000 land managers whom it regards as high risk. Give them the opportunity to improve their practices. Do not forget that many of them would be part of Reef Rescue now if not for inadequate funding. Focus on only the 1,000 land managers and resource the process so well that a manual for best practice is developed and continuously improved for application in other cases if they are identified.

The government has swept up 3,500 good land managers in a regime which will cost time, money and effort and erode the goodwill which the reef plan, Delbessie and Six Easy Steps have nurtured. It may well be counterproductive. Why would they volunteer in future to be better land managers if they get no credit for it? They will avoid punishment if they comply with this bill and its regulations. They will avoid the nasty consequences by complying. It is a simpler option and the one likely to be adopted, but it will be at the cost of improved practice. Accordingly, the biggest effect of this bill in its present form will be on erosion. It will not be in redressing erosion of the soil; it will be the erosion of goodwill, the erosion of confidence that primary producers have for the future when dealing with government. It will be a terminal erosion of trust. Farming folk put a lot of store in their word. It is their bond. A handshake means more than a signature on a contract. Most Australians—nearly 80 per cent in fact—see honesty and integrity as qualities which they value most in their political leaders. I just wish they could see their political leaders at work today!

Those land managers have been working diligently and cooperatively with their own peak organisations and government agencies in the mistaken belief that they can trust this government. Focusing on the 1,000 is objective, simple and practical. Excluding organic cane growers and dairy farmers would make the approach even simpler. Organic cane growers do not use chemicals, pesticides or herbicides. While section 95 exempts organic land managers accredited by the Australian Quarantine and Inspection Service from producing an ERMP, they are still regarded as an agricultural ERA, and I wonder why. Dairy farmers occupy 0.21 per cent of the land area of the reef catchment. Their herds are two per cent of the total cattle numbers. The explanatory notes say that big landowners are big polluters and sets out to target them. It must be that dairying is included by mistake.

The bill seeks to prevent fertiliser run-off from cane farms by regulating the quality of fertiliser used. I would suggest that that is a simplistic approach. Cane growers seek to maximise the productivity of their land by managing the application and effectiveness of inputs very carefully. The issue of run-off of fertiliser has much more to do with the timing of and the quantity of rainfall than it does with any surplus application of fertiliser.

Underpinning the government's approach are the 12 nitrogen replacement field trials that were held in 2003 and the subsequent eight field trials that were held in 2004 in the Wet Tropics, conducted by the CSIRO. Although that work showed initial promise, the methodology remains unproven. It postulates that the optimum rate may be calculated by simply replacing the nitrogen that the crop removes from the soil. On that basis, there is none available to run off.

Key factors are ignored. Firstly, if the placement method of fertiliser application is used in an unseasonal, heavy and unexpected rainfall event, they simply wash away almost all of the fertiliser before it has the opportunity to be absorbed by the soil and/or in due course by the growing crop. Secondly, the optimum amount may not be the optimum for the crop, which, if the application is inadequate, may simply mine naturally occurring nitrogen from the soil, thereby degrading it. The third factor that is ignored is the land manager's desired production target.

Best practice environmental management is a term that is already identified or defined within the dictionary for the Environmental Protection Act 1994 and within section 21 of that act. Although the current methodology described in section 21(2) may be appropriate for this purpose, further consultation with the industry is required to ensure that the compliance with the definition occurs at the peak body level for extension to the individual land manager level and that the development of the compliance regime is not at the operator level. A BPM approach seems to be more likely to progress the industry, to be adopted by cane growers and, at the same time, encompass ERMP requirements.

This bill seeks to prevent sediment run-off from cattle farms by regulating the number of cattle grazing. The theory is that regulating the number of cattle to an optimum level and then minimum ground cover of pasture and vegetation will be maintained. This will prevent erosion and sedimentation of waterways and, ultimately, the GBR lagoon. The issues ignored by this simplistic approach are many. Balancing forage growth and forage consumption is one. Managing wet season pasture rest is another. Gully management is a third. The design of paddocks, grazing management, the provision of shade and optimising watering points for cattle are all part and parcel of good cattle grazing management for this region. So, too, is maintaining 3P—perennial, palatable and productive—grass ground cover, which is perhaps the single most important management strategy for improving run-off quality in the Burdekin.

Reef Rescue funds the watering of cattle away from watercourses. This action complements the Vegetation Management (Regrowth Clearing Moratorium) Act, which mandates 50-metre buffers around watercourses. The reduction of sediment run-off from grazing land requires a comprehensive approach engaging land managers. Simply regulating cattle numbers cannot achieve that objective.

Members will note that we on this side of the House have taken some care to develop our position on the bill to focus on achieving the government's desire to improve the water quality affecting the reef. Indeed, we and the government are as one on this issue. Our intention has been directed towards making a flawed bill deliver the outcomes for the reef which the stakeholders desire. Our approach on soil testing is, once again, focused on the practical. The government proposes to demand a significant increase in soil testing by the 4,500 land managers who are affected by the bill. Therefore, it is incumbent on the government to ensure that sufficient accredited soil testing facilities are available. These facilities must be operating and readily accessible to the land manager in each of the catchments. Accordingly, it is incumbent on the government to ensure that those soil testing facilities are required, as a condition of their accreditation, to have turnaround times for soil testing that do not inhibit in any way the production cycle of land managers impacted by this bill. I seek the minister's assurance that this will occur and that she will provide the House with evidence of the appropriate action ensuring that outcome. I ask the minister to commit now to tabling that evidence as soon as possible.

According to the 2006 census, the three catchments captured by the bill are home to some 339,469 people. Each year, 2½ million people from Australia and overseas stay at least one night in the Whitsundays, Cairns or Townsville. Each year, two million people visit the reef, that is, they actually go on to or into the waters of the reef lagoon. Let there be no doubt that a portion of the waste, waste water and sewage from all of those warm bodies will be having an impact on the reef and its water quality.

We know, for example, that sewerage systems throughout this area have experienced relatively regular failure. So a portion of this lost sewage will also find its way into reef waters. Just by way of example, in 2008-09 at Mossman there were 40 overflows of sewage due to flooding or effluent bypass events. There were also 19 at Gordonvale and 47 at Babinda. Overflows and heavy rainfall events are accepted as part of life at Hinchinbrook and Ingham, while Yarrabah does not even have a sewerage system plant at all, only ponds that discharge via a creek directly into the Coral Sea. So I presume Yarrabah will not be an ERA but all of the others that I have mentioned and all of the other sewage treatments that I have not mentioned will be.

With all of these ERA failures, it is clear that DERM already has its hands full. Hopefully, it is keeping its head above water, regardless of the quality. How is it expected to monitor the performance of an additional 4,500 ERAs over such a vast area as the three catchments? I do not have confidence in the government's interest in these failures that have occurred so far away from Brisbane.

The Labor affiliated Australian Workers Union shares my scepticism. It accuses the government of underfunding the state's fire preparedness in national parks for the forthcoming fire season. Fire poses a looming threat this year. We have just had a total fire ban in August, but DERM will not guarantee the funding of additional rangers in national parks, nor will DERM commit to replacing current or future vacancies. It will not even fund rangers to work on weekends. We know that bushfires occur on weekends. Victoria had Black Saturday this year. When a wild, uncontrollable fire occurs, what follows? In the next rain event, sediment and sooty run-off occurs. Where will that go? Straight out on to the reef.

The bill requires a management plan for an agricultural ERA that provides for the management of sediment loss from the property. The standard by which to measure that management is impossible. The bill requires that the agricultural ERA prevent sediment loss.

There was a situation—and I raised this with the minister when we were talking the other day—regarding labelling. I had some concern with regard to relabelling in the three catchments, the labels that are supplied and the work that is being done by the APVMA. I have looked again at the bill and I still have some concerns in that regard, but I will leave that issue at this point and raise it at a later time.

If any of the 1,000—indeed, if any of the 4,500 land managers—are engaged under Delbessie, that is, they already operate on state leasehold land under an engaging, cooperative, incentive-driven process, then there is absolutely no need for this legislation to affect them at all. It is already within the power of the government to require land management to ERMP standard. Indeed, I suspect that it is a chronic failure by DERM not to have addressed this issue already under Delbessie. Perhaps the minister could explain why this failure has occurred. Perhaps the minister could explain why an ERMP and Delbessie need to operate side by side and how it will be ensured that they are not conflicting requirements and that two lots of costs are not being incurred by these price takers. Indeed, this regulatory regime unfairly incurs additional costs for this group of operators that are so far not incurred anywhere else. As they are price takers, the government is effectively making the operators less viable. That is not fair when the government cannot attribute any element of the alleged problem to any individual. The power for the minister under section 93 indicates clearly the haste with which this bill has been drafted. It will give the minister power that more correctly belongs in the parliament.

I am very conscious of the time and the reduced time that we have to debate this issue this afternoon in the parliament. As members would be aware, the shadow minister in this position has 60 minutes in which to address the parliament. But I am also aware that there are many of my colleagues who live along the coastline of the reef who want to have their say on this particular bill. I will leave my contribution there. I say to the minister and the parliament that the LNP will reserve its right on its final intentions on this bill once we have gone through the amendment process. I will use the notes that I have here and others that I have prepared as we go through the amendment process. I ask that we get through this and we come up with what is a good outcome not only for the reef, as I said at the start, but also the primary producers who operate in the three catchments.

**Mr HOPPER** (Condamine—LNP) (3.20 pm): Before adding my contribution I congratulate the member for Noosa on the thorough way he covered this legislation. This bill should be renamed and called the 'Deal With the Greens Bill'. This is one of the biggest grabs I have seen for a long time. We have seen a number of things introduced through this House: vegetation management, the locking up of Moreton Bay—another part of a deal with the Greens before the election—and now this Great Barrier Reef Protection Amendment Bill. When Premier Beattie was here he brought in the wild rivers legislation. He painted every river in Queensland like the Mississippi. It is just a facade. We see another example of this in this piece of legislation today.

From the perspective of primary industries there are a few figures that I would like to go through that illustrate what the rural sector produce in Queensland. In 2008-09 the total value of Queensland primary industry commodities is forecast to be \$13.13 billion. Queensland's primary industry sector was the state's second most important export earner in 2007-08 after the mining industry, contributing more than a quarter of the total exports. There are approximately 30,551 businesses in Queensland that carry out agricultural activity and over 100,000 people who are employed in agriculture, forestry and fishing. The majority of these businesses are engaged in the production of beef or cattle or cane farming, which this bill very much covers.

Queensland consists of 173 million hectares. Almost 144 million hectares—or 83 per cent of this land—is used for agriculture. Queensland has the highest proportion of agricultural land in any state. There are 750,000 Queenslanders who engage in recreational fishing along the entire nearly 7,000 kilometre coastline and in many inland waters, which contributes \$1 billion to the economy. Queensland's population is predicted to reach 4.4 million by 2011. It is the fastest growing state in the nation. Food prices are predicted to rise internationally compared to other goods and services. Many of our low-cost international competitors will have difficulty meeting the health safety quality and sustainability requirements of an increasingly discerning market both domestically and internationally.

By 2025 global food output must increase by around 75 per cent and needs to double by 2050. For this we need an annual improvement of 1.8 per cent. This has to be done in the face of constraints imposed by water limitations, climate change, land availability, fuel prices and now the restrictions that this bill will put on our producers of the north. South-East Asia is one of the major buyers of Queensland's primary products. Queensland's clean green image is extremely important to the maintenance of our export markets. Biosecurity is a priority to Australia's export industry.

Let us discuss the comments of stakeholders within primary industries regarding this bill. Firstly, I commend Wes Judd for the mighty work he has done over the years with the Queensland Dairymen's Organisation. The QDO comments that there are a lot of unanswered questions; that the legislation targets some land use activities relating to agriculture but ignores many others which have higher risk

potential. The QDO is frustrated with the Queensland government's approach to develop an inclusion of the northern portion of the Queensland dairy industry within this bill. The organisation states that this legislation unjustly accuses the dairy farmers of being a high risk to water quality without any evidence. The dairy industry represents a minor land use in the reef catchment. Our best estimate, as the shadow minister said, was .21 of the reef catchment overall with 1.2 per cent of the Wet Tropics.

According to Australian Bureau of Statistics figures, approximately two per cent of cattle in the reef catchment are dairy cattle. Generally dairy farms maintain very high ground cover, which means virtually no run-off. In relation to the management of effluent, I was a dairy farmer when elected to parliament and I produced milk for the dairy farmers' organisation. The QDO back then brought in a best practice for dairy farming. Everything that could possibly be put in place to have best practice was put in place.

**Ms JONES:** I rise to a point of order. I draw to the attention of the member that I circulated amendments two days ago excluding dairy.

**Mr HOPPER:** I understand that.

**Madam DEPUTY SPEAKER (Ms Farmer):** Order! That is not a point of order.

**Mr HOPPER:** That is a perfect example of the quality of the minister. She does not even know what a point of order is. The Australian government has stated that the dairy industry is well managed and that dairy farm management systems are at the leading edge and that the legislation lacks detail and is overly regulated. The QFF, given the repeated concerns raised by stakeholders, has suggested that the time frames for the implementation of the regulations of this legislation must be revised, in particular, the implementation of the control of use of regulations to allow communication and education activities to take place in a timely manner and extending the time frame for the development of the environmental review and management plan to 2011. This would allow the ERMP requirements to be designed fully and triggers to be qualified. QFF have an existing memorandum of understanding with the state government with regard to the recognition of farm management systems. The MOU is part of the land and water management plan accreditation framework. The QFF states that there is not enough information on the implementation and reporting mechanisms for landholders and no clarification of when records will be required to be produced. It asks who will administer the authority. It would like to see incentive mechanisms for the more complex area of best practice adoption.

Cane growers comment that the aim of the legislation is very emotive and is in no way supported by scientific evidence; that some of the research data used by the government is flawed and in some cases outdated; and that the proposed legislation is specifically targeted at the sugar industry and other industries, such as tourism, escape any criticism. It states that the bill does not take into consideration the impacts of urban and coastal development and that the proposed legislation is being developed without sugar industry consultation. It comments that the Reef Water Quality Protection Plan 2009 is a cooperative approach between the state and federal governments, that the federal government's approach has been welcomed by the sugar industry as it attempts to build partnerships, and it questions why this state government does not follow. The state government's regulatory approach would deliver the lowest common denominator factor.

AgForce states that the land condition, ground cover, management regimes and climatic variables, for example droughts and floods, are all issues affecting water quality. These issues are dependent on a number of factors, not solely the number of stock. It states that the stocking rate is one of the many overall management issues that need to be considered in achieving a 50 per cent reduction in sediment leaving the catchment and that privacy issues are of concern surrounding the submission of personal business information to departments. It says that what is most disturbing is that the government is requiring producers to provide routine information as required. It states that the legislation aims to put limits and restrictions on all producers, especially those with more than 2,000 hectares, who are often the most professional land managers.

The stakeholder industry groups all have great concern about the record-keeping element of this bill. They are concerned about the lack of detail provided in this bill in relation to who determines measurable targets and performance indicators, the issue of time frames, enactment of this legislation and the lack of any scientific research to support this legislation. More money has been allocated for compliance and enforcement than for education and extension. The lack of certainty on the part of producers in regard to this bill is a very worrying issue.

The Howard government strenuously advocated protection of the Great Barrier Reef. In August 2002 the Commonwealth and Queensland governments signed an MOU—

**Ms Jones:** And Howard said in 2003 he'd support regulation.

**Mr HOPPER:** She does not like the truth, does she? She does not like it at all. She does not like to hear the truth and objects every time the truth comes out.

In August 2002 the Commonwealth and Queensland governments signed an MOU between the Commonwealth government and the state government of Queensland on cooperation to protect the Great Barrier Reef from land sourced pollutants. A \$200 million program was introduced by the Rudd Labor government, by environmental minister Peter Garrett. The federal legislation is wholly the work of the previous government. The Bligh government should provide \$100 million to the federal government's Caring for our Country—Great Barrier Reef funding package instead of bringing the Great Barrier Reef Protection Amendment Bill to Queensland and rather than appeasing the Greens.

Producers welcome the Reef Water Quality Protection Plan and were pleased with the partnerships and consultation that had taken place. So the federal government package was accepted. Farmers got behind it and said, 'We can work with this.' That is the way legislation should be introduced, instead of bringing in legislation that restricts farmers, puts pressure on them and treats them like criminals. This legislation introduced incentives to protect the reef, not obstacles that cause degradation of the reef.

I am running out of time due to the horrific motion that was moved in this House this morning. We have not looked at feral animals in national parks. This government fails to do anything about that. What about the run-off from the mines and the recent floodwaters that got out onto the reef? What has been said about that? Absolutely nothing because of the royalties that come to this government.

What about the sewerage systems in coastal towns? Those towns are going to be affected by every part of this bill. It is simply unacceptable. The requirements imposed on these farmers are massive and I find it very hard to accept.

**Mr KNUTH** (Dalrymple—LNP) (3.31 pm): I rise to speak to the Great Barrier Reef Protection Amendment Bill. The government states that the objectives of this bill are to reduce the impact of agricultural activity on the quality of water entering the Great Barrier Reef and to contribute to the achievement of water quality improvement targets set for the Great Barrier Reef by the Queensland and Commonwealth governments. The bill regulates certain sugarcane-growing and cattle-grazing operations in the Wet Tropics catchment, the Mackay-Whitsunday catchment and the Burdekin Dry Tropics. Research shows that the reef provides employment to some 63,000 people engaged in the tourism, fishing and recreational industries, yielding annual revenues of the order of \$5.8 billion including \$5.1 billion from tourism, \$610 million from recreational activity and \$119 million from commercial fishing.

Queensland is blessed. We have large proportions of the Great Dividing Range, the Great Basalt Wall and an abundance of natural resources. We also have our Great Barrier Reef that is teeming with fish and provides that commercial activity and, likewise, recreational fishing. It has an abundance of fish and is in pristine condition.

Politics is about perception. When the Premier went to the last election promising to go full term only to go to the Governor six months early, she promised that there would be no fuel tax and that there would be no selling of Queensland's profitable assets built by hardworking Queenslanders. Another promise was to create 100,000 jobs to the roar of the party faithful and a standing ovation.

Combining all this—we were not going to hit Queenslanders with a fuel tax, assets would remain in the ownership of Queenslanders—to the average voter this was quite impressive. Another trick to try to win voters was putting their hands on their hearts and saying, 'We are going to protect one of the great wonders of the modern world, that is, the Great Barrier Reef.' However, it did not stop there; the government said that the blame will go to those tree-clearing and bulldozing farmers and graziers who pump the rivers dry, destroy the ozone layer and are the cause of climate change—just as they have blamed them year in, year out. I have been out to the Great Barrier Reef a number of times—and it has been three years. We tried three times to get out to the reef due to rough conditions. I had the opportunity to snorkel and we saw teams of MOIRA Wrasse, coral trout, sweetlip and parrot fish. That reef was in pristine condition. This contention that if we do not do something within the next 10 to 15 years we will not have a Great Barrier Reef is absolute rubbish.

In reality the reef is in pristine condition and that is backed by the research of a number of leading scientists. I will read from a small article in the North Queensland register about James Cook University leading eminent scientist of 25 years Dr Peter Ridd. He states that there is no better coral reef ecosystem than the Great Barrier Reef. That article states—

It was virtually undisturbed, most was well offshore and if you go out there, you'd be lucky to see another boat.

Unlike most other coral reef systems of the world, herbivorous fish are not harvested on the GBR—our catch is all carnivorous fish, which leaves the herbivorous species to keep algae under control and the reef is in pristine condition, he said.

As a physical oceanographer, his area of interest has been sediment transportation, and his conclusion is there is no significant threat to the reef from human activity and he was adamant cane farmers are not killing the GBR. He said there are scientists who say global warming will kill the reef within 60 years. Some say nutrient and pesticide increases, crown of thorn starfish—

**Ms Jones:** So why do they get money under Reef Rescue? Why do cane farmers think it is okay to get money under Reef Rescue if they are not damaging the reef?

**Mr KNUTH:** Why do you not listen to this side? You want to hear just one side.

**Madam DEPUTY SPEAKER:** Members should direct their comments through the chair.

**Mr KNUTH:** The article goes on—

He said there are scientists who say global warming will kill the reef within 60 years. Some say nutrient and pesticide increases, crown of thorns starfish and ocean acidification will kill it within 30 years, but none of those threats can be substantiated, particularly global warming, as coral is a tropical species which improves in growth rate and health as water temperature rises.

I could read a lot more of this but I will conclude due to time constraints. The article states—

However, compared to what is already out there and the small time it is in the environment, it is insignificant.

“There is algae growing amongst the corals on the reef that act like legumes and produce more than 20 times the amount of N of a river flow. Then there are upwellings of nutrient-rich water from the Pacific that flood over the reef containing 100 times the N and P of the river discharges. So it would be virtually impossible to quantify the effects of man-induced increases in nutrients as they are so small.”

The evidence of these scientists proves that this idea that the nutrients from farmers are killing the Great Barrier Reef is a myth; it is a lie. It is all about perception. To add to this, the rainforest sediment contributes more nutrients than the cities and towns of Cairns, Innisfail, Townsville, Mackay, Rockhampton and all of the farmers put together. The Bligh government's approach in demonising farmers to seek to reward the radical green extremists who have not dug a hole, not built a fence, not milked a cow, who are not out there amongst the flies, the crows, the heat and the dust or contributing one cent to the economy is all to save the government's political hide at the expense of the agricultural communities in the Burdekin, Mackay, Whitsunday and the Wet Tropics catchment. It puts at risk the agricultural economy which generates \$3.8 billion annually from cattle, cane and horticulture and punishes 4,500 land managers against the advice of its own experts.

Why introduce this bill? We have already had a sensible initiative aimed at improving reef water quality, including the Commonwealth's \$200 million Reef Rescue initiative. Reef Rescue is a great initiative from the federal government. It is a \$200 million voluntary program. It is working well and many landowners are participating. In reality, it is all about goodwill. We just cannot understand why the state government does not contribute \$100 million to solve this problem and then everybody would work well together.

**Ms Jones:** You just said it wasn't a problem. You just said it was a myth.

**Mr KNUTH:** If there is a problem—

**Ms Jones:** So you want taxpayers' dollars for a problem you don't think exists?

**Madam DEPUTY SPEAKER:** Members will direct their comments through the chair.

**Mr KNUTH:** But who are you targeting? One interest group—all at the expense to save their own political hide. In reality, there was no need for this draconian piece of legislation which undoes all the good work that now exists. There is no need for this bill. That is what the LNP will do. We will work with farmers. We will support them. We will assist them. We will advise them. We will not put in place the 'spy in the sky' satellites and the 'dob in a farmer' hotlines and all the nonsense that has been put in place at present.

Another restriction is set out in proposed section 84, which provides that a person who makes an agricultural environmentally relevant activity record must keep all relevant primary documents—that is, documents used to prepare the agricultural records, such as invoices for the purchase of fertiliser, and soil test reports mentioned in the record—for at least five years after making it unless the person has a reasonable excuse. The maximum penalty for failing to do so is 100 penalties units, which is a \$10,000 fine.

In addition to identifying the kind of information, proposed section 94 specifies that an environmental risk management plan must identify any hazards of the property that may cause the release of contaminants into water entering the reef; include measurable targets and performance indicators for improving the quality of water being discharged from the property; and, subject to sections 90(2) and 95, include a management plan for the agricultural ERA that provides for the management of the application of agricultural chemicals on the property, nutrients applied to soil on the property and sediment loss from the property, including the management of ground cover and erosion zones to prevent sediment loss. Not being able to fulfil these requirements will mean fines of up to \$30,000.

The farmers and graziers are not contributing even a minuscule proportion of these. They are contributing nothing, yet all this burden, all this cost, all this expense is put on these farmers. What for? To save the government's political hide. It is pleasing to see that the dairy farmers have been exempt, after pushing from the shadow minister for climate change and sustainability. I believe that has been a good win for us. There were 300 dairy farmers on the Tablelands; they are now reduced to 78. There will come a time when we will not have milk on the table. The more restrictions the government puts on

farmers, the more likely we will be importing milk from overseas. That is what land management is about. Land management is about sowing the good seed, producing the best food, the best crop. At the end of the day, in the members' dining room it is about putting the best food on the table—the good beef, the good milk, the good juices. That is what primary producers are all about.

**Mr O'BRIEN** (Cook—ALP) (3.42 pm): I rise to support the Great Barrier Reef Protection Amendment Bill 2009. My electorate is in the heartland of some of the best primary production in this state. It is also right next to the spectacular Great Barrier Reef. There is no question as to how much value the agricultural industry contributes to the local economy. We are not saying that farmers have not been stewards of the land adjoining the Great Barrier Reef for generations and have not managed that land responsibly and diligently. It is the farmers themselves who acknowledge that not all farmers apply the same sustainable techniques as promoted by many peak bodies striving for best practice.

We all acknowledge that the Great Barrier Reef is without doubt one of Australia's most important assets. Tourism, the single largest industry operating in the Great Barrier Reef, generates about \$5 billion in economic value each year. The reef is essential for employment in my electorate. It is also essential to see that the agricultural industry and the businesses relying on the reef are protected for the future. That is what this bill does. It provides a balance between competing rights—the agricultural industry and those in the tourism industry that rely on the reef. The bill does that for the cattle and sugar industries in the reef catchments. It assists farmers to reduce their costs and position themselves for the future. There is nothing to fear from this bill.

There has been a bit of talk here this afternoon about the scientific evidence. I struggle to accept the argument of scientific evidence from those opposite, as they pick individual scientists to suit their own argument. But the weight of scientific opinion says that we must act now and that to not act now would simply be irresponsible. The scientific evidence speaks for itself. Run-off from farms is ending up in the rivers throughout the catchment and on to the reef.

Honourable members should refer to the reef plan released by the Premier at a recent sitting of parliament. As has been mentioned here before—

**Ms Jones:** John Howard said so.

**Mr O'BRIEN:** I take the interjection from the minister. There has been a lot of talk here about Greens preference deals and collusion with the ALP. But the reef plan was released by the Howard government. I do not know if the Greens were colluding with the Howard government when it concluded under the reef plan 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'. When the Liberal and National coalition in Canberra released and endorsed that information, did they do that in collusion with the Greens party? Of course they did not. They endorsed at that time at a federal level a course of action that we are undertaking here this afternoon.

With the price of chemicals and input costs increasing, it also makes good business sense to ensure that fertilisers and pesticides are being applied appropriately. As with all good scientific debates, and most debates with those opposite, there will be those who agree and those like those opposite who are sceptics. But the jury is in and if we do not act now it will be too late.

This bill provides for primary producers to apply the best farm management practice for the environment. I would like to acknowledge that here in Queensland and in my electorate we have farmers who have stepped up to the plate and are delivering change management practices to secure their investment for the future. They have raised the bar and it is time everybody else caught up.

The argument that those opposite are essentially prosecuting here this afternoon is like this: on our roads we should have a speed limit but it should be a voluntary speed limit and we should pay those people who stick to the speed limit and we should have no enforcement of those who do not stick to the speed limit. That is the essence of the argument that those opposite are prosecuting here—that there should be no enforcement for those people who steadfastly refuse to apply best practice and put other industries at risk. It is an irresponsible position that they are taking in this parliament here this afternoon.

Those who do not participate in best practice will now be regulated to ensure that they do. Those who do participate in best practice—and that is what most sensible farmers want to do because it saves them money—have nothing to fear. It is only those who want to steadfastly oppose and steadfastly not apply best practice who have something to fear from this bill. It is those people who want to use too much pesticide and too much fertiliser and not apply best practice whom those opposite are representing here today. They are representing those people who do not want to protect the Great Barrier Reef. Most farmers do want to protect the reef. Most farmers are prepared to do that. But those who do not should be fined and should be penalised, and those are the people solely and wholly whom those opposite are representing here this afternoon.

Twenty-five regional reef protection orders will deliver on-ground education assistance and extension across the three catchments to ensure compliance with the introduction of the Great Barrier Reef Protection Amendment Bill 2009. Training of these staff has just begun. These officers will be complemented by industry and NRM partnerships that will provide further support over the life of the

program. Presently the government is exploring industry and regional partnerships for further rollout. There has been talk of the federal government's Reef Rescue funding here today, and I will not go into that to save time. But there are other partners. The member for Dalrymple talked about the nutrients in sewage run-off.

I know that in Cairns the regional council has had a levy on ratepayers for many years now, since I was on the council between 2000 and 2004. A sewerage levy was applied to ratepayers so that tertiary treatment plants could be put into the seven sewage treatment plants that existed in the Cairns City Council at that time to improve the run-off into the inlet and into the reef. So ratepayers are affected by the changes in legislation to improve nutrient run-off into the Great Barrier Reef lagoon.

Reef operators have had to put up with changed legislation to improve their practice at great operational cost in some circumstances to ensure that their practices are not damaging the reef. It is a partnership approach to what is happening here. There are many people including commercial fishermen who have had to change their practices to ensure that we protect the Great Barrier Reef. Those farmers who are applying best practices on their farms have nothing to fear. I commend the bill to the House.

**Mr PITT** (Mulgrave—ALP) (3.50 pm): I rise to support the Great Barrier Reef Protection Amendment Bill 2009. My electorate is the heartland of sugarcane growing. It is also right next to the spectacular Great Barrier Reef. I have heard endless criticisms of the bill from the LNP, in many cases resorting to untruths, misleading comments and scaremongering about what might happen under the new regime. Contrary to these claims, the legislation will not penalise farmers who are already carrying out responsible farming practices that are compatible with good reef health. It is essential to me—and to those in my electorate—that both the sugar industry and the industries relying on the reef are protected and conserved.

There are two sugar mills in my electorate—one at Gordonvale and one at Babinda—and there are many people in outlying areas whose livelihoods rely on the sugar industry including workers at the South Johnstone mill. The Mulgrave central mill at Gordonvale, which was established in 1896, crushes over 1.3 million tonnes of cane per year from 17,000 hectares of surrounding farms. This is around 10 per cent of the area of my electorate. The Mulgrave mill contributes over \$106 million to the economy and sustains more than 1,200 local jobs. Similarly, the mill at Babinda continues to be an integral part of the community, surviving fire damage in 2006 and battling ongoing rumours that its days are numbered.

There is no question as to how much value the sugar industry contributes to the local economy. I acknowledge that many growers have been great stewards of the land that adjoins the Great Barrier Reef—some for five generations. These growers have managed that land responsibly and diligently, and in many cases have been looking to have their children and grandchildren continue the family business. They know that farming of all types has an impact on the environment. They also recognise, as does the rest of the world, that the Great Barrier Reef is without a doubt one of Australia's most important assets.

The Great Barrier Reef provides the basis for substantial economic activity. Tourism is the single largest industry operating in the reef, attracting more than two million visitors each year and generating about \$5 billion in economic value each year. The reef is crucial to employment in the local community. It underpins around 50,000 Queensland jobs in the tourism sector alone.

Over recent years the Queensland government's primary focus in managing the reef has been to achieve a sustainable balance between the recreational use of the reef and the desire to protect its iconic natural and cultural values in the face of development and agricultural practices. The poor quality of water running into the reef from the catchments is a major threat. The Reef Water Quality Protection Plan agreed between governments in 2003 was not delivering the level of improvement in water quality that was necessary for the continuing health of the reef. Through measures identified in the reef plan signed by federal environment minister, Peter Garrett, and the Premier last month, it is expected that by 2013 we will halve the run-off of harmful nutrients and pesticides and ensure that at least 80 per cent of agricultural enterprises and 50 per cent of grazing enterprises have adopted land management practices that will reduce run-off.

I give my full support to this bill, and here is why. Firstly, if the cane-growing industry is going to thrive and expand, it must reduce its environmental footprint collectively and it must find a way to reduce its input costs. This regulation will ensure that every cane farm will reduce its environmental footprint by using less fertiliser and chemicals, collectively making way for the sustainable expansion of the industry. The regulation will also assist farmers to reduce their input costs from using less fertiliser.

Scientific evidence suggests that fertiliser from farms is ending up in waterways throughout the catchment, and ultimately on the reef, every year. It is not hard to see at today's radically fluctuating fertiliser price that there are significant savings to be made by ensuring that only the optimum rate of fertiliser is applied. Not only is it good for the environment; it also makes good business sense. While the costs and benefits to individual farmers will vary, those farmers using precision farming techniques are already showing savings of around \$3,000 per year in reduced fertiliser costs. This saving will escalate over time in line with the rising price of oil and gas.

I know that 2009 has been a mixed season for cane growers in the Far North, both in terms of weather and output. While there was reduced tonnage at most mills, CCS levels were up, as were sugar prices. But dry conditions are already putting a question mark over the 2010 season, a reminder that lean times can return without warning and growers need to find savings wherever they can.

The second reason I support the bill is that I respect the science behind the decision to regulate. While the recently released reef outlook report identified that the reef is generally in good condition, importantly it highlighted that, unless we take strong and effective management action now, the health of the reef may decline significantly over the next 50 years. There is substantial and credible scientific evidence to indicate the reef's health is suffering long-term decline from the nutrient, pesticide and sediment run-off from broadscale agriculture in its adjacent river catchments.

A paper that this government rates highly is the 2008 *Scientific consensus statement on water quality in the Great Barrier Reef*, which was released by 13 leading scientists after reviewing 500 technical papers. It confirmed the presence of sediment, nutrients and pesticides in the reef—up to 60 kilometres offshore—in amounts that will cause it harm. Also, in 2006, the Great Barrier Reef Marine Park Authority's annual marine monitoring report found high concentrations of the agricultural pesticide diuron at many river mouth sites.

Peer reviewed science, also in 2006, by leading reef scientists documented the marked decline in the richness of coral for 400 kilometres south of Cooktown, right next to my electorate. We know that new science—recently or about to be published—reiterates the growing problem of pesticides and herbicides in freshwater and marine environments. A 2009 paper published by Bob Packett and others indicates serious atrazine contamination in the reef catchment. Also this year, the Australian Centre for Tropical Freshwater Research at James Cook University studied the effects of pesticide residue run-off in the Tully-Murray, Burdekin-Townsville and Mackay-Whitsunday regions over that last four wet seasons. The results in the Tully-Murray area found that run-off from herbicides used in cane farms was responsible for toxic levels at nearby Dunk Island and was sometimes at concentrations which would directly affect seagrass and coral reef species.

Like all good scientific debates, there will, as the member for Cook said, be those who agree and those who are sceptical. There will always be someone who can provide one-off cases where a proposed solution may not achieve its desired goals. However, the ability to google a topic or find a disaffected person to speak out does not mean that we should dismiss the compelling wider body of evidence that has been presented and must be taken into account. I am satisfied there is enough evidence by enough respected scientists to support the government's decision to regulate. The simple question we need to ask is: what would be the consequences if we choose to ignore these experts or spend many more years in debate?

One thing that the majority of scientists agree on is that the reef is under threat from several quarters, principally climate change. Unfortunately, there are aspects of climate change that are beyond our scope to fix. Therefore, we must focus on what we can do right now to make the reef as resilient as possible to cope with the effects of climate change.

Thirdly, I support this bill because it will guarantee that all cane growers adopt the best farm management practices for the environment. There is something to be said about the tail wagging the dog. Community and industry views move with the times on a number of issues, but sometimes legislative change is necessary to reclaim the lead role in a debate. Take, for example, the smoking bans in force around the state. Only a couple of decades ago, this would have been unthinkable. Tobacco companies sponsored every major sporting event and some even considered smoking in any public area a basic human right. Here, the carrot and stick approach was never going to cut it. If we had to rely on smokers to change their ways, we would still be waiting. Yet because of the legislative response, these days smokers are fast becoming the exception to the rule and overall health levels are improving.

Some farmers have already changed their management practices. Those with the knowledge and the financial wherewithal to change—but will not—will now be regulated to ensure they do. Those in a financial position to change—but lacking the knowledge—will have the benefit of free support, tools and extension services from this government. And those willing to make the changes—but lacking the financial resources—can take advantage of the Australian government's current reef rescue funding.

I have heard plenty of arguments that the reef rescue package was going to achieve what this bill sets out to do but without the so-called big stick approach. My response is this: if farmers, as their lobby groups suggest, are following best practice and posing minimal threat to the reef, they should have little trouble in meeting the proposed requirements of the legislation.

While it is not at the forefront of debate, the next reason I support the bill is nonetheless important. The bill is a logical complement to the work being undertaken by the reef plan and the implementation funding from Reef Rescue. Despite what the opposition spokesperson for climate change and sustainability says, the regulation will be underpinned by a comprehensive monitoring and evaluation program in conjunction with the reef plan and the Australian government.

A detailed survey will be made of farmers in the regulated catchments to determine what farm management practices are currently in place at levels effective for the reef. This will provide baseline data to report on in each subsequent year of the program. This will be invaluable to policy makers and researchers in the future.

I would like to take this opportunity to compliment the Minister for Climate Change and Sustainability, Kate Jones, on her work with stakeholders on this bill. The minister gave a commitment to cane industry representatives that they would be consulted closely and that she would heed the technical knowledge of those on the ground affected most by this legislation. Through the reef implementation task force, the minister has ensured stakeholder views have been incorporated wherever possible and that industry representatives were actively engaged regarding how the regulations will be implemented to ensure they are practical and create as little burden as possible on the industry.

I would also like to recognise the degree to which groups like AgForce, Canegrowers and the Queensland Farmers Federation have engaged with the government during this consultation process. Collectively, they have raised some important concerns on behalf of their membership, such as those relating to alternative methods of pesticide application and the regulation of no-spray buffers.

As a result, the government has changed its approach in these areas and will use environment risk management plans in the first instance. Concessions on these and the subsequent amendments to the bill are a good example of government listening to industry and parties working together to reach an appropriate outcome.

This bill is based on sound scientific evidence that the reef is in trouble. The legislation will help to detox the Great Barrier Reef and give it a fighting chance to recover from the pollutants that for too long have entered its catchments. It will provide a basis for farmers to make cost-effective changes to their farm management practices that will help protect the reef in the future. It does not present an onerous time or cost burden to farmers who are already doing the right thing. It does not punish those who are carrying out responsible farming practices that are compatible with good reef health. It supports and enhances this government's reef plan and the Australian government's Reef Rescue initiatives. But most of all, it just makes good sense.

**Ms JARRATT** (Whitsunday—ALP) (4.01 pm): As one of the members of this House whose electorate encompasses a section of the Great Barrier Reef and whose constituents benefit either directly or indirectly from the existence of this wonder of the natural world, I rise to give my passionate support to the Great Barrier Reef Protection Amendment Bill 2009. The Great Barrier Reef is breathtaking in its size, beauty and complexity. I have a clear memory of my first encounter with this underwater wonderland when, on a boating trip with friends out of Mossman in North Queensland, I donned a diving mask and slid into the water. I literally hyperventilated in response to the experience because my brain just could not accommodate the vision before me. Since that experience I have attained my advanced open water scuba diving certification so that I can spend more time exploring the coral gardens of the Great Barrier Reef. I have also become increasingly aware of evidence that points to a reef system under threat.

Back in 2001-02 I first became aware of the consequences of coral bleaching when I noticed a strange mauve coloured staghorn coral. I was informed by the marine scientists with me that this colouration was caused by dying coral polyps that were unable to cope with the rise in water temperature after a period of prolonged summer heat. A year or two later I dived on Bait Reef with the crown-of-thorns starfish eradication team during a visit by then environment minister Dean Wells. There is a well-developed theory that crown-of-thorn starfish proliferate when the reef's resilience is threatened by one or more factors.

Even more recently I have become aware of the threat to the reef from increasing acidification of the reef lagoon water. Our oceans are apparently a wonderful carbon sink, and the shallow lagoon waters of the reef are vulnerable to this process which naturally presents an adverse habitat to coral polyps and other marine creatures.

Add to these threats a rise in water nutrient levels caused by fertiliser run-off and the suffocating plumes of sediment that regularly follow heavy rainfall episodes and it is clear that the survival of the Great Barrier Reef system cannot be left to a business-as-usual approach. If it were lost to us because we did nothing, the world would lose an incredible source of the planet's biodiversity. The amendments in this bill are essential if we are going to make a concerted effort to reduce the water pollution from broadscale agriculture entering the Great Barrier Reef and help make it resilient to the effects of warmer and more acidic seas caused by elevated atmospheric carbon.

A lot of the debate around this bill focuses on the farmers and graziers who are not adequately controlling their impacts on reef health. My support for the bill should in no way be interpreted as a blanket criticism of farmers or the way they manage their businesses. While there are still some in the sugar industry in my area who are not pulling their weight, there are many more farmers who have moved with the times, have embraced new technology and innovation and are model stewards of the land adjoining the reef. These farmers have been the subject of several case study reports.

One such case study concerns the McLeans from Narpi, north of Mackay. The McLeans manage four farms totalling 380 hectares, the majority of which is planted with sugarcane. The creeks flowing through their property still have good riparian vegetation along their banks. All of the farms form part of the catchment area for Jolimont Creek, which is a major subcatchment of the Murray Creek system. The McLeans's priority is to set up their farms to be as sustainable as possible—economically and environmentally. They are taking action to reduce their use of residual chemicals which may leave the farm in the form of run-off to cause water quality issues in the waterways and eventually the reef.

With the assistance of the Mackay Whitsunday Natural Resource Management Group's sustainable landscapes program, the McLeans developed and purchased a four-row shielded spray unit to reduce their reliance on residual weed poisons. Residual weed poisons, unlike knockdown poisons, do not break down immediately they come into contact with the earth and can persist in the waterways and eventually find their way into the reef environment. Spraying chemicals inside enclosed hoods running on the ground restricts spray drift which means there is less opportunity for chemicals to end up in the waterways. It is also more efficient and therefore cost saving. Together with a neighbour, the McLeans modified their spray unit to apply two knockdown weed poisons in sugarcane simultaneously with great success.

The McLeans are also tackling the source of weeds from surrounding bushland areas by applying a strategy of minimal chemical use with other methods such as burning and spot spraying. Over several years they have built a number of stormwater structures to help trap farm run-off and provide an alternative irrigation source. The McLeans's vision is to have a profitable farm that is not causing any further degradation to the soil, water or vegetation—a sustainable farm for the next generation.

Also north of Mackay, the Mackenzies are managing 142 hectares of sugarcane and grazing land at Calen. Again, their intention is to reduce as many inputs—fertiliser, herbicides and fuel—as possible while maintaining at least the current production of their farm. They want to maximise the profitability of their business but incorporate a focus on the environment.

They are using a controlled traffic farming system with GPS guidance to reduce the use of farm equipment on the land, which translates into better soil condition, less erosion and less fuel use. They also use a legume fallow to add nitrogen to the soil when possible. This natural nitrogen improves soil health and reduces the need for synthetic fertiliser that can run off and cause damage to the waterways and the reef.

Georeferenced soil mapping and testing is used to develop nutrient management plans for the farm. Linked with their GPS controlled automatic variable rate fertiliser box and combined with yield monitors, the Mackenzies will be able to develop a very precise nutrient management program, leading to far less waste of expensive fertiliser and a lower environmental impact. Their grazing management plan includes implementing some strategic fencing and pasture improvement, stock control, weed removal and soil testing.

The Mackenzies, like the McLeans, envisage a profitable and environmentally sustainable farming enterprise well into the future. They have insulated themselves well against the rising cost of oil and gas, which is fundamental to the manufacture of agricultural chemicals.

These farming families are to be commended. They are ambassadors for their industry and champions of sustainable agriculture. They, and other farmers like them, are proving that adopting sustainable agricultural management practices translates into tangible cost savings. Further examples of sustainable farm management practice can be found in publications of the *Australian Canegrower*. I commend the industry for embracing their responsibilities as custodians of the land.

For those farmers and graziers who require financial assistance to purchase equipment such as GPS systems or hooded sprayers, the Australian government provides grant funding through its current Reef Rescue program. Farmers who may be able to afford the new equipment but do not have the knowledge to be able to use it will be given free support and tools to help them. The tools and support material to implement this legislation are being developed in conjunction with industry using the best agricultural science, technology and knowledge available. It will be made freely available to all property owners who need to comply with the new legislation.

All pollution of water and soil is waste and ultimately lost production. In a world of six billion people—likely to be nine billion or 10 billion in 40 years—we cannot afford to lose production of food and fibre. We cannot afford to degrade our essential natural resource of water and soil. This bill, while focusing on the outcomes in water quality for the reef, will provide the vehicle for all cattle graziers and sugarcane farmers in the three catchments to gain a clean, green market advantage with reef-friendly products by becoming as efficient, productive and environmentally responsible as the farmers we have heard about today.

I commend the current Minister for Climate Change and Sustainability for her very consultative manner in framing the bill and the regulations that will sit with it. I also want to acknowledge the work that the previous minister, Andrew McNamara, did. He was at the forefront when this legislation was first mooted and he was out and about in somewhat difficult circumstances. There was a lot of fear,

misinformation and anxiety generated. We have come a long way since those early days. I think that the measures in the bill before the House are very reasonable and will make production for our farmers and graziers not just more profitable but allow them to play their part towards a sustainable future, and that is something that we would all hope for for future generations. I definitely commend this bill to the House.

**Mrs MENKENS** (Burdekin—LNP) (4.11 pm): At the outset I declare an interest in this debate as a canefarmer, and I am very proud of it! I am just appalled at the guff that I have heard from members on the other side. To hear members of this government giving patronising advice to canefarmers on best practice is just absolutely ridiculous! The Great Barrier Reef is a true natural icon of Australia and its preservation and protection is imperative. The people of North Queensland have grown up beside this World Heritage icon and care more for it than anyone else. They fish, snorkel and marvel in its beauty as much as the tourists who swarm to the reef every year. The agriculturalists and pastoralists who have properties in the catchment are fully aware of how their practices could impact on the reef's water quality. They have worked diligently in the past years to implement best management practices without this government telling them what to do and they have developed best management practices to prevent these occurrences.

These two vital industries have now been named in this legislation as an environmentally relevant activity, or ERA, and as such they are going to bear the brunt of these regulations. The Burdekin electorate is a central part of the Burdekin Dry Tropics catchment, which is being targeted by this legislation. This is legislation that has not been based on scientific data but on pseudoscience that is being touted by green groups—legislation that is pay-off to the green groups by this government in return for support during the recent election. Under this new legislation, all cane properties would have to meet the requirements of environmental risk management plans. All cane properties over 70 hectares in size and cattle properties in the Burdekin Dry Tropics greater than 2,000 hectares will be required to have environmental risk management plans. Farmers will also have to follow a new range of controls and restrictions for pesticides and requirements for management of fertilisers. Additionally, farmers must include measurable targets and performance indicators for improving the quality of water discharged from the property and will also be required to have plans to prevent sediment loss. Farmers and graziers do not work nine to five, and this legislation adds to the burdens already placed on them by this government. The agricultural sector is one of the few sectors still performing well during the current economic crisis and now is not the time for additional burdens on our food producers.

This legislation targets cane and cattle country as the sole culprits of affecting the water quality on the Great Barrier Reef, yet there are no refereed scientific papers that say that these industries are affecting the reef's water quality. According to an Institute of Public Affairs paper in 2002, the WWF mounted a campaign that led to the Commonwealth and Queensland governments recommending changes to land management practices in the catchments that drain on to the Great Barrier Reef. The authors, Jennifer Marohasy and Gary Johns, reviewed the process which resulted in governments recommending significant land use changes that are likely to have a substantial economic cost. They concluded—

... that government was increasingly abrogating its responsibility to make decisions in the best long-term interests of its citizens and is instead reacting to pressure groups without first scrutinising their motivations or the evidence to support their allegations.

So what we have here is another mess being created by this Labor government: a government that has not sought to check the supposed facts provided to it by pressure groups such as the WWF; a government that is forging ahead with this restrictive legislation—legislation that is bordering on discriminatory despite there being no scientific literature on agricultural run-off and its impact on the reef.

There has been no data to date that can show us whether water quality is improving or deteriorating in either the catchments or the Great Barrier Reef World Heritage area, yet this government is ploughing ahead with legislation that targets our landowners and lays the blame of the decline of the reef squarely at the feet of cane growers and graziers. In fact, a report earlier this year from scientists at the Australian Institute of Marine Science said—

The widespread nature of the observed decline—affecting from inshore to offshore and north to south along the Great Barrier Reef—argues against localised agents such as water quality being the main factor causing the decline.

AIMS's principal research scientist, Dr Katharina Fabrucius, said that the likely causes of the decline were the interactive effects between warming oceans and ocean acidification. She said farm run-off did not extend to offshore reefs so she therefore did not believe it was a cause of this decline. Another respected scientist Professor Walter Starck, one of the world's leading tropical reef scientists who has studied the Great Barrier Reef for more than 30 years, has also gone against the views put forward by the Premier that the reef will be dead in 40 years unless water quality is improved. Professor Starck challenged recent figures in the 2007 water quality report which claimed that the 16,600 tonnes of nitrogen and 4,180 tonnes of phosphorous that drain on to the reef are five and four times higher than estimated pre-European settlement levels respectively. The professor called these figures uncertain and said there are no actual measurements of pre-European sedimentation rates in existence. He said even if it were true it would only amount to about two parts per billion for nitrogen and 0.5 parts per billion for

phosphorous if it was all retained in the lagoon instead of being diluted several times further by tidal flushing. The professor said that in reality the amounts claimed would be difficult to even detect, much less have any noticeable effect on the reef.

The mythology of coral reefs being highly vulnerable to algal overgrowth stimulated by slight increases in nutrient levels is unsubstantiated. The Great Barrier Reef Marine Park Authority funded an extensive study aimed at understanding the coral/nutrient/algae problem which involved pumping various combinations and concentrations of nutrients directly on to reefs. The result of the study was that there was no increased growth of algae even when the growth plates were subjected to water with 20 times the normal nutrient level. Professor Starck also said that more recently waves frequently surge up the face of the outer reefs and bath them in nutrient-rich deep water with nutrient levels up to 100 times greater than anything coming from the land. He said that far from being damaging to the reef it is thought to be an important source of enrichment.

James Cook University's Dr Peter Ridd, an oceanographer who has 25 years of Great Barrier Reef research under his belt, is also adamantly saying that farmers are not killing the reef. In his opinion, there is no significant threat to the reef from human activity. While he admits sediment has increased due to agricultural activity, sediment loads within river outflows are in the order of one to 10 milligrams per litre but only last a few days each year and never reach the outer reef. Dr Ridd said that, by contrast, his research shows that the resuspension of sediment by wave action during a 25-knot south-east wind is in the order of 10 to 100 milligrams per litre which happens for a few days every month and it is not sediment that has been deposited in recent times; it has been there since the sea level rose 80,000 years ago.

He said the amount of sediment that has been added since European settlement was only a small fraction of what is there, so he concluded that it would be difficult to make a case that the sediment in a river plume would harm inshore corals. In fact, Dr Ridd said the top 20 centimetres of sediment on the seabed of the Coral Sea—the depth to which resuspension occurs—contains 500 times the nitrogen and phosphorous of a river plume. He said even pushing the limits of probability calculations show a river plume could increase the nitrogen and phosphorous levels in inshore waters by 20 per cent and in the outer reef by three per cent.

However, Dr Ridd said that, compared to what was already out there and the small time that it is in the environment, they were insignificant levels. He said that there was algae growing among the corals on the reef that acted like legumes and produced more than 20 times the amount of nitrogen in a river flow. So how can this government continue to support the lobby groups and say that our farmers are wrecking the reef? Where is the scientific data to back up those assertions? The only reasons this government and the lobby groups can target cane growers and graziers is due to their history—

**Ms Jones:** It's the same science, Rosemary.

**Mr DEPUTY SPEAKER** (Mr Ryan): Order! Minister, you will refer to the member by her correct name.

**Ms Jones:** The member for Burdekin knows the science.

**Mr DEPUTY SPEAKER:** Order! Comments will come through the chair.

**Mrs MENKENS:** This legislation has been imposed on those two industry groups without collaboration or consultation. You cannot call last year's whistlestop tour by the former minister community consultation. I was present at the meeting that was held in the Burdekin in November last year. Only 60 people turned up to that meeting, partly due to it being held at lunchtime and partly because cane farmers and graziers were insulted by the refusal of the Premier to consult or even respond to representation from their peak bodies. They viewed the meeting as a set-up by a government they did not feel they could trust.

Present at that meeting were some well-researched farmers, graziers and scientists who offered some very balanced arguments. Their argument was, and still is, that cooperation will achieve far more than regulation. But this government has done everything that it possibly can to put those primary producers offside. One of the strongest messages from that meeting was that education, not legislation, was needed, as was working within the local area from the knowledge base that already exists. We are hearing all of this rubbish about resources and education. We have a perfect resource in the North Queensland area in the Burdekin Agricultural College. So what do we see? It is going to be sold.

The major concern at that meeting was that the science being used for this legislation is flawed, that it is sparse and that the most reliable figures had come from the growers themselves, not even from the scientists. Hydrologists and scientists have openly stated that the water quality monitoring is simply not good enough. The EPA has very little serious data, and the majority of that data has come from the Australian Centre for Tropical Freshwater Research at James Cook University.

I am very disturbed about the impact of this legislation. I would like to say a lot more, but in the interests of time I will refrain from saying anything further. I condemn this legislation.

**Mr CRIPPS** (Hinchinbrook—LNP) (4.22 pm): The stated objectives of this bill and the stated reasons for this bill as per the explanatory notes are fraudulent and fabricated. I oppose this bill because it is a dishonest bill, motivated by base politics rather than being based on sound science. It will have a severe impact on jobs in my electorate of Hinchinbrook and in North Queensland. It also perpetuates the inaccurate and slanderous views and attitudes promoted by the state Labor government about the land management practices of landowners, particularly primary producers in my electorate and throughout North Queensland.

The bill establishes a regulatory structure to supposedly reduce the impact of agricultural activities on the quality of water entering the Great Barrier Reef lagoon. The current agreement relating to efforts to achieve this goal is the Reef Water Quality Protection Plan. The key focus of many actions in the reef plan was to assist landholders in adopting best management practices through voluntary and incentive schemes. The reef plan has four years to run. This bill has been pursued prematurely for political reasons.

The disgraceful untruth being perpetuated by the state Labor government that nothing has happened and that no improvements are being made in terms of the quality of water from coastal rivers into the Great Barrier Reef lagoon is wrong. The reef plan requires there to be improvements in water quality. There have been. A recent report compiled by the Reef and Rainforest Research Centre publishing data taken from monitoring sites between Cairns and Innisfail in Far North Queensland has recorded decreases in nitrogen and phosphorous in waters from rivers in this area since 2003 and a reduction in suspended sediments since 1999. The data was taken from several monitoring areas relevant to the catchments of the Johnstone, Russell, Mulgrave and Barron rivers, directly relating to the designated Wet Tropics catchment described in this bill. So the justification for the introduction of these proposed regulations—that the voluntary approach has been unsuccessful—is inconsistent with the result of the monitoring being undertaken as part of the reef plan agreement, indicating that gains under the voluntary approach are being made. The foundation on which the state Labor government has developed its argument is fraudulent.

The explanatory notes accompanying the bill state that adopting certain farm management practices are known to reduce the amount of sediments and dissolved nutrients leaving the property. I can agree with that statement. However, I do not agree with the statement also in the explanatory notes that—

... regulation is needed to ensure that farm management practices that impact on water quality are improved. This in turn will improve water quality in the Great Barrier Reef lagoon.

This is a false statement and the government can produce no evidence to sustain that argument. The Australian government's \$200 million Reef Rescue package offers water quality grants and incentives to farmers to assist in the adoption of best management practices. I have figures from the regional NRM groups in relation to the number of applications submitted in the catchment areas covered by the bill. Given the opportunity to be genuine partners in a program that provided incentives to landowners to undertake projects to improve land management practices, landowners flooded the NRM groups with applications. There are so many applications that there is not enough money to fund them all. Funds have had to be prioritised. Once again, that puts to bed the disgraceful untruth being perpetuated by the state Labor government that the voluntary incentive based approach is not working. It is working so well that the federal government's programs cannot accommodate all of the interest being expressed by landowners to undertake important projects on their properties.

In the sugar industry, only 64 out of 197 applications—or 32 per cent of applications—could be funded in the Wet Tropics catchment. In the Burdekin catchment, only 52 out of 102 applications—50 per cent of applications—could be funded. In the Mackay-Whitsunday catchment, only 181 out of 460 applications—or 39 per cent of applications—could be funded. Those figures repudiate the slander perpetuated by the state Labor government about cane farmers and their supposedly backward attitudes towards land management issues. Those figures show that cane farmers are progressive and embrace new techniques, technology and methods when given opportunity to do so.

In the cattle grazing industry, only 14 out of 54 applications—or 26 per cent of applications—in the Wet Tropics catchment could be funded. In the Burdekin catchment, 13 out of 16 applications were funded, representing 81 per cent of applications. In the Mackay-Whitsunday catchment, 98 out of 110—or 89 per cent of applications—were funded. Once again, those figures demonstrate the willingness of pastoralists to be involved in initiatives to improve land management practices when given the chance.

The horticulture industry has not been targeted by this bill, but everyone knows that it is just a matter of time. The horticulture industry is in the government's sights. In the horticulture industry, only 22 out of 57 applications—or 38 per cent of applications—could be funded in the Wet Tropics catchment. In the Burdekin catchment, only 21 out of 45 applications—or 46 per cent of applications—could be funded. In the Mackay-Whitsunday catchment, only six out of 15 applications could be funded, representing only 40 per cent of applications.

The federal government's Reef Rescue package has been a success in terms of forging a real and genuine partnership with the rural sector. I think it will be successful in securing improved outcomes in land management practices. The LNP confirmed before the last state election that it supports the federal government's voluntary incentive based approach and gave a commitment to reallocate funds committed by the Bligh government to more regulation to support innovative, industry led programs that will provide enhanced outcomes by working with farmers and not against them.

The LNP believes that more can be achieved for the long-term health of the Great Barrier Reef by Queensland pooling its resources with the Commonwealth, as opposed to creating greater bureaucratic regulation. Unlike the Bligh government, the LNP believes that, when it comes to creating and implementing a reef management plan, governments must work with stakeholders in partnership to improve the health of the reef, not target one group and penalise them for political purposes.

The LNP recognises that farmers have already made significant improvements to farming practices that have been good for the environment. With additional government support, these improvements would have continued to push best practice benchmarks even higher. Regulation should always be a last resort. Overregulation does not encourage innovative solutions or improved production technologies. It reduces efforts to improve farm practices to a lowest common denominator level. This bill is not about securing the future of the reef; it is about paying back a political debt to the Greens in return for their preferences at the last state election.

The foundations of the Bligh government are built on support from the Greens, the WWF and the Wilderness Society. This bill has been drafted to satisfy them and their demands. Labor is in their pockets. The impact on primary producers and communities in regional Queensland in terms of lost production, lost income and lost jobs has been disregarded. Labor considers rural Queenslanders to be collateral damage in its efforts to secure political power.

Many Labor MPs based in North Queensland, which this bill targets, should be aware that their support for this bill will have a serious impact on their communities in their electorates. Modelling undertaken by the Australian Sugar Milling Council has estimated the economic costs of just one part of this legislation on the sugar industry in North Queensland by catchment area relating to the imposition of a 20-metre no-spray setback from watercourses in the catchments nominated by this legislation—namely, the Wet Tropics, the Burdekin and the Mackay-Whitsunday catchments.

In the Wet Tropics catchment this provision could affect between 10 per cent and 15 per cent of the 133,000 hectares. That is between 13,300 and 20,000 hectares capable of growing between 1,130,000 and 1,700,000 tonnes of cane, the sugar from which would be valued at between \$68 million and \$102 million. In the Burdekin catchment, this provision could affect between six per cent and eight per cent of the 63,000 hectares. That is between 3,780 hectares and 5,000 hectares capable of growing between 475,000 and 625,000 tonnes of cane, the sugar from which would be valued between \$32 million and \$42 million. In the Mackay-Whitsunday catchment this provision could affect between 10 per cent and 12 per cent of the 111,500 hectares. That is between 11,150 and 13,380 hectares capable of growing between 892,000 and 1,070,000 tonnes of cane, the sugar from which would be valued between \$58.5 million and \$70 million.

I cannot help but be alarmed to know that up to \$100 million could be lost out of the economy of the Wet Tropics catchment that covers my electorate of Hinchinbrook. It will be devastating for an industry that has struggled to survive sugarcane smut, floods, cyclones and depressed prices for the last decade. These new restrictions and regulations will be a terrible burden for them to have to carry.

If this provision for a 20-metre no-spray setback from watercourses is implemented, the loss of the land under production and the loss of the cane that would have been grown not only means the loss of sugar produced and income for the cane grower but also it means a shortened cane-harvesting season for harvester owners and operators, haul-out operators and mill workers. A shorter harvesting and crushing season for these contractors and wage earners means less income for working families in the electorate that I represent.

I warn the horticultural industry that it is next, although I think it already knows that the bullet is coming. I also warn those primary producers in the Fitzroy and the Burnett catchment that the next time the Bligh Labor government has to buy off the Greens it will turn the screws in this bill and they will be caught in the net. This bill is a disgrace. Because of the disgraceful guillotine motion that was moved this morning by the government, I will confine my remarks to those that I have already offered and give my colleagues from other areas of the state an opportunity to contribute to this debate. I strongly oppose the bill.

**Ms Jones:** Your shadow said that he might support it but you oppose it.

**Mr DEPUTY SPEAKER:** Order! Minister.

**Ms Jones:** I am trying to get their position.

**Mr DEPUTY SPEAKER:** Order! Minister.

**Mr MALONE** (Mirani—LNP) (4.33 pm): After that rude interruption from the minister, I wonder where to start. I read the first sentence of the minister's second reading speech. A summary of the first paragraph is that this is a bill to reduce the discharge of dangerous pesticides and fertilisers capable of killing the reef. What that brings to mind is that there is a pipe from the reef leading back to a cane farm and farmers are pouring chemicals and fertilisers down that pipe which is heading out to the reef. Nothing could be further from the truth. Before going too much further I will declare an interest in cane farming right upfront. I have been a canefarmer all my life. My children and grandchildren are carrying on that tradition. Therefore, I believe that I can speak with some authority on the subject.

From the words I have heard in this parliament today, particularly from the other side of the House, it concerns me greatly to think that they have no real understanding of what happens on cane farms or any farm for that matter. When I first became a farmer back in the early sixties farming was unsustainable. I will outline some practices that have changed the cane-farming industry forever.

Firstly I say that this legislation that is before the House today is nothing more than a payback for the green movement prior to the last election and probably before that. The reality is that this legislation is all about sustaining the green vote within the Labor Party. The end result is an attack on the people who actually produce the real money in our community, the people who employ members who belong to the Labor Party, members who go out and keep this great state of ours moving forward.

This will have some real impacts on the management of cane farms, not only the farms that are supposedly doing the wrong thing but also all of the farms that are doing the right thing. It is mindless regulation that will tie up extra time and effort on behalf of the managers of farms for some bureaucrat to come along and check whenever they see fit to do that. Quite frankly, that is wasted time, particularly in cane-farming operations. As the member for Burdekin said, it is not a nine to five job. Many farmers during the season are working 17 or 18 hours, six and seven days of the week. They can little afford to spend time in an office filling out forms to comply with mindless regulations that at the end of the day will have no impact on the productivity of their farms.

I commend the member for Whitsunday for pointing out some facts in terms of the operation of cane farms. I assure her that the issues that she raises are not confined to two cane farms in the Mackay area. Most of the canefarmers I know are following similar lines. The broadscale application of fertilisers is carried out by contractors who have to comply with strict regulations that are set down in terms of the application of fertilisers. In most cases farmers are complying right now with all of those regulations and to put extra constraints on farmers is beyond the pale.

My interest in cane farming began in 1960 when I came on to our family cane farm and began full-time work there. From 1962 to 1965 I cut cane by hand. From then on I was involved in the mechanical cane-harvesting industry. In about 1980 we began trialling green cane harvesting. For those who are not aware of green cane harvesting, it means that the cane is cut without burning and the residue is applied to the surface of the soil to remain there for the next year's crop. In about 1985, 100 per cent of our farm was cut by green cane harvesting. Most of the district in the Mackay area is green cane harvested, as are most other areas in Queensland.

Without going into too much detail, after the plant crop it could be six or seven years before that soil is disturbed. Green cane harvesting had a huge impact on the reduction of fertiliser because that mulch is used to regrow the next crop of cane. It reduces the amount of water that is applied because it keeps the soil moist and it also reduces the amount of fuel that has to be used to grow the following crop. Since about 1980 there has been a progressive implementation of green cane harvesting, which is probably a great name for sustainable cane growing. It means that one year out of six the soil is disturbed. It could be longer or shorter, depending on the crop cycles. It was a huge step forward. The fertiliser applied to the soil goes through the trash blanket into the soil and is absorbed very quickly.

In relation to the run-off from those paddocks, most farmers have a collection pond at the bottom of the paddock. It is not unusual to see a huge number of ducks or swans, great amounts of grass and vegetation growing around the outside of those ponds and, indeed, quite sizeable fish living in the ponds. If substantial run-off of fertiliser and chemicals from the farms is running directly into these ponds we would expect that to be dead man's land. From what we hear from those on the other side of the House about the adverse effects cane farming is supposedly having on the environment, we would expect that those ponds would not grow anything. I can assure honourable members that they are a microcosm of life from fish to birds to vegetation. I discount quite severely the fact that there is a major amount of fertiliser or chemicals moving off farm. In terms of the application of chemicals, trash blankets minimise the amount of residual herbicides we now use. Indeed with the hooded shields we use and Roundup, a decreasing amount of residual chemicals are used in cane farming.

One wonders where all this is coming from. I have sat back and listened to some of the speeches made today by those opposite and wonder what the genesis of this legislation was. I cannot imagine it is anything other than a payback to the green movement, and I will continue to believe that until the day I die.

Other major advances in farming are moving along steadily. As the member for Hinchinbrook indicated, a lot of the Reef Rescue funding that was provided by the federal government has been oversubscribed to the extent that only about 50 per cent of the farmers who applied for the funding were able to receive it. There was a real opportunity for the state government to get behind the federal government and support that program to make sure that those farmers who missed out did have the ability to change or improve their farm practices so they could also be part of this progressive movement.

Some of the work that they are doing with the Reef Rescue includes GPS guided planting, tram lining so there is minimum compaction of soil in the paddocks and also some innovative ways of applying chemicals and fertilisers. Only 50 per cent of the farmers have been able to achieve a subsidised outcome. Another 50 per cent will have to pay full price for any advances they make. These will be the people that I assume this legislation will target. Is that fair? No, it is not. Unfortunately, that is part and parcel of this legislation.

When we look back over the history of the coastal development, one wonders where all these chemicals that are supposedly in the reef come from. When we look at the sewage outfalls all the way up and down the coast—and some places do not even have sewage plants—we can imagine that most of the chemicals, nitrates, phosphates et cetera are coming from those sewage plants. I see no scientific investigation that disproves that fact. I have not seen any core samples from the reef that prove that farm chemicals are landing on the reef.

**Ms Jones:** You don't think there are any signs to prove that?

**Mr MALONE:** Can you table that report then, please?

**Ms Jones:** I am happy to.

**Mr MALONE:** Core samples that can prove that farm chemicals are on the reef and prove that they are farm chemicals? Quite frankly, in most of the sewage plants up and down the coast, diuron was used extensively over the last 20 years to make sure that there was no root intrusion into the sewerage pipes. One of the most serious chemicals that is supposedly in the lagoon is diuron. I can assure you that it is not all coming from farms; it is coming from sewage plants.

**Ms Jones:** How can you justify taking the money from the feds, yet you don't have any facts?

**Mr MALONE:** The minister should listen to a bit of my advice. There are many other issues that I would like to raise, but obviously time constraints relating to this bill make it imperative that we try to let everybody have a say on this legislation. From a farming point of view, this is a disincentive. As I said, 50 per cent of farmers or fewer have been able to achieve some sort of outcome from the federal government funding. There was an opportunity for the state government to show some common sense and support those farmers, but it chose to regulate rather than to support. This legislation will go nowhere towards supporting a viable Barrier Reef.

**Mr MESSENGER** (Burnett—LNP) (4.44 pm): This piece of legislation is nothing more than a political bribe to the Greens which ensures that their preference deal with Labor continues at the next election. This is a shameful piece of legislation that has been guillotined through this parliament in an absolutely shameful way. It has been guillotined through this parliament so that there is not proper scrutiny of this legislation and also to take the pressure off a minister who is obviously out of her depth in this place.

**Ms Jones:** I introduced this in June. You have never spoken to me about this. I introduced this in June.

**Mr DEPUTY SPEAKER** (Mr Ryan): Order! Minister!

**Mr Wettenhall** interjected.

**Mr DEPUTY SPEAKER:** Order! The member for Barron River. The member for Burnett has the call.

**Mr MESSENGER:** The minister should be ashamed. She squawks and squawks and continues on. She has the protection of the guillotine in this particular piece of legislation and she does not like being questioned because she does not have the capacity to properly address the issues that are raised—

**Ms JONES:** I rise to a point of order. I find that offensive and I ask the member to withdraw it. This bill was introduced in June. The member could have asked me any question between June and now.

**Mr DEPUTY SPEAKER:** Thank you, Minister, you have made your point.

**Mr MESSENGER:** I withdraw. In a little while I will talk to the minister about inviting her to my electorate, because I have.

**Mr Cripps:** What is the rush?

**Mr DEPUTY SPEAKER:** Member for Hinchinbrook!

**Mr MESSENGER:** It is a piece of legislation which shows how politically desperate the Labor Party has become. We know its members are desperate and unpopular in the south-east corner because they resort to the same predictable knee-jerk reaction, and that is to drop the knee into the farmers and the workers of North Queensland under the pretext of protecting the environment. It is always the common thing, the whipping boy. 'Let's drag out and flog the farmers. Let's get in and protect the environment. Let's save the Great Barrier Reef.' That is the predictable action of this government. If there was ever proof of an unprecedented level of corruption and dysfunction that has eaten away into Queensland public life, it is this putrid piece of legislation offered in the chamber. If there was ever proof that we need a royal commission to examine the links between government, Labor mates and cronyism, it is this piece of legislation. Let us put Aila Keto under the microscope. Let us put the World Wide Fund for Nature and all of those people under the microscope. If there was ever proof that an elite group of green fanatics and left-wing ideologues were in charge of the Queensland public finances, it is in this piece of legislation.

On a day when the Local Government Association of Queensland is calling for a regional economic stimulus package to fend off the global downturn and a new report from the Australian Development Strategies group shows unemployment in Far North Queensland is the highest in the country at 11.8 per cent, those opposite introduce more red tape which is designed to attack productivity and jobs. This legislation is targeted at cane farmers and cattle graziers in the north of our state. The farmers in the Burnett are feeling nervous and we heed the warning from the member for Mirani. The next time that Aila Keto or some other faceless green comrade gets on the phone to the Premier they are in for a political kicking; we know that.

Every speaker opposite including the minister has stood and held their hands on their hearts and said, 'We want to protect the Great Barrier Reef.' The people of the Burnett and especially the people of the Discovery Coast have a little bit of experience with the Great Barrier Reef.

**Ms Jarratt:** Oh yes!

**Mr MESSENGER:** Oh yes. The member for Whitsunday, who likes to think that she knows all about the reef, might like to know that the people of the Discovery Coast and in the Burnett are at the closest point on the eastern seaboard of Australia to the Great Barrier Reef—30 nautical miles.

**Ms Jarratt:** Ooh!

**Mr MESSENGER:** What is happening there? This government is contributing \$30 million to build a desalination plant on the mainland at the closest point to the Great Barrier Reef. Run-off from that plant will destroy parts of the reef. It will destroy the environment for two endangered species of turtles. I table this document and invite the minister to come and investigate and to stay there.

*Tabled paper:* Brochure titled 'SOS... Save Agnes Water's Turtle Breeding Beaches' [1051].

Where has the World Wide Fund for Nature been? Where has the Wilderness Society been? There are two species of turtle—the loggerhead turtle and possibly the leatherback turtle. One per cent of the nesting females of loggerhead turtle are nesting on Bathtubs Beach, and the minister is allowing a desal plant to be built there. There will be a big electric pump placed on a beach where I counted 30 nesting sites.

On 2 February this year I attended a turtle symposium. I handed out leaflets to the attendees which alerted them to the risk imposed on Agnes Water's turtle breeding beaches by this proposed desalination plant, and I voiced concerns with a Queensland leading turtle expert. During the turtle symposium Queensland's leading turtle expert, Dr Col Limpus, confirmed that endangered loggerhead turtle species are nesting at Bathtubs Beach, where the desalination plant will be constructed. After he studied the photo of the turtle tracks taken at Bathtubs Beach, Dr Limpus officially confirmed that at least one female loggerhead turtle is nesting within 100 metres of the desalination plant site. He told me that there were approximately 600 laying female loggerheads on the east coast of Australia and said that there could be five or six loggerhead turtles laying at Bathtubs Beach. If the majority of those nests on Bathtubs Beach are loggerheads, that will mean that approximately one per cent of Australia's endangered loggerhead nesting females are laying at Bathtubs Beach.

I pointed out to Dr Limpus that it was incorrect for him to compare Labor's desalination plant on Heron Island with the plant at Agnes Water because the plant at Agnes Water, in its first stage only, was going to be 10 times the size of Heron Island's desalination plant, since the plant at Agnes Water will be producing one megalitre a day compared with Heron Island's 0.1 megalitres a day. Dr Limpus also was not aware that there was going to be a submersible pump, similar to a sewerage pump, located on the beach directly where the turtles nest.

I cannot believe that Dr Limpus continued to contradict himself by admitting that endangered turtles did nest on Bathtubs Beach but he was not concerned—and nor is this government, which is promoting and enabling this plant. It is contributing almost \$30 million to a project that will supply water to 700 ratepayers. It does not make sense. Guess what, Mr Deputy Speaker: that \$30 million is linked

directly to this project. There was another solution: there was a pipeline solution to the water problem. But this government directly linked that money so there was going to be a desalination plant on this beach—30 miles from the Great Barrier Reef—endangering two species of turtle.

I have written to Peter Garrett about this. I have written to the minister opposite about this. But have I heard boo about it? Will they say anything about it? The hypocrisy is unbelievable. When they say that they are out there to protect the reef—

**Mr O'BRIEN:** Mr Deputy Speaker, I rise to a point of order. My point of order is under standing order 236. The bill is to do with run-off from cane farms and cattle farms. The member is not speaking to the bill. I ask him to return to the provisions of the bill before the House.

**Mr DEPUTY SPEAKER** (Mr Ryan): Order! Member for Burnett, I will remind you about the purposes of the bill and I ask you to continue.

**Mr MESSENGER:** I remind the member for Cook of the long title of the bill. He, more than all other members here, should know about the provisions of this bill. This is about the Great Barrier Reef. It says so—'Great Barrier Reef Protection Amendment Bill'. What I am talking about here today is Great Barrier Reef protection. Our community is trying to protect its share of the Great Barrier Reef from a Labor project which is about to destroy it.

Government members have the gall to stand up here and say that they are the great protectors of our reef. What hypocrisy! What bunkum! They should hang their heads in shame. They are allowing \$30 million of government funds to go to a project that will be to the significant detriment of that area of the Great Barrier Reef. They just do not want to hear that sort of talk in here. They are used to having it all their own way. They do not like to think they are hurting the environment.

Another project I will tell members about that happened at Agnes Water was a sewage hole. Raw sewage was pumped into a hole in the ground for 10 years. This government knew about it. I brought it to the attention of the former environment minister. Finally it was stopped. But that is the sort of rubbish that goes on with this government. This government has taken away the 40 per cent subsidy to local governments for infrastructure projects. At Bundaberg that means that the sewage will continue to—

**Mr DEPUTY SPEAKER:** Order! Member for Burnett, I accept your point that you are speaking about the Great Barrier Reef, but I am not sure that talking about the local government subsidy in Bundaberg is relevant to the purposes of the bill. I draw your attention to the purposes of the bill and ask you to continue.

**Mr MESSENGER:** I will go back to the long title of the bill. I am about to make a point about protecting the Great Barrier Reef, Mr Deputy Speaker. The point I am making is that we could recycle that water. We could stop that water being pumped into the ocean just 500 metres from a beach where endangered turtles nest. If that 40 per cent subsidy was returned, local governments along the east coast of Queensland, including the local governments in North Queensland, would be able to build infrastructure that would protect the Great Barrier Reef from sewage run-off, Mr Deputy Speaker. That was the point I was getting to.

I invite the minister for the environment to put on her wetsuit and come to Agnes Water and go diving around Agnes Water, which is the closest point to the reef that she will find on the east coast of Queensland.

**Mr Elmes** interjected.

**Mr MESSENGER:** Yes—just get out of Moreton Bay. In that area she will find some of the most diverse ecological species in Queensland. We have soft corals in the mouths of our rivers, and we have a thriving tourism industry that depends on the health of our reef. The minister has totally ignored our part of Queensland. She is running scared. She will not go and face the community who want to talk to her about the damage to the Great Barrier Reef that her government is about to cause with this desalination plant. It is time that the minister faced up to this and did the right thing. She is the environment minister for the whole of Queensland, not just selected areas—especially environmentally sensitive areas like Agnes Water.

The truth has been uncovered in the Burnett. The truth has been discovered on a beach at Agnes Water. The Greens and the Labor leadership do not care about the environment. They care about one thing: they care about political power and they care about cosyng up to each other so they can stay in power. They will allow rampant environmental damage to occur and they have not said boo about it. Where is Roger Currie speaking about this abomination at Agnes Water? Where is Aila Keto talking about it? Where are all the protesters waving placards around Queensland about this? Not one person has come out against this. It just demonstrates the hypocrisy of this green movement in Queensland and the hypocrisy of those opposite.

**Mr O'Brien:** I wish more of my constituents could see you in action.

**Mr MESSENGER:** I take the interjection of the member for Cook. I invite the member for Cook to resign and stand and run against me in the Burnett—please, please. Then we would see just exactly what my constituents think of him. The member for Cook wants to talk about his constituents. I have been to his electorate and have spoken to his constituents, and I can say firsthand that they have a very, very low opinion of him.

**Mr O'Brien:** So much so that they have elected me three times!

**Mr MESSENGER:** I will take that interjection.

**Mr Reeves** interjected.

**Mr DEPUTY SPEAKER:** Order! The House will come to order. The member for Burnett has the call.

**Mr MESSENGER:** I will go back to the point that I first made at the beginning of my speech: this is an extremely important day in Queensland. We have just found out that unemployment has increased significantly. North Queensland has the highest rate of unemployment. Those opposite are about to vote to pass a bill that will tie farmers up; that will strangle them with red tape.

**Mr Cripps** interjected.

**Mr MESSENGER:** I take the interjection from the member for Hinchinbrook. He knows what he is talking about. Those opposite talk about creating jobs, but they cannot have it both ways. The only jobs they want to create are those of spin doctors and to do so with public money, or possibly siphon the money off and give a great big backhander to all those green groups who suck up to them or the green aristocrats who dictate government policy and how it should be presented in the House. This bill is an abomination. It is a clear example of a green bribe that is being paid off. It is a clear example of why we should have a royal commission into Labor mates and cronyism. I totally oppose the bill.

**Mrs SULLIVAN** (Pumicestone—ALP) (5.01 pm): The turtles of Australia can rest easy tonight because they have the member for Burnett on their side. Unfortunately, they will not have anywhere to live because he will not do the same for protecting their environment.

I rise to support the Great Barrier Reef Protection Amendment Bill 2009 as a staunch environmentalist. As a former resident of Cairns for many years, I take great interest in the reef and its environs. While a great deal of focus is being placed on the bill and its effects on farmers, it is important to remember the reason why Australia is concerned about the effect of farming practices on the Great Barrier Reef and it is committed to its preservation.

This course of action—some might consider it historic—is alleged by some to be just a green vote-winning election policy. The support of the conservation movement, while welcome, does not determine the value of a policy. In fact, the majority of people in Queensland, Australia and the rest of the world would undoubtedly support this critical action in light of the facts about its plight. Clearly the reef deserves protection for many good reasons. It is a World Heritage property. It has the most spectacular marine scenery. It is the world's biggest single structure made by living organisms, and it is so extensive it can be seen from outer space.

The reef protection amendment bill is a crucial link in a chain of action that involves all governments, all political parties and the entire Australian community to protect the Great Barrier Reef. The reef is immensely important to the Australian tourism and recreation industry. In 2007 the Great Barrier Reef was voted the best tourist destination at an international award ceremony in Portugal. There were more than 130 entries from 40 countries. The Queensland National Trust has named it a state icon and Queensland has recently voted it the most important natural attraction in the government's Q150 favourite icons competition. It is an important part of the Aboriginal and Torres Strait Islander people's culture—culturally and spiritually.

A study released last year shows that this natural wonder is worth more than \$5 billion to the Australian economy each year. This comes from Access Economics—the economic contribution of the Great Barrier Reef Marine Park 2006-07. Its worth to Queensland is estimated at around \$4 billion. That is around \$1,000 for everyone living in Queensland, and that is based on a population of about four million.

The contribution reef related activities make to the Great Barrier Reef catchment area—that is, the local government area adjacent to the reef—is around \$3.6 billion. More than 53,000 Australians are employed because of the reef and 43,000 of these people live in Queensland. Tourism is by far the largest contributor to the reef's economic activity, accounting for 94 per cent of the direct and indirect contribution. The next largest contributor is commercial and recreational fishing. International seafood exports from the Great Barrier Reef area are estimated at more than \$120 million annually, and visitors to the Great Barrier Reef and its catchments spend more than \$1.2 billion on accommodation and restaurants during the year. These same visitors spend more than \$600 million in the local shops. More than \$800 million is spent each year on passenger transport to the Great Barrier Reef area, and the marine park authority generates more than \$7 million a year in revenue from commercial tourism operator permits.

So far I have only been speaking about the worth of the Great Barrier Reef in terms of dollars, but in terms of marine science its worth is incalculable. The Great Barrier Reef includes more than 2,900 reefs, more than 900 islands and cays, and stretches 2,300 kilometres along the Queensland coastline from the tip of Cape York nearly to Bundaberg. It is the world's largest coral reef ecosystem and one of just a few World Heritage areas that include marine and coastal values that meet four World Heritage criteria for listing of natural places. If you have not seen it, it is certainly worth the trip.

These criteria are (1) to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance; (2) to be outstanding examples representing major stages of earth's history including the record of life; (3) to be an outstanding example representing significant ongoing ecological and biological processes in the evolution and development of coastal and marine ecosystems; and (4) to contain the most important and significant natural habitats for in-site conservation of biological diversity including those containing threatened species or outstanding universal value.

Can there be any debate at all about the level of care we need to take to protect the reef and its inhabitants? There is overwhelming scientific evidence that the reef is under threat. As scientists continue to learn more about the complexity of the reef's ecosystems, they are sending a loud and clear warning that, if we do not do something quickly, the reef will be lost. Every major industry that interacts with the reef is effectively regulated except agriculture, yet agriculture is the largest contributor to the run-off of sediments, nutrients and pesticides that are slowly but surely killing the reef and making it more susceptible to the impacts of climate change. It is past time we did something.

Failure to regulate does no favour to industry. Nutrients and pesticides are expensive inputs that no industry can afford to waste. Soil is the key asset for agriculture that no agricultural industry can afford to lose. Every citizen in Queensland should support this bill. Every citizen in Australia, if not the world, should be applauding this action and encouraging the sugarcane growers and cattle graziers to do all they can to ensure their important industries do not harm the Great Barrier Reef. I commend the bill to the House.

**Ms JOHNSTONE** (Townsville—ALP) (5.07 pm): I rise to support the Great Barrier Reef Protection Amendment Bill 2009. This bill is just one page in a whole publication that is saving the Great Barrier Reef. While we are here to debate this bill today, it would be helpful to revisit the big picture, which is the reef water quality plan. What cannot be debated is that all levels of government—federal, state and local—have a responsibility to protect the reef and ensure its long-term conservation.

Those who live in North Queensland are very well aware of how important the protection of the reef is to local tourism, lifestyle and, most importantly, the environment. Townsville is one of the gateways to the reef. This gateway is for commercial tourist operators but also for the thousands of recreational boaties who live in North Queensland. And they live there exactly so they can take their families and friends out on the water during weekends and days off. We have over 11,000 registered boats in Townsville alone. Recreational boating is a serious contributor to our lifestyle and to our local economy. Indeed, the largest industry in the Great Barrier Reef catchment is tourism, which has 47,600 employees with a value in the vicinity of \$4.2 billion.

Contained within the electorate of Townsville are several tropical islands which form part of the reef park area—Magnetic and Great Palm Island being the two major ones. I have spoken in this House before about the natural values that these islands have and the contribution they make to the Great Barrier Reef Marine Park.

**Mr Reeves** interjected.

**Ms JOHNSTONE:** It would be good to see Palm Island again. It is beautiful. I have seen a giant manta ray as I flew into Palm Island. It was swimming in the water just off the end of the airstrip. It is a beautiful place.

As many members would know, the Great Barrier Reef has been listed on the World Heritage register since 1981. I am pleased to be part of a government that works cooperatively with our federal government to ensure these values are protected for future generations. The reef water quality plan, known as the reef plan, is a joint initiative of the Queensland and Australian governments.

In 2002 the Queensland government commissioned an independent panel of experts to review the scientific evidence linking land use, water quality and reef degradation. What the report found was a clear indication that major land use practices in the reef catchment had led to accelerated erosion and greatly increased the delivery of sediment and nutrients to the reef over pre-1850 levels.

There were seven causes stated. All but two—urban development and development on acid sulfate soils—relate directly to agriculture. The two largest land uses in the three reef catchments detailed in this bill are grazing cattle and growing sugarcane. At the time this report was being published the Australian government asked the Productivity Commission to study and report on the importance of different industries in the reef catchment and examine and evaluate a number of policy options to address declining water quality entering the reef. The findings of these two reports form the basis of the reef plan and reinforce the case beyond doubt for halting and reversing the decline in water quality in the waterways entering the reef.

The reef plan in essence identified what was needed to be done and what partnerships were necessary to bring together and build on government policies and what industry and community initiatives were needed to achieve its goal—that is, to halt and reverse the decline in water quality entering the reef. The reef plan has many partners—Australian government departments, Queensland government departments, landholders, industry groups, regional natural resource management bodies, research organisations, local government, community groups and, of course, the traditional owners, the Indigenous people.

The Australian government has made \$200 million available over five years, including \$146 million in Reef Rescue incentive grants through the reef plan. When the reef plan was launched in 2003 it was made clear that its focus was to encourage good planning that would assist landholders to adopt profitable and environmentally sustainable best management practices. Then Prime Minister John Howard and then Premier Peter Beattie signed off on the reef plan, which clearly stated a need for immediate regulation to protect the reef from broadscale land uses and further regulation if there was a risk that voluntary approaches would fail to deliver significant water quality improvements. What has happened in the last six years and why has it been necessary to intensify the actions of the reef plan with regulation?

**Mr Seeney** interjected.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! I remind the member for Callide that the chair made a ruling. That is it. I call the member for Townsville.

**Ms JOHNSTONE:** In the first two years the reef plan partners diligently developed and promoted best management practice through education and extension, conservation agreements and covenants.

In 2005 the reef plan was audited, with a report given to the then Queensland Premier and the then Prime Minister. In 2007 the intergovernmental operational committee for the reef plan met with stakeholders. After some frank discussions it agreed that if the plan's goals were to be achieved the uptake of the best management practices would have to be accelerated. This was in no way a criticism of the scope or intentions of the reef plan. Indeed, it could and should be said that it simply reflected a lack of impetus and hence progress on the voluntary uptake of the improved management practices in the reef catchments needed for the reef plan to achieve its goals.

We know that some landholders have embraced new practices and have gone to substantial effort and expense to do so, and they should. They are held in high regard by their industry peers and the Australian people as protectors of our precious reef. How frustrating it must be for those farmers to have neighbours who will not or cannot change the way they have done things for the past 50 years.

For those who wish to change but need help, it is pleasing to note the Australian government's recent commitment to continued assistance under the five-year \$200 million Reef Rescue initiative. This is the appropriate complement to Queensland's five-year \$50 million regulatory package and \$125 million supporting programs. The government has very little choice here: not to regulate and accept the reef plan will not meet its goals or regulate and risk unpopularity amongst the regulated community that goes with making tough decisions.

This bill will allow the Bligh government to deliver on an election commitment that the people of Queensland said was a priority to them. Those opposite should remember that. We are delivering on protecting the environment, which is what the people of Queensland have asked us to do. I commend this bill to the House.

**Mr CHOI** (Capalaba—ALP) (5.14 pm): I rise to speak in support of the Great Barrier Reef Protection Amendment Bill 2009. In doing so, can I at the outset thank the minister for her passion and commitment to see the safe passage of this bill through the House.

No member of this chamber should be surprised to hear that the future of the Great Barrier Reef is gravely under threat. One of my favourite pastimes is diving. But from diving at some of my favourite spots in the last 10 years I can see the degradation of corals and the reduced number of fish and wildlife. The Great Barrier Reef is thousands of years old, but in a little more than 150 years of European settlement we have caused some very serious damage to the ecosystem. Our reef is World Heritage listed. We would be in breach of our responsibilities if we did not seek to protect it.

We all know that our reef is so big that it is visible from outer space. It is one of the world's most diverse ecosystems and home to thousands of plants and animal species. But more than 50 of these are listed as threatened, including the most important dugong population on earth and six of our planet's seven species of marine turtle. The Great Barrier Reef catchment area covers about 22 per cent of Queensland's land area and contains about 20 per cent of our population. The reef's environmental values support a number of industries including tourism, recreational activities and commercial fishing.

Agricultural production in reef catchments makes a significant contribution to the Queensland economy, with cattle and cane farming and horticulture contributing approximately \$3.8 billion a year. Access Economics estimates that the reef directly contributes \$5.8 billion to the Australian economy and supports about 64,000 jobs. However, pollutant levels have increased and fish stocks have depleted in some areas.

But this agricultural activity has come at a very high price. Apart from water degradation and reduced levels of commercial fish stocks and marine animals, perhaps as much as 70 to 80 per cent of wetlands in most of the major river catchments on the adjacent coast have been lost. Bird populations are also declining and we can no longer rely on these wetlands to act as filters and decrease the amount of sediment and nutrient flowing into the reef.

The income derived from the Great Barrier Reef and its catchment areas will dwindle if we do not address the very significant levels of pollution currently affecting the reef ecosystem. We must try to manage farm and urban run-off that pollutes groundwater and then leeches into the ocean and then to the reef.

The Great Barrier Reef Protection Amendment Bill will introduce a regulatory structure to reduce the impact of agricultural activities on water entering the reef. This bill will also contribute to achieving those targets set in the state and Commonwealth agreement contained in the 2003 Reef Water Quality Protection Plan.

In the reef plan both levels of government made a 10-year commitment to address the diffuse pollution from broadscale land use, including nutrients, chemicals and sediment, and to stop and reverse the decline in water quality in the reef area. The reef plan has implemented its key focus by assisting many landholders to adopt best management practices via voluntary schemes and incentives. I want to also congratulate those working on farms and on the land who have responded well to this request. But the plan also recommended regulation where there was a serious risk that voluntary approaches have failed to deliver significant water quality improvements.

We are halfway through that 10-year period of commitment, and it is clear from the 2008 *Scientific consensus statement on water quality in the Great Barrier Reef* that water discharged from rivers into the reef continues to be of very poor quality in many areas and land derived contaminants, including suspended sediment, nutrients and pesticides, are present in concentrations likely to damage the environment. That is not to say that there has been no improvement at all—I have to say that there have been some improvements in some areas—but more needs to be done.

Voluntary measures have had some effect, but to ensure that we improve the quality of water entering the reef regulation is necessary. Prior to the last election Premier Bligh committed her government to reducing the level of contaminants leaving farms by 50 per cent in four years. This bill provides the regulatory framework to ensure improved management practices are adopted and water quality is improved. This bill is also designed to complement the Commonwealth government's \$200 million Reef Rescue package which includes water quality grants or incentives for farmers to assist them to adopt best management practices. The Bligh government has maximised the cost-effectiveness of this bill by limiting the regulatory net to the Wet Tropics, the Mackay-Whitsunday and the Burdekin Dry Tropics catchment areas which have been identified as the highest priority. We also intend to regulate the cattle and cane industries, the two agricultural sectors delivering the highest levels of chemicals and sediment found in reef waters, and, where possible, adopting standard minimum requirements for all properties and a number of other measures already outlined by the minister.

The level of regulatory impact on each operator will vary depending on the level of hazard inherent in each landholding and on the effectiveness of each operator's current management practices. In fact, in many instances the cost of the regulatory measures is likely to be offset by cost savings from increased productivity and decreased costs of input. For example, less fertiliser could be needed after a landholder is more informed about recommended levels for his or her farm. However, some farmers may face the additional cost of soil testing if they are not currently using this. It is planned that the requirement for an ERMP will flow from a risk based evaluation to identify those operators deemed to be of low, medium or high risk. Medium- or high-risk operators will need to develop a simple low-cost plan but none will be required from low-risk farmers.

This bill has been designed to complement the Commonwealth government's investment in the \$200 million Reef Rescue initiative which includes a grants pool of \$146 million to be available over five years. The cost to the Queensland government to implement the requirements in this bill is approximately \$10 million over five years. These are strong regulations that we are recommending, but it will take strong measures like these to address the very serious degradation of the Great Barrier Reef.

This bill affects existing cane growing and cattle grazing in the three priority catchment areas but does not prevent individuals from engaging in these activities. Rather, new provisions introduce additional requirements and responsibilities which are vital to protect the health of our Great Barrier Reef—an irreplaceable natural resource so very important to Queensland's environmental, social and economic welfare. This bill will address these issues while ensuring that the rights and liberties of individuals are not unduly affected. It is tightly targeted on a risks basis and will protect the livelihood of farmers and graziers and the jobs of thousands of people dependant on the tourism industry and commercial fishing. I commend this bill to the House.

**Mr POWELL** (Glass House—LNP) (5.22 pm): I rise today to contribute to the truncated debate on the Great Barrier Reef Protection Amendment Bill. From the outset let me be very clear so those opposite have no misgivings: I and the LNP are strong advocates for the Great Barrier Reef. The Great

Barrier Reef is one of the true natural wonders of the world. It is the largest coral reef system in the world covering some 344,000 square kilometres in area and stretching some 2,300 kilometres in length. According to the Great Barrier Reef Marine Park Authority, it is home to some 15,000 species of fish, 360 species of hard coral, one-third of the world's soft coral, up to 8,000 species of molluscs or shells, nearly 500 species of marine algae, 600 species of starfish and sea urchins, 17 species of sea snakes, 22 species of seabirds and 32 species of shore birds that live and breed on the islands, 13,000 dugong, six species of marine turtles—all listed as threatened—and 30 species of cetaceans, that is, whales or dolphins. Furthermore, the Great Barrier Reef World Heritage area is the largest World Heritage area in the world, inscribed on the World Heritage List on 26 October 1981. The World Heritage area is 348,000 square kilometres in size meaning that over 99 per cent of the world's World Heritage areas fall within the boundaries of the Great Barrier Reef Marine Park which is why I and the LNP support the federal government's Reef Rescue package.

Let me dwell for a moment on the elements of that package, and I refer to a joint media release from the federal government dated May 2008 which states—

The rescue plan will help protect one of the world's great natural wonders, while benefiting local conservation and Indigenous groups, agricultural production and tourism, fishing and aquaculture industries.

The \$200 million five-year Reef Rescue plan includes \$146 million for a Great Barrier Reef Water Quality Grants Program, the majority of these funds to be provided in the form of matching grants to landowners and managers who commit to implementing proven practices to reduce the amount of nutrient and sediment run-off from the land; \$12 million for a Healthy Reef Partnerships Program to boost partnerships between governments and non-government organisations; \$10 million for a Great Barrier Reef Water Quality Research and Development Program, a competitive research funding program to look at the link between land management practices and environmental impacts and develop new water quality monitoring techniques for nutrients, chemicals and sediments; \$22 million for a water quality monitoring and reporting program to expand existing monitoring and reporting of water quality in the reef and fund a coordinated catchment-wide water quality monitoring program; and \$10 million for the Land and Sea Country Indigenous Partnerships Program, including at least \$5 million to employ sea country officers in Indigenous communities and provide additional funding for the Great Barrier Reef Marine Park Authority to strengthen partnerships with Indigenous communities.

All of these elements have the support of the LNP, but let me highlight two aspects of what I just said. Firstly, as acknowledged by the federal ministers for the environment and for agriculture, this plan protects one of the world's greatest natural wonders while benefiting local conservation and Indigenous groups, agricultural production and tourism, fishing and aquaculture. The important point to make is protecting and benefiting—that is, protecting and benefiting, not protecting and punishing. The second point I want to reflect on is that Reef Rescue is a five-year program that began last year. This Bligh government has given the program less than 12 months before it has introduced this punitive legislation. In fact, it has given it even far less than that because, as the explanatory notes suggest, its decision to put forward this bill comes on the basis of the 2008 *Scientific consensus statement on water quality in the Great Barrier Reef*.

Of course this statement has identified no improvement in water quality. The funding from the Reef Rescue package had not even left the coffers of Canberra when it was published. Quite frankly, I am sick and tired of all governments of any ilk, but particularly this one, throwing good money after bad at packages, programs and plans and then not waiting to see the effects of such—or, worse, not studying the outcomes at all. If I was the federal government, I would want to let the Reef Rescue package run its full five-year course. I would also want the Queensland government to reallocate the \$50 million it is planning on spending on policing this proposed bill into beefing up the oversubscribed grants programs offered by the Reef Rescue package. Finally, if I was the federal government, I would await and call on the Queensland government to await the final results of the \$32 million scientific longitudinal studies that are part of the package before I throw the baby out with the bathwater and bring out the big stick.

**Mr EMERSON** (Indooroopilly—LNP) (5.27 pm): 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 is celebrated internationally for its beauty and environmental significance. I still recall vividly the first time I had the opportunity to scuba dive on the reef and the wonder I felt. It really is one of the natural wonders of the world. Queenslanders are very fortunate to have it on our doorstep and we have a duty as its custodians to ensure its long-term health and survival. Its value is not just environmental. Economically, it directly contributes \$5.8 million annually to the economy and supports approximately 63,000 jobs.

I am sure all Queenslanders recognise the significance of the Great Barrier Reef to Queensland and to Australia. They also recognise that the reef is under pressure from man-made activities such as tourism, diving, fishing, agriculture, mining, shipping and urban sewage outfalls. In addition, climate change and coral bleaching put further pressure on the reef. We are and should all be concerned about the health of the reef. Part of the solution to protecting and preserving the reef is through innovative research and encouraging best practice, and I am proud to say that my electorate of Indooroopilly is contributing to that research.

The University of Queensland's Heron Island Research Station has for many decades conducted world-class research on the reef and that research is continuing. I was very pleased to see the station reopen earlier this year after a \$9 million upgrade following a devastating fire. I have visited this station several times and my wife, Robyn, some years ago assisted with research whilst staying at the facility.

Some of this exciting UQ research utilising the world-class facilities offered by the station currently underway include the capacity of species living off the reef to adapt to climate change and the impact of heatwaves on turtle hatchlings from Heron Island. I greatly appreciate the importance of the work being undertaken by UQ researchers and students, including zoologist Dr David Booth, PhD student Liz Williams and honours student Carolyn Murray and others at Heron Island.

The Australian Genome Research Facility is another research group based in my electorate and I had the opportunity to visit its laboratories in August this year. One of its research projects is to sequence the entire genome of the acropora millepora, which is a branching coral whose staghorn shape and beautiful colours are familiar to millions of visitors to the Great Barrier Reef. It will be the first animal genome to be fully sequenced and assembled in this country.

The gene mapping project has both practical and scientific significance to the Great Barrier Reef. It will help us understand how corals build reefs and why they fail to do so when they are under stress. It will enable us to predict with much greater confidence how corals are likely to respond to changes in the ocean, such as global warming, acidification, the spread of coral diseases and various forms of pollution. It may also help in combating coral bleaching.

As I mentioned, we are and should all be concerned about the health of the reef and be focused on the ways to best protect it. The question is how to best achieve this. It will not be achieved by playing political games like we are seeing from the Bligh government with this legislation. Instead, I believe that the federal government's approach of stakeholder partnerships, as outlined in its Reef Rescue plan, is a far better approach to protecting the Great Barrier Reef than that proposed by the Bligh government.

The objective of the Reef Rescue plan is improve the water quality of the Great Barrier Reef lagoon by changing land management practices and to reduce nutrients, pesticides and sediment run-offs from agricultural land. The program is incentive based. It engages with stakeholders with a commitment from all agricultural sectors on the Queensland coast to transform farming and grazing practices. It sets targets of best practice. It does not include unnecessary overregulation and recognises that farmers have made significant improvements.

As Tony Burke, the federal Minister for Agriculture, Fisheries and Forestry said in February 2009—

Farmers will be the first affected by climate change and they will continue to adapt the latest research and development to improve sustainability on-farm.

In August 2008, Tony Burke said in a joint statement with the federal environment minister, Peter Garrett—

**Honourable members** interjected.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! I remind members that the member for Indooroopilly has the floor and to stop their banter across the chamber.

**Mr EMERSON:** Thank you, Mr Deputy Speaker. As Peter Garrett said, in a joint statement with Tony Burke—

The Reef Rescue package is all about supporting farmers to build upon their successful efforts to date to reduce nutrients, chemicals and sediments leaving their lands.

As Peter Garrett said further—

Agricultural industries must continue to take a lead role in driving the uptake of sustainable land management practices. And Governments—federal and state—must support industry in this task.

Farmers have made significant improvements to farming practices through voluntary initiatives and incentive based programs. With additional government support, improvements will continue. Regulations exist already to protect the reef and they should be used. No-one should tolerate any action that is illegal or malicious in its damage to the reef. The LNP will not tolerate such illegal or malicious damage to the reef. Those who have no respect for the reef should receive the appropriate penalty. But we must also acknowledge and encourage innovation and improved practices. The Commonwealth has got it right with its approach to the Great Barrier Reef while the Bligh government is only interested in playing politics.

**Mrs CUNNINGHAM** (Gladstone—Ind) (5.34 pm): I rise to speak to the Great Barrier Reef Protection Amendment Bill 2009 and to put on the record some feedback that I have received in my electorate in relation to farm management practices. This bill will regulate quite a number of practices on farms. There have been interjections here today and tonight in relation to what do you do with those farmers who refuse to change their practices. I believe that the vast majority of farmers have already changed their practices. The early farming methods reflected the knowledge of the time and as knowledge has improved, so have farming practices. Most farmers cannot afford to be wasteful in their use of chemicals, whether that is for fertilising or for any other purpose.

Previous speakers have talked about the federal government's initiatives in relation to looking after the reef and they have stated that it is a five-year program. I would have to endorse the comment in relation to giving change a chance. I think about the commercial fishing industry and how that industry was constantly having to manage change in relation to its impact on bycatch and other species. Yet on many occasions the new suite of changes that were brought in were on top of existing change, the impact of which had never been quantified. So much of the impact that the government said was still occurring had, in fact, been addressed but the impact of the change had not flowed through to the statistics. So when we are bringing about significant change to practice—no matter what it is—and particularly where those changes will have a cost impact, it is important that we do so with great care.

In relation to the changes to the fishing industry—and I use that example because it is a primary production—I remember that I attended a great little school in my electorate that was a water warrior school. The students at their year 7 graduation night gave a summary of their activity and also the activity of the fishing industry. The reality was that the information that they passed on to the audience was out of date. The things that they accused the commercial fishing industry of doing had long since stopped. The flow of information had not been maintained accurately. So I would say to the minister to ensure that, if there are changes in place at a federal level, the impact of those changes are properly accounted for before further impost is brought to bear.

I do not want to in any way undermine the importance of the Great Barrier Reef and its beauty. I have seen more reef divers come to the fore today in this debate than probably ever before. It is not something that I have ever done and I will not be able to do it. However, the Great Barrier Reef is a beautiful part of our country. It is a treasure that is not ours alone; it is the world's. It is a beautiful piece of this planet. But we also need to remember that the people who will be impacted by this legislation are those who provide food for our nation, too. We have the tourism industry that relies on the reef, but it relies also on our food producers. We have our eastern seaboard townships, and particularly those in the south-east corner, that rely on our food producers to survive. Certainly, as a Queenslander and as an Australian, I do not want to see our food producers who, in the main, are doing the right thing, squeezed out of production either because it is too costly or it is too great an impost in terms of the paperwork, or because the return is so small that they say 'Enough is enough, I am out of here' and we have very sound, capable and, I believe, wise food producers ceasing their operations resulting in us having to buy from overseas where practices are far more questionable.

The other issue that I wanted to raise is that the minister said in her second reading speech—

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.

I do not know how the estimation was done, but I would be surprised if farmers could afford to lose that high a percentage in relation to waste of such an expensive input. If we are going to be serious about looking after the reef we have to look at shipping movements in proximity to the reef, particularly those shipping movements that create a risk to the health of the reef if an incident occurs.

I put on the record, as did the member for Indooroopilly, my appreciation of those who work on Heron Island in a research capacity. The research they conduct certainly provides important information for this government and the community. They work in splendid isolation. I believe that the majority of farmers work well, work wisely and do all they can to be good custodians of the land. I would hate to see this parliament make decisions that would significantly disadvantage people who are already doing a wonderful job.

**Mr WETTENHALL** (Barron River—ALP) (5.40 pm): It gives me great pleasure to rise in support of the Great Barrier Reef Protection Amendment Bill 2009. In the short time that I have available I wish to concentrate on one of the key aspects of this bill which is, of course, the science that supports the measures that will be undertaken by this government through this legislation and which is denied by and large by the members of the opposition in speaker after speaker after speaker.

Before I do that I wish to make a couple of points. It has been pleasing to hear the contributions from government members acknowledging the importance of industries in the Great Barrier Reef catchments other than grazing and cane. Members on this side of the House have acknowledged the incredible importance of industries like tourism, commercial fishing and recreational activities that take place as a result of the Great Barrier Reef being located where it is and being in good condition. Members opposite have ignored the other industries or given them cursory attention.

**Mr Cripps:** They are not in the bill.

**Mr WETTENHALL:** Including the member for Hinchinbrook, and one wonders why when the whole purpose of this legislation is to improve the water quality of the Great Barrier Reef lagoon on which those industries depend. It is convenient perhaps to ignore those industries—tourism, commercial and recreational fishing and other recreational activities—that all depend on a healthy Great Barrier Reef. That is why this government is determined to do all that it can to improve the quality of the water that flows into the Great Barrier Reef lagoon.

**Mr Elmes:** Where's the sewage pumping facility at the Cairns port?

**Mr WETTENHALL:** Only by doing that will the long-term health of the Great Barrier Reef on which all of those industries depend be preserved. The member opposite mentions sewage. I will talk to him about sewage. That is why this government has invested tens of millions of dollars supporting local governments, including the Cairns City Council, now the Cairns Regional Council, to upgrade their wastewater treatment facilities to improve the quality of water that flows into the Great Barrier Reef. This government recognises that it is not just about agriculture and grazing; it is about taking an approach that is looking at all of the sources of pollution that are flowing into the Great Barrier Reef lagoon. Those opposite know it—and if they do not know it, they should.

We know the reason why the members opposite—who have made what in some instances have been hysterical contributions to this debate—want to ignore tourism, commercial and recreational fishing and other industries that depend on a healthy reef. It is because they want to go back to their constituents and tell them that they stood up for the farmers in the parliament. They do not have the fortitude or the inclination to look the farmers in the eye and say that these measures are necessary to protect the Great Barrier Reef and ultimately ensure the long-term viability of those industries.

Those opposite should go back to their constituents and tell them the truth. They should tell them what the scientists are saying. Members opposite have come in here and said that the science does not support the legislation. They have come in here and said that if all that was being said by the scientists was true why would the farmers be pouring all of this fertiliser onto their farms and why would the graziers be letting their topsoil wash into the Great Barrier Reef lagoon? That is a good question that is at the fundamental heart of this legislation.

Every speaker on this side of the House has acknowledged that a great many farmers have embraced new farming practices and technologies to reduce the impact of their farming activities on the Great Barrier Reef. What scientists have told us, and what members opposite refuse to accept because they are not willing to go back to their farming constituents and look them in the eye and tell them the truth, is that the science supports this legislation.

**Mr Elmes:** You didn't listen to what I said, did you?

**Mr WETTENHALL:** The scientific case for action is overwhelming. Contemporary agricultural science is the backbone of the implementation of this legislation. Science will form the basis of the monitoring program that will prove this legislation is effective.

**Mr Elmes:** What monitoring program? What farms are you going to monitor? You are not going to monitor one farm.

**Mr WETTENHALL:** The member ought to listen. He has displayed a high level of ignorance about the science up until now.

**Mr Elmes:** Well, tell me how you are going to monitor.

**Mr WETTENHALL:** If the member listens to what I have to say he might learn something. As recently as January 2009 three of Australia's, if not the world's, leading marine scientists published a report in the prestigious international scientific journal *Science* about the declining coral calcification—that is, hard coral growth—on the Great Barrier Reef. Their opening statement reads—

There is little doubt coral reefs are under unprecedented pressure worldwide because of climate change, changes in water quality from terrestrial run-off, and over exploitation.

If the experts who dedicate their life to the study of marine environments tell us there is little doubt then it is possible that we should have little doubt. Certainly we should not be using doubt as an excuse not to do as much as we can to protect the reef. Of course, science is never about absolute certainty. In any case, no-one in their business or daily life waits for absolute certainty before taking action to mitigate a high-risk threat. To do so with the reef would mean losing much of its value before we did the sensible thing and took preventative steps.

The Australian Institute of Marine Science, which has been studying the reef for more than 20 years, recently advised this government of the critical importance to—

...reduce the land run-off of nutrients, sediments and pesticides to maximise coral recovery after large scale and more local disturbances including coral bleaching, cyclones and outbreaks of the coral eating crown-of-thorns starfish.

There is much science from many experts to be quoted. I ask: who of us here is qualified to question this? If there is doubt or dispute about this science, why are the sugarcane and grazing industries spending millions of dollars in research and development to come up with ways to improve their farm practices and the quality of their water run-off? Why did they seek \$300 million from the Australian government to help them reduce their impacts on the reef? Why are they endorsing reef plan and Reef Rescue by supporting a voluntary approach to meet water quality targets so strongly? Perhaps it is not this science that agricultural run-off is detrimental to the reef which is in dispute.

The bill puts forward two prescriptive measures to reduce the run-off of fertiliser and chemicals. Firstly, it proposes that farmers do not apply fertiliser containing nitrogen or phosphorous to the soil unless they have conducted a soil test and undertaken calculations to show how much fertiliser is actually needed by the crop. That is the optimum rate. The bill specifies that the fertiliser is not to be

used at more than the optimum rate for that property. The optimum rate will be established by a calculator developed by agronomists and agricultural scientists and tested for practical application by farmers.

Despite the fact that these measures are undeniably science based, it does not take much science to work out that using no more fertiliser than is actually consumed in production makes good business sense. It is an efficient business input, not a waste. That notion is not new. A clause in the 1996 Canegrowers code of practice recommends that farmers carry out regular analytical testing of their soils to determine their nutrient status. It also recommends that they use the results to ensure the quantities of fertilisers match the crop needs and determine if nutrient leaching is occurring. Secondly, restrictions on the use of several chemicals which science shows exist in toxic quantities in the waterways of the reef catchments are being proposed in an amendment to the Chemical Usage (Agricultural and Veterinary) Control Regulation 1999.

In conclusion, I want to again acknowledge all of those who have taken part over some time in these efforts—that of course includes farmers, whether they be graziers or cane farmers—all of the people who have been involved with the farmers and graziers associations, the natural resource management bodies and those who work in government agencies and non-government scientific organisations and universities. They have worked very hard to identify the causes of declining water quality in the Great Barrier Reef lagoon and to come up with ways to improve it. This bill is a very important component in that.

What a shame that the members of the Liberal National Party cannot see that and cannot support this legislation. What a shame that they insult the people of Queensland who care about the environment and who care about preserving the Great Barrier Reef by characterising this government's introduction of this legislation in terms of it being a grubby deal with the Greens. All of those people who care about the environment, all of those people who supported a green party or a conservation-minded candidate in the 2009 election and other elections before it will be rightly offended and insulted by the remarks and the contributions made in this debate today by members of the LNP. I for one will be reminding them at every opportunity of the shameful things that have been said about people in this state and in their electorates who care about the environment. I commend the bill to the House.

**Ms GRACE** (Brisbane Central—ALP) (5.53 pm): I, too, rise to speak in support of the Great Barrier Reef Protection Amendment Bill. Although I may not live in North Queensland and although I am not right next door to the Great Barrier Reef, I am a very proud Queensland and very proud of our fantastic heritage listed Great Barrier Reef. I do not think you have to live in North Queensland to admire its absolute beauty and its absolute perfection when it comes to marine biology and diversity. I have snorkelled on the reef many times and have enjoyed every visit that I have ever undertaken to many parts of the Great Barrier Reef throughout my holidays and throughout my life.

I think I am speaking on behalf of a lot of my constituents who are also very proud Queenslanders who support maintaining the Barrier Reef in the pristine condition that it is at the moment. I go around and speak to many people. I also visit many schools. Having known that this legislation was coming before the House, I asked many schoolchildren about whether they felt that we needed to do more for the Great Barrier Reef. The only people in this House who can really sit here and believe that nothing needs to be done to protect and preserve this reef are those on the other side of the House. I suggest they go and talk to the schoolchildren in their local schools and ask them whether they think that the government needs to do something to protect the reef. They will tell them that something does need to be done. That is why we are here today. We are here today because this side of the House, regardless of those sceptics opposite, believes that something needs to be done to protect our reef. We take action. We do not just sit there and gripe about things that we can do something about.

This legislation is all about doing what we can to sustain this reef and the industry around it into the future, and I support many of its amendments. This legislation does not try to set a lowest common denominator in terms of changes of management practices to improve water quality. It does no such thing. It provides for a gradual but certain improvement in management practices over a reasonable time frame until these practices are compatible with the long-term health of the reef. Nothing could be more balanced than that. There are new standards for chemical use, which will be supported by environmental risk management plans to ensure that we have continuous improvement as technology and scientific understanding improves.

Those opposite are sceptical about the scientific evidence. We on this side of the House are not. We take action immediately. We are not going to wait—and the community does not want us to wait—until the reef is beyond repair. The bill requires that farmers apply no more than the type of fertiliser that they need to apply, and this is going to be calculated according to the skills that they are developing in this area. If they do not develop these skills, as the member for Barron River says, they do not have a sustainable industry. This bill strikes that balance to give them the ability for growth and for sustainability into the future. I do not understand what those opposite do not comprehend in relation to those issues. I do not understand it and all we seem to be getting is carping rather than a full understanding of what this bill is actually about.

A risk management approach is absolutely vital if we are to sustain the reef. This bill brings in a risk management approach to land management through environmental risk management plans which are specific to each property, not a one-size-fits-all approach. It is not a one-size-fits-all approach; it is specific to each property, but it looks at the area holistically. There is no other way that we can do that. The reef stretches many miles along the Queensland coast. If those opposite suggest any other way of doing it, they are burying their head in that beautiful white sand that they live next door to and they are making sure that we do not do the right thing as far as the reef is concerned, which will affect not just me but the generations to come. I believe that the gradual process of continual improvement will ultimately, as I said, benefit farmers but, more significantly, it is going to benefit those schoolkids to whom I speak who want the reef not only for themselves but for future generations. Speak to any one of my 15-year-old friends and they will say, 'Yes, I agree. The reef is in trouble.' We need to take action. This bill is taking action. The only sceptics in this House and in the community are those opposite. Those opposite are the only sceptics who come in here with bogus scientific reports that mean absolutely nothing.

All I can say is congratulations to the minister and those who have worked on this bill. It has a balanced approach. It will protect the reef. I commend the bill to the House.

**Mr McLINDON** (Beaudesert—LNP) (5.59 pm): I wish to contribute to the Great Barrier Reef Protection Amendment Bill 2009. It is no secret that the \$5.8 billion that the reef adds to the economy and the 63,000 jobs are supported by each and every one of us in the House. It is the deceit of the Labor Party and this government and its attack on the landowners, the cattle graziers and the cane farmers that we do not support. The reality is that this government should have made a phone call to the Commonwealth government and understood that the Reef Rescue package, the \$200 million for voluntary compliance, could have and should have been added to.

That is the crux of this bill. It is not whether or not we support the protection of the Great Barrier Reef—of course we do; it is how this government has regulated for it. It hit the pensioners yesterday and it hit the farmers today. It is no surprise that the government is treating each and every Queenslanders with contempt, day in and day out. In fact, there are 70,000 pages of regulation—the highest of any state. This will add a few more pages and it will be the nail in the coffin for some of the most important industries in this state.

Speaking of the environment that this minister is overseeing, we have seen koala numbers in South-East Queensland halved under this government in the last 10 years. So this government's green credentials have certainly been shot, day in and day out. The federal government has contributed \$200 million and those opposite wonder why the federal government starts closing up when, as soon as it gives money to the state, the state gets straight in there to make sure it gets its fair share. Unfortunately, everyone gets hit. As I said, the pensioners got hit yesterday and today it is the farmers.

Let us look at development in the region. Let us look at the proposed development of lot 21 on Great Keppel Island. I am sure this is one that the government wanted to get past the keeper—the \$1.1 billion development that is proposed for Great Keppel Island. Let us look at what is happening with lot 21 on Great Keppel Island. We see that a Labor lobbyist, a former Beattie adviser, is behind lot 21 on Great Keppel Island. Where does the member for Keppel stand on the development of lot 21 on Great Keppel Island? That is what I would like to know. It is Labor mates; that is what it is. It is Labor mates again who have gone past the gatekeeper.

**Mr HOOLIHAN:** Madam Deputy Speaker, I find the comments offensive and I ask that they be withdrawn.

**Madam DEPUTY SPEAKER** (Ms van Litsenburg): Will the member withdraw his comments?

**Mr McLINDON:** I withdraw, because no doubt the Labor mates take offence at that comment as well.

**Madam DEPUTY SPEAKER:** Will the member withdraw?

**Mr McLINDON:** I withdraw. Under the former department of natural resources and the 1992 Nature Conservation Act, the appropriate use for lot 21 was deemed to be protection. Then Minister Wallace also said that it was of significant environmental value. There were over 300 public submissions, and 97 per cent of them were against this development. I see that the member for Keppel is keeping quiet and probably squirming in his seat because it is another Labor mate who has let this go through to the keeper. No, I will not let this sleeping dog lie.

**Mr HOOLIHAN:** Madam Deputy Speaker, I find the comments offensive and I ask that they be withdrawn.

**Madam DEPUTY SPEAKER:** Will the member withdraw?

**Mr McLINDON:** I withdraw. In fact, it was the federal Labor member for Capricornia who accused Tower Holdings of being a bad corporate citizen.

**Mr HOOLIHAN:** Madam Deputy Speaker, I rise to a point of order. This bill is to do with the Great Barrier Reef, not Great Keppel Island. The bill is for particular purposes. I would ask that the member be brought back to the bill.

**Madam DEPUTY SPEAKER:** There is no point of order.

**Mr McLINDON:** Thank you, Madam Deputy Speaker. I appreciate that the member understands that Great Keppel comes within the Great Barrier Reef. There will be 1,700 villas, which can accommodate 3,400 people. With that sediment overflow, I cannot believe this development has been approved. I refer to the paper from Gallagher and Volker regarding the numerical studies of nitrogen flows under effluent irrigated lawns on islands in the reef. Let us not forget the money the government took away from the local councils for sewage run-off.

The Premier has the audacity to go on *MasterChef* and use produce from this state and promote Queensland on the one hand and then slug farmers on the other. I hope that in five years time the Premier will go back on *MasterChef* and promote the Chinese imports just as proudly as she has used snippets of Queensland produce as a token gesture to promote Queensland to the rest of Australia.

**Ms DAVIS (Aspley—LNP) (6.03 pm):** I rise to speak to the Great Barrier Reef Protection Amendment Bill 2009, which was introduced by the minister on 4 June and to which the shadow minister has proposed amendments. I am disappointed that I have only a minute or so to say the number of things that we would wish to, but that is the way it works today.

While I am generally supportive of the objective of the bill, I cannot support the process the Bligh government wants to apply. It is too regulatory, is short on key detail and does not offer certainty to primary producers. The Great Barrier Reef is an ecosystem and marine park of outstanding value that residents in Aspley want to see protected for their children to enjoy, but it is my intention to challenge the government to have the courage to support our proposed amendments and to make this imperfect bill a more feasible and effective piece of legislation.

I believe that Queenslanders want to see a balance between the protection of the environment, the protection of jobs and the protection of industry in Queensland. I am glad that in the minister's second reading speech reference was made to the 2003 reef action plan. The previous Howard government was vigorously protective of the Great Barrier Reef and much reform started under its administration. This visionary plan brought together a group of stakeholders from governments, industry, regional natural resource bodies and others with the aim of achieving better water quality to the reef. It did not target any convenient group as scapegoats but made implementing the reef plan's actions a shared responsibility of all reef plan stakeholders.

The reef plan paid particular attention to 'non-point sources of pollution' from broadscale land use. It did not target primary producers, recognising that there were many non-point sources of pollution flowing to the Great Barrier Reef from many places and activities. It identified that this pollution could not be directly attributed to any single group of stakeholders. But the legislation before the House not only seeks to attribute blame to two groups of primary producers—namely, cattle and cane farmers; it does so in a dictatorial manner that is neither persuasive nor consultative.

In conclusion, the Great Barrier Reef is certainly a most unique ecosystem, and the *Great Barrier Reef outlook report 2009* states that it will remain one of the most healthy coral reef ecosystems in the world. We as managers and politicians need to make the right policy decisions and those decisions need to be made on solid data. We should not use primary producers as scapegoats. Rather, we need our communities to come together with leadership to take steps that will protect our Great Barrier Reef and recognise the contribution of primary producers as part of the solution. We need a balanced and fair approach to acting to preserve something that is precious to all Queenslanders.

**Ms FARMER (Bulimba—ALP) (6.06 pm):** I rise to support the Great Barrier Reef Protection Amendment Bill 2009. Like the member for Brisbane Central, I am not a North Queensland, either. However, the Great Barrier Reef holds a very precious place in my heart, as I know it does in every Queenslanders' heart, and we all think it is worth defending. I wish to reiterate a number of key points that have been made by some speakers already today.

A question that seems to frequently arise around the issue of this legislation is: why do we need to do more than what is already being done? The sugarcane industry in particular is making significant advances in its use of new technology and the uptake of precision agriculture techniques. What is already being done is not in dispute, and those who embrace change and take responsibility for their actions towards the health of the reef, unlike the members opposite, should be applauded. Indeed, the way this bill has been designed, these growers and graziers will experience very little impost from the proposed regulations.

The government acknowledges the work undertaken cooperatively by government and industry. However, leading scientists agree that the improvement is not enough. According to the 13 scientists that reviewed 500 technical papers for the 2008 *Scientific consensus statement on water quality in the Great Barrier Reef*, current interventions are not effectively solving the problem and further urgent action is required to improve water quality.

Before the last federal election the sugarcane industry asked the government for \$300 million and received \$200 million in the form of Reef Rescue to help them take up new technology—an open and honest declaration that their impact on the reef was unacceptable and that they needed and wanted to

improve. The original 2003 reef plan was supported by a body of scientific evidence showing a decline in water quality on the reef in the form of the *Summary statement of the reef science panel regarding water quality in and adjacent to the Great Barrier Reef*. Scientific advances continually improve our understanding of what is happening on the reef—in effect giving further weight to the case for urgency in terms of our efforts at water quality improvement.

A 2005 report on the implementation of the Reef Water Quality Protection Plan indicated that more action was needed if the goals were to be achieved. The 2008 *Scientific consensus statement on water quality in the Great Barrier Reef* confirmed that land derived contaminants—sediment, nutrients and pesticides—are present in the reef at concentrations likely to cause environmental harm and that current interventions—what we have been doing—are not solving the problem. The best scientific minds in this country and internationally agree that the changes that have been made are good but are not on a margin of scale to be making a difference. Put simply, more property owners have to do more.

This bill targets the three catchment areas responsible for the most significant pollution loads and then identifies hot spots for immediate and more comprehensive risk based management. The legislation will ensure there is a big reduction in the overuse, and hence run-off, of fertiliser by requiring sugarcane farmers to use no more than the optimum rate. Also, every cattle grazer with more than 100 standard cattle units and every commercial sugarcane grower within the Wet Tropics, Burdekin Dry Tropics and Mackay-Whitsunday catchments will, at the very least, have to keep records on the agricultural chemical products, fertilisers and soil conditioners applied to their property. At the most, the bill will ensure that commercial sugarcane growers with properties larger than 70 hectares in the Wet Tropics catchments and cattle graziers with more than 2,000 hectares in the Burdekin Dry Tropics catchment will have to develop environmental risk management strategies.

The 2005 reef plan review noted that within the catchment industry there was a poor understanding of the processes, resources, governance and time frame surrounding the reef plan. The communication, extension and education effort to accompany this legislation will make sure that every property owner in the three catchment areas understands the issues facing the reef, their responsibilities under the legislation, how the legislation supports other reef water quality initiatives and what help is available to them. I commend this bill to the House.

**Ms DARLING** (Sandgate—ALP) (6.11 pm): I rise to support the Great Barrier Reef Protection Amendment Bill 2009. From the outset I would like to reiterate an important point: all levels of government and the whole community have a responsibility to protect and conserve the Great Barrier Reef. The successful establishment and implementation of this legislation relies on cooperation between the government, industry representatives, and cattle graziers and sugarcane growers in North Queensland.

There is a long history of cattle farming and sugarcane-growing industry representatives talking to government about these issues. In fact, the discussions go back for decades. In 2003 then Queensland Labor Premier Peter Beattie and then Liberal Prime Minister John Howard made a 10-year commitment to the Reef Water Quality Protection Plan to halt and reverse the decline of water quality entering the reef. Cooperation is an important word to note here tonight. The reef plan to which Mr Beattie and Mr Howard put their signatures stated that there was a need for regulation 'where there was a risk that voluntary approaches will fail to deliver significant water quality improvements'. The commitment had bipartisan support then as it should today. I note that the shadow minister is nodding, and I look forward to his support of this bill. Five years on there is indeed evidence that the voluntary approach has not worked. I refer to the 2008 *Scientific consensus statement on water quality in the Great Barrier Reef*, which many members have referred to in this debate. I table a copy for the information of members.

*Tabled paper:* Document titled 'Scientific consensus statement on water quality in the Great Barrier Reef' [[1052](#)].

It is important at this point to correct some misinformation that I have noticed in the speeches of opposition members.

**Mr Seeney:** Who wrote this for you?

**Ms DARLING:** I am sad to say that I have had to listen very carefully to all of the arguments opposite until my ears bled. I can vouch for the fact that this speech is written by me.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! The member for Sandgate has the call.

**Ms DARLING:** I see they are very keen for me to correct them. I find that a lot in my life; that people are keen for my correction. Several members opposite have declared themselves reef degradation deniers. Such denial is astonishing given the enormity of scientific evidence. The statement I have just tabled is a consensus of scientific views collated by 13 well-respected reef specialists with up-to-date peer reviewed information based on over 500 papers, yet those opposite have slammed this evidence. The statement—I was going to say that again.

**Mr Seeney:** You want to practise it when they give it to you.

**Ms Jones:** She wrote it.

**Mr Seeney:** It's all those big words from the department.

**Ms Jones:** They did not write it. She wrote it herself.

**Mr Seeney:** You don't believe that.

**Ms Jones:** It's true.

**Ms DARLING:** Those opposite are very often threatened by intelligent women, but I think they had better just get over it.

Ask anyone in the street about the problems with the Great Barrier Reef, and they will tell you the reef has been studied and studied and studied, and the general public understands the need to act urgently. Instead, I am advised the opposition has relied on the dated evidence of a physicist—someone who studies water movement—rather than marine biologists and reef experts who study chemical content and impact on the reef ecosystems.

Many opposite also support the \$200 million Reef Rescue plan. What an insult to our farmers to deny that certain farm practices have a detrimental impact on the reef, yet those opposite support those farmers claiming taxpayer funds under the rescue plan. Are they suggesting our farmers are ripping off the taxpayer? Of course they are not. As the member for Whitsunday has explained, there are many examples of best practice among farmers in her region. These people are proudly sharing their knowledge and experience to help their industries. Following Premier Bligh's decision to push forward with regulation, a committee of senior officers has led a detailed analysis of options and developed a preferred approach to form the regulation.

**Mr Seeney:** They have written a very nice speech for you.

**Ms DARLING:** This analysis has been made with the assistance of professionals with years of technical and practical agricultural experience in the public and private sectors. There should be no doubt that this government is 100 per cent committed to working in partnership with regional NRM bodies, industry and other stakeholders in water quality entering the reef lagoon from broadscale agriculture. Did I skip a sentence there?

**Mr Seeney:** Get them to number the pages for you.

**A government member:** Ignore them.

**Ms DARLING:** I will certainly ignore them. They are the most patronising comments I have heard for quite some time. All right, I am in for a fight.

I will repeat for the benefit of the *Hansard*: there should be no doubt that this government is 100 per cent committed to working in partnership with regional NRM bodies, industry and other stakeholders to achieve the goal of the reef plan—that is, the improvement in water quality entering the reef lagoon from broadscale agriculture. Right from the start of the legislation development process there has been a concerted effort to seek the opinion and advice of industry and stakeholders.

**Mr Seeney:** No, you have read that page already.

**Mr DEPUTY SPEAKER:** Order! Member for Callide, that is enough.

**Ms DARLING:** A reef protection stakeholder advisory committee has been formed with non-government members representing agriculture, conservation, local government and tourism interests. Since November 2008—and it is important to detail the extensive consultation that has gone into this—there have been two specific agriculture industry meetings. There has been a very constructive meeting with conservation and tourism representatives. There have been four public meetings held in the relevant catchment areas, two meetings of the stakeholder advisory committee, two meetings of the chief executive officers group and weekly meetings of a working group comprising members with specific technical expertise from relevant government departments.

The minister has also formed an implementation task force for the bill comprised of representatives from AgForce, Canegrowers, the Queensland Farmers Federation and the Australian Cane Farmers Association that will guide the development of the tools to be used to implement the regulation. It has been a very open-door consultation process. The Great Barrier Reef is a Queensland icon, a national treasure and an international drawcard. The time for talk is over. It is time to act. I congratulate the minister and all the departmental officers who have worked so hard to prepare this bill, and I commend it to the House.

**Hon. KJ JONES** (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (6.18 pm), in reply: I thank all the honourable members who have taken part in this debate tonight. You will note the amendments that I have circulated, and I table the explanatory notes for those amendments.

*Tabled paper:* Great Barrier Reef Protection Amendment Bill, explanatory notes for the minister's amendments to be moved during consideration in detail [\[1053\]](#).

This bill is vital if we are serious about protecting the Great Barrier Reef for future generations. This is one of our major election commitments and this delivers on the promises that we made to Queenslanders. Our government was elected with a mandate to introduce these regulations and the Premier set a target to reduce the discharge of pesticides and fertilisers in key reef catchments by 50 per cent in four years. Today we have seen the LNP split. The members for Dalrymple and Burdekin are in denial that the reef is in any trouble. We know that they are climate change deniers. Today we find that they denied that reef quality is also an issue.

We have seen the members for Mirani, Dalrymple and Burnett oppose the bill. I do believe that the shadow minister has a genuine interest in this issue. I think his comments reflected that, as opposed to those of his colleagues. The member for Mirani admitted that in the past cane farmers have used excess chemicals but was hopeful that things were changing. Conversely, the shadow minister has acknowledged that the reef is under threat but has circulated amendments to defer the action that is required now.

If we are serious about reducing the degradation of Queensland's, and indeed Australia's, finest natural asset, all members will vote for this bill tonight. The reef is essential not only environmentally but also economically. We have heard tonight that it is worth about \$6 billion to the Queensland economy. Some \$3.5 billion of that goes into local towns and communities bordering the reef.

The opposition is risking rising unemployment and the devastation of communities adjacent to the reef by opposing this. More than 63,000 people are employed in jobs dependent on the health of the Great Barrier Reef. If the reef continues to deteriorate and be impacted by run-off, those industries are gone.

For almost a year now we have been working with industry with regard to this. Since I became the minister this year that consultation has intensified, including five technical task force meetings, three implementation task force meetings, which I chair—I instigated these after I introduced the bill because of the concerns from industry; I have been working very closely with them as a consequence—and stakeholder meetings.

I take this opportunity to thank industry for their participation. I know that there are elements of the bill that they do not support, but overwhelmingly they have participated very constructively. They have made sure that the bill we are debating tonight reflects best practice in industry and ways that will be practical for farmers to apply on the ground.

With regard to the reef implementation committee, the following organisations have participated in making these amendments: the Australian Cane Farmers Association, Queensland Dairy Farmers Association, Growcom, CropLife, Queensland Farmers Federation, Bureau of Sugar Experiment Stations, CSR, the Fertiliser Industry Federation of Australia, Proserpine Sugar, Australian Sugar Milling Council and Dow Agrosiences. Mr Ian Ballantyne from Canegrowers said to me in a letter—

The Technical Working Groups have been invaluable in developing objective, science based and practical measures.

I have listened to the concerns raised by farmers and farming groups. Many are already carrying out best practice—and I agree with that—on their farms. Therefore, they will be impacted minimally as a consequence of this legislation. But those who are not carrying out best practice will need to shape up, and I make no apology for that.

Consultation has resulted in the continual improvement of the legislation. We will remove the requirement for recorded stocking rates but include proper cover management in management plans that will be required of all graziers in the Burdekin catchment. Likewise, the threshold for the regulation of grazing properties has been raised from 100 standard cattle units to an area of more than 2,000 hectares to remove the lower risk coastal fertilised pasture graziers and hobby farmers from the legislation.

**Mr Elmes** interjected.

**Ms JONES:** I thank the member for that. I know this is something that the shadow minister was concerned about. To be quite specific, the original definition of 'cattle' in the bill included dairy and now it does not. Dairy farmers are exempt from this legislation.

We have also agreed to recognise equivalent plans under the Delbessie Agreement and land and water management plans as environmental risk management plans. We are also working with Meat & Livestock Australia to align the environmental stewardship model of its livestock production insurance program with the proposed environmental risk management planning for graziers in the Burdekin catchment.

The industry endorsed nutrient calculation method requires farmers to take account of nutrient applications from all sources including mill mud. However, due to the variable content of the nutrients in mill mud—industry acknowledges that they cannot quantify it—this has not been mandated immediately. I have agreed to that as a consequence. I have been listening to stakeholders—I will continue to listen to them—and been prepared to make adjustments to this legislation and will continue when going forward with its implementation.

The opposition seems to want to debate the science until there is no reef left. Those opposite are oblivious to the hundreds of peer reviewed research papers indicating the relationship between intensified catchment agriculture and degradation of marine ecosystems. Even industry does not agree with them. They know that they are causing water pollution and have asked the federal government for \$300 million to help them to reduce their pollution, not just for a few recalcitrant farmers but for all their operators. I want to reiterate the point that the member for Sandgate made earlier. What we have heard from the opposition tonight is that on the one hand it supports Reef Rescue and the money from the federal government for Reef Rescue but on the other hand it debates the science which is the basis of the \$200 million made available by the federal government.

What those opposite are saying—not the shadow spokesperson but his colleagues who undermined him—is that they want farmers to access \$200 million of Australian taxpayers' money yet deny the science which is the basis for using that taxpayers' money. I will quote the member for Dalrymple, who said it was rubbish. He said that the science that underpins this is rubbish. It is the same science that underpins the \$200 million of Australian taxpayers' money being spent right now to encourage industry to move to best practice.

I want to make it very clear that I support this amendment. At the recent reef MinCo that I had with Peter Garrett we released an assurance—I think the member for Hinchinbrook raised this—that farmers who are covered by this regulation will be entitled to money under Reef Rescue. There is no doubt about that. That was released in the communique after the MinCo. I want it on the record so that all members can tell their constituents, whom they are genuinely inquiring about this for, that I as minister can assure them that as part of the communique from the reef MinCo they will be entitled to that funding.

Even industry agrees with the fact that we need to see change here. I ask members opposite why tourism, fishing and recreation industry operators have seen vast areas of the reef degraded over recent decades as the catchment agriculture and use of fertiliser has increased. Ask these reef dependent industry operators why they see 400 kilometres south of Cooktown, where the catchments are dominated by cattle and cane production, that the reef's biodiversity and the richness of species is declining significantly.

I note that the honourable member for Noosa supports the industry endorsed method of reducing fertiliser to the optimum amount, known as Six Easy Steps, in the cane industry. This is the basis of the government's methodology for calculating the optimum amount of fertiliser for cane growers and relates in the bill directly to the needs of the crop.

Members may also be interested to know that industry disagrees with the opposition's assertion that only a few recalcitrant farmers are responsible for the vast load of pollution affecting the reef—for example, the 20 million tonnes of sediment that came from the Burdekin River in 2007. Industry has also said that the new legislative requirement for soil testing will result in massive increases in soil testing, possibly 800 per cent above current levels. Soil-testing laboratories will need to vastly increase their capacity to analyse soil. They are already doing this in anticipation of the new regime.

Contrary to what the opposition would have us believe, currently very few farmers are analysing their soil to determine the optimum amount of fertiliser as set out in Six Easy Steps. I acknowledge and support Canegrowers's position that more and more are. Not only will this legislation require all cane farmers to do this; the funding package has resources to provide them with the tools and assistance to do so. The claims made by the member for Condamine are wrong. About as much funding is provided for this assistance as is provided for compliance.

Advice from the Marine and Tropical Science Research Foundation, which I think the member for Hinchinbrook was also quoting, is that less than 10 per cent of the pollution load that affects reef health comes from sources other than catchment agriculture, which is mainly cattle and cane production.

I also want to pick up on a point about sewage treatment. I want to put on the record that since July 1998 the government has committed more than \$247.7 million in subsidies to upgrade 49 of the high and very high priority sewage treatment plants, including \$66.76 million for the Townsville city waterways upgrade project. Some 30 sewage treatment plants have direct or indirect impact on the Great Barrier Reef.

Links between nutrient enrichment and crown-of-thorn starfish population outbreaks are well known and supported. I was very surprised to hear the opposition deny that. This is widely acknowledged in other coral reefs around the world. In good water quality conditions the coral recovers quickly; in poor water quality conditions coral recovery is very slow or nonexistent due to an environment where pest species can cause further damage to the reef.

Contrary to claims by the member for Noosa, there are 36 sites across the reef for load monitoring at the catchment level. Burdekin is but one of those. In total we have 42 paddock level sites that will monitor the effects of land use practices on local water quality.

Essentially, this bill introduces provisions to reduce the impact of agricultural activities on water quality flowing into the Great Barrier Reef. It contains both prescriptive requirements and risk management approaches to address farming practices that cause pollution.

I make this commitment in the House: I have worked very closely with industry for the last four months and I will continue to do that to make sure that what is implemented is something that they can use and is manageable and also achieves our water outcomes. I commend the bill to the House.

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

**AYES, 43**—Attwood, Choi, Croft, Darling, Dick, Farmer, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Kiernan

**NOES, 32**—Bleijie, Crandon, Cripps, Cunningham, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Sorensen, Stevens, Stuckey. Tellers: Horan, Messenger

Resolved in the affirmative.

Bill read a second time.

Sitting suspended from 6.37 pm to 7.30 pm.

### Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—

**Mr ELMES** (7.31 pm): I move the following amendment—

**1 Clause 2 (Commencement)—**

Page 6, lines 7 and 8, 'on a day to be fixed by proclamation'—

*omit, insert—*

'on the later of the following days—

(a) 1 July 2011;

(b) a later day fixed by proclamation'.

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

**AYES, 29**—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Gibson, Hobbs, Hopper, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Robinson, Seeney, Sorensen. Tellers: Horan, Messenger

**NOES, 42**—Choi, Croft, Dick, Farmer, Foley, Grace, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wettenhall, Wilson. Tellers: Keech, Darling

Resolved in the negative.

Non-government amendment (Mr Elmes) negated.

**Mr ELMES:** I want to restate once again for the public record and at the outset of this consideration in detail debate that our prime concern on this side of the House is to make this bill workable. We want to see the Great Barrier Reef protected, so I seek to delay the introduction of this bill until collectively we have reliable evidence in our possession to make the right decisions. As the minister's own 2008 *Scientific consensus statement on water quality in the Great Barrier Reef* says, science integration is the key to informing management decisions for the reef plan. If the government's deal with the green lobbyists is all powerful as it seems to be in putting forward this flawed legislation, I propose to defer the date of the effect of the bill. I am mindful of the time frame required for Premier Bligh to fulfil yet another of her commitments to the green movement before the next poll and, on that basis, to secure a further preference deal. The next state election is not due until March 2012. As we know, Labor loves an early election and in accordance with its normal practice will contrive some reason for going to the polls early, probably in the second half of 2011.

My amendment recognises the Premier's political imperative. The proposed delay will allow for only a bare minimum of time to make some early assessment of the actions already in train. These include those under the incentive based reef plan Reef Rescue, which by then should be about to issue its third report card, the Vegetation Management (Regrowth Clearing Moratorium) Bill and, certainly, for an appropriately resourced scientific consensus panel to have moved some way towards the science integration and initial response formulation, as I have challenged the minister to fund. Perhaps of even greater importance will be the message sent to those farmers in the cattle and cane industries who have been slow to cooperate fully with their peak organisations in adopting best practice. They will have 18 months to get on board.

But what is the starting point? What are the benchmarks? What specifically are the water quality targets to be achieved? How will we all know what policy objectives have been reached? I hope that we will know the answers to those questions before this bill becomes law and that we, as members of the Queensland parliament, have the opportunity to consider all of the relevant information while we debate the bill.

As it stands at present, there is no connection between the stated objective for the legislation and any successful outcome. Unfortunately, this will remain the case until my amendments are not only considered but also adopted.

**Ms JONES:** Obviously, the government will be opposing this amendment. We went to the election very clearly with a commitment around this issue. We said that we would be reducing run-off into the reef by 50 per cent in four years. That is quite clearly a policy target. It is one that we aim to keep and it is something that we said to the people of Queensland we would do.

The other thing I should point out is that it aligns with the reef plan—the reef plan that all of the members opposite have been talking about so fondly tonight. So I am surprised that they want to delay it here and now. I want to make it clear, though, that there is a phase-in approach to the way that we are bringing in this legislation. There will be some strict requirements that come in on 1 January but, furthermore—with regard to, for example, the environmental risk management plans—we are giving the industry nine months to develop those plans. As we have said, we will be providing extension services to help with that development. Also, in relation to the amendments I have circulated in my name, members would be aware that when it comes to the chemical regulation buffers, or the option of having a chemical module to comply, we will also delay that. That will be coming in on 1 October as well.

In summing-up, we will be opposing this amendment because we made a commitment to the people of Queensland that we stand by. We have a finite time to save the Great Barrier Reef from sediment and fertiliser run-off. I intend to protect the Great Barrier Reef. I also intend to meet our time line, which is aligned with the federal government, to have a 50 per cent reduction in run-off by 2013.

**Mr CRIPPS:** Clause 2 of the bill relates to the commencement of the provisions of this bill. From the date that the provisions of this bill apply—and I understand from the explanatory notes and from what the minister indicated earlier that will be from 1 January 2010—there is absolutely no doubt that the introduction of these new regulations in the bill will negatively impact on many individual farmers and potentially have serious cumulative impacts for harvesting contractors and sugar-milling operations in North Queensland if their annual throughput is reduced to non-viable tonnages.

As part of previous regulatory efforts on a range of industries, including primary industries operating around the Great Barrier Reef, by state and Commonwealth governments—for example, the fishing industry—compensation packages for operators forced out of business or seriously affected by regulations have been negotiated with the industry. Will the minister please advise what compensation will be provided by the state government to those cane farmers, harvesting contractors and sugar mills which, at best, will experience significant economic losses or, at worst, will be rendered nonviable as a result of these new regulations? If no compensation will be provided, will the minister please advise why not?

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Before asking the minister to respond, I remind members that clause 2 is very short and talks about the commencement of the act.

**Mr CRIPPS:** Absolutely.

**Mr Horan:** That's when they commence losing money.

**Mr CRIPPS:** I take the interjection from the member for Toowoomba South. The date of the commencement of the regulatory provisions provided in the bill will be the date from which sectors of the industries affected by these regulations will be economically disadvantaged.

**Mr DEPUTY SPEAKER:** I will ask the minister to respond and I will seek advice.

**Ms JONES:** I am happy to respond to that. The main point is that we stand by the bill that we put forward and also the amendments that I have circulated in my name. As I have said, the member is referring to buffers in the cane industry and where they can apply fertiliser and chemicals. As I have just advised the member, having listened to the industry I have pushed it back nine months and that will now come into effect on 1 October.

**Mr CRIPPS:** I take it from the minister's response that no compensation will be forthcoming for those industries included in this bill. The sugarcane farming industry, the harvesting contractors and the milling operations will receive no compensation for the potential economic loss that they will suffer from the commencement of these regulations. I talked about this matter in my contribution to the second reading debate. We have had modelling done by the Australian Sugar Milling Council. In the Wet Tropics catchment, under the current provisions it stands to lose between \$68 million and \$102 million a year on current prices. In the Burdekin catchment, this provision could cause a loss of income to the industry in that catchment of between \$32 million and \$42 million on current prices. In the Mackay-Whitsunday catchment, this provision could cause a loss of revenue to the industry of between \$58.5 million and \$70 million on current prices.

So if this provision for a 20-metre no-spray setback from watercourses is implemented and there is the loss of land under production and the loss of cane that would have been grown, that not only means that there will be a loss of revenue to cane growers but also means that there will be a loss of season length. That will affect cane-harvesting contractors, haul-out operators and mill workers who are

dependent on that seasonal wage-earning or contract revenue to provide for their families. The minister is going to stand in the House tonight and say that she is perfectly happy for these provisions and regulations to be applied and disadvantage those communities in those catchments without any compensation whatsoever.

**Ms JONES:** I thank the honourable member for raising this again because it gives me an opportunity to clarify the concession that I have given to cane growers. Let me be very clear. Originally, as the member states, the bill was going to include strict requirements for buffers of 20 metres with regard to chemical application. What I have said, as members will see in the amendment circulated in my name, is that I will recognise alternative compliance measures. What I mean by alternative compliance measures is that they can take a risk based assessment on the way they apply chemicals based on their land. That means that in some cases the buffer would be less than 20 metres if they can demonstrate that the risk of run-off of those chemicals going into those streams is nil or that they would be served by only having a five-metre buffer because of the slope of their land.

I have met specifically with the industry and cane growers in particular. Cane growers were pleased with this amendment that I put in place. They think that it goes a long way to meeting their requirements. There has been a little bit of concern but no-one has demonstrated to me or provided me with any information that would substantiate what those opposite are saying. I am happy to take it on board, but I make it clear that the amendments that I have circulated hit the mark. I am happy to work with industry. I think that the concessions that I have made are reasonable and fit in with the framework of what I have been saying, which is that we take a risk based approach. Furthermore, if all the cane farmers that the member opposite has been talking about are carrying out best practice according to their own industry, then the impact would never be as great as what he is claiming.

**Mr Cripps:** These buffer zones are not providing best practice.

**Ms JONES:** Yes, they are. That is exactly what I have said. Read my amendment. My amendment makes it very—

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Minister and member for Hinchinbrook, there is no discussion across the chamber; all discussion is through the chair.

Clause 2, as read, agreed to.

Insertion of new clause—

**Ms JONES** (7.52 pm): I seek leave to move an amendment outside the long title of the bill.

Leave granted.

I move the following amendment—

**2 After clause 2—**

Page 6, after line 8—

*insert—*

**'Part 1A Amendment of Chemical Usage (Agricultural and Veterinary) Control Act 1988**

**'2A Act amended**

'This part amends the *Chemical Usage (Agricultural and Veterinary) Control Act 1988*.

**'2B Insertion of new pt 2, div 3, sdiv 1 and sdiv 2 hdg**

'Part 2, division 3, after division 3 heading—

*insert—*

**'Subdivision 1 Preliminary**

**'12W Definitions for div 3**

'In this division—

**agricultural ERA** see the *Environmental Protection Act 1994*, section 75.

**carrying out**, an agricultural ERA, has the same meaning as carrying out an agricultural ERA under the *Environmental Protection Act 1994*.

**preparing**, for a prescribed agricultural ERA product, means mixing the product or using it for testing.

**prescribed agricultural ERA conditions**, for a prescribed agricultural ERA product, means the conditions prescribed for using, preparing, storing or possessing the product under section 13C(1)(b).

**prescribed agricultural ERA product** means an agricultural chemical product prescribed under section 13C(1)(a).

**'Subdivision 2 General provisions'.**

**'2C Amendment of s 13A (Use of unregistered agricultural chemical products)**

'Section 13A(3)—

*insert—*

- '(e) if the offence relates to the use of a prescribed agricultural ERA product for carrying out an agricultural ERA—the defendant's use of the product complied with the prescribed agricultural ERA conditions for the product.'

**'2D Insertion of new pt 2, div 3, sdiv 3**

'Part 2, division 3, after section 13B—  
insert—

**'Subdivision 3 Great Barrier Reef protection measures****'13C Prescribed agricultural ERA products and conditions**

- '(1) A regulation may—
- (a) declare an agricultural chemical product to be a prescribed agricultural ERA product; and
  - (b) prescribe conditions for using, preparing, storing and possessing the product for carrying out an agricultural ERA.
- '(2) However, a regulation may be made under subsection (1) only if the Minister considers it is necessary or desirable to help achieve the purpose of the *Environmental Protection Act 1994*, chapter 4A.
- Editor's note—*  
*Environmental Protection Act 1994*, chapter 4A (Great Barrier Reef protection measures), section 74 (Purpose of ch 4A)
- '(3) To remove any doubt, it is declared that an agricultural chemical product may be declared as a prescribed agricultural ERA product under subsection (1)(a) and conditions may be prescribed for the product under subsection (1)(b) whether or not the product is a registered agricultural chemical product.

**'13D Compliance with prescribed agricultural ERA condition**

- '(1) A person uses, prepares, stores or possesses a prescribed agricultural ERA product for carrying out an agricultural ERA in compliance with a prescribed agricultural ERA condition for the product only if—
- (a) the use, preparation, storage or possession of the product complies with the condition; or
  - (b) the person uses, prepares, stores or possesses the product in an alternative way and each of the following applies—
    - (i) the person has an accredited ERMP for the agricultural ERA;
    - (ii) the ERMP states the alternative way is an alternative to compliance with the condition for helping to achieve the purpose of the *Environmental Protection Act 1994*, chapter 4A.
- '(2) In this section—  
**accredited ERMP** means an ERMP that is accredited under the *Environmental Protection Act 1994*, chapter 4A, part 3.  
**ERMP** means an environmental risk management plan under the *Environmental Protection Act 1994*, chapter 4A.  
*Note—*  
Noncompliance with an accredited ERMP is not, in itself, an offence. However, the non-compliance may be the subject of a direction notice under the *Environmental Protection Act 1994*, section 363B.

**'13E Use etc. of registered agricultural ERA products for agricultural ERAs**

- '(1) A person must not use, prepare, store or possess a registered agricultural ERA product for carrying out an agricultural ERA other than in a way that complies with the prescribed agricultural ERA conditions for the product.  
Maximum penalty—100 penalty units.
- '(2) This section is an eligible law for the definition '*permit*' under section 109 of the Agvet Code.
- '(3) In this section—  
**registered agricultural ERA product** means a registered agricultural chemical product that is a prescribed agricultural ERA product.'

**'2E Amendment of schedule (Dictionary)**

'Schedule—  
insert—

'**agricultural ERA**, for part 2, division 3, see the *Environmental Protection Act 1994*, section 75.  
**carrying out**, an agricultural ERA, see section 12W.  
**preparing**, for a prescribed agricultural ERA product, see section 12W.  
**prescribed agricultural ERA conditions** section 12W.  
**prescribed agricultural ERA product** see section 12W.'

**Mr ELMES:** In my briefing by the minister earlier this week my understanding was that the universally acclaimed national independent regulator of pesticides and veterinary medicines, the Australian Pesticides and Veterinary Medicines Authority, would be the regulator with regard to chemical use in the three catchments. I have either been profoundly misled or the words spoken to me have a totally different meaning on that side of the House than they do on this side of the House.

The amendment, by inclusion of section 13C, makes it even clearer than before that—

- (1) A regulation may—
- (a) declare an agricultural chemical product to be a prescribed agricultural ERA product; and
  - (b) prescribe conditions for using, preparing, storing and possessing the product for carrying out an agricultural ERA.

Under (3) the same section extends this to be a catch-all when it reads 'whether or not the product is a registered agricultural chemical product'. All of my earlier comments remain valid. In my view this approach is sheer lunacy. It is not real world thinking. It is cutting across the national methodology endorsed in Queensland by the Agricultural and Veterinary Chemicals (Queensland) Act 1994.

I repeat: what legal advice has been sought on the practical implications arising from this approach? How does the minister propose to address the problems which will inevitably arise as a result of the conflict between her system and the national system of which Queensland is already a part? Why would we do this? What on earth is driving this deeply flawed and risky, unnecessary approach? I am at a loss to see any redeeming features and wait to be convinced. Until that occurs, I cannot in all conscience support the amendment.

**Ms JONES:** I will clarify the amendment for the member. The Chemical Usage (Agricultural and Veterinary) Control Act 1988 will be amended to ensure farmers have an alternative to the strict requirements and can have accreditation through an environmental risk management plan which can be limited to management of pesticides. We have also aligned the penalties within the provisions of the reef bill with those in the chemical usage act. To close the defence loophole, we will also ensure that chemical use requirements and label requirements apply to both unregistered and registered chemicals. To be clear though, we are not changing any labels. That was a concern that the shadow minister had. There is no changing of labels. All we are doing is putting some extra requirements on farmers as opposed to changing the chemical usage act. In addition, once chemicals have gone through a new risk assessment by the APVMA, as has occurred with atrazine, we will be using the national registration scheme.

As of 1 January 2010 there will be requirements for users to hold qualifications in chemical use; that chemicals cannot be applied in windy and rainy weather conditions; there is a maximum rate allowed to be applied per hectare per year; users will need to use only specified equipment, for example nozzle type, to minimise drift; and users must maintain a record of their application. Scientific evidence shows that chemicals have been detected in the Great Barrier Reef at harmful concentrations up to 60 kilometres offshore during the wet season. A requirement for no-spray buffer areas, including drains in areas where there is a high risk of run-off to water bodies, will be prescribed in the regulation but it will not exclude the use of alternative chemicals or methods. Once again, through listening to industry we are providing alternative approaches in order to meet this requirement of the bill.

Commencement of the no-spray buffer provisions will be delayed until 1 October 2010 to allow further work to be done to address a number of industry concerns to ensure a practical economic and environmental outcome is achieved. This will be done by April 2010. We have already been meeting with industry through working groups to ensure that this is on track and to give operators plenty of time to develop their ERMP for pesticide management if they wish to take the option of going down this alternative compliance approach as opposed to the strict buffer requirements.

The ERMP approach is likely to promote the integrated weed management strategy endorsed by BSES as leading to a decreasing reliance on chemicals for weed control by preventing weed germination, thus reducing the seed bank. Once again, I am moving this amendment primarily because I have been listening to industry and its concerns. I know that the shadow minister had a view or had heard somewhere that there was going to be a scenario—which I agree is totally untenable and which is wrong—where in these catchments there would be different labelling to anywhere else in the state. I assure the minister, as per our conversation earlier, that I also think that is ludicrous. I do not support that. As I said, we are working closely with the APVMA to make sure that it does align. Predominantly this amendment I have put forward is addressing industry concern.

Amendment agreed to.

Clause 3, as read, agreed to.

Clause 4—

**Mr CRIPPS** (7.58 pm): Clause 4 of the bill relates to the amendment of the Environmental Protection Act 1994 and deals with the meaning of an environmentally relevant activity to now include an agricultural ERA. This is one of the most ridiculous provisions in the bill. It will mean that from now on farmers in North Queensland, by virtue of a definition in this bill, will no longer be farming. When this bill passes, instead farmers will be undertaking an agricultural environmentally relevant activity.

This is an extraordinary provision. To lump farmers in with other types of environmentally relevant activities such as sewage treatment plants, heavy metal refining facilities and other such industries is an insult to farmers who have been farming sustainably in these catchments for decades and decades. To undertake other types of ERAs, fees must be paid for a licence or a permit. If you do not have a permit or a licence you cannot conduct the activity. Ultimately, the government appears to be introducing a licence to farm for North Queensland primary producers growing cane and running cattle in the Wet Tropics catchment, the Burdekin catchment and the Mackay-Whitsunday catchment. Will the minister

confirm that this is the case? Can the minister rule out the state Labor government charging an annual fee for farmers to farm on their property when their operations become defined as an agricultural ERA as per the provisions in this bill?

**Ms JONES:** Yes, I can.

Clause 4, as read, agreed to.

Clause 5, as read, agreed to.

Clause 6—

**Ms JONES (8.01 pm):** I move the following amendments—

**3 Clause 6 (Insertion of new ch 4A)—**

Page 8, lines 6 and 7—

*omit, insert—*

'property of more than 2000ha; and

*Note—*

For part 3, see also section 87A (Extended meaning of agricultural ERA for pt 3).'

**4 Clause 6 (Insertion of new ch 4A)—**

Page 9, lines 11 and 12 and table after line 12—

*omit.*

**5 Clause 6 (Insertion of new ch 4A)—**

Page 10, lines 11 to 13—

*omit, insert—*

'**cattle** means beef cattle of all ages.'

Once again, with regard to excluding dairy, these are amendments that I proposed after listening to industry. I know that this was something about which the honourable shadow minister spoke passionately to me. This is interesting; this is the one piece of scientific data that everybody agrees on—that, as an industry, dairy farmers are having the least impact in these catchments. I am very pleased that I have done this.

These amendments will increase the threshold for cattle graziers from 100 standard units of cattle up to 2,000 hectares. I am very pleased that this amendment has been circulated. It is something that I support. Once again, it is me listening to industry and making relevant changes.

**Mr ELMES:** This is one of those extraordinary things that happens from time to time. I went to see the minister a couple of mornings ago and we both had exactly the same wording on exactly the same amendment. It was good. It is a great outcome for the dairy industry in two ways: one, because of the increase in the size of the properties affected and, two, because we have taken the word 'dairy' out of the definition. From all of the conversations that I have had with the dairy association and its representatives and when you look closely at the best practice under which they operate it is very clear that this is an exceptionally efficient industry. In land area it represents 0.021 per cent and less than two per cent of cattle appear in the three catchments. As I said, their response and their best practice efforts, particularly in the case of ground cover and feed for the dairy cattle in those three catchments and throughout the rest of the state, is exemplary. I congratulate the minister and me on both having a brilliant idea at exactly the same time.

Amendments agreed to.

**Mr ELMES:** I move the following amendment—

**3 Clause 6 (Insertion of new ch 4A)—**

Page 10, line 15, 'section 88(b)'—

*omit, insert—*

'section 88(1)(b).'

A number of aspects of this bill upset me. Australians place significant value on fairness and equity. Australians always and unfailingly adhere to the unwritten constitutional right of a fair go. Let us look for a moment at some of the farmers and the 4,500 land managers to be affected by this legislation.

According to the 2006 census the three catchments captured by the bill are called home by 339,469 people. Two and a half million people from Australia and overseas stay at least one night in the Whitsundays, Cairns or Townsville each year. Two million people visit the reef each year, that is, actually go onto or into the waters of the lagoon. Let there be no doubt that a proportion of the waste, waste water and sewage from all of these bodies will be having an impact on the reef and its water quality. As we know, for example, sewerage systems throughout this area have relatively regular failures. So a proportion of this lost sewage will also find its way into reef waters.

By way of example, there were some 40 overflows of sewage due to flooding or effluent bypass events at Mossman in 2008-09, 19 at Gordonvale and 47 at Babinda. Overflows and heavy rainfall events are accepted as part of life at Hinchinbrook and Ingham while Yarrabah does not have a sewage treatment plant at all, only a series of ponds which discharge via a creek directly into the Coral Sea. I presume Yarrabah will not be an ERA, but all of the others not mentioned will be.

Do I have confidence that this government will allow the local authorities to resource their responsibilities appropriately? No, I do not. It is milking local and regional government. This Indigenous issue at Yarrabah is a disgrace. Not only do I not have confidence in the government meeting its responsibilities, but neither does the Labor affiliated Australian Workers Union. The AWU complains that the government was underfunding the state's fire preparedness in national parks for the looming threat posed by the upcoming fire season. We are having total fire bans. The first was in August but DERM will not guarantee the funding of additional rangers. Neither will DERM commit to filling current or future vacancies. It will not even fund them to work on weekends. I can see the headline now in tomorrow's *Courier-Mail*, 'Bligh bans bushfires on weekends'. When a wild, uncontrollable fire occurs, as happened on Black Saturday in Victoria this year, what follows? During the next rain run-off will occur. Where will that go? Straight out onto the reef.

Clearly, with all these ERA failures it is obvious that DERM already has its hands full. Hopefully, it is keeping its head above water regardless of the quality of the water. How is it expected to monitor the performance of an additional 4,500 ERAs over such a vast area as the three catchments? What are the starting points for each ERA? What are the benchmarks for water quality discharge and where will those measurements be taken? Where is it proposed that measurements be taken both above and below communities to determine urban impacts on water quality? What is the government solution to reef water quality issues? They say, 'Let's just blame 4,500 land managers. Let's see if we can make life so difficult for them that maybe they will leave the industry.'

The burden of this legislation falls unfairly. The industry is asked to bear the cost. They are price takers. All additional costs will come from present net income. There is no financial reward for being a good citizen. The explanatory notes tell us that only about 1,000 operators will initially be required to prepare an ERMP. We know that at least some of these have been willing to be part of reef plan. But for a shortage of funding they would have been on board now. We know that the Delbessie Agreement and the improved management practices inherent in that are starting to be rolled out. We know that the Delbessie model will be used by AgForce to extend best practice management to freehold land as well.

It seems very strange to me that this bill is necessary at all. How many of the 4,500 land managers are engaged under Delbessie? How many are already operating on state leasehold land under an engaging, cooperative, incentive driven process? There is absolutely no need for this legislation to affect them at all. It is already within the power of the government to require state owned leasehold land management to ERMP standard. Indeed, I suspect that it is a chronic failure by DERM and an indictment on it not to have addressed this issue already under Delbessie.

Perhaps the minister could explain why this failure has occurred. Perhaps the minister could explain why an ERMP and Delbessie need to operate side by side, how it will be ensured that there are no conflicting requirements, how it will be ensured that two additional lots of costs will not be incurred by these price takers. Indeed, this regulatory regime unfairly incurs additional costs for this group of operators which are so far not incurred anywhere else in the state. As they are price takers, the government is effectively making their operations less viable. That is just not fair, particularly when it cannot attribute any element of the alleged problem to any individual.

Much has been made in the explanatory notes of the low-cost impact that all of this is to have on the land manager. Let me just ask this as a reasonable person: if the shared equipment proposal in the explanatory notes at page 3 was a genuine possibility, why are not shared equipment practices already widespread in these sectors? How will the issue of timing be overcome by using shared equipment? When is it time to fertilise, plant, spray or harvest a particular crop in a particular area? The need for the equipment will be simultaneous, not consecutive. So how is it proposed that these practical issues be overcome? The shared equipment proposal is not a viable option.

That brings me to the second of the two dreadful proposals under this legislation. When you say it quickly—

**Mr Rickuss:** A very minor basis though.

**Mr ELMES:** Very minor—the acronym slips past, the ERA. It does not sound like much, does it? But to the land manager it is a toxic acronym as the IRA once was to Northern Ireland. Use the ERA as a stick for those who refuse to mend their ways, but do not apply this toxic, draconian regime to the good apples.

I urge the government to accept my amendments. Do not target the 4,500 unfairly. Do not punish all of them for the few recalcitrants. Do not demonise the whole industry for the actions of the few. Instead, concentrate all the effort on the 1,000 high-risk land managers but give them proper,

considered opportunity to improve their practices. Focus only on the 1,000 but resource that process so well that the manual of best practice is developed and continuously improved for application in other cases if they are identified. What we are asking for and what the industry seeks is a chance and time to implement the improved management practices needed, and when they have improved reward them by excluding them from the direct effects of the bill. Turn this stick-only legislation into a positive and reward good practice.

The government will sweep up 3,500 land managers unnecessarily into a regime that will cost time, money and effort and erode the goodwill with which reef plan and Delbessie have nurtured and may be completely counterproductive. Why has the government included organic sugarcane growers in its net when they use no chemicals, no pesticides, no herbicides? Yes, it is true that section 95 does not require Australian Quarantine and Inspection Service accredited organic land managers to produce an ERMP, but they are still regarded as an ERA. Why act voluntarily to be a better land manager when you get no credit for it but you will not be punished if you comply with the regime?

Avoidance of nasty consequences is a simpler option and one likely to be adopted, but this will be at the cost of improved practice. Accordingly, the biggest effect of this bill in its present form will be on erosion, but it will not be redressing erosion of the soil. It will be creating erosion of goodwill and erosion of confidence that primary producers will have in the future when dealing with government. It will be a terminal erosion of trust. Farmers put a lot of store in their word. It is their bond. A handshake means more than a signature on a contract. Most Australians, nearly 80 per cent in fact, see honesty and integrity as the qualities which they value most in their leaders.

In the Burdekin, land managers have been working diligently and cooperatively with their own peak organisations and government agencies in the mistaken belief that they could trust this government. I trust that this minister will be honourable and do the right thing. If she issues 1,000 or fewer ERMP directions, she will be acting in the interests of fairness and equity and in the best interests of the reef. If she issues 4,500 ERMP directions, she will be acting solely in the interests of the Bligh Labor government.

*(Time expired)*

**Ms JONES:** I would like to respond to a couple of points. As stated, our plan is to roll this out in a phased approach. As the shadow minister has alluded to, there are only 1,000 farmers who will be required at this stage to deliver an ERMP. I acknowledge upfront that the shadow minister said that they were high-risk farmers, so we have come a long way in five hours. That is good. I encourage the shadow minister's colleagues to acknowledge what he has said.

In addition, I think the shadow minister has made a number of very valid points. I want to clarify what I said in my summing-up. We have also agreed to recognise equivalent plans under the Delbessie Agreement. I know that the shadow minister was talking about the Delbessie Agreement. Members would have heard this week that the Minister for Natural Resources announced the first Delbessie Agreement that has come into play and we hope that that will be the first of many. That is why my conversation with the implementation task force, which I established as the minister and which only has industry stakeholders on it, has always been about ensuring that we recognise best practice which is happening now and also best practices we are working towards. We have agreed to recognise equivalent plans under the Delbessie Agreement and land and water management plans.

We are also working with Meat and Livestock Australia to align the environmental stewardship model of its Livestock Production Assurance Program. In particular, this consideration was something pushed by AgForce and something that I listened to. I agree with the shadow minister in that we do not want to see farmers having to use two different programs if they go to the same point. So we will be recognising existing effort wherever we can. We are also working with cane growers on Six Easy Steps. Once again, we think that this is a very good program and one we would like to see many more cane farmers adopt. I understand that that is also something that the Canegrowers association and I think all members opposite would like to see—all farmers moving towards best practice.

In responding to the shadow minister's comments, I make it very clear to him that I am very cognisant of the concern that where farmers are using existing best practice or are moving towards signing up to the Delbessie Agreement or land and water management plans we will recognise that. That is a commitment I have given to industry.

**Mrs Menkens:** Have you ever been to the Burdekin?

**Ms JONES:** Yes, I have. I thank the member for that interjection. I have been to the Burdekin.

**Mrs Menkens:** Have you ever been on a farm?

**Ms JONES:** Yes, I have. This is something that industry particularly wants.

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

**AYES, 32**—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Sorensen, Stevens. Tellers: Horan, Messenger

**NOES, 43**—Attwood, Choi, Croft, Darling, Dick, Farmer, Grace, Hoolihan, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wettenhall, Wilson. Tellers: Keech, Kiernan

Resolved in the negative.

Non-government amendment (Mr Elmes) negatived.

**Mr ELMES:** I move the following amendment—

**4 Clause 6 (Insertion of new ch 4A)—**

Page 10, lines 16 to 19—

*omit, insert—*

'**optimum amount**, for the application of nitrogen and phosphorus to soil on an agricultural property, means the highest amount of nitrogen and phosphorus that can be applied having regard to best practice environmental management.'

This refers to clause 6, section 80, which refers to the optimum amount. Our prime concern on this side of the House is to make this bill workable. Surely, then, it is only common sense to relate the agricultural inputs to the desired outputs. Land managers seek to maximise the productivity of their land by managing the application and effectiveness of inputs very carefully. Unfortunately for the government's approach to this bill, the issue of run-off of fertiliser has much more to do with the timing and quantity of rainfall than it does with any surplus application of fertiliser.

The underpinning principle of this section is based upon the 12 field trials in 2003 and the subsequent eight nitrogen replacement field trials in 2004 in the Wet Tropics conducted by CSIRO. While that work showed initial promise, the methodology remains unproven. The principle being argued is that the optimum rate may be calculated by simply replacing the nitrogen which the crop removes from the soil. Then there is none available to run off.

Key factors are ignored. These are, firstly, that, if the placement method of fertiliser application is used, an unseasonal, heavy and unexpected rainfall event may simply wash away almost all of the fertiliser before it has had the opportunity to be absorbed by the soil and/or in due course by the growing crop. Secondly, it ignores the reality that the optimum amount may not be the optimum for the crop, which, if the application is inadequate, may simply mime naturally occurring nitrogen from the soil and degrade it. Thirdly, it ignores the land manager's desired production target.

Best practice environmental management is a term already defined within the dictionary for the Environmental Protection Act 1994 and section 21 of that act. While the current methodology described in section 21(2) may be appropriate for this purpose, further consultation with industry is required to ensure that compliance with the definition occurs at the peak body level for extension to the individual land manager level and that development of the compliance regime is not at the operator level.

A BMP approach seems more likely to progress the industry, be adopted by cane growers and at the same time encompass ERMP requirements. I will admit there is no economic impact statement available to inform the House of the effect of this bill on the production, viability and competitiveness of these land managers. What will be the loss of production? What will be the competitive effect on land managers of these catchments vis-a-vis their unregulated competitors throughout the rest of the state? What will be the impact on the economies of local towns and regions from this bill and its regulatory regime when it is proposed that an economic analysis be made available for assessment in this place? We need balance, not bias, when we consider such a strong regulatory regime.

**Ms JONES:** The government will not be supporting this amendment. The reason is that we believe the proposed amendment would introduce a level of uncertainty for operators in trying to meet the requirements of the bill about fertiliser application. Overfertilisation is defined in the bill and can be worked out by an operator using a methodology provided by the government or an acceptable alternative. For example, in cane, Six Easy Steps is one, as I have said repeatedly today and in my second reading speech, that we would be looking at incorporating. The methodology is based on industry endorsed recommendation of the sugar industry's research arm and has widely recognised scientific rigour which, once again, many of your members have acknowledged in supporting Six Easy Steps as part of the debate.

By contrast, in our view, best practice environmental management as defined in the Environmental Protection Act is a very broad concept, and there would be availability for a change in its interpretation over time because it is so broad. We think the way the bill stands certainly gives industry more certainty. I would also like to say that, in all the stakeholder working groups that I have attended and all the industry meetings that I have had, this has never come up as a concern with regard to this terminology. I certainly would not support any move that created any ambiguity for growers, and we will not be supporting it.

**Mrs MENKENS:** What we are discussing here is the difference between best practice environmental management and overfertilising the property. I would like to refer the minister to the fact that we are looking at a lot of variables. Firstly, farmers do not overfertilise their properties because fertiliser is the most expensive item to use on their properties. They are not overfertilising their properties. There needs to be a degree of education when it comes to fertilising properties because there are a great many variables.

If I took a brief look across, say, the Burdekin area I would find that we get a variation in terms of the quality and type of water. It depends on the type of minerals in the water. It depends on the actual constitution of the water, be it salts or the various minerals that are found right across the area. The water varies right across that area. The soil varies right across that area. It requires a large degree of scientific knowledge to understand the types of soil and the types of water and the applications that are necessary. We also need to look at the other things that are necessary for the soil such as gypsum, lime or other soil additives that dictate the need for different types of fertilisers. There is a huge variation in fertilisers applied even in the Burdekin area.

In the Mackay area and in the Ingham area there is another set of factors and different variations in the type of water and soil and totally different fertilisers are used. To use a simplistic term such as 'overfertilisation' actually shows a level of ignorance. The term 'best practice environmental management' is a far more sensible term.

What we are looking at in the long run is the health of the soil. We are not looking at whether there is more or enough fertiliser. We are looking at the health of the soil that will be there for years to come. That is where farmers are coming from. I would say to the minister that the term used in this amendment is much more sensible. It is a simple term but, at the end of the day, it has a much greater depth of meaning.

**Mr CRIPPS:** I rise to support the amendment moved by the member for Noosa and to reflect on some of the comments made by the member for Burdekin in her contribution in support of the amendment. Trying to insert provisions into a bill to provide for optimum fertilisation rates is a broad generalisation of a complex issue. I understand from the provisions of the bill that we have a situation where the bill seeks to prescribe an optimum fertilisation rate down to the level of individual titles and that plans will be made on the basis of individual titles.

There is a complexity of soil types even on small individual titles in catchments like the Wet Tropics catchment, which covers my electorate of Hinchinbrook. There are much larger titles in the Burdekin catchment. Even in the Wet Tropics catchment where we have relatively small titles we could have a situation on a flood plain such as the Herbert River or the Tully-Murray flood plain where we have several different types of soils on one title as we move away from, say, a watercourse. We could have a different type of soil closer to the bank than we have on a ridge some distance away. That could be the case on a single title. The optimum level of fertilisation of a soil type near the bank could be different from that of the soil type closer to the ridge a certain distance away.

Trying to apply these simplistic, generalised regulations as proposed by the bill is really a nonsense. I support the member for Noosa's amendment to try to introduce some sort of flexibility into these arrangements so that farmers are not locked into a one-size-fits-all approach.

**Ms JONES:** Under no circumstance will this bill lock any farmer into a one-size-fits-all approach. That is why we are doing individual risk management plans for each farmer's block. That is the whole point of this. They will demonstrate through their risk management plan what the situation is on their farm. In relation to this clause, what we are developing with industry is a nutrient calculator which takes into account all the elements which the member for Burdekin was talking about. I dispute what the member for Burdekin was saying when she said that no fertiliser runs off onto the reef.

**Mrs Menkens** interjected.

**Ms JONES:** You said no farmer overfertilises. That is what you said. If no farmers overfertilise—

**Mr Cripps** interjected.

**Ms JONES:** I know it is very expensive. You are exactly right.

**Mr Cripps** interjected.

**Ms JONES:** She actually said that no-one overfertilises.

**Mr Cripps** interjected.

**Ms JONES:** She did. Instead of debating what she said I would like to draw the honourable member for Burdekin's attention to this diagram which shows the dissolved inorganic nitrogen loads on the Great Barrier Reef, including in her patch, the Burdekin. How did it end up in there if no farmer is overfertilising?

Given the extremely high price of fertilisers in recent years I know that we have seen farmers move towards best practice. That is something we endorse. That is something that the industry endorses. I think we need to be very clear that the whole point of this bill, and particularly this clause, is

that we want to take a farm-by-farm approach. We are developing a tool called the nutrient calculator that farmers can use on a case-by-case basis. We are taking into account some of what is already happening out there in the industry. Those opposite should remember that they have said all day that all farmers are using best practice. If they are using best practice they would not be overfertilising; I agree. If those opposite do not think that they are overfertilising right now and the bill talks about overfertilisation I do not know what they are disagreeing with.

**An opposition member:** Table it.

**Ms JONES:** I am more than happy to table it for honourable members, particularly for the member for Dalrymple.

*Tabled paper:* Graph titled 'Dissolved Inorganic Nitrogen (Nutrients) Loads from Great Barrier Reef Regions' [1054].

Division: Question put—That the member for Noosa's amendment No. 4 be agreed to.

**AYES, 32—**Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Sorensen, Stevens. Tellers: Horan, Messenger

**NOES, 43—**Attwood, Choi, Croft, Darling, Dick, Farmer, Grace, Hoolihan, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wettenhall, Wilson. Tellers: Keech, Kiernan

Resolved in the negative.

Non-government amendment (Mr Elmes) negatived.

**Ms JONES:** I move amendment Nos 6 and 7—

**6 Clause 6 (Insertion of new ch 4A)—**

Page 13, lines 5 and 6, 'at more than the optimum rate'—

*omit, insert—*

'if doing so may result in more than the optimum amount of nitrogen or phosphorus being applied to the soil'.

**7 Clause 6 (Insertion of new ch 4A)—**

Page 14, lines 1 to 10—

*omit, insert—*

'(d) any other matter prescribed under a regulation.

'(3) In this section—

*required period* means 10 business days after the happening of the event mentioned in subsection (2) for which the record must be made.'

I move these amendments because, once again, one is technical in nature. It is a change in the wording from 'optimum rate' to 'optimum amount' because 'optimum rate' is not defined in the bill. This is making it clearer for industry. Most importantly, the amendment that I am moving removes the requirement for cattle graziers to have to report their stocking rates. This was proposed as a strict requirement to come in on 1 January. I accepted the invitation from AgForce to meet with a number of cattle graziers in the Burdekin catchment. Those graziers said to me that this particular requirement of the bill alienated a number of growers. As the member for Condamine said, the requirement of having a stocking rate meant that we were actually going to mandate the number of stock that people could have. He was taking it to the next step by saying that having this requirement to record your stocking rate would mean that the government would move towards a system where we would be mandating how much stock any farmer could or could not have on their property. This was certainly not our intention. That is not the intention of government.

Furthermore, I have listened to industry. Its view is—and I agree with it—that having a stocking rate requirement starting on 1 January alone by itself does not deliver too much information whereas having a stocking rate reporting mechanism as part of an environmental risk management plan is a lot more logical. It feeds into a process of farmers moving towards best practice. Whenever one talks to a cattle grazer about how they protect their soil and their coverage, they obviously talk about how they rotate stock and also how they manage their stock numbers. Once again, I have moved this amendment after having listened to AgForce in particular and other industry groups. I think that it is fair and balanced and something that the opposition should support.

**Mr ELMES:** I rise to speak to both amendment Nos 6 and 7. While I have some concerns with amendment No. 6, I do not have the same concerns with amendment No. 7 as the minister just explained it. As I have said many times during the course of this debate, our prime concern on this side of the House is not to score political points but to make this bill fair and workable. The minister's amendment reflects a one-sided view on the application of fertiliser and is based on unproven methodology. It reflects what might happen in an ideal situation in a laboratory experiment. It does not show an open mind to a better way. It shows entrenched thinking because of an absence of a regulatory impact statement and an economic impact statement and ignores completely the rights of constituents to earn a living. The key failure in what the minister is proposing is not understanding that sugarcane

yield from these properties is directly attributable to the application of fertiliser. Input equals output. Minimise the input and you will minimise the output. Minimise the input and you will minimise their competitiveness. Minimise the input and you minimise their income as well. It does not have to be this way. The only way to proceed is on the basis of best practice environmental management, a model already in place within the Environmental Protection Act. I urge the minister even at this late stage to reconsider her position on this.

With regard to amendment No. 7, there are two significant changes to be made from adopting this amendment. The first is that the misguided notion of stocking rates as a measure is omitted. I welcome this as a sensible outcome. Less welcome is the retention of the catch-all—that is, the inclusion of the words ‘any other matter prescribed under regulation’. I have assumed that the intent of this section was to ensure adequate ground cover year round to reduce the run-off of sediment through erosion. If that assumption is correct, this part of the bill would be aligned with the intent of the buffer zones around watercourses prescribed under the Vegetation Management (Regrowth Clearing Moratorium) Act which ceased to have effect last night and which was replaced by law by press release. What I must now assume is that the minister and her department do not really know where to go from here and so have simply put off decision day, and this need not happen.

I urge the minister to work as closely as possible with AgForce. If ever a win-win is to be achieved, it will be on this matter. Only this week DERM staff are out at Normanton trying to understand what has happened to the pasture there following the floods. One might expect a bumper ground cover following a flood event, but that is not the case. The pasture was lost in the floods and, with no follow-up rains, it has not regenerated. That is not the fault of the farmers. It is not an outcome that stocking rates would have addressed, either. It makes erosion from the next rainfall event or the next dust storm, such as we saw recently in Brisbane, very likely. But again, it is not the fault of farmers.

Farming is a very difficult enterprise because of the continual exposure to the vagaries of the weather, which climate change will exacerbate. The most sensible strategy to achieve adequate ground cover on an ongoing basis is for the minister and her department to engage constructively with AgForce—and I know that she has been—to adopt best practice management of land use and best practice pasture management.

There are a very large number of pieces to the farming jigsaw relevant to this aspect. These include, but are not limited to, regular wet season pasture spelling, the 3P model of pasture improvement, the rotation of paddock use for even pasture consumption, actively matching cattle breeds' specific forage demand with appropriate supply, optimising cattle water supply location and paddock design, gully management and managing shade for cattle to prevent loitering, which leads to erosion. It is a complex issue. It requires knowledge, understanding and cooperation between farmers, their peak body and the government and its agencies working together to develop a best practice model for a whole-of-property balance. It is the best hope for a win-win-win.

The second aspect of this amendment concerns the term of 10 business days as the required period within which a farmer must make an agricultural ERA record. This period is likely to be too short and prioritises from George Street what a farmer in the Burdekin must do on the ground, having no regard for whatever else he or she may be doing. Even the term ‘business days’ reflects an ignorance of farms and how farming occurs. It is not a Monday-to-Friday business. There are no public holidays on the land. The required period should be at least 30 days—30 farming days.

I propose to support at least this section of the amendment on the basis that it omits the infamous stocking rate thinking and on the understanding that the minister will actively consider a cooperative approach with AgForce to develop best practice outcomes.

**Ms JONES:** I will make a couple of contributions going to the heart of what the member was saying towards the end of his contribution in regard to ongoing work with industry. As I have said, since I have become the minister I have made my position very clear that I think the best way we are going to get workable legislation in place is by working closely with the industry. That is why I set up the implementation task force, which has only industry representatives on it. This task force sits under the broader consultation model that has been in place since this legislation was first touted, which has a variety of stakeholders on it and is called the stakeholder advisory committee.

I have given my word to John Cotter—and as the member would know, John Cotter is a man of his word and I think if you give your word to John Cotter you absolutely mean it and he will absolutely expect me to do that—that I will be working very closely with the industry going forward. As I said, I think we have taken a very practical approach. We are having a phased-in approach to this legislation when it comes into effect, after it is passed by the parliament, on 1 January. I give my commitment to the shadow minister that I will continue to engage with industry. As I said, this amendment that I have moved in regard to no longer requiring cattle graziers to report on their stocking rates is a consequence of the representations that AgForce have made to me.

**Mrs MENKENS:** I refer to the optimum amount of nitrogen and phosphorus that can be applied to the soil. I refer the minister to the comments that I made in my contribution that came terribly strongly from farmers, particularly in my area, that it is education and not legislation that they require. They know that there are areas where they can improve, but to actually say, 'You must do this. You must not do that,' is not working in their best interests.

I would like to share some figures with members. Research has shown that in recent years farmers have been embracing changes to the way they work their land. The level of resourcing and assistance they receive to do this has also been diminished over the years. So it is a catch-22 situation. We have to admit that the government has reduced the resourcing for research and development for cane farming and for farming in general right across Queensland.

I refer to research released by the Australian Bureau of Agricultural and Resource Economics, ABARE, in 2007. That research showed that 25 per cent of farmers have adopted GPS technology for planting, harvesting and farm practice and 40 per cent plan to do so by 2010. Ninety per cent of cane farms over 50,000 tonnes—we are looking at big farms here but we have a lot of smaller farms that need the assistance—already use GPS and the rest plan to implement GPS before 2010. The figures also show that 95 per cent of sugarcane farmers have a production activities plan and 30 per cent have a comprehensive written farm management plan.

In 2006, Colmar Brunton Research showed that 91 per cent of farmers changed their farm layout to improve efficiency of irrigation and/or harvesting operations. This is a very important area that balances the use of nitrogen and phosphorus. Seventy-five per cent of farmers use recommended rates of fertiliser using soil and leaf tests and 71 per cent of farmers laser-level fallow plots to improve drainage and irrigation efficiency. Incitec research, also released last year, showed that there was a 25 per cent reduction in the use of nitrogenous fertiliser over the past decade. We are already seeing a 25 per cent reduction. Farmers are already cutting back.

As I read the information and advertising that has gone out about this bill, the minister is looking at a 50 per cent decrease in fertiliser. That is what the spin is saying. So where are we starting from? What is the minister's optimum starting point? Is the minister looking at 10 years ago? Is the minister looking at now? Is the minister looking at now when we are seeing that farmers have already cut back their use of fertiliser by 25 per cent? Is the minister suggesting that they are going to cut back on their use of fertiliser by another 50 per cent, which is going to mean a cutback of 75 per cent? What sort of crop is the minister expecting these people to grow with these sorts of cuts that she is suggesting?

**Mr MALONE:** I would like to follow on from the comments of the member for Burdekin. In a lot of cases cane farmers are growing cane on very complex soils. In recent times they have altered their application rate, depending on the soil types, through GPS. Not all farms are set up that way, but certainly they are heading in that direction. Certainly over the last year or so, with the increase in the cost of fertiliser and the low prices that farmers were getting for their sugar, there has been a natural reduction in the amount of fertiliser applied for economic reasons.

I follow on from where the member for Burdekin left off in asking what level will be set for the optimum amount of nitrogen and phosphorous? Where is the baseline? Will it be the fertiliser that was applied last year? As the industry moves forward and the prices improve, as they have, will there be an opportunity for farmers to actually maximise their crops by fertilising a little bit more? I find it very difficult to accept that there will be a set amount of fertiliser that can be applied across a range of soils. Specifying what amount of fertiliser can be applied to a certain soil type opens up a minefield. As I indicated, there could be three or four different soil types across one farm. I think it is a bureaucratic nightmare to expect farmers to be accountable under those conditions.

**Mr CRIPPS:** I want to speak to this amendment being moved by the minister in relation to optimum rates of application of products containing nitrogen and phosphorous being applied to the soil. I want to talk specifically in relation to the comments made by the minister when she was introducing the amendment about the industry consultation that has been undertaken with stakeholder groups to come to some sort of arrangement about how this optimum application rate would be arrived at. I want to make some observations about differences between stakeholder groups from industries participating in consultation processes and whether or not they support this concept of reef regulation.

I want to go through some comments made in July this year by the chairman of the Canegrowers organisation, Mr Alf Cristaudo, in the industry magazine, the *Australian Canegrower*. Mr Cristaudo had the following observations to make—

The Queensland Government is moving full steam ahead to push its *Great Barrier Reef Protection Amendment Bill* through Parliament in coming weeks and is now turning to those it targets for help to implement the regulations onground because the Government has little or no understanding about the practical implementation of this ill-conceived and politically motivated concept.

There has been no clear process or structure around the development of the legislation to date. Commitments to develop good policy in conjunction with industry have not been fulfilled.

...

There has been no effort to engage with industry in the drafting of the legislation, the proposed regulations, or a timetable for their introduction. CANEGROWERS representatives attended a consultative meeting in mid-July while at the same time tenders to provide scientific input into the development of the nutrient calculator and soil-sampling protocol were proceeding with no input from us.

Mr Cristaudo went on in his contribution to the publication at the time to say—

We have no confidence that the State Government has any handle on how to implement the reef regulations on the ground and they have not established any credibility for genuine engagement. However, CANEGROWERS is going to be represented on each of the six committees and we've made it clear that its on the proviso that the Government take notice of what we have to say. We will be seeking to have practical sustainable farm management practices embraced by any regulatory framework.

Mr Cristaudo went on to say this—

While the Government has publicly recognised and applauded the 'majority of growers' for doing the right thing, the proposed legislative regime pays no regard whatsoever. It appears that proposed fertiliser 'optimisation calculators' will apply irrespective of onfarm practice, proposed chemical restrictions will apply to all farming systems irrespective of current practice and there is a complete lack of recognition that farms are systems where all activities have an interrelationship.

This goes back to the point that I made earlier, a point that I want to stress, that there is a difference between industry stakeholder groups participating in a consultation process and supporting the concept of the regulations that the government proposes to introduce. Mr Cristaudo went on to say—

The Government has been suggesting that these regulations can be introduced without any significant impact on the industry's viability. The industry stakeholders, growers and millers alike, believe that a blanket application of restrictions on the use of herbicides, along with fertilisers, will result in a substantial reduction in productivity output and potentially jobs.

...

The cane growing industry, as always, remains committed to better farm management practices that achieve improved water quality, uptake and implementation of nutrient plans onfarm, chemical accreditation and review of registrations. The most effective method is through a strong Government and industry engagement targeting practical and sustainable outcomes which promote proven best practice and directly linked to measurable outcomes.

Lastly, I want to say to the minister that Mr Cristaudo made a very clear statement about where the stakeholder group stands in relation to this matter—

CANEGROWERS will participate in the Minister's consultative committees to provide our onground expertise and recommend changes to the State's legislation where their reasoning is unfounded and seek to influence the process for a more sustainable and realistic outcome for the industry.

I am concerned that the minister has continuously asserted during this debate that the industry stakeholder groups support the reef regulations that are being introduced by the government. That is not the case. They are participating so that they do not get further disadvantaged.

**Ms JONES:** I thank the member for Hinchinbrook for clarifying that point. I have never, ever said that industry supports this bill as a whole. I would not say that because I am not the kind of person that verbals somebody. I would not verbal Alf, Ian or John Cotter. That would be highly disrespectful. That is not the kind of person I am. I do not appreciate the member verballing me on their account. What I did do was quote straight from the letter than Ian Ballantyne sent to me. That letter was prior to my becoming a minister setting up the technical working groups. Alf quite rightly said that it was not an endorsement of the bill but they would participate in the process. I said in my speech that I supported them participating in that process because, as the member has asserted, I think it has delivered a better outcome. I have put forward a number of amendments as a consequence of the consultation that I have had with industry.

What I said was what Ian Ballantyne, the chief executive officer of Canegrowers, said and that is that the technical working groups had been invaluable in developing objective, science based and practical measures. I am not trying to have a go at the member for Hinchinbrook. I do not want him to go away thinking that I verballled them in any way. That is not my intention. I believe that the technical working groups have got us to a better situation, one that is more practical for farmers.

In regard to the optimum amount, what we are proposing through these technical working groups—in fact, we had a technical working group meeting today—is developing a nutrient calculator. This is a methodology that industry is having a lot of say in. We are trying to make it as simple for farmers as possible. My uncle married into an Italian cane-growing family up in Proserpine so I know that for some cane growers English is not their first language. I think that having a calculator model, one where they input data based on what industry is doing now, is the best way forward. I am trying to make it as simple as possible, but at the end of the day we are trying to reduce the amount of excess fertiliser that is applied.

As shown in the diagram that I referred to earlier in response to some of the comments that the member for Burdekin made, we do have a problem of overfertilisation otherwise we would not have fertiliser in the reef. The reality is, as all the science shows, that we do. This bill goes to the heart of reducing that run-off. I think that it will save money. As the member pointed out earlier, fertiliser is extremely expensive. We are saying that using a calculator model that industry is having input into will achieve that optimum amount that will save farmers money in the long term.

Division: Question put—That the minister's amendments be agreed to.

**AYES, 43**—Attwood, Choi, Croft, Darling, Dick, Farmer, Grace, Jarratt, Johnstone, Jones, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Kiernan

**NOES, 32**—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Sorensen, Stevens. Tellers: Horan, Messenger

Resolved in the affirmative.

**Mr ELMES:** I move the following amendments—

**5 Clause 6 (Insertion of new ch 4A)—**

Page 15, line 1, after 'authorised person'—

*insert—*

'at the operator's normal place of business'.

**6 Clause 6 (Insertion of new ch 4A)—**

Page 15, lines 10 to 15—

*omit, insert—*

'(3) Subsections (4) to (7) apply if all or part of the record or document produced is a hard copy.

'(4) The authorised person may ask the operator (also a **production requirement**) to give the authorised person a copy of all or a stated part of the hard copy (the **requested copy**).

'(5) The operator must, within a reasonable period, give the authorised person the requested copy at the operator's normal place of business.

'(6) If the operator complies with subsection (5), the authorised person must give the operator a receipt for the requested copy.

'(7) The receipt must be given personally when the requested copy is given to the authorised person or by reply-paid registered post within a reasonable period.'

**7 Clause 6 (Insertion of new ch 4A)—**

Page 15, line 16, '(4)'—

*omit, insert—*

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Under this bill, those current agricultural ERA records are as important as a passport is to a traveller. No thinking traveller is ever separated from his passport in a foreign country by choice. Neither should an operator be required to hand over original documents and not even get a receipt. My amendment simply recognises the importance of the hard copy record. It ensures that the original always remains with the operator and that providing a copy of the record incurs the minimum possible inconvenience to the land manager without affecting the intent of the bill.

I move on to section 87. If we had in place the legislation complementary to that of the New South Wales Crimes (Criminal Organisations Control) Act 2009 we may very well be debating an amendment to that act rather than an amendment to the Environmental Protection Act 1994. The similarity between the approach to this bill now before us and that of the New South Wales bikie legislation is so similar as to be alarming. According to the New South Wales legislation, belonging to a motorcycle club will equate to consorting. In other words, people who belong to a bikers club of some sort are guilty regardless. In Queensland under this bill cane or cattle farmers in any one of the three catchments are guilty of killing the reef regardless of how well they manage their land or how well it is acknowledged by even the federal Labor government that they manage their land. They are the agricultural equivalent of a bikie.

There is evidence that sediment run-off is occurring, but no individual source will be identified, nor will any quantum of sediment load be accurately or beyond a reasonable doubt attributed to any individual operator. There is evidence that nutrient run-off is occurring, but no individual source will be identified, nor will any quantum of nutrient run-off be accurately or beyond any reasonable doubt attributed to any operator. The community expects that, where criminals are to be punished, there should be clear evidence linking the crime and the perpetrator. In the bill before us, the link between the individual cause and the individual effect is missing. No individual cause will be identified, nor will any quantum of nutrient load be accurately and beyond a reasonable doubt attributed to any individual operator.

There is evidence that pesticide run-off is occurring, but no individual source will be identified, nor will any quantum of pesticide load be accurately and beyond a reasonable doubt attributed to any individual operator. While no court in Australia would convict on the basis of no evidence, a regime of regulation is being put in place which can create fines of up to \$30,000 for breaches without referral to any court. Is this legal? I do not think so. Is it moral?

Just for being a farmer, people are found guilty without trial and compelled to give evidence against themselves. Section 87 specifically excludes the defence of self-incrimination with regard to section 86. Section 87(2) calls the individual a 'defendant'. That is the word that the bill uses: 'defendant'. That implies that an individual may be called upon to defend himself and that the incriminating evidence is not admissible in evidence against the defendant in a civil or criminal proceeding. But this latest action is a red herring. If the individual does not comply, he or she will be fined \$10,000 and there is no court to hear the evidence. The court of public opinion is against processes where justice and fairness are absent.

**Ms JONES:** I want to correct something the shadow minister said earlier. We will not be supporting these amendments because these provisions are consistent with all provisions within the Environmental Protection Act. Our view is that the proposed amendments put by the opposition would substantially increase costs and would actually be an inconvenience for both government and farmers in saying that farmers have to have all the documents to hand and hand them over to an officer at the exact time that an officer comes around. What we are saying is that, like any other provision within the bill, they would have to provide records. How they get their documents to government is not something that anyone has raised with me as a concern.

Consistent with the Environmental Protection Act, of course if something happened and they lost their documents, for example, or their documents were stolen, they would have reasonable excuse, as is the fair process under environmental law here in Queensland. Also, the shadow minister implied that a Department of Environment and Resource Management officer could enforce fines up to \$30,000. That is certainly not the case. They do not have the authority to do that. That would have to be imposed by a court. So, far from being judged in the people's court, ultimately if it got to that stage it would go to the Planning and Environment Court and only the Planning and Environment Court would be able to impose fines up to \$30,000. They are afforded, like all people under the Environmental Protection Act, natural justice.

**Mr ELMES:** I stand corrected on the basis of the \$30,000 fine. The \$10,000 fines do certainly exist. All I am trying to get across here is that when you look at the size of the total catchment area in question, as I said in my opening speech, we are talking about the size of a seventh of the total land area of Queensland. What concerns me is that 4,500 land managers are going to be caught up in this. At some point we could have people turning up at someone's front door or requesting them to come to a meeting at some place in some town which is not convenient to them. It is a real concern that these records, which I think have to be kept for five years and have to be original records, could be leaving the control and possession of the land manager.

**Ms Jones:** You wouldn't make a copy?

**Mr ELMES:** Is that okay?

**Ms Jones:** Yes, a copy is fine.

**Mr ELMES:** If they could make copies it will go a much greater way.

**Ms Jones:** Sorry. I will clarify. Copies are fine.

**Mr ELMES:** If I could get that on the record, I would be an exceptionally happy bloke.

**Ms Jones:** Copies are fine.

**Mrs MENKENS:** I rise to support the amendments that the shadow minister has moved, particularly the comments about the operator's normal place of business and also referring to the hard copies. I heard the minister discuss the fact that this would increase costs, but I would like to refer back to the statement that I made earlier. Farmers have asked for education, not legislation. They are getting legislation, but as well they are going to need education. I put to the minister that with officers being able to go to their place of business they will also be able to go there to provide assistance to some farmers—and it will only be some farmers—who will need that assistance. I think it would be fair to say that there is going to be a level of resistance from many farmers over this legislation. There is a lot of anger out there. This particular provision would actually assist the minister's department in the implementation of this legislation.

When we think of records, notionally most of us in the administrative type roles consider computerised records. I would suggest that probably a large percentage of rural producers and farmers—maybe 75 per cent of farmers; that is just a figure I am picking off the top of my head—would have computerised records. They will not be a problem because they will have a hard copy. I am aware of a large number of elderly farmers who are probably extremely good farmers and who probably have excellent farming practices but they are definitely not computer literate. They are not using computers. They collect these records but they have their notebooks out in the paddock. They are their farm records.

I have assisted as a farm administrator for many years keeping records, so I know exactly what it is like—all the little books that come in to you with all the paddock figures. They are looking at lots of paddocks and there are heaps of figures for each paddock. I assume that the minister really is aware of the enormity of the figures that are going to have to be kept. It will be huge. There will be an enormous number of figures. Particularly for those farmers who are keeping hard records, there is a real concern that these could go missing, that they can be mislaid and that they have to be put together. I implore the minister to consider officers going to their place of business to encourage education and to give assistance to those farmers who will be very reticent to take on this legislation.

**Mr MALONE:** I can only reinforce the words of the member for Burdekin. As indicated, there could be up to 20 per cent of farmers who keep records in notebooks et cetera. They are stored away over long periods of time. Obviously they will have to be transposed into some sort of record that can be taken away from the property.

I am not sure that members on the other side of the House, and particularly the minister, are aware of the complexity of the record keeping and the production of those figures that this bill will force those farmers to participate in. I know many farmers who carry a notebook in their pocket and make entries throughout the day in terms of what they have done, the amount of fuel used, the fertilisers they have applied and the chemicals they have used for the day. With this legislation, that will all have to be brought back to a central place, collated in terms of their daily diary and then again on a weekly or a monthly basis. It is going to be a nightmare to report accurately all of that collated evidence and transpose that into a document.

I have some real concerns about the department being able to keep track of that information. The minister and I know that many times departmental records go missing. I am fearful that somehow or other there are going to be farmers in a situation where they have given records to the department, which suddenly finds they have been misplaced, and then farmers are in a situation where they are either fined or disadvantaged in some way.

**Ms JONES:** I thank honourable members for their contribution in particular on this clause. I think there is genuine concern from members opposite in regard to farmers and their requirement to keep records. I think that is genuine concern by the members opposite. May I make a number of comments to allay some of their fears.

We are working very closely with industry, as I said. In fact, the working group that met today was specifically about the template for keeping records. I am very cognisant that some people do not have access to a computer. As you know, in the bush sometimes the internet is down and you do not get access from that either, even though Kevin Rudd is trying very hard to expand broadband across the country.

I want to make very clear a number of things. One is that we are working with industry right now to develop what the record-keeping requirements will look like. There will be a form. I want to assure members opposite that I am trying to make the instructions as simple as possible for farmers. That is why I am asking farmers to have input into that. My understanding is that that will be available for farmers to use both electronically and manually.

I want to take up the member for Burdekin's point, which I thought was a very valid point. This bill provides for 25 officers, including 15 that authorise and 10 that are there to provide extension services. So 25 staff will be hired as part of this implementation. Remember it is a \$50 million commitment over five years. On 1 January I certainly do not want—and my staff in the Department of Environment and Resource Management are very aware of what the minister's position is—they going around declaring that they comply with these amendments straightaway. We take the view that for some farmers—the ones that you have highlighted—it will take a greater amount of time. That is why we will also be providing money for industry groups in regard to extension services. We want to make this as easy as possible.

Of course, many are broad objectives of the bill. In response, I want to finalise that by saying, as always, they will be afforded natural justice. If there are situations where they lose their forms, or the forms were posted and lost, then of course that reasonable excuse will be considered. Secondly, 25 officers will be trained as part of this bill to work with industry so they can comply with the legislation. I do not want to see breaches. Quite frankly, I would be delighted if no-one ever breached under this bill, because that means that we would be moving towards best practice. That would not only be a great outcome for farmers but also for the reef. Right now I want to give you an assurance that, as of the meeting held today, we are working with industry to work out exactly what the format of keeping records will look like.

Non-government amendments (Mr Elmes) negated.

**Ms JONES:** I move the following amendment—

**8 Clause 6 (Insertion of new ch 4A)—**

Page 16, after line 16—

*insert—*

**'Division 1AA Preliminary**

**'87A Extended meaning of *agricultural ERA* for pt 3**

- '(1) This section applies to cattle grazing carried out on an agricultural property carrying more than 100 standard cattle units.
- '(2) For this part, the cattle grazing is an ***agricultural ERA*** if, disregarding the size of the property, the cattle grazing would be an agricultural ERA under section 75.
- '(3) This section does not limit what is an agricultural ERA under section 75 for this part.
- '(4) In this section—

***standard cattle units*** means units of measurement based on the live weight of cattle as follows—

Live weight of head (kg)	Number of standard cattle units
up to 350	0.67
more than 350 to 400	0.74
more than 400 to 450	0.81
more than 450 to 500	0.87
more than 500 to 550	0.94
more than 550 to 600	1.00
more than 600 to 650	1.06
more than 650 to 700	1.12
more than 700	1.18.

Clause 8 of the amendment to be moved refers to cattle-grazing properties. This gives me the ability in regard to having hot spots. At the outset of this bill when we discussed the amendments that were circulated in my name, I lifted the ERA requirement for cattle graziers from 1,000 standard units of cattle to 2,000 hectares. As a consequence of that, only farmers with over 2,000 hectares will have to comply with an ERMP for cattle graziers.

As you have heard, I went to the Burdekin and met with a number of cattle graziers. This was an amendment that was pushed to me early in regards to some of the stakeholder engagement that I had. I told them this was my intention. They said they were very concerned about that, because they believed some of the smaller farmers, particularly ones who might be moving in and out of industry—so moving to cattle for a short period of time and switching depending on industry—were the poor performers, being smaller farms closer to towns. I think that is a fair comment.



cover. This is work that the Department of Environment and Resource Management, across both sides of the agency, have been working on for some time. But this is only one line of evidence. We will also be ground-truthing that evidence by inspecting properties.

We will also look at the history of property use. That is the great thing about the remote-sensing data we have. If there is an area about which we have a concern we can look to the remote sensing to see not only what is occurring right now with regard to ground cover but also what happened historically to see whether the situation is improving or declining. We will also be looking at water quality and monitoring. If there was any evidence of increased sediment load then it would be a possible indicator for further investigation.

This bill, and ERMPs in particular, are about managing risk. This is only done if a property is identified as having a sufficient risk to warrant an ERMP direction. Remember that I said when speaking to the previous clause that this does not mean they would have to fulfil all the requirements of an ERMP. It would be at the minister's discretion, with regard to addressing particular hazards on their property for example. As the member for Hinchinbrook said, on people's properties there is a wide variety of soils and other issues. It might only be a small component of their land that is involved.

There is flexibility in this. I reiterate that an ERMP direction will only be made in response to evidence of poor land condition or poor management practices which we, on the evidence, believe adds a risk to water quality on that property or in the broader area.

I take this opportunity to assure the shadow minister that this is something that will be ground truthed. Obviously we are using the tools available to the Department of Environment and Resource Management. It is something that I absolutely believe will have to be ground truthed by our officers on the ground before a direction is ever given.

Division: Question put—That the member for Noosa's amendments be agreed to.

**AYES, 32**—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Nicholls, Powell, Pratt, Rickuss, Robinson, Seene, Sorensen, Stevens. Tellers: Horan, Messenger

**NOES, 43**—Attwood, Choi, Croft, Dick, Farmer, Grace, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wetenhall, Wilson. Tellers: Keech, Darling

Resolved in the negative.

Non-government amendments (Mr Elmes) negated.

**Mr CRIPPS:** Clause 6 establishes what an agricultural ERA is for the purposes of the bill. Section 75 lists an activity as an agricultural ERA if it is commercial sugarcane growing or cattle grazing carried out on an agricultural property carrying more than 100 standard cattle units and if it is carried out on an agricultural property in one or more of the following catchments: the Wet Tropics catchment, the Mackay-Whitsunday catchment or the Burdekin catchment.

My question to the minister is: will the minister give a clear and ironclad undertaking to this House that the state government will not widen the definition of an agricultural ERA for the purposes of this bill in terms of the number of agricultural industries and the number of catchment areas listed in section 75? In other words, will the minister give an ironclad undertaking that horticulture or any other rural industry will not be added to section 75 and that the Fitzroy and Burnett catchments will not be added to section 75 by the state government in the future?

**Ms JONES:** Yes, I make it very clear to the member that there is no intention to expand this section of the bill whatsoever.

**Mr CRIPPS:** I thank the minister for that very clear undertaking. Section 74 of clause 6 outlines some of the so-called protection measures that will be imposed on landowners by the provisions of the bill. The public benefit test for the Great Barrier Reef protection package discusses the potential impact of any distance setback that might be required under the new chemical use regulations being introduced as part of the package underlying this legislation. I quote from an extract from the public benefit test document at page 22. It states—

Depending on the level set for distance setbacks, the impact of the regulations would be more pronounced for small farms because the setback could limit the amount of area used for cane and this may affect yield. This could affect the farm income and would have a flow-on effect for mills which require a certain supply to remain feasible. The distance will need to be set at a level that balances the environmental objectives with the potential regional employment effects.

My question to the minister is how was this impact assessed in terms of its effect on growers and the potential flow-on effect for mills? What was the projected economic impact of applying distance setbacks from watercourses in cane-growing areas? Will the minister produce that information?

**Ms JONES:** I draw the member for Hinchinbrook's attention to the amendment circulated in my name which I have spoken to quite a bit tonight. As a consequence of representations made to me by industry, including Canegrowers, about the buffer or setback zones, I have said quite rightly—obviously the industry does not want any form of regulation, but industry does support this as a way forward—

there should be an alternative approach. As the member would be aware, one of the amendments that I have moved with regard to buffers does recognise an alternative approach. A farmer who is conducting an ERMP as part of the requirement can address their chemical usage through that on a risk based approach.

Alternatively, what we are developing right now is a chemical module, so they will be able to fulfil that chemical module as part of that requirement. For example, as I said earlier, that means that they will no longer have to abide by—if they choose to use an alternative approach—the 20-metre strict buffer. They can demonstrate, based on risk, that they might only, for example, because of the way that their land slopes or the water flows across their property, have a buffer of five metres, which I understand industry generally supports. I think it is very clear what our intention with this bill is. The reason I moved this is that we want farmers to move towards best practice. The figures that the honourable member is quoting are almost an admission that industry is not doing best practice—

**Mr Cripps:** I didn't quote anything!

**Ms JONES:** You have tonight.

**Mr Cripps:** Did I?

**Ms JONES:** Yes, you have.

**Mr Cripps** interjected.

**Ms JONES:** Yes, and I am saying that I think that what you are quoting is almost an admission that not all farmers are doing best practice.

**Mr Cripps:** What!

**Ms JONES:** Absolutely. One of the first steps in Six Easy Steps for cane is soil testing. That is one of the first things they have to do. Some of the industry representation that was provided to me was that if we were to move down this path then we would have to see an 80 per cent to 90 per cent increase in capacity within labs in order to do soil testing. The amendment that I have moved is a balanced approach. It is one that is as a consequence of me listening to industry. I do not think that we are under any illusions that our absolute commitment as part of passing this bill, which I note the opposition is opposing, is about protecting the Great Barrier Reef and reducing run-off into the reef of pesticides and herbicides.

Clause 6, as amended, agreed to.

Clauses 7 to 19, as read, agreed to.

Clause 20—

**Ms JONES** (9.54 pm): I move amendment No. 9—

**9 Clause 20 (Amendment of sch 4 (Dictionary))**

Page 29, line 11—

*omit, insert—*

**'agricultural ERA** means—

- (a) generally—an agricultural ERA as defined under section 75; and
- (b) for chapter 4A, part 3—see also section 87A.'

This is a technical amendment which is a consequential amendment as a result of another amendment that was moved earlier. This amendment is necessary to ensure that agricultural ERAs do not trigger the Integrated Planning Act. It is an amendment to the dictionary. It is of a technical nature and I urge the opposition to support it.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clauses 21 to 24, as read, agreed to.

Insertion of new clause—

**Hon. KJ JONES** (9.55 pm): I seek leave to move an amendment outside the long title of the bill.

Leave granted.

I move the following amendment—

**10 After clause 24—**

Page 32, after line 12—

*insert—*

**'Part 4 Amendment of Sustainable Planning Act 2009**

**'25 Act amended**

'This part amends the *Sustainable Planning Act 2009*.

**'26 Amendment of s 10 (Definitions for terms used in development)**

'Section 10(1), definition *material change of use*, paragraph (b), after ', other than for'—  
insert—

'an agricultural ERA under the Environmental Protection Act, section 75,.'.

This amendment is necessary to ensure that agricultural ERAs do not trigger the Sustainable Planning Act. This means that the operation of agricultural ERAs will not require a development approval for the activities simply because they are a designated environmentally relevant activity.

Amendment agreed to.

**Third Reading**

**Hon. KJ JONES** (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (9.56 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. KJ JONES** (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (9.56 pm): I move the following amendment—

**1 Amendment of long title—**

Page 5, long title, from 'amend' to 'purposes'—  
omit, insert—

'amend the *Chemical Usage (Agricultural and Veterinary) Control Act 1988*, the *Environmental Protection Act 1994*, the *Integrated Planning Act 1997* and the *Sustainable Planning Act 2009* for particular purposes'.

Amendment agreed to.

Question put—That the long title of the bill, as amended, be agreed to.

Motion agreed to.

**SPECIAL ADJOURNMENT**

**Hon. KJ JONES** (Ashgrove—ALP) (Acting Leader of the House) (9.58 pm): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 27 October 2009.

Question put—That the motion be agreed to.

Motion agreed to.

**ADJOURNMENT**

**Hon. KJ JONES** (Ashgrove—ALP) (Acting Leader of the House) (9.58 pm): I move—

That the House do now adjourn.

**Aspley Speaks Out**

**Ms DAVIS** (Aspley—LNP) (9.58 pm): Aspley State School is a wonderful school and for the past eight years it has showcased the public speaking talents of its grade 5, 6 and 7 students. The Aspley Speaks Out 2009 competition was held recently and I was extremely impressed by the quality of the speeches and the speakers. Aspley State School believes that it is important to provide opportunities for learners to develop their talents, and it is proud to promote Aspley Speaks Out as a program which enables all children to set attainable goals, produce quality speeches and appreciate their own and their peers' talents and achievements.

The first group of speakers were from year 5. The finalists were Alex Andrews, Hannah Green, Alex Lo, Andrew Pope and Bridget Warren. All of the students provided entertaining speeches and their presentations skills belied their years. Unfortunately, there could be only one winner and that was Alex Lo. Alex spoke about his love of magic. He is an amateur magician and he talked passionately about magic and the magicians that inspire him. Alex explained that he, like other magicians, did not even share his magic secrets with his friends. It was a wonderful speech.

The year 6 contestants were equally as impressive. Charlotte Brown, Dulan Gunawardena, Stephanie McAllister, Isabella Hillerman and Daniel Springfield covered a diverse range of topics. But again, there could be only one winner and it was Dulan Gunawardena, who spoke about 'Miss Perfect'. 'Miss Perfect' is actually Dulan's sister. According to Dulan, his sister is not perfect at all. However, I am pleased to say that his speech concluded with the admission that his sister was not too bad, and did have some redeeming qualities—for an older sister.

Finally, we heard from the year 7 speakers, some of whom had participated in the competition in previous years. Sophie Cox, Sabrina Day, Trent Knapp, Lachlan McKinnon and Kate Springfield were this year's finalists and they all spoke with great confidence and aplomb. Sophie was the eventual winner on the topic 'My True Love'. Her true love turned out to be a large plasma TV.

I greatly support any programs that encourage students to speak in public. So I was delighted to present the Aspley Speaks Out Honour Board to the school at the conclusion of the evening. As one of the judges said in her summing-up, public speaking is often feared by adults and the students did a magnificent job presenting their speeches in front of a large audience of parents and friends. I agree and look forward to attending Aspley Speaks Out 2010 and hearing the voices of Queensland's future.

### **Greenslopes Electorate, Justices of the Peace and Commissioners for Declaration**

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.01 pm): On 10 September I hosted a morning tea at the Holland Park bowls club for about 50 local Greenslopes Justices of the Peace and Commissioners for Declaration to thank them for their dedication and contribution to the local community. At this function I presented a number of certificates of recognition to JPs who generously give their time to the JPs in the Community program at the Holland Park Courthouse. Queensland's JPs perform vital work for the community. So it is important that the public can access them easily. The successful JPs in the Community program helps address this need by locating JPs in public areas throughout the state, such as courthouses, shopping centres and hospitals.

There are more than 1,088 registered JPs and Commissioners for Declarations in the Greenslopes electorate, including those who generously commit their own time to operate the JPs in the Community site at Holland Park Courthouse.

The certificates of recognition presented at this morning tea were an acknowledgement of the distinguished service performed by Justices of the Peace in the Greenslopes electorate. As all honourable members would know, I am a strong supporter of volunteerism and in today's hectic world, commitment to volunteering, which is at its heart what being a JP is all about, cannot be undervalued.

I want to take this opportunity to thank the following JPs in the Community volunteers for their dedication in helping the people of the Greenslopes Community at the Holland Park Courthouse: Geoffrey Dean, Peter Stirk, Michael Clarke, Karilyn Ball, Viola Healy, Martin Quinlan, Kristina Romer, Allan Sauer, Jane Sefton, Lynette Coppock and Rosalyn Eden. The JPs in the Community service at the Holland Park Courthouse, which is situated at the corner of Logan Road and Marshall Road at Holland Park, operates on Tuesdays, Thursdays and Fridays from 10 am to 1 pm. I encourage all citizens of the Greenslopes electorate to use this important service when they are in need of the assistance of a JP or a Commissioner for Declaration.

At the JPs morning tea, I presented Mr Steve Rowen with a certificate acknowledging 50 years of valuable service as a JP for the Greenslopes community. I want to thank Steve for his contribution to the Greenslopes electorate, not just as a JP but also in other capacities in the community. I would also like to acknowledge the exceptional achievement of one of Greenslopes treasures, Mrs Hilma Hornick, who has contributed an amazing 62 years to our local community as a JP. Hilma has, in fact, been a JP for so long that the Department of Justice and Attorney-General is now looking for ways to recognise service of 60 years or more by Queensland JPs. I want to thank Mrs Hornick tonight for her contribution to my local community.

The work that Justices of the Peace and Commissioners for Declaration perform is an important part of Queensland's justice system. I thank all Queensland JPs for their service, particularly those JPs who serve the Greenslopes electorate.

### **Save Our Koalas Rally**

**Mr ELMES** (Noosa—LNP) (10.03 pm): On Friday, 25 September I was privileged to speak at the Save Our Koalas rally. Hundreds of concerned Queenslanders joined together in Brisbane to protest the destruction of koalas and their habitat. Surprisingly, there was not a single Labor member of parliament in sight at the rally. This is the second time in as many sitting weeks that I have wondered at what has become of the party that promotes itself as champions of civil liberties and the environment.

I would like to quote a few lines taken from a speech given at the rally by a 13-year-old young lady by the name of Clare Oldfield. I hope that the Premier and her minister read Clare's speech in full and understand what a very special young lady has to say about koalas. I table the document.

*Tabled paper:* Document titled 'Speech, by Clare—Aged 13—I Want Koalas in my Future!' [[1055](#)].

Clare's speech is as follows—

Hi, My name is Clare and I want Koalas in my future. My mum is fighting to save Koalas. She does this because everyone around the world loves the Koala. She does this because lots of people visit our country to see the Koala. She does this because the Koala is important to Australia and to our economy.

Clare's speech ends by saying—

I'm very proud of my mum and I deserve Koalas in my future! Thank you.

Not only did Labor members not appear at the rally, but the invitation which was extended to Premier Anna Bligh to be presented with this document was rejected. These heartfelt sentiments expressed by a 13-year-old Queenslanders were the words that a concerned Premier could have heard for herself.

There was one little peep from the Labor government. Purely by coincidence, of course, an announcement was made on the day of the rally advising that 5.6 hectares of state owned land at Windemere Road, Alexandra Hills, would be set aside as koala habitat. The fact that this land—situated on a busy road and not part of an identified koala corridor—is, I am told, also an area where dog owners regularly allow their animals to run without a leash shows just how callous this offer is. It is particularly so when, only a few months ago, six hectares of prime koala habitat was cleared to make way for the Thornlands State School.

The koala and other fauna and flora that also depend on the same habitat to thrive and survive do not have time for more Labor stunts. The whole species is running out of time in South-East Queensland because of a government that would prefer to see housing estates built by their developer mates. The government should stop the spin and acknowledge the work that the Australian Koala Foundation's Deborah Tabart and her friends and supporters have done. They have done all the work. They have done the mapping. They know what is needed to ensure the survival of koalas. This government itself says that koalas will cease to exist on the Koala Coast by 2010. That gives the government just three months to act.

### Winton Outback Festival

**Mrs KIERNAN** (Mount Isa—ALP) (10.06 pm): Two weekends ago my husband, Phil, and I attended one of friendliest, fun events in outback Queensland. The Winton Outback Festival is a biannual must-do, and we discovered why. This festival, now in its 20th year, is run by the most enthusiastic and hardworking volunteers you could hope to meet. The president of the event is John Paynter and the secretary and coordinator is the dynamic Robyn Stephens.

The glitz, excitement and competitiveness of the Great Australian Dunny Derby was—where else can you own and race your own dunny on the Friday night—spectacular. The crowd was warmed up by the afternoon event of the crayfish—better known as yabbie—races, organised by the Crustacean Racing Club along with a bit of masters golf, theatre productions and music.

The Outback Iron Man, Woman and Kid event is not for the faint hearted. True blue Aussie sports competitions were held over the five days, an all-time favourite being the bushman's egg-throwing competition. I know one young visitor from Brisbane, Milly Collier, who had a go in the broom throwing and had a great time in Winton for her school holidays along with her mum and dad, Di and Ian.

One of the many highlights for me was to meet the founders and committee of Winton's Diamantina Heritage Truck and Machinery Museum. During the festival Butch Lenton, Buddo Grand, David Timms, Bill Basket, Doug McIntyre, John Freeman, Mick Collins and many other truckers get together for the truckies reunion. They are the salt of the earth who gave me the greatest honour of allowing me to drive a couple of their prized, beautifully restored trucks.

I was also delighted to catch up with many of our Winton friends, including our great mate Robbo, his wife Val and grandson Marcus, and indeed many friends from right across the electorate. This is a fantastic festival and laughter and a good time are guaranteed. The festival committee and the many volunteers, along with Mayor Ed Warren and the Winton community, are to be commended for the hospitality that they extend to all visitors.

### Redlands Electorate, Koalas

**Dr ROBINSON** (Cleveland—LNP) (10.08 pm): I rise to speak about a revegetation plan in the Redlands that I have proposed that will be a modest step in the right direction of good koala management in an urbanised area of the Redlands. Before I canvass this proposal, let me first set the context for it. This Labor government has presided over the worst decline in the koala population in

Redland's history and little is being done to stop it. According to koala experts, this Labor government is on track to achieve something no-one else has: the final extinction of the Redlands koalas in just a few short years.

The Minister for Climate Change is charged with the responsibility of turning things around. Unfortunately, her first act this year was to watch the bulldozers mow down prime koala habitat in an identified koala corridor in Thornlands, allowing no koala habitat to stand. The minister's first act regarding koalas was to behave like the proverbial Nero and watch the Rome of Redlands koalas burn while she fiddled with committee formation and interdepartmental buck-passing. The result was an increase in koala deaths in the area.

Fast-forward to September-October. The minister made a statement on 25 September, the same day as the Save Our Koala rally, that a piece of land of high koala value was to be gifted to the Redland City Council in Alex Hills. Koala groups responded swiftly and condemned the act as a joke and stated that the land would support one koala. The minister's claims created the impression that the land was inhabited by a significant number of koalas, that it was rich with koala food trees and that it was part of an identified koala corridor. The reality is that very few koalas have been sighted, it has only limited koala food trees and it is in a blind cul-de-sac, not an already identified koala corridor. So the land is far from being what the minister described it to be.

Having said all of this, it is possible to turn the land into high-value koala reserve that supports a great number of koalas. I have proposed that a revegetation program now be embarked upon. I have received positive feedback and offers of volunteer assistance from koala groups for my revegetation proposal that I put to the community. The federal member for Bowman, Andrew Laming, has also joined me in this goal and is pursuing federal funding.

It is disappointing that, since gifting this piece of land with limited koala value to the council, during question time yesterday the minister rejected my invitation to be involved in the revegetation plan. I would have thought that if the minister was truly interested in the land becoming a high-value koala reserve, as she announced was her intention, she would be keen to see it through to the end instead of cutting and running.

I again invite the minister to join the proposed revegetation project to see the land become a true koala reserve. Joining this plan would help to correct the widespread view in the community that the minister is only interested in koala headlines and that the land gift was at best token and at worst a scam.

### **Clive Berghofer Stadium; Toowoomba, Water Supply**

**Mr SHINE** (Toowoomba North—ALP) (10.11 pm): I wish to speak on two significant events recently occurring in Toowoomba. Last Sunday week I had the pleasure of attending the opening of stage 2 of the redevelopment of the Athletic Oval, the Clive Berghofer Stadium. Stage 1 was a national standard sports facility program in 2002 costing \$1.5 million provided by the state government which was completed on 1 March 2003. Stage 2 was a major facility program and the project scope was the demolishing and rebuilding of the existing grandstand, installing seating on the eastern side and in front of the new stand, upgrading the main entry, providing additional entrances and exits, providing a three-metre wide access way on the eastern side and realigning the main oval at a project cost of \$2 billion. The project was finished on 31 August 2008.

Since 1 July 1998 the department has committed \$4,404,577 to the Toowoomba Sports Ground Trust for this project and the redevelopment of the Duncan Thompson Stand. The opening was performed by the Hon. Phil Reeves, Minister for Sport, and coincided with the rugby league grand final. Unfortunately Brothers narrowly lost to Valleys.

The second event relates to Toowoomba's water supply problems, which remain at critical levels. The Bligh government continues to demonstrate its commitment to solving this crisis with significant funding contributions. The key part of the long-term solution for Toowoomba and the surrounding community is, of course, connection to the South-East Queensland water grid via the new pipeline from Wivenhoe Dam to Cressbrook Dam.

Work is progressing, with this facility scheduled for completion in the first quarter of 2010. This pipeline will provide Toowoomba with the added security of connection to the South-East Queensland water grid. The state government has made a commitment to provide 40 per cent funding support for the project, estimated to cost \$187 million. The government is currently in discussion with Toowoomba Regional Council regarding institutional pricing arrangements for funding and ownership of the project. The state government has made a commitment of \$11.8 million towards the drilling and equipping of five bores accessing the Great Artesian Basin to allow the extraction of up to 5,000 megalitres of water per year as an emergency supply.

Last week I was witness to another addition to the pipeline solution with the opening of a \$6 million reverse osmosis water treatment plant at Oakey as an emergency supply strategy by the Minister for Natural Resources, the Hon. Stephen Robertson. The plant is capable of processing two megalitres of water every day and provides more than half the daily water needs for the townships of Oakey and Jondaryan. This has taken some pressure off the existing reticulated water supplies for Toowoomba which have been under significant stress for a number of years now.

### **Toowoomba, Water Supply**

**Mr RICKUSS** (Lockyer—LNP) (10.14 pm): I must comment in relation to the water supply to Toowoomba. In 2004, when the issue of water was first raised by Lawrence Springborg, who was Leader of the Opposition at the time, he was derided by the Minister for Natural Resources, Stephen Robertson, and the then mayor, Di Thorley. He raised the issue and, unfortunately, the government of the day took no notice. There could have been a water supply there for a lot less money than the rushed pipeline project that is being undertaken now.

**Mr Shine:** Don't you remember the referendum?

**Mr RICKUSS:** That was in 2004. I remember it very clearly. That brings me to the recycled water project from Bundamba to Wivenhoe which is sitting there idle. There is \$2.2 billion sitting there. The only poor customers of the recycled water project are a couple of power stations that are being forced by this government to pay exorbitant prices for the water. That water could be used by the farmers in the Fassifern, Bremer, Warrill and Lockyer valleys. This government is procrastinating on the price of water. It is trying to say that the water at the Bundamba plant is worth more than twice the water of any other plant in Australia, be it Virginia in South Australia or Cranbourne in Victoria.

This would be a great job provider in the Lockyer Valley. Horticulture is a massive employer of labour. The labour figures released today show that unemployment is climbing dramatically. This government promotes jobs, and it has a recycled water scheme that could be totally wasted infrastructure, with the money expended on it wasted because it was rushed. There was invoice tendering when the gravel was being supplied for the pipes. It was rush, rush, rush. The Deputy Premier sold off pipes worth millions of dollars for thousands of dollars because it was a rushed project. This recycled water project is sitting there idle. It is a disgrace.

I cannot understand how the member for Toowoomba North can sit over there and grin at me over the millions of dollars lost by this project. I know that his family farm is in Wivenhoe Pocket. They would benefit dramatically from that water. Brisbane would benefit simply by the fact that the water would replace some of the Brisbane River water that the member for Toowoomba North's farm probably now uses. Right at this moment he probably has irrigators there squirting out some of Brisbane River's valuable water. That could be replaced by this recycled water that is sitting idle in pipes. I am disappointed.

### **Woolley, Mr P**

**Ms van LITSENBURG** (Redcliffe—ALP) (10.17 pm): On 22 September I was privileged to attend the celebration of Senior Sergeant Peter Woolley's 44 years in the Queensland Police Service on the eve of his retirement. A long list of police dignitaries attended including Deputy Commissioner Ian Stewart; superintendent of the Redcliffe District Pat Ryan; officer-in-charge at Redcliffe Senior Sergeant Darryl Keyes; Senior Sergeant Bob Brightwell, who organised the function; and Inspector Mark Jones, who was the master of ceremonies. At least a hundred fellow officers, friends, Peter's wife, Robyn, and his children filled up the Presidents Room at the Leagues Club.

Senior Sergeant Peter Woolley started his career in the mid-1960s when walking the beat was a common experience for many young police officers. But Peter's interest in electronics led him to join the radio and electronics section, where he completed several trade qualifications. He was at the forefront of the rollout of electronic recording of interviews and electronic surveillance of dignitaries at the Commonwealth Games in 1982. He was promoted to senior sergeant in 1991 and took on a variety of roles including officer-in-charge of the Brisbane Radio and Electronics Workshop; radio and electronics training officer; and chair of the Radio and Electronics Statewide Planning Group. He relieved as inspector in charge of the Radio and Electronics Workshop and was duty officer at the Brisbane Police Communications Unit.

In 2002 Peter's career took a turn for the better when he became officer in charge of the Redcliffe and Caboolture stations, then district crime manager and more recently he has performed quality assurance duties for the Redcliffe and Caboolture police districts. The evening was relaxed with wife Robyn painting a picture of their family life and superiors and friends reflecting how Peter's career influenced them and their careers. It was heart warming to hear through humorous stories the extent to which Peter contributed to the technological development of the Police Service.

I commend Peter for his 44 years of commitment to the Queensland Police Service. Throughout his career he stretched his abilities and continued to learn new things. He put himself in a position where he developed his skills and continued to take on a wide variety of new positions right to the end. I would like to thank the Queensland Police Service for the professionalism that it has reached that an individual can take a variety of opportunities to develop such a diversified career. I hope many young officers take a leaf out of Peter's book and carve themselves out as long and distinguished a career as Peter has had.

### **Members' Ethics and Parliamentary Privileges Committee Report No. 100**

**Ms BATES** (Mudgeeraba—LNP) (10.20 pm): I rise in this parliament tonight in response to Report No. 100 in relation to a matter of privilege referred by the Speaker on 19 August 2009 relating to an alleged deliberate misleading of the House by me. That report sated—

On the material before the committee there is no evidence that in her statement to the House, the Member for Mudgeeraba intended to mislead the House.

...

The committee finds that there is no breach of privilege or contempt in this matter. The committee recommends that the House take no further action in regard to the matter of the alleged contempt.

...

The committee notes that the Member's statement could have been worded more carefully to convey the correct information.

As per recommendation No. 2—the committee requests that at the next opportunity the member correct the parliamentary record by making a statement to the House—I would like to clarify to the House that my earlier statement dated 4 August 2009 was based on my understanding that my decision not to confirm my details on the register of lobbyists for the Prime Minister and Cabinet by 16 April 2009 would have resulted in my registration lapsing anyway. I am of the view, as was the committee after considering my submission, that the failure to confirm details should have had the same effect as a request to remove, that is, removal from the register. On my submission to the Members' Ethics and Parliamentary Privileges Committee it was determined that my explanation of the facts was consistent with my statements in the House.

I would also like to put the following facts on the record so that there can be no further misrepresentations in the future. The Register of Members' Interests dated 15 June 2009 clearly states that the company Entree Vous Pty Ltd was under a sale agreement and that all 'shareholdings will be resigned on settling sales of shares and that the member is no longer involved in the management of the company or direct lobbying'.

On 3 August at 12.15 pm—the same day that Channel 7 inaccurately reported that I still owned a lobbying company which had actually been sold at 11 that morning, of which they had been aware—I lodged an update to the Register of Members' Interests that stated—

This is to confirm that Rosslyn Mary Bates has transferred all of her interests in the company named as Entree Vous Pty Ltd to a third party. Rosslyn and her son, Benjamin Ross Gommers has also resigned as directors (and secretary) of the company.

I note that the committee also reminds members such as me to ensure accuracy in their statements in this House. I refer back to the inaccurate comments made on Tuesday, 15 September by the Deputy Premier which were rebutted the next day. I reiterate that it is incumbent on the Deputy Premier and all members of this House to ensure that comments that they make in this House are factual and not misleading.

### **Albert Electorate, Seniors Morning Tea**

**Hon. MM KEECH** (Albert—ALP) (10.23 pm): Last month I had the pleasure of hosting a very special morning tea for the seniors of the Pimpama and Willow Vale areas of the Albert electorate. My special guests were Julia Gilbert, the Principal Education and Advice Officer for the Office of the Adult Guardian, and Steve Forster, the Regional Manager at the Southport office of the Public Trustee of Queensland.

Julia and Steve presented an excellent information session on two vital state government services of which it seems a lot of people are unaware. The Office of the Adult Guardian was established to protect the rights of people who are unable to make important decisions for themselves. Whether it be from a serious accident or through a debilitating illness such as dementia, when someone finds themselves in a position where they are now unable to perform basic, everyday tasks, it can be frightening and distressing not just for them but for their families as well. In cases such as this, the office can be appointed to act as the guardian of the person including times when the incapacitated person has no immediate family, where there is abuse involved or when there is a serious conflict within the family which may be detrimental to the person's wellbeing.

One of the most important services the Adult Guardian provides is the advance health directive. This document will ensure that, in the event of an accident or incapacitation, a person's wishes regarding their preferred health treatment are always followed. The Adult Guardian works hand in hand with the Public Trustee of Queensland. I say thanks to Steve Forster, who gave my guests a better understanding of the important services that the office provides.

As we get older, many of us will need assistance in attending to our financial and legal matters. The Public Trustee can see to the payment of bills, financial statements and real estate management. It can also assist in the appointment of an enduring power of attorney, allowing an appointed person power to make financial, personal and health related decisions if a person becomes incapacitated.

During the morning tea we were spoilt by the award-winning catering of Mrs Judy Hendriks. I also had the great pleasure to acknowledge a very special Albert volunteer by presenting Mr Rodney Phillips with a certificate acknowledging his 25 years of service as a justice of the peace. In addressing the guests, Mr Phillips spoke about his passion for volunteering and the rewards of being a justice of the peace. He called on other retirees to spend just a few hours a week helping others in our community, an important message which I strongly endorse.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.26 pm.

## ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson