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RECORD OF PROCEEDINGS

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TUESDAY, 9 MARCH 2010

The Legislative Assembly met at 9.30 am.

ABSENCE OF SPEAKER

The Clerk informed the House that Mr Speaker was attending the 59th Westminster seminar on practice and procedures. The Deputy Speaker, Mr Jason O'Brien, will take the chair as Acting Speaker. The honourable member for Keppel has been nominated by Mr Acting Speaker as Deputy Speaker.

Mr Acting Speaker (Mr Jason O'Brien, Cook) read prayers and took the chair.

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

ASSENT TO BILLS

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

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

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

Date of Assent: 25 February 2010

"A Bill for An Act relating to the insertion of a preamble into the Constitution of Queensland 2001"

This Bill is hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

Governor

25 February 2010

Tabled paper: Letter, dated 25 February 2010, from the Governor to the Speaker advising of assent to a bill [1803].

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

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

Date of Assent: 4 March 2010

"A Bill for An Act to amend the Child Care Act 2002, the Child Protection Act 1999, the Child Protection (Offender Prohibition Order) Act 2008, the Commission for Children and Young People and Child Guardian Act 2000, the Community Services Act 2007, the Disability Services Act 2006, the Education (Accreditation of Non-State Schools) Act 2001, the Education (Queensland College of Teachers) Act 2005, the Evidence Act 1977, the Family Services Act 1987, the Guardianship and Administration Act 2000, the Health Practitioners (Professional Standards) Act 1999, the Nursing Act 1992, the Police Powers and Responsibilities Act 2000, the Public Service Act 2008, the Youth Justice Act 1992, the Juvenile Justice and Other Acts Amendment Act 2009 and the Acts mentioned in schedule 3, for particular purposes"

"A Bill for An Act to amend the Child Care Act 2002 and the Education (Queensland College of Teachers) Act 2005 for particular purposes"

"A Bill for An Act to provide for rail safety, and for related purposes, and to amend this Act, the Transport Infrastructure Act 1994, the Workplace Health and Safety Act 1995, and the Acts mentioned in schedule 1, for particular purposes"

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

Yours sincerely

Governor

4 March 2010

Tabled paper: Letter, dated 4 March 2010, from the Governor to the Speaker advising of assent to bills [1804].

PRIVILEGE

Alleged Misleading of the House by a Minister

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (9.32 am): Mr Acting Speaker, I rise on a matter of privilege. On Thursday, 25 February I answered a question without notice regarding consumer protection. In responding to the question, I drew members' attention to two congratulatory letter requests that had recently been received by the Department of Premier and Cabinet from constituents via the electorate offices of the member for Kawana and the member for Mudgeeraba. I stated in my response that officers from the Department of Premier and Cabinet had contacted the constituents concerned to check the information provided in the forms.

In a matter of privilege later that day the member for Kawana informed the House that he had spoken to his constituent who advised that the notation on the form, which I referred to, was at his request. As a result of further investigation into the matter by the Department of Premier and Cabinet, I have since been advised that the information provided to me concerning this matter was not correct.

Whilst the constituent of the member for Mudgeeraba had been contacted to clarify the instructions, due to a misunderstanding in the department the constituent of the member for Kawana had not. I am now taking the opportunity to correct the record and apologise for any harm caused in particular to the constituents. To the extent that I suggested that other opposition offices may be involved in amending applications for congratulatory letters, I unreservedly apologise.

SPEAKER'S STATEMENT

Privilege, Referral to Integrity, Ethics and Parliamentary Privileges Committee

Mr ACTING SPEAKER: Order! Honourable members, I have been advised by the Registrar of Interests that a complaint by the Treasurer about the member for Indooroopilly's registration of interests was received in accordance with schedule 2 section 14 of the standing rules and orders. A complaint in accordance with this section is required to be forwarded to the Integrity, Ethics and Parliamentary Privileges Committee by the registrar. Standing order 271 now applies in respect of the matter and it cannot be the subject of debate in this House.

MOTION OF CONDOLENCE

Fraser, Mr HDJ

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.34 am), by leave, without notice: I move—

1. That this House desires to place on record its appreciation of the services rendered to this state by the late Huan Donald John Fraser, a former member of the parliament of Queensland and minister of the Crown.
2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the parliament of Queensland, in the loss they have sustained.

Huan Donald John Fraser was born in Charleville on 16 February 1940 and was educated at Nudgee College. After leaving school, Mr Fraser became a grazier and was later to work as an investment consultant in the banking and finance sector. In 1979, Mr Fraser was elected as a councillor on the Paroo Shire Council, a council on which he was to continue to serve until 1984. Following a move to Brisbane, Mr Fraser was elected as an alderman on the Logan City Council in 1985. Mr Fraser served on the Logan City Council from 1985 to 1988 and held the position of deputy mayor during this time.

In 1986 a redistribution of electoral districts in the Queensland Legislative Assembly established the new seat of Springwood, which covered parts of the Logan city local government area. In a rather unusual circumstance, Mr Fraser was one of two National Party candidates who contested the seat at the state election on 1 November 1986. After a tight electoral contest, Mr Fraser was elected as the inaugural member for the state seat of Springwood.

In August 1989, Mr Fraser was elevated to the ministry by then Premier Mike Ahern. Mr Fraser served from 31 August 1989 to 25 September 1989 as minister for industry, small business, technology and administrative services. Following Russell Cooper's replacement of Mike Ahern as the Premier of this state on 25 September 1989, Mr Fraser was appointed as minister for industry, small business and technology.

At the state election of 2 December 1989, Mr Fraser was defeated in the seat of Springwood by the ALP's candidate, Molly Robson. As a man committed to community service, Mr Fraser again sought public office at the 1990 federal election in the seat of Rankin; however, he was unsuccessful at this attempt.

However, Mr Fraser remained active in the political scene. He served as treasurer of the National Party for eight years and as the inaugural treasurer of the LNP. I think that the work of those who serve as party officials is often not seen and not well understood by the public. I believe it is an important part of the democratic process and it is all too often a thankless task. While it may not have been in my political interests for Mr Fraser to have dedicated so much of his life to the conservative parties in this regard, I do take the time to recognise the importance of Huan Fraser's work in the political party that he served. As well as his many years of service on local councils and in this parliament, Mr Fraser served the community on various government boards and as a member, president or patron of many community and sporting associations, and is well known in that regard.

A service for the late Huan Donald John Fraser was held at the Cathedral of St Stephen in Brisbane on 24 February 2010 and the burial was held at the Charleville cemetery on 27 February 2010. I place on record the government's thanks for the many years of service that Huan Fraser gave to the institutions of our democracy at different levels of government, the contribution he made to the community that he served and for the part he played in the public life of our state. On behalf of the government, I take this opportunity to extend my sympathy and that of this House to Mr Fraser's many friends and family.

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (9.38 am): I rise to pay tribute to Huan Donald John Fraser, a former member of this House, cabinet minister, LNP treasurer and philanthropist, who died on 18 February aged 70. Huan Fraser represented the state seat of Springwood for the National Party from 1986 until 1989. In his final year in parliament, as the Premier has said, he was minister for industry, small business, technology and administrative services under Premier Mike Ahern and minister for industry, small business and technology under Premier Russell Cooper. Huan Fraser gave long and distinguished service to the people of Queensland, the Nationals and, in more recent times, the LNP.

Born in 1940 into a south western grazing family, Huan Fraser was educated at Nudgee College. After his schooling he returned to the family property Claverton Park at Wyandra. He later married Wendy Biddulph and the couple had three children. Huan Fraser was interested in community affairs and was elected to the Paroo Shire Council in 1979 and served as a councillor until 1984.

Huan Fraser started another chapter in his life when he moved his family to Daisy Hill in Brisbane, and in 1985 he was elected alderman to Logan City Council representing Division 4. Huan chaired Logan City Council's Finance Committee and was appointed deputy mayor. It was a fast rise, reflecting his people skills and considerable financial skills. Whilst still a serving alderman, Huan won the state seat of Springwood in 1986. As mentioned, he went on to serve as a minister in two cabinets in what were tumultuous years in Queensland politics. After parliament, Huan Fraser entered the finance and banking sector. He was treasurer of the Nationals in Queensland for eight years and, upon the formation of the LNP, was appointed the inaugural treasurer of the LNP. Unfortunately, health issues caused him to hand over this position. His financial acumen helped consolidate the finances of the Nationals to form a strong financial base for the establishment of the LNP.

Huan Fraser was well liked and respected for his openness and his forthright views. He was known for his community spirit, his support for the Logan region and his philanthropy. He was a loyal member of Rotary International. Huan Fraser is survived by his three children. I know that all members of the LNP join me in passing on our deepest sympathies to his wife, Wendy, and children Gina, Jodie and Stuart, their families and to the many friends and associates of Huan Fraser.

Ms STONE (Springwood—ALP) (9.40 am): Huan Donald John Fraser was the inaugural member for Springwood, serving the electorate from 1986 to 1989. However, his political career did not start there. He became interested in local government and was a councillor in the Paroo Shire Council from 1979 to 1984. During this time, he was also a member of the South West Queensland Electricity Board from 1979 to 1984. After settling in Daisy Hill in Logan City, he was elected to represent Division 4 in Logan City Council in 1985. In those days the position of councillor was a part-time job, so he continued to be a councillor while also being elected to the seat of Springwood. He was also a member of the South Coast Fire Brigade Board from 1985 to 1986.

In the years that Logan has been a separate local government, there have been a steady stream of hardworking and dedicated people at the grassroots of the Logan community who should be acknowledged, and Huan Fraser is certainly one of those people. Elected to Logan City Council from 1985 to 1988, during that time he chaired the council's Finance Committee and was appointed deputy mayor. He was known for his support to the Logan region, both in economic development terms and in community spirit. Huan Fraser served his party in parliament on a number of committees and served in the cabinet for the Russell Cooper and Mike Ahern governments. His portfolios included minister for industry, small business, technology and administrative services. He also served as the Queensland National Party's treasurer for eight years.

I noticed in his maiden speech that there could have been a little bit of tension between him and some of his Liberal colleagues when he was first elected. When congratulating the chairman of committees on his appointment, he said—

> I was impressed by the fact that the Labor Party did not oppose your nomination. To me that shows the high esteem in which you are held by both sides of this House. Of course, I am discounting the Liberal members' nomination, because after this 45th Parliament I believe that they will have more or less departed from the political scene in Queensland.

Some might say that that is an uncanny way in which he predicted the future, but I should also note that he went on to be the inaugural treasurer of the LNP.

In his maiden speech he spoke of the vision for Springwood, and that certainly does reflect what the seat is today. He spoke of the many state primary and high schools that are still part of the electorate and which are continuing to provide quality education for the children of the Springwood electorate. He spoke of the development of John Paul College to become one of the largest independent co-educational schools in the state. With an enrolment of over 2,600 students today, it certainly is one of the largest in our state. His maiden speech also reminds us of the huge transformation we have seen with major growth in Logan City and states that this major growth has naturally put a financial burden on council and state governments. Today we still have major growth in Logan City because, as he said, 'Logan is the gateway to South-East Queensland'.

While in his address-in-reply he was thankful for the new, modern Slacks Creek Police Station, today I am thanking the government for the relocation of the Slacks Creek police to a new temporary police station at Springwood—a new station that will be home to police while the M1 is being upgraded and a decision is made about a police station that will meet the needs of our community today. As I said, he had a flair for predicting the big issues of the future. He believed the National Party government of the day had to look at the very important area of valuations and legislate to stop massive increases.

Huan Fraser was known in the electorate for working with sporting and community organisations and for supporting them as they grew. When I first got elected, I met a number of people in the community who spoke of his tireless work ethic. He was certainly well respected, and I would ask Logan City Council to acknowledge this by considering naming some new infrastructure or perhaps a parkland after him.

Honourable members: Hear, hear!

Ms STONE: His work in Logan City Council and the parliament is an important part of the history of Logan and, in particular, Springwood. He will be greatly missed by his family and friends. I, along with other members, pass on my condolences to them.

Mr JOHNSON (Gregory—LNP) (9.44 am): Today I rise to speak to the condolence motion moved by the Premier and seconded by the Leader of the Opposition. I am reminded of the old poem *Send Her Down, Hughie*. It has been just a couple of weeks since Huan Donald John Fraser departed this world. He was laid to rest in the Charleville cemetery in his beloved Western Queensland. Bradley's Gully has just flooded that cemetery and the Warrego River, which runs past his beloved Claverton Park. I hope, Hughie, that you keep on sending it down, mate, because we're not going to turn it back.

Huan Donald John Fraser was born on 16 February 1940 in Charleville and passed away to eternal life on 18 February 2010, two days after his 70th birthday. Huan was a born and bred Western Queenslander, residing at the family property at Claverton Park at Wyandra with his family on the banks of the Warrego River—one of the most beautiful grazing properties probably in Western Queensland in what they call the 'salad bowl' area of the south-west. Huan was educated at Nudgee College in Brisbane and, on returning to Western Queensland in later life, Huan married Wendy Biddulph. The happy couple were blessed with three children—Gina, Jodie and Stuart.

From a young age Huan was interested in the community around him and was elected to the Paroo Shire Council based on Cunnamulla in 1979 where he served as a councillor until 1984. On leaving Western Queensland following moving his family to Brisbane in 1985, as the member for Springwood just clearly identified and illustrated, he was elected to the Logan council in 1985 where he later chaired the Finance Committee and became deputy mayor. I have spoken with the Speaker of the parliament and other members of councils from Logan and, as the honourable member for Springwood clearly illustrated, Huan was instrumental in setting the good foundations for Logan City with his input in the finance operations. As I said, he was chair of the Finance Committee and deputy mayor of that city. In 1986 Huan contested the state seat of Springwood. As the Leader of the Opposition and the Premier clearly indicated, he served in both the Ahern and Cooper cabinets.

Huan's forte was always in the world of finance, and he directed his energies into finance after leaving state politics. His financial and business skills set a solid foundation for the finances of the National Party, and he served as state treasurer for the party for eight years and went on to become the inaugural treasurer of the LNP on its formation in 2008. As the Premier said today, many people do not get accolades for the work they do behind the scenes in political parties. I want to put it on the record that the financial situation and the status of the LNP's business operations are certainly testament to the hard yards and dedication put in by the late Huan Fraser.

I was fortunate to be able to attend his funeral at St Stephen's Cathedral recently along with my colleagues the member for Callide, the member for Toowoomba South and the member for Beaudesert. The Speaker was there too, as was the former member for Bundamba, the Hon. Bob Gibbs. It was a testament to him, I believe, to see many of his old school colleagues from Nudgee College along with LNP members who formed a guard of honour for Huan Fraser after the funeral. Huan was a man who had presence. He had strong ideals coupled with good Christian values. You always knew where you stood with Huan. He was a no-nonsense bloke, Huan Fraser. There was never any guessing with Huan, I might say. His word was his bond.

The greatest love of Huan's life was his family. In many ways he was a private man, but he loved his family dearly—as we all love our families. His dedication and commitment to his family was one of the real features of Huan Fraser's life. Huan is survived by his wife, Wendy, his daughters Gina and Jodie, and son, Stuart, and their respective families. Western Queensland, Queensland as a whole and this parliament is a better place because of the life of Huan Fraser.

Question put—That the motion be agreed to.

Motion agreed to.

Whereupon honourable members stood in silence.

Mr ACTING SPEAKER: Honourable members, question time will now commence at 10.50 am.

PETITIONS

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

M1, Noise Barriers

Ms O'Neill, from 324 petitioners, requesting the House to seek urgent federal funding to establish uniform and appropriate noise barriers along both sides of the M1 without further delay [1805].

Public Transport, Ticketing

Ms Simpson, from 35 petitioners, requesting the House to respond to concerns about the public transport system by freezing the price increases, delivering more go card outlets and fixing the system's reliability [1806].

Southport, Remnant Forest; Queensland Accommodation Company

Dr Douglas, from 1,237 petitioners, requesting the House to refuse the material change of use sought by Queensland Accommodation Company for the destruction of one of the last areas of endangered remnant forest in the Southport area [1807].

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

Taxi Industry

Mr Wellington, from 120 petitioners, requesting the House to declare that the Taxi Council of Queensland be no longer officially recognised by the Queensland government as the peak industry body for the Queensland taxi industry and move to establish a body which is more widely supported by the industry's stakeholders [1808].

Taxi Industry

Mr Wellington, from 150 petitioners, requesting the House to pass legislation which prevents any taxi dispatch company from restricting any legitimate holder of a Queensland Transport issued authority to drive a taxi from accessing any taxi company's dispatch system, without the permission of Queensland Transport [1809].

M1, Safety Barriers

Ms Bates, from 163 petitioners, requesting the House to immediately install safety barriers between the north and south bound lanes of the M1 between Exits 73 and 79 prior to the commencement of the upgrade of the M1 to 6 lanes [1810].

State Government, Resignation

Mrs Pratt, from 675 petitioners, requesting the government to resign immediately and give the Queensland public a chance to elect a new government [1811].

Container Deposit Legislation

Mr Fraser, from 2,606 petitioners, requesting the House to introduce CDL legislation in Queensland, as in South Australia, to ensure a 10 cent deposit/refund for every glass, bottle, can, PET bottle, fruit drink and flavoured milk carton drink container [1812].

Petitions received.

TABLED PAPERS

PAPERS TABLED DURING THE RECESS

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

26 February 2010—

1790 Response from the Minister for Tourism and Fair Trading (Mr Lawlor) to an ePetition (1359-09) sponsored by Mr Kilburn from 233 petitioners requesting that the House take action to ensure that a proposal to establish licensed premises directly adjacent to the Gumdale State Primary School is not approved and no development occurs

1791 Response from the Deputy Premier and Minister for Health (Mr Lucas) to a paper petition (1349-09) presented by Mr Knuth from 7057 petitioners regarding the lack of a CT scanner and ultrasound facility at the Atherton Hospital

1792 Supreme Court of Queensland—Annual Report 2008-09

1793 District Court of Queensland—Annual Report 2008-09

1794 Magistrates Court of Queensland—Annual Report 2008-09

1795 Office of the Director of Public Prosecutions—Annual Report 2008-09

1796 Queensland Law Reform Commission—Annual Report and Statement of Affairs 2008-09

1797 Economic Development Committee: Report No. 2—Inquiry into identifying world's best practice by governments to effectively stimulate employment opportunities in Queensland: Government Response

1 March 2010—

1798 Overseas travel report—Report on an overseas visit by the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships (Ms Boyle) to New Zealand from 26 to 30 January 2010—Report on the Delegation to New Zealand

1799 Overseas travel report—Letter, dated 1 March 2010, from the Premier (Ms Bligh) to the Clerk of the Parliament, indicating the approval of an overseas visit by the Speaker (Mr Mickel) to Japan from 2 to 7 March 2010 and attaching relevant information from the Speaker to the Premier regarding the visit

2 March 2010—

1800 National Electricity (South Australia) (Smart Meters) Amendment Act 2009 (SA) which received Royal Assent on 5 November 2009

3 March 2010—

1801 Alternative and Improved Responses to Domestic and Family Violence in Queensland Indigenous Communities, Report by Professor Chris Cunneen, NewSouth Global Chair in Criminology, Law Faculty, UNSW

8 March 2010—

1802 National Environment Protection Council—Annual Report 2008-09

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Water Act 2000—

1813 Water Resource (Whitsunday) Plan 2010, No. 17

Water Act 2000—

1814 Water Resource (Whitsunday) Plan 2010, No. 17, Explanatory Notes

Water Act 2000—

1815 Water Amendment Regulation (No. 1) 2010, No. 18

Animal Management (Cats and Dogs) Act 2008—

1816 Animal Management (Cats and Dogs) Amendment Regulation (No. 1) 2010, No. 19

Building Act 1975—

1817 Building Amendment Regulation (No. 1) 2010, No. 20

Plumbing and Drainage Act 2002—

1818 Standard Plumbing and Drainage Amendment Regulation (No. 1) 2010, No. 21

Transport Planning and Coordination Act 1994—

1819 Transport Planning and Coordination Amendment Regulation (No. 1) 2010, No. 22

Transport Infrastructure Act 1994, Transport Operations (Marine Safety) Act 1994—

1820 Transport Legislation Amendment Regulation (No. 1) 2010, No. 23

Forestry Act 1959—

1821 Forestry (State Forests) Amendment Regulation (No. 1) 2010, No. 24

State Penalties Enforcement Act 1999—

1822 State Penalties Enforcement Amendment Regulation (No. 2) 2010, No. 25

Jury Act 1995—

1823 Jury Amendment Regulation (No. 1) 2010, No. 26

Public Trustee Act 1978—

1824 Public Trustee Amendment Regulation (No. 2) 2010, No. 27

Workplace Health and Safety Act 1995—

1825 Workplace Health and Safety (Codes of Practice) Amendment Notice (No. 2) 2010, No. 28

Constitution (Preamble) Amendment Act 2010—

1826 Proclamation commencing remaining provisions, No. 29

South-East Queensland Water (Distribution and Retail Restructuring) Act 2009—

1827 South-East Queensland Water (Distribution and Retail Restructuring) Notice 2010, No. 30

Public Service Act 2008—

1828 Public Service Amendment Regulation (No. 1) 2010, No. 31

Fair Trading Act 1989—

1829 Fair Trading (Toy-like Novelty Cigarette Lighter) Order 2010, No. 32

REPORT TABLED BY THE CLERK

The following report was tabled by the Clerk—

1830 Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

Constitution (Preamble) Amendment Bill 2009

Amendments made to Bill

Short title and consequential references to short title—

Omit—

'Constitution (Preamble) Amendment Act 2009'

Insert—

'Constitution (Preamble) Amendment Act 2010'.

Clause 5 (Insertion of new s 3A)—

Page 5, line 14 (as amended)-

Omit—

'"The Parliament does not in the preamble,'

Insert—

'"The Parliament does not in the preamble—'.

Child Care and Another Act Amendment Bill 2010

Amendment made to Bill

Clause 4 (Insertion of new pt 4, div 2A)—

Page 8, line 18—

Omit—

'look'

Insert—

'book'.

MINISTERIAL STATEMENTS

Floods

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.53 am): Over the past week we have seen mother nature at her most ferocious. The enormity of the rain event that we have witnessed over this week has broken all of the known records. Without a doubt it has been both a curse and a blessing: a curse for our fellow Queenslanders in towns such as Roma, Charleville, St George, Dirranbandi, Birdsville, Bollon, Surat, Thallon, Theodore, Thargomindah and for many others on properties in and around these communities, all of whom have taken the full force of the floods. Despite the associated heartbreak of seeing their homes and possessions damaged—and in many cases float away—these people and their communities have faced up to the deluge with an admirable stoicism.

At the same time the rains have been a blessing for the people of the south-east, who have seen their dams approach capacity for the first time in almost a decade. Our regional neighbours are hurting and it is critical that we do all we can to help the townships throughout the south-west through this disaster, which has quickly evolved as one of the most significant flooding events in the state's history. There was nothing that we could have done to stop the floodwaters, but state and local governments, non-government organisations, the federal government and community volunteers have all sprung into action to help these communities through these difficult times. In the past seven days we have seen evacuation centres established in all of the towns affected by flooding. These have been put in place in most instances by the Red Cross—and I pay tribute to the Red Cross, which has acted so swiftly and so comprehensively. This time last week in Charleville, the Red Cross was setting up an evacuation centre and within hours it was feeding 500 people—no mean feat in a small community affected by one of the worst floods that they have seen.

We have seen communities work together to bring in equipment to build levies and reinforce dams. We have seen communities come together quickly to sandbag and prevent further damage. Notably, we have seen neighbours taking in whole families who have been made homeless by these floods and we have seen everybody throughout these communities come together in an extraordinary

clean-up effort. Joint state and federal Natural Disaster Relief and Recovery Arrangements have been activated for 58 local government areas. Under the NDRRA, councils will be able to access funding to cover the cost of restoring essential public assets as well as the cost of counterdisaster operations. Without a doubt, in addition to the personal and family losses that we have seen, there will be significant damage and a very significant bill for state, federal and local governments for the damage to public infrastructure.

Additional funding arrangements will include emergency assistance payments of $170 for each individual and up to $780 for families who have been affected by the floods. This assistance will also include means tested essential household content grants of $1,660 for individuals and $4,980 for couples or families. Also, means tested repairs to dwellings and structural assistance grants are available for those people whose properties were not insured. These grants include $10,250 for individuals and $13,800 for couples or families. Last week, I also launched the Premier's flood appeal, with a $500,000 donation from the state government. Donations can be made in person at any of the large banks. They can also be made online or by phone at the government call centre. I ask Queenslanders to dig deep. These are our country cousins. Many of them have been doing it tough for a number of years of drought and their ability to cope with these floods is significantly diminished.

In the meantime, we have convened the state government's floods reconstruction task force. The chair of the Queensland Building Services Authority, John Gaskin, will head the task force, which includes the Building Services Authority, the Housing Industry Association, Master Builders, the Insurance Council of Australia and all of the major insurers and state government agencies. This task force will work with each affected local government. The task force is about getting everybody on the same page to ensure that the rebuilding effort in these communities can take place in the most coordinated, effective and swiftest way possible. I have already spoken about this task force in some detail with the member for Warrego. I have not had a chance to speak with other members whose areas are now being affected, but I certainly encourage them to make sure that they can get regular briefs from the task force about progress on the rebuilding and recovery effort.

As difficult as this situation is for communities throughout the south-west, there is a silver lining for our primary producers. Once we are through the clean-up and the rebuild that many communities will have to endure, an old bush truism will never have been more applicable and will prevail as these communities climb out of drought, and that is that there is more money in mud than there is in dust. I look forward to these rains bringing renewed prosperity to many of these communities that have waited a long time to see it coming.

At the same time that the bush is suffering, in the south-east corner we are faced with an extraordinary situation for a region which, just under three years ago, saw water supplies in the dams plummet to a frightening 16 per cent. For the first time in almost a decade, the combined capacity of our dams has now surged to more than 94 per cent.

This is reason to rejoice. The worst of the drought is now behind us, but it is not a time to forget the lessons of the past. The culture of responsible water usage is now entrenched in the south-east and we will not rush into a decision to alter our regime of water use. Let us not forget how quickly this situation can change, as our very recent history has taught us.

Our thoughts are with those Queenslanders who have lost homes, their treasured possessions and memories and, in some cases, their livelihoods. We are providing prompt and targeted assistance to help local communities recover from Queensland's biggest flooding event on record. Along with the Minister for Emergency Services, a number of local mayors and local state members, I have travelled out to the flood zone a number of times in the past week and have seen firsthand the devastating effects on these communities and many families. This is a sad time for many of these towns but what I also saw was a remarkable display of community strength and resilience in the face of adversity. I am sure others will join with me in congratulating those communities on the extraordinary way in which they dealt with these very difficult circumstances.

National Service of Thanksgiving and Remembrance, *AHS Centaur*

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.00 am): It was with both sadness and pride that last Tuesday, 2 March, I attended the national service of thanksgiving and remembrance for the 332 victims and survivors of the sinking of the Australian hospital ship the *Centaur* in 1943. This national service, which was held at Brisbane's St John's Cathedral, was a very moving tribute and it formed a fitting memorial to the victims and survivors of this most terrible of events. The service was attended by the Governor-General of Australia, the Governor of Queensland, the Prime Minister, the chiefs of the Army, Navy and Air Force, representatives of survivors, including one survivor himself, and more than 200 family members of victims and survivors from all across Australia and New Zealand. Without doubt the most moving of all contributions made on the day was from Martin Pash, a survivor of this tragedy. Mr Pash, now in his very late eighties, spoke with great emotion of how he survived as a very young 20-year-old in those terrible, terrible moments after the torpedo hit.

After the event I had an opportunity to talk with a number of the family members. It was brought home to me just how these events reverberate across generations and how a great loss and sadness in war time can go on to have an effect for decades. On the *Centaur* not only were more than 200 lives lost; there were eight sets of brothers—so families lost more than one loved one—including one set of three brothers. Some 40 or more relatives of the family that lost the three brothers attended the service and many of them spoke to me in very emotional terms, even though they are grandchildren of the men who were lost, of what it meant for their grandmother and for their relatives.

It is hoped that the discovery of the final resting place of the *Centaur* last year and last week's national memorial service will offer some peace to those who have been affected by the tragedy. The national memorial service was the first of two commemorations of the victims and survivors, with an at-sea memorial service to be held later this year at the *Centaur*'s actual wreckage site. As honourable members are aware, a commemorative plaque was placed on the foredeck of the wreck of the *Centaur* on 12 January 2010. Crafted by the Centaur Association, the plaque contains the names of everyone who served on the *Centaur* and personal notes from family members. I take this opportunity to lay upon the table of the House a copy of the program which was circulated at last week's national memorial service. This program contains the names of all of the men and women who were lost at sea or who survived the sinking of the *Centaur.* I think it is important that a copy of this program should remain on the official records and archives of the parliament forever. Lest we forget the men and women of the Australian hospital ship the *Centaur.*

Tabled paper: Program of the National Service of Thanksgiving and Remembrance AHS Centaur held on Tuesday, 2 March 2010 at St John's Cathedral, Brisbane [1831].

Valuation of Land

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.03 am): Today I wish to advise the House that my government will deliver the most comprehensive reform of Queensland's statutory valuation in the state's history. I understand that there is a bill relating to some of these matters before the House. My comments will be suitably cautious in this regard. However, I do think it is important to inform both the House and the public that in recent days a number of discussions with the industry has seen a resolution on these matters reached and we have developed a new way forward.

Firstly, in relation to dealing with the past, valuations that have been issued by the government will be legislatively validated, thereby maintaining the status quo—that is, there will be no new taxes and there will be no refunds by state or local governments. In addition, the government will preserve appeal rights for any appeals already on foot until 1 July 2010. We will endeavour to settle these appeals as soon as practicable and have set aside $30 million in a settlement fund to do so.

In terms of dealing with valuations for the present year, 2010, we will put in place legislation that will allow for the issuing of valuations in line with the scheme originally outlined by the minister with the agreement of the Property Council. The transition system for issuing valuations will remain in place until 1 July 2011 and the minister will bring forward amendments to secure the implementation of that agreement.

In relation to the future—that is, how we will deal with these matters going forward—we will put in place a new regime for land valuation in Queensland. We commit to moving to site valuation, consistent with other jurisdictions and in line with what the property industry and local government have been seeking for some time, for the issuing of 2011 and all future valuations. In addition, we will put in place a new structure to reform State Valuation Services.

Queensland's valuation legislation has been on a separate track to the rest of Australia since 1944 and it is time to put it back into the mainstream. I confirm today that my government will introduce legislation by September this year, which will be developed with key stakeholders such as the Property Council and the Local Government Association of Queensland. Under the proposed system the site valuation will represent the land's current market value if it was vacant and will include the value of current site works such as land filling and pipe work. The value will exclude the value of leases, which have been so controversial in recent years in Queensland, because our valuation framework has historically been fundamentally different from other states.

Importantly, the new system will not result in significant changes to rates and property taxes. This is being done to provide greater certainty for our commercial and industrial sectors and residential property investors. It is not a revenue measure. Further, the government will appoint an independent Valuer-General to provide transparency and independence in the assessment and issuing of valuations. This position was abolished almost a decade ago, in 1992. Many other states have retained such a position and the government will re-establish an independent Valuer-General.

These reforms are about recognising the strong case for reform for the future while protecting the integrity of previously issued valuations and ensuring that people pay the tax that they are required to pay. We are preserving appeal rights to ensure fairness. Any settlements of these appeal rights must occur by 30 June this year. We are confirming the past and validating those past decisions, we are providing for valuations to be issued this year on a fair and consistent basis and we are signing up for significant reform for the future.

Health System Reforms

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (10.09 am): Last week Prime Minister Kevin Rudd outlined a bold vision for the reform of Australia's health and hospitals. The Queensland government has committed to working with the federal government to ensure any national reform delivers the best outcome for Queensland patients. This is not a turf war. I am not interested in a debate about who runs what or who funds what, if that does not deliver for Queenslanders. The Rudd government has committed to a 100 per cent takeover of outpatient services. This is a win for Queenslanders. Currently, Queensland provides more outpatient services than any other state. In 1997 the Howard government locked Queensland into providing $240 million worth of those services in our hospitals, while denying us the right to recover our costs from the MBS as every other state does. We know outpatient and specialist appointment lists are growing and we welcome the Rudd government's acknowledgement that for too long Queensland has been short changed.

The federal government's intergenerational report indicates that the proportion of our population over 80 will quadruple in the next 35 years and the proportion aged over 65 will double. More sobering is the fact the proportion of the population supporting that demographic will halve. Australia has the second longest life expectancy in the world. The upshot is that the longer we live the more chronic disease rises and the more demand is placed on our health system. For example, it used to be that most males died from stroke or heart attack before they were ever diagnosed with or, indeed, succumbed to prostate cancer. As technology progresses and stroke and cardiac arrest are no longer a death sentence, men are living longer and are more likely to be diagnosed with prostate cancer. We can treat that too if it is caught early enough. What is more, chronic disease such as heart disease, diabetes and the like can now be managed, depending on the severity of the disease. However, this means more hospital admissions, more outpatients appointments, and more people turning up to our emergency departments.

Under the Howard government, the federal share of health funding fell from 50 per cent to around 38 per cent. The states picked up the shortfall. It is simply inexcusable for opposition leader and former Howard health minister Tony 'Mersey Hospital' Abbott to justify his government's lack of funding because the states picked up the tab.

Mr Springborg: What about Paul 'Hospital Boards' Lucas?

Mr ACTING SPEAKER: Order!

Mr LUCAS: One thing I can guarantee is that the Deputy Leader of the Opposition will not ask a question about it. It is also inexcusable for a federal government to ignore the fact that if demand continues to climb and state health funding with it, by 2045 the health minister and Premier will be the only representatives in state government. Queensland is pleased that for the first time in a long time the federal government has recognised this. The Queensland government is committed to getting the details right for Queenslanders and, therefore, committed to ironing out these details over the coming months. So far, the 60-40 funding split means no new money for four years. However, it means the Commonwealth funds 60 per cent of future growth, which is fundamental.

Mr Horan: And why is it better?

Mr LUCAS: We just heard from the hospital tax man. His suggestion was to have a hospital tax and a capital works charge. I thank him for his helpful suggestion. We will take it on notice and I thank him for it. The Kraken awoke; now he can go back to sleep. The Prime Minister has flagged future announcements, but we need to see the detail—

An opposition member interjected.

Mr LUCAS: Now we have the mental health volunteer man making his contribution. His contribution to the health debate is to suggest a mental health system run by volunteers. I thank the opposition very much. We have the brains trust over there. The Prime Minister has flagged future announcements, but we need to see the detail on how this translates to more doctors, nurses, allied health professionals and beds and operations. Since 2005 alone, the Bligh government has employed 12,600 extra doctors, nurses and allied health professionals and we do not want to lose that momentum. We want to see strengthened incentives for clinical staff to go west, that is, to western Queensland and other places.

Activity based funding has merit, provided it is flexible for regional hospitals and the unique decentralisation of Queensland. We want to make sure that our small hospitals—most of which operate above efficient cost due to inefficiencies of scale, utilities, wages and the like—are factored into any funding model. For example, we want to make sure the hospital in Charleville is not isolated from other hospitals. Queensland has strong state-wide networks in place such as clinical networks, state-wide surgical networks, telehealth networks and patient transfer networks, and we want to ensure those networks, which foster accountability and excellence, remain in place. As we saw with the 10B psychiatric ward in Townsville, it is when hospitals operate as silos and protectionism sets in that patient safety is compromised.

More importantly, we want to see the Commonwealth step up to its core responsibilities in dental health and aged care. The Rudd government has tried to pass a massive dental package that would deliver more than $52 million to Queensland and more than 180,000 extra dental services. However, the package has been blocked consistently in the Senate by federal Liberal and National senators. What Queensland needs is for the state LNP, the Leader of the Opposition who is a dentist and frankly should know better, and his parliamentary colleagues to stand up to their federal colleagues and unblock the vital first step in reform. It is Queenslanders and their right to free health care that this side of the House puts first. I ask: who does the other side of the House put first?

Queensland Economy

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (10.15 am): As I foreshadowed at the last sitting, the Commonwealth Grants Commission has been undertaking a review of its methodology for distributing the GST revenue amongst the states and territories. On 26 February, the federal government took receipt of the Commonwealth Grants Commission's 2010 review. Throughout the review process, Queensland and Western Australia fought hard for a new methodology that would take into account the true cost of funding new infrastructure for states such as ours with rapidly growing populations. As we now know, we were successful in urging the independent Grants Commission to recognise those challenges, with a major policy victory putting in place the framework for a fairer distribution of GST into the future. However, as those of us familiar with the process know, generally what the Grants Commission gives with one hand it takes with the other. Other adjustments, including the equalising of mining income through royalties and changing the averaging process from five to three years, mean Queensland will roughly break even. There is a potential upside from the Commonwealth's determination of the overall pool in its budget due in May, but that matter will be determined then.

We have also seen promoted by the federal government significant changes to other aspects of the GST. I echo the Deputy Premier's comments in supporting the federal government's efforts to fundamentally change the way we fund health services in this country. We are unambiguously pro-reform. There is no doubt that plenty of questions need to be asked and answered, and there is plenty of detail to work through, but one thing we all know is that for too long the states have done the heavy lifting on health funding. In our government's view, a proposal that sees the Commonwealth take up 60 per cent of the funding is one worth progressing.

Finally, last week saw the release of the national accounts data for the December quarter. Within that data, state final demand figures for Queensland showed growth of 0.5 per cent in trend terms. In comparison to many other economies around the world, a positive result is very welcome. Of course, we all acknowledge that a quarterly result of 0.5 per cent, along with an economic growth projection on annual terms of one per cent, remains below the trend growth the state has averaged of around five per cent for the last decade. Anyone who thinks the global financial crisis was merely a ripple should look no further than this indicator to understand the depth of the challenges this state and the nation still face. As we frame the 2010-11 budget, we will remain steadfast in our determination to meet these challenges. As promised, we will focus on Queensland's priorities: the schools, the hospitals and the roads we need. By undertaking reform of the state's balance sheet and abiding by our fiscal principles, we are committed to building stronger Queensland finances and a stronger Queensland economy.

Mr ACTING SPEAKER: Before calling the Minister for Public Works, I acknowledge in the public gallery the former member for Mulgrave, Mr Warren Pitt. Welcome back, Warren.

Relocation of RSPCA Headquarters

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.18 am): And he looks a picture of good health, Mr Acting Speaker. It is good to see you, old mate.

Pursuant to what the Premier has just said, I acknowledge the efforts of John Gaskin and the BSA for the leadership they are showing in the latest disaster. It seems that, unfortunately, they have had a lot of practice in that regard in recent years.

Mr Mulherin interjected.

Mr SCHWARTEN: I thank the member for Mackay for his positive interjection. He is aware of the role they have played in Mackay. I also place on record my thanks for the QBuild day labour workers who have been putting their shoulders to the wheel, as they always do in these disasters.

I am pleased to inform the House that the construction of the RSPCA's new headquarters at Wacol is now another step closer. The long-awaited development approval from the Brisbane City Council for the former John Oxley detention centre site has now been received allowing the expansion to move forward. I acknowledge the efforts of the Leader of the House in advocating the site for that purpose. The development approval paves the way for major construction to get underway by mid-2010. This government is providing $12 million towards the expansion, as well as donating the site which is valued at around $7 million. Early site works have already taken place. The buildings have been stripped, most of the fencing has been removed and the demountable buildings have been relocated.

I am sure members of the House will agree that the RSPCA provides an invaluable service for the community every year by caring for thousands of neglected domestic and wild animals. More than 700 animals will find a home in the new headquarters when it opens, making it one of the best such facilities in Australia. Across the state, the RSPCA cares for more than 40,000 animals every year. At their new campus at Wacol they will care for between 15,000 and 20,000 animals each year. I wish it were none.

The Wacol site is almost double the size of the current overcrowded facilities at Fairfield and will be a more amenable and people-friendly facility. The extra land means that stables and a large, modern barnyard can be constructed, allowing the RSPCA to better look after livestock as well as domestic pets like cats and dogs.

The new headquarters will be an opportunity to improve the reach of RSPCA's service to the community and is a major step forward for animal welfare in Australia. Queensland will now be seen as a benchmark for other states. The Department of Public Works is continuing to assist the RSPCA to relocate to the Wacol site and is providing ongoing support to ensure a successful project outcome.

Solar Hot Water Program

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.21 am): The Bligh government is committed to finding ways to see more Queenslanders convert to affordable clean energy solutions for their homes. That is why we launched our Solar Hot Water Program—

Opposition members interjected.

Mr ACTING SPEAKER: Order!

Mr ROBERTSON: That is why we launched our Solar Hot Water Program—to help make converting to solar hot water affordable for more Queenslanders.

As we have stated from the outset, our Solar Hot Water Program relied on the continuation of the federal government's solar hot-water scheme. I note the member for Clayfield's recent comments in this regard on ABC Radio. I table the documents that clearly show this, and I look forward to him correcting the record lest he leave himself open to allegations of dishonesty. I table the original media release from the Premier during last year's election campaign.

Tabled paper: Press release, dated 15 March 2009, from Anna Bligh headed 'Solar program to slash power bills' [1832].

I table a number of—

Mr Nicholls: What did you say?

Mr ROBERTSON: The member for Clayfield asks me what it says.

Mr Nicholls: At the launch—what did you say at the launch when you stood up?

Mr ROBERTSON: It says—

'We will be able to offer the systems at cheaper than market price by using our bulk purchasing power and using the Rudd government's solar hot-water rebate of $1,600 and renewable energy certificate of $1,200 schemes,' Ms Bligh said.

I then table copies of media releases from me as responsible minister, including the first on 15 April, where I said—

To qualify for the program Queenslanders must be eligible for Federal assistance totalling around $2800 and must have an electric hot water system. A full list of criteria will be released shortly.

A number of associated press releases follow on from that.

Tabled paper: Press releases, dated 15 April, 1 July and 8 October 2009, from the Minister for Natural Resources, Mines and Energy and Minister for Trade regarding solar hot water schemes [1833].

I also table the record of *Hansard* of 17 September when, in response to a question from the Leader of the Opposition, the Premier said—

It is a program that was always going to be done in partnership with the federal government, because it is the conjunction between the federal government's rebate and the bulk purchasing power of the state that will deliver these units at a cost-effective price, as we committed to.

Tabled paper: Extracts, dated 17 September and 8 October 2009, from the Record of Proceedings regarding solar hot-water schemes [1834].

I refer to the last sitting week. In answer to a question from my shadow minister, the Premier said—

As we have outlined in the last couple of days and as the minister advised the House this morning, this program was always, in its current form, attached to the federal rebate system.

We have always been clear on this issue. I look forward to the member for Clayfield's apology, but I will not be holding my breath.

While our goals have not changed, the federal government has drastically changed its solar hot-water program, which has left us with no alternative but to close our scheme and consider new options. The decision by the federal government to reduce its solar hot-water rebate from $1,600 to $1,000 and further reduce the heat pump rebate from $1,000 to $600 means that the Queensland government would have to find well over $100 million to bridge this gap if we were to meet our target of installing 200,000 solar hot-water systems during the term of this government. As a result, it is with deep regret that we have been left with no other choice but to close our solar hot-water scheme while we continue the work to find alternatives to maintain our commitment to see more Queenslanders access affordable solar hot water.

There are approximately 700 customers who have a contract with one of the two suppliers signed on or before 19 February 2010. These contracts will be honoured in line with the old scheme guidelines. And we will continue to send receipts to customers who have had an installation completed under our program so that they can meet the federal government's 19 March deadline. I have also written to the former minister responsible for the federal scheme, Peter Garrett, and the current minister responsible, Greg Combet, seeking an extension of the federal government's 19 March deadline. As a result of a combination of persistent wet weather and the temporary suspension of our major contractor due to licensing issues, there has been a delayed rollout of our scheme over the past few weeks. It would be helpful if those Queenslanders who had signed a contract and were awaiting an installation date could receive special consideration by the Commonwealth.

It is unfortunate that not all of those who expressed interest in the Queensland Solar Hot Water Program will be able to be assisted at this point in time. However, we are not walking away from our commitment to support solar technology. As the Premier said in this House just last sitting week, 'Our determination to deliver affordable solar hot water to Queensland homes is as strong as it has ever been.' That is why the government is looking at alternative ways to support solar for Queensland households into the future. But before we can proceed down that track it is necessary to review the old scheme in the context of wider changes brought about by the federal government's recent decisions.

In the meantime, over the next few days all Queenslanders who have expressed an interest in participating in our scheme will be contacted with further information and an invitation to transition to a new program once details have been finalised. In the meantime, customers with installation inquiries can contact the Solar Hot Water Program hotline on 132523.

Floods

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.27 am): Queensland is awash with floodwaters. Many communities have or are experiencing flooding at record levels—in some places new records are being set breaching previous flood levels set 25, 50 and over 100 years ago. Major areas of impact over the past week include Roma, Charleville, St George and Dirranbandi in the south-west, and the small township of Theodore in Central Queensland.

Smaller neighbouring communities have also experienced peak flood levels. Bollon is completely surrounded and inundated by water. Thallon, Nindigully, Cunnamulla, Hungerford, Quilpie, Thargomindah, Meandarra, Moura and Baralaba are also dealing with floodwaters and inundation.

Of great significance is the impact on rural and remote properties, with houses and sheds inundated, stock losses and damage to crops and infrastructure. Many other small communities across Queensland are also impacted by floodwaters, and local and district disaster management groups and the SES are working to provide support to those communities.

Over the past week, the Premier and I have visited the communities of Roma, Charleville, St George, Bollon and Dirranbandi, and yesterday I visited Biloela and Theodore. While the focus of attention has been in the southern parts of the state, in Far North and Western Queensland many communities are still dealing with the impacts of floodwaters. They include Normanton, Karumba, Birdsville, Bedourie, Quilpie, Hungerford and many others.

Across Queensland hundreds of properties, homes and businesses have been inundated with water. Roads, bridges, railway lines and other public infrastructure have been damaged. The repair bill will rise to the hundreds of millions of dollars.

The joint state and Commonwealth Natural Disaster Relief and Recovery Arrangements have been activated in 59 local government authorities, covering around 80 per cent of the state. The clean-up and recovery effort is well underway in townships such as Roma and Charleville, and over the coming weeks and months many other communities will commence the long road to recovery.

Queenslanders can be proud of the response of our emergency service workers and agencies. The commitment, professionalism and dedication of our State Emergency Service, Queensland Fire and Rescue Service, Emergency Management Queensland, Rural Fire Service volunteers, Queensland Ambulance Service, police and local council officers have shone through once again. Working in partnership with local disaster management groups and councils, they have helped communities prepare for flooding and manage the inundation and isolation.

I would also like to acknowledge the efforts of all government departments, particularly those on the front line—the Department of Communities, primary industries and QBuild for their logistics and community support—and non-government organisations such as the Red Cross, Salvation Army, Lifeline and many other local community groups which do a fantastic job in supporting communities in need. They have worked tirelessly supporting the evacuation centres in Charleville, Roma, St George and Theodore, where hundreds of residents have slept or been fed.

One of the more notable experiences of both the Premier and I—and, indeed, other members on both sides of the House who have supported their local communities—was to witness how communities across the state are helping each other: neighbour helping neighbour, and volunteers from all over the state responding and relocating to flooded communities to help those in need. On behalf of all Queenslanders, we thank those people for their spirit of generosity.

Floods

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.31 am): Main Roads crews are out in force out west, inspecting flood damaged roads and assessing damage. As the Premier and the police minister said earlier, the region has been hit with the worst floods in more than a century. The road network has copped a real hammering. So far around 1,300 kilometres of the state's road network have been damaged by floodwaters. Only when the waters recede will we know the full extent of the damage.

I am heading out to Roma today to see the damage firsthand and to talk to the mayor, the local community and Main Roads staff in the region. Together we will prioritise the repair work—fix the worst affected and most dangerous sections—to make them safer for motorists. We have road crews ready to swing into action as soon as the water recedes. They have already been out on the Gore Highway, between Millmerran and Goondiwindi, carrying out emergency repairs. In the south-west, we have around 20 road crews inspecting and assessing roads, and carrying out emergency repairs. I take my hat off to them. They are out there hard at work in difficult and trying conditions. Main Roads workers in Roma also pitched in to help the local community mop up the mess. Many of them would have been personally affected with their own homes under water, yet they have put the community's needs ahead of their own. That is what I call real community spirit.

As well as RoadTek staff, maintenance contractors from the Maranoa regional council are also hard at work, repairing the roads where the waters have receded. Major highways most affected by the flooding are the Warrego, Mitchell, Carnarvon, Landsborough, Dawson, Leichhardt, Barwon and the Bruce. It will take a mighty effort to repair the vast road network we have in Queensland. We know how important a reliable and secure transport network is to the communities they serve, and that is why we will soon move heaven and earth to get them fixed as quickly as we can. In the meantime I urge motorists and road users in flood affected parts of the state to take the utmost care on our roads.

Floods

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.33 am): Later today DEEDI officers will fly over the Charleville and St George area by helicopter to conduct an aerial survey of the flood situation facing primary producers. Yesterday they flew from Charleville to Cunnamulla to assess the damage in that area. A lot of machinery sheds have been flooded and expensive equipment destroyed. They observed small mobs—100 to 200—of stranded cattle and sheep. The positive news is that, after the excellent seasonal conditions prior to the flooding, the stock they saw appeared in good condition. They have largely been strong enough to withstand the flooding. There have been confirmed losses of mobs of up to 300. While our officers did see some dead animals, they did not see that sort of destruction yesterday. The stranded livestock will be monitored to ensure they are able to walk to open country as floodwaters recede.

Producers should be congratulated because they have been very active so far in removing at-risk stock. They have been flying people to shallow water to walk stranded sheep to safer country. We will continue to work with industry, AgForce and QFF to assist where required. Our mobile office will travel to St George as soon as it can get there to establish a state government one-stop shop. There are also one-stop shops in Charleville and Roma. However, producers not able to get to these locations can register for outreach assistance. We have two four-wheel drive vehicles that will have an experienced DEEDI officer and Communities officer travelling to outlying areas and providing the services of a one-stop shop.

Concessional loans are available for up to $250,000 at four per cent, and freight subsidies of up to $5,000 for eligible producers. Last week I established a flood control group consisting of senior DEEDI staff, AgForce, QFF and QRAA to coordinate our flood response around issues affecting primary producers, and I will take part in another telephone hook-up today. These rains could inject more than a billion dollars into regional economies in the coming years, but in the meantime we will continue to work in cooperation with industry to assist in the recovery.

Mental Health Services

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (10.35 am): Last Friday I opened the Mental Health Association Queensland's new premises in Annerley. The Mental Health Association Queensland has been delivering quality early intervention mental health services to Queenslanders since 1961. Since last year the Mental Health Association became a registered trainee organisation and began providing training for the mental health workforce. To date it has provided training to more than 210 people. The Bligh government values the work of the Mental Health Association of Queensland and is pleased to contribute over $750,000 annually.

We are also pleased to be providing $6.4 million for the Time Out housing initiative announced in the 2009-10 state budget. Over the next three years this initiative will benefit over 250 Queenslanders aged between 18 and 25 who are experiencing early signs and symptoms of mental health problems. Today I can inform the House that Cairns and Logan will be the first two pilot locations for this early initiative for mental health. Pilot programs will soon be up and running in both places, run by Aftercare in Cairns and the Youth and Family Service in Logan City.

I would like to thank the Treasurer for his strong support of this important initiative. It will help prevent hospital admissions and relieve pressure on acute mental health services while ensuring young Queenslanders can access clinical support, counselling and specialist public mental health services where appropriate. What we want to do is prevent these young people from ending up in our hospitals by providing them with the support they need at this early stage of diagnosis. Both services will be staffed 24 hours a day, seven days a week by two support workers. Each service will also have outreach workers to support people for up to three months after they leave the program.

This initiative tackles mental illness early on, with the aim of minimising its detrimental effects. Early intervention can help to deliver better mental health outcomes and is an important part of our vision to support one in five Queenslanders who will experience a mental health problem during their lifetime. We are getting on with the job of building stronger community mental health services, and we are continuing to invest. The Bligh government is contributing $55 million this financial year to make sure that we provide the very best community mental health support services throughout Queensland.

1 Million Women Campaign

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (10.38 am): Yesterday was International Women's Day, making this an excellent time to update the House on the 1 Million Women campaign. The Queensland government is encouraging all Queensland women to sign up to this national campaign to reduce their carbon footprint. Later this month we will be announcing a major partnership involving a well-known celebrity that will see even more women take up this challenge. The 1 Million Women campaign is all about the simple lifestyle choices that women—who make the majority of decisions in a home regarding purchasing—can do to reduce our carbon emissions.

An opposition member interjected.

Ms JONES: No, it is the data. The data shows that women make the majority of those decisions. That is why we are encouraging women to make choices which are low-carbon emissions. That is also the theme of this year's Earth Hour, which the Bligh government is once again proud to support. We are investing $25,000 to support this international event, and I urge all Queenslanders—men and women—to register their participation on the Earth Hour website before switching off their lights and appliances from 8.30 pm to 9.30 pm on Saturday, 27 March.

There will be a number of reminders in the run-up to Earth Hour, including a series of advertisements in the media. On Friday, I will join with celebrity chef Ben O'Donoghue who will be cooking up a sustainable brunch to launch this year's events. Organisers, the World Wildlife Fund, are asking each of us this year to not only switch off our lights for this hour but to make a personal commitment to reduce our carbon footprint.

There are a number of government programs to help Queenslanders do just this. For example, by signing up for the ClimateSmart Home Service people can not only reduce their footprint but also save themselves up to $325 on their power and water bills every year. When shopping for more cost and ecoefficient appliances people can go to a ClimateSmart retail store. These are just some of the examples of how the Bligh government is implementing its policy to encourage all Queenslanders to reduce their carbon footprint in their homes.

Urban Land Development Authority, Development Guidelines

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.40 am): A new approach to suburban development that could be the future of Queensland housing has been released by the Urban Land Development Authority. The Urban Land Development Authority recently released *Residential 30: guidelines to deliver diversity in new neighbourhood development* and the first suite of practice notes to provide simple guidance on how residential developments can diversify to meet the changing needs of Queensland communities. These guidelines and notes respond to the need for more affordable housing and the need to promote excellence in sustainable planning and design in the face of climate change and growth.

It is no secret that Queensland is feeling the pressure of population growth. The state is growing by around 115,000 people each and every year—that is a city the size of Darwin. At the same time, the average size of households is getting smaller so there is a real need for a greater diversity of housing. These Urban Land Development Authority guidelines and notes provide not just planning guidelines but examples of design elements related to neighbourhoods, streets, buildings, blocks, lots and parks as well as case studies for achieving innovation and diversity in a range of different densities.

The practice notes cover a wide variety of topics, incorporating practical tips on successful small lot development, improving commercial return from higher smaller lots, engineering techniques for higher density development, affordable sustainability innovations and tree retention within suburban projects. Both documents can be found at www.ulda.qld.gov.au. I encourage practitioners, both in industry and from councils across the state, to access these important resources.

The Urban Land Development Authority is already demonstrating this diversity in the affordable Fitzgibbon Chase development in Brisbane's north. It is also working with a number of community organisations to manage a range of innovative social programs in conjunction with this project. One of these is the Fitzgibbon Industry Relevant Schools Training, FIRST, program, developed by the Urban Land Development Authority to provide students with on-the-job training at the Fitzgibbon Chase development as part of their school curriculum. This valuable program increases student awareness of potential future career paths in the building trade and provides skills which can be used in a range of industries across Queensland.

The Bligh government is proud to be associated with projects like FIRST because they provide skills and ongoing opportunities for local students as well as Queensland industry. While I am speaking about that project, I want to thank the member for Sandgate for her commitment to ongoing support for opportunities in her area—opportunities for local students and opportunities for Queenslanders seeking an affordable home.

Bike Week

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.43 am): The Premier's Bike Week Challenge, an online competition running in conjunction with Bike Week, started last Monday as part of Bike Week 2010 celebrations. The challenges sees the Bligh government awarding 89 new bikes to the value of $300 each to primary school children in grades 5 to 7 across Queensland through an online competition. That means one bike for each state electorate, ensuring the bicycle safety message is communicated across the entire state. The challenge runs until 19 March—that is, for two more weeks—and can be accessed via the TravelSmart website. I encourage all children in grades 5 to 7 across Queensland to enter.

The challenge will raise awareness of cycling and bike safety, while encouraging children to ride a bike. Obviously, Queensland children are already interested in active transport from the large response we are seeing. The Premier and I have written to all principals across Queensland and encouraged them to get involved with this initiative. I also invite all members of this House to encourage students in their electorates to enter.

The Queensland government is proud to be the principal sponsor of Bike Week, an annual event coordinated by Bicycle Queensland, running from 13 to 21 March. It aims to increase awareness and promote bike riding around the state. The Bligh government, through its TravelSmart program, is working with communities, schools, workplaces, local governments and destinations across Queensland to reduce the reliance on cars, encourage people to use healthier, more environmentally friendly forms of travel such as public transport, walking, cycling and car pooling.

The Premier's Bike Week Challenge 2010 is on now. I can report that 240 entries have already been received. I encourage all kids in grades 5 to 7 across the state to enter and to be in the running to win one of 89 brand new bikes.

Alcohol Related Violence

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (10.45 am): The government is determined to reduce alcohol fuelled violence and create and support safe communities. There has been growing concern about the incidents of glassing in our pubs and clubs. The fact is that glassing is an horrific act of violence which causes permanent injury and scarring; put simply, it destroys lives.

While there is no doubt that individuals must take responsibility for their actions, licensed establishments also must realise their responsibilities to patron safety and harm minimisation. Last year the government promised it would respond swiftly to address this problem. I am pleased to report today that we are making good on that commitment. Since this government introduced legislation last October, the Office of Liquor and Gaming Regulation has identified and investigated 77 venues involving glassing or violent incidents over the past 12 months.

Those venues are currently being notified by OLGR of any changes they will need to make. Eight venues have been classified as high risk, which means they will need to remove regular glass completely and replace it with alternatives like tempered or toughened glassware. The remainder will either have restrictions on glass products—for example, only having glass in their restaurants—or have to submit a risk management plan detailing the steps they will take to minimise risk to patrons.

This is about cracking down on unacceptable violence with good, common-sense policy. OLGR compliance officers will incorporate checks on glass use as part of their normal compliance activities. I understand the majority of establishments have already voluntarily made the transition from regular glass, and I congratulate them for doing so.

The issue of alcohol related violence within our community affects many—from patrons on a night out to our emergency services and health workers. That is why the Law, Justice and Safety Committee will next week table its report following an investigation into public safety and alcohol related violence. This government is determined to end this culture of excessive consumption of alcohol which quite often has violent and sometimes tragic consequences.

Disaster Relief Funding

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.47 am): As we are all very aware, the recent spate of severe weather has caused widespread damage and inconvenience right across the state. Communities have been seriously impacted by heavy monsoonal rain, associated flooding and damaging winds. Relief and recovery arrangements are now activated in 58 local government areas. However, it is not just homes, businesses and infrastructure such as roads, bridges and power networks that have been affected. Flooding in the south-west of the state has had a huge impact on sport and recreation clubs, damaging playing fields, clubhouses, equipment and other property. In Charleville, the bowls club has sustained damage to its clubhouse, the green and futsal court and the netball courts are cracked and have to be repaired. The full extent of the damage will not be known until the water recedes.

These clubs are the lifeblood of regional and remote communities so it is important that we get their facilities and services up and running again as soon as possible to minimise disruption to the community. Today I can announce that the Queensland government has committed $1 million to the Disaster Recovery Program to ensure clubs can quickly get repairs underway and replace or repair equipment and infrastructure. The Bligh government will contribute up to $5,000 to replace damaged equipment and up to $20,000 to repair infrastructure. We understand that our clubs will suffer damage to practical, everyday items, and many can simply not afford to repair and recover on their own. From replacing lighting and fencing to operational items such as sport and recreation equipment, white goods and canteen items, this funding will help clubs get back on their feet as quickly as possible. The Bligh government recognises that access to quality, safe sport and recreation facilities and services is essential if Queenslanders are to lead active, healthy lifestyles.

While repairs will take time, when it is possible we want to see people back out playing sport and getting active as quickly as possible. Officers from the Department of Communities's Sports and Recreation Services will be on the ground to assist clubs with their applications. The funding guidelines will be available from the Sports and Recreation website as well as regional offices. I encourage sporting and recreational organisations affected by flooding across the state to apply for this valuable assistance.

ABSENCE OF MINISTER

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (10.49 am): I wish to advise the House that the Minister for Natural Resources, Mines and Energy and Minister for Trade will be absent from the House on Wednesday and Thursday this week. Minister Robertson will be attending the New Zealand-Australia Investment Forum in Auckland.

SCRUTINY OF LEGISLATION COMMITTEE

Report and Submissions

Mr WELLINGTON (Nicklin—Ind) (10.49 am): I table the Scrutiny of Legislation Committee's *Legislation Alert No. 3 of 2010*.

Tabled paper: Scrutiny of Legislation Committee, Legislation Alert No. 3 of 2010 [1835].

In addition, I table copies of two submissions received by the committee—one regarding the Valuation of Land and Other Legislation Amendment Bill 2010 and the other regarding the Criminal Code (Serious Assaults on Police and Particular Other Persons) Amendment Bill 2010.

Tabled paper: Submission to the committee from Robertson O'Gorman Solicitors regarding the Criminal Code (Serious Assault on Police and Particular Other Persons) Amendment Bill 2010 [1836].

Tabled paper: Submission from the Eumundi Group regarding the Valuation of Land and Other Legislation Act 2010 [1837].

QUESTIONS WITHOUT NOTICE

Bligh Labor Government

Mr LANGBROEK (10.50 am): My first question without notice is to the Premier. The Premier has already indicated that she will not be able to lead the Labour Day march this year because she will—coincidentally—be overseas at the time. But the Premier is in luck, because the Queensland workers are marching outside here today, and I ask: will the Premier undertake to go outside and listen to the workers whose jobs and livelihoods Labor is putting at risk?

Ms BLIGH: As the member indicated, I will not be available to attend the annual May Day march this year because I will be leading a delegation—one of the largest ever—on a trade mission to the annual BIO conference, a very important part of Queensland's growing and diversified economy. I am not sure if the Leader of the Opposition knows, but the opposition believes it is so important that it has applied for the member for Clayfield to attend with me and for the Queensland taxpayers to assist him financially in that regard. So we will not see 'Big Red' Tim at Labour Day, either—'Big Red' Tim who we know has only lately joined the antiprivatisation brigade.

Let me say this about today's rally: the representatives of trade unions who are affected by the government's decision have every right to voice their views on this as part of the democratic process. What we will be doing for the members of these unions is ensuring that the interests and conditions of their members are protected as we transition into a public float. We will be making sure that Queensland Rail has access to a private injection of funds so that it will grow and we will see more jobs in a bigger, better Queensland company.

What we will not be doing today is sending the Queensland Police Service down with batons to hit them over the head. What we will not be doing is using the Queensland Police Service as a semimilitary organisation as those opposite did. What we will not be doing is taking the officials of any of these unions to court to take their family home off them as those opposite did, and what we will not be doing is taking the superannuation of the workers involved in these protests.

Honourable members interjected.

Mr ACTING SPEAKER: Stop the clock. I call the Premier.

Ms BLIGH: Thank you, Mr Acting Speaker. So when we hear the Liberal National Party speak about its support for protests, we should remember that it only supports protests that are against anyone other than itself. When it had the opportunity, it stripped away the democratic rights of these workers, it stripped their superannuation and it stopped them from even complaining about it. Under Labor, what we will see is the protection of workers and the growing of jobs.

Rudd Labor Government

Mr LANGBROEK: I note that the Premier will obviously not be going to meet with her own people today. My second question without notice is also to the Premier. I refer to the Prime Minister's vows of support for the Premier's economic strategy during the election campaign. If Mr Rudd agreed with the strategy of protecting state government jobs, why is he closing small hospitals and axing jobs in state hospitals for which the Premier bears responsibility? Was the Premier conned or complicit?

A government member: It's going to be a long week!

Ms BLIGH: It is going to be a very long week. I am unaware of a single Queensland hospital that the Prime Minister of Australia is seeking to close. What I am aware of is that we have a Prime Minister who, for the first time in decades, has said that the level of government that raises the most revenue—

the Commonwealth—should take the lion's share of funding for one of the most critical public services in the country—health. Doesn't that stand in stark contrast to what we have seen from the previous federal government? What did it do? Instead of funding our hospitals fifty-fifty, at the end of the Howard years what had it got down to? Thirty-five per cent! You ought to be ashamed of yourself!

Honourable members interjected.

Mr ACTING SPEAKER: Order!

Honourable members interjected.

Mr ACTING SPEAKER: The Premier has the call.

Ms BLIGH: Thank you, Mr Acting Speaker. And where was the member for Surfers Paradise—a health professional—when John Howard was ripping money out of the health system? He was hiding under a dental chair somewhere, just like he was when Joh Bjelke-Petersen took away people's right to march. On any big issue you will find him wanting. You will find him lacking in courage, lacking in fortitude, wanting. Because when it comes to substance, when it comes to standing up for something, when it comes to courage, what they have is a frontbench that is feeble. This is the most feeble frontbench you will find in any parliament of Australia.

What do we have? We have a federal government that wants to put more money into Queensland hospitals. Well, we will stand up with the federal government and we will work to improve health services for every Australian and every Queenslander. Will we ask questions? Of course we will. Will we work to get it right? Of course we will. But we will not get any help from those opposite or from their comrade-in-arms Tony Abbott, because we know what Tony Abbott stands for in health. We can judge him on his record: he stands for cuts in the health system. The only side of politics cutting funds in health contains the former minister for health, the member for Toowoomba South, and the leader of the federal opposition, Tony Abbott. What you see here in Queensland is a government that has almost doubled its funding in health in five years. What has it meant?

Mr Cripps interjected.

Ms BLIGH: I take the interjection. This is from a member who has got a brand-new hospital out of this government that would never have been built by his side of politics.

Queensland Children's Hospital

Ms O'NEILL: My question is to the Premier. Can the Premier update the House on the progress of the new $1.28 billion Queensland Children's Hospital project?

Ms BLIGH: I am very pleased to advise the House where I will be at lunchtime today. Along with the health minister, I will be turning the sod on the brand-new Queensland Children's Hospital. This is a government that is determined to get on with building what Queenslanders need, and our new Children's Hospital will be a $1.28 billion investment in the children of this state. It will be Queensland's first single tertiary children's hospital and it will combine the expertise and services of the Royal Children's Hospital, the Mater Children's Hospital and the Prince Charles Hospital paediatric areas into one facility by 2014. This will mark a new era in children's health in Queensland. It will be an 11-level facility with about 71,000 square metres of floor space. There will be 359 beds, which is 71 more than the combined total now at the Royal and the Children's Hospital.

This new hospital will provide new services that currently do not exist. There will be a new obesity clinic, a new pain and allergy clinic and a new renal treatment centre for children. It will also have a new research facility that will bring together all of the paediatric research into one facility. The early works that the Deputy Premier and I will see start today will begin the construction of a four-level basement car park to provide for families and patients with 660 parking spaces.

In the next four years we will also be working to expand children's health facilities at the Ipswich, Logan, Caboolture, Redland, Redcliffe and Prince Charles hospitals. That is what a government investing in health does. By 2012, we will see a new children's emergency department at the Prince Charles Hospital which will have 12 emergency treatment spaces, 20 beds for short stays and additional children's outpatient services.

How can we as a state government afford that kind of investment? Why can we stand here with confidence and start work on a $1.2 billion hospital for children? Because we have the internal fortitude that is needed to make the right budget decisions that will deliver the infrastructure that Queensland needs. Today we will hear a lot about asset sales from those opposite and from some outside. We will not hear a credible alternative that will deliver the Children's Hospital, deliver the Cairns Hospital, deliver the Townsville Hospital, deliver the Mackay Hospital, deliver the Rockhampton Hospital, deliver the Sunshine Coast Hospital and deliver the Gold Coast Hospital. That is what this government stands for.

Mr ACTING SPEAKER: Before calling the Deputy Leader of the Opposition, I acknowledge in the public gallery students and staff from Runcorn State School in the electorate of Sunnybank represented in this parliament by the Hon. Judy Spence.

Bligh Labor Government

Mr SPRINGBORG: My question is to the Premier. Given that the Premier's 100,000 new jobs promise lies in tatters, her no-fuel-tax promise lies in tatters, her no-privatisation promise lies in tatters and now her 200,000 solar hot-water systems for Queensland homes promise lies in tatters, does the Premier now understand why her credibility now lies in tatters?

Ms BLIGH: There is nothing that gives me more pleasure than talking about implementing election commitments. Let me talk about the 100,000 jobs that we provided. When did we say we would deliver these? We said we would deliver them by the end of this term. Are we on the right track? You bet we are. We now see unemployment in Queensland falling. We have had jobs growth for six consecutive months. What does that mean? Our economic strategy is working. What is our economic strategy? What did we say we would deliver? We said we would deliver an LNG industry, and it is on track. We said we would deliver a Green Army, and people are employed in it. We said we would deliver new skills places and they are in place. We said we would deliver our infrastructure plan, and that is what we are doing.

What we said we would not do is we would not cut 12,000 jobs every year. If the LNP had come into government, we would be about 14,000 jobs down. It promised to sack 1,000 people a month. That was its economic response to the global financial crisis. We are on track to deliver on our 100,000 jobs promise and jobs continue to drive our government's agenda.

Let me talk about jobs in QR. I am very happy to talk about jobs in QR, because the QR coal and commercial venture is a growing organisation. Currently, we are in the market looking to fill 600 new jobs. What sorts of jobs? We are looking for freight train drivers, for trainee network controllers, for graduates, for maintenance workers for Rockhampton, Mackay, Townsville—right across the state. Guess what? That number comes on top of 200 people joining QR since December 2009. So that is almost 1,000 new jobs by the middle of the year.

When it comes to the Solar Homes Program, we are very proud to be a government that supports solar power. Queensland, the Sunshine State, should be the solar state of Australia, and that is what we are determined to deliver. We will redesign this program and we will deliver solar hot water that will reduce people's power bills and contribute to cleaner, greener energy. We made a promise in this area because we believe in it and we are going to deliver it.

International Women's Day

Mrs ATTWOOD: My question is to the Premier. I am sure all members are aware that yesterday was International Women's Day. Could the Premier advise the House of the Bligh government's commitment to improving opportunities for Queensland's women?

Ms BLIGH: I am very pleased to take the question from the member. I know her commitment to improving the status of women. Mr Acting Speaker, I also know what a great supporter of International Women's Day you are and how pleased I am to see you with a purple ribbon today, matching a purple tie.

Yesterday was International Women's Day, but there are now so many events to commemorate this day that one day is not enough. The events often go over a number of days. Tonight I will be very pleased to host a reception here at Parliament House for a number of women from different sectors of the community to celebrate. Last Thursday I was very pleased to join more than 1,400 women, and quite a few men, at the 21st United Nations Development Fund for Women—UNIFEM—International Women's Day breakfast. It was terrific to see the Girl Guides represented there.

The year 2010 is the centenary of Girl Guides internationally. This women's organisation has for 100 years given girls and young women an opportunity to build leadership and confidence in their lives. I take a moment today to congratulate Girl Guides. I particularly congratulate young guide Marnie O'Dea, who spoke to an audience of 1,400 people. She is a great credit to the organisation. She spoke with a great deal of passion and inspiration about the millennium development goals for women in Third World countries. This year the Queensland government's theme for IWD is 'Women leading the way' and it relates to our government's goal of increasing the participation of women in all parts of our community—in our homes, our workplaces and boardrooms—in leadership, decision making and community building.

Nationally, 2010 is also the Year of Women in Local Government. Currently in Queensland, one-third—or 183 women—are councillors in local governments. We have 10 mayors who are women and 16 deputy mayors. Some of the biggest local government areas in Queensland are now run by women. Pam Parker oversees the fifth largest council by population in Queensland and in Cairns women hold the top three positions, with Mayor Val Schier, Deputy Mayor Margaret Cochrane and the new CEO, Lyn Russell. I also pay tribute to those mayors who are serving in some of the western parts of our state, such as Donna Stewart, who has five towns in her shire—St George, Dirranbandi, Bollon, Thallon, and

Mungindi—all affected by floods and she has been terrific throughout. In the Paroo shire in the south-west, Jo Sheppard has also been dealing with some of these floods. These women have been proving themselves to be more than up to the task in very trying circumstances. Our government supports a greater role for women in decision making at all levels in both public and private sectors and we will continue to work to achieve that.

Solar Hot Water Program

Mr SEENEY: My question without notice is to the Minister for Natural Resources, Mines and Energy. I refer to the statement that the minister made earlier today regarding the abandoned solar hot water election promise, and I ask: what are the licensing issues the minister referred to that are preventing the installation of solar hot-water systems that Queenslanders have already paid for? Can the minister advise why the government contractor Conergy has for a week now not been answering phone calls from out-of-pocket Queenslanders?

Mr ROBERTSON: One of the things that I find most galling about the constant criticism from day one from the opposition about our solar hot-water scheme is that they would criticise a government that is trying to make fundamental change to the way that we embrace clean energy. What did those opposite take to the last election in terms of a solar hot water policy? Absolutely nothing. Not one word was spoken during the whole election campaign by the opposition in terms of an alternative energy strategy. That is why it is so galling to hear any criticism about our desire to make a fundamental change and get more solar hot-water units on people's roofs in the most affordable way.

I do not think that is a valid criticism. We are a government that is committed to making solar hot water affordable for the majority of Queenslanders. That is what being in government is all about. The whole point of our scheme was to bring down the price of solar hot-water units to make them affordable for the vast majority of Queenslanders. We targeted price points at $500 and $100 for pensioners. No other government has tried to make such a bold scheme work. Once again we see an opposition that is all criticism and no substance.

With respect to the licensing issues, despite Conergy giving commitments at the time the scheme was launched in October last year that all necessary licences were in place and signing off on that, we subsequently found in February that not all appropriate licences were in place. Upon discovering that, Conergy was immediately suspended.

It needs to be understood that Conergy is not the installer. Therefore, they are not the company that is actually installing the solar hot-water units on people's roofs. Nevertheless, the BSA still requires them to hold an appropriate licence. This is not an issue about safety or an issue about quality of installation; it is an issue about whether, as the principal company involved in our standing arrangement, they had all necessary licences as required by the BSA. As a result of discovering that they did not, we immediately suspended them and we continued to work through the issues with the BSA to return it to a fully functioning company.

Health System, Reforms

Ms van LITSENBURG: My question is to the Deputy Premier and Minister for Health. Can the minister update the House on the different proposals for health reform?

Mr LUCAS: I thank the honourable member for the question. I acknowledge her interest in the subject matter of health. For years politicians at all levels and on both sides of politics have called for genuine policy reform when it comes to health. Demographics and rising expectations present the greatest challenges to the health system. As we know, by 2050 the number of Australians over 80 will quadruple, the number of those over 65 will double and the number of people of working age to pay for them will almost halve. That is an incontrovertible fact that we have to deal with when it comes to health policy.

On top of that is the rising expectations of people in terms of what they want out of the health system. Once upon a time, certain procedures were not performed on people once they were past a certain age. Now we proudly do that—and so we should. But forever and ever there will be an increasing expectation to perform those procedures. Australia has the second longest life expectancy on earth. That indicates on an overall basis how we as a system have performed.

We are now about to debate fundamental change at a national level with Kevin Rudd. What have we seen in the past from the opposition? We know the policy stance of Tony Abbott, who is a previous health minister. What was his great policy contribution to health? He had two. The first one was the worst public policy health decision in Australia's political history—the Mersey Hospital. I invite members opposite to tell me what policy justification there was for taking over one hospital in one federal marginal Liberal seat in Tasmania. He gave Treasury a fit, he gave Costello a fit and he gave the AMA a fit. I table what the AMA said at the time. It said that 'the intervention will be dangerous and not sustainable'.

Tabled paper: ABC News article posted 11 August 2007 headed 'AMA, doctors slam Govt over Mersey takeover' [1838].

That is what Tony Abbott gave people during his time as health minister.

Earlier I referred to demographics. They do not change; they continue to present as a problem. Tony Abbott failed to increase federal health funding in line with the increased demands on states. We went from receiving 50 per cent of the funding to receiving 35 per cent of the funding from the Commonwealth. If there is one thing, more than anything else, that has put the system under pressure it is his failure to deliver on that. Everybody knows that at a state level taxes increasingly are going to the Commonwealth government to collect but states are still expected to deliver those services.

Finally we have an opportunity for a debate at a national level about future funding for health. If we do not address this in the future, in 20 or 30 years time there will be two ministers here—a Premier and a health minister—because there will be no money at a state level for anything else. That is not sustainable. The body that has the most taxation power is the body that should have the most skin in the game. We welcome the opportunity to negotiate. What did the Leader of the Opposition say on it? Nothing.

Forestry Plantations Queensland

Mr NICHOLLS: My question is for the Minister for Primary Industries, Fisheries and Rural and Regional Queensland. I refer the minister to what his department calls 'Project Tarzan': the privatisation of Forestry Plantations Queensland. An internal memo asks managers, 'If you have concerns regarding Forestry Plantation staff being spoken to by the bidder's agents it is appropriate for you to ensure staff are not working in the areas nominated by the bidder.' I table a copy of that email.

Tabled paper: Email, dated 2 March 2010, regarding Project Tarzan: 'Forest Access Deed + bidder expert team access' [1839].

Will the minister say why this gag is being put on ordinary workers? What does the government have to hide and why are workers being told not to speak with the potential buyers of Forestry Plantations Queensland?

Mr MULHERIN: I accept the question from the honourable member. Those opposite never cease to amaze me. I understand that the member's previous incarnation, prior to his time on Brisbane City Council, was as a qualified lawyer. I would have thought that as a lawyer he would know the issues around probity which relate to any sale, be it in the public or the private sector. We have set up a process of ensuring that probity is carried out through this whole process. The sale of FPQ is on track and it should be concluded by June.

QRNational

Mr CHOI: My question without notice is for the Treasurer. Can the Treasurer advise the House of ownership eligibility for the QRNational float?

Mr FRASER: I thank the member for Capalaba for his question. I can advise the public and the House of the eligibility requirements for people who want to bid for QRNational—that is, it is open to the public. It is open to all Queenslanders. For those coal companies that yesterday sought to form a consortium under the leadership of Nick Greiner, the message to them is clear as well. They will be invited to bid for the asset, but they will be invited, along with every other person in Queensland and around the world, to bid on market, to bid transparently and to bid in accordance with the process that the government has undertaken.

We are undertaking a transparent process with competitive tension and with probity oversight. That requires that in relation to FPQ, the timber business that is for sale, there is a probity adviser, which requires that contact about the sale is conducted and oversighted by the probity adviser and that all the information is provided in a secure data room subject to the normal commercial arrangements. This is what occurs in every single transaction, public or private.

Ms Bligh: Public or private.

Mr FRASER: Public or private. For the alternative Treasurer in this state to put forward a view that those people who are swinging an axe at FPQ should be in charge of conducting this transaction shows how fundamentally he misunderstands the responsibilities and the task at hand. The reality is that probity oversight is fundamental to ensuring the integrity of the outcome and getting the best results for taxpayers. That is a supremely embarrassing question and allegation. It shines a light on the shadow Treasurer's new-found quest to be the Barnaby Joyce of Queensland politics. His efforts last week, when he ran around Western Queensland with Barnaby, are matched only by the fundamental misunderstanding that he shows by asking that question.

It is with little wonder that we learn of the revelation that another former Liberal leader is beating a path to Queensland. Not only do they have Nick Greiner; the state LNP has invited yesterday's man, former Liberal Prime Minister John Howard, to come up and give its members a few tips. One can only imagine what is going to go on as he gives them a few tips. Lets us look at what Mr Howard has said in the past. In 2006 he said—

And there's one thing I will fight for to my last political breath, is to preserve the nationwide unity of the Liberal Party of Australia.

Obviously he is coming up here not only to read the last rites but also to kneel at the graveyard of the Liberal Party in Queensland, to make sure that he pays his respects to the death of liberalism. What do members think Mr Howard will say about their fake opposition to privatisation when he is the one who sold Telstra? What do members think he will say about the sort of Barnaby Joyce economics being promoted by the shadow Treasurer? We can say a lot of things about the mean-spirited policies that John Howard pursued, but at least we knew what he stood for. I hope he is here to tell these jokers that they need to stand for something and that they need to put forward a policy. What we want to see from this state opposition is that they stand for something and that they can put forward an alternative, rather than just whinge and criticise.

Forestry Plantations Queensland

Mr Fraser: You're about to be shadow Treasurer, Ray.

Mr HOPPER: You poor little man. My question is to the Minister for Primary Industries. In the last session of state parliament the Minister for Transport was asked if she could give a guarantee that no Queensland Rail worker seeking to keep a job would be forced to relocate from their community. Can the Minister for Primary Industries give the same undertaking, that no Forestry Plantations worker seeking to retain their job will be forced to relocate?

Mr MULHERIN: I thank the honourable member for the question. Most of the forestry operations are in the south-east corner. Currently FPQ employs about 400 people. We have given a guarantee to those people that no-one will be sacked and no-one will be forced into redundancy. We will guarantee their working conditions for two years past the sale of FPQ. Discussions around the industrial instruments that they operate under currently and into the future are part of the negotiations that the sales team is having with the unions representing the interests of those workers.

National Broadband Network

Ms NELSON-CARR: My question is to the Minister for Public Works and Information and Communication Technology. Could the minister update the House on the rollout of the national broadband network in Queensland and the state government's involvement with NBN?

Mr SCHWARTEN: As the honourable member well knows, she will soon represent the most connected people in Australia as, last week, the federal government announced that the rollout would begin in her electorate in Aitkenvale, where 3,000 houses will be connected.

Mr Wallace: Hear, hear!

Mr SCHWARTEN: I note a 'hear, hear!' coming from the member for Thuringowa. I am sure that everybody on this side of the parliament is very envious, as we understand how significant this is. I see the member for Ipswich West nodding. What is happening in Aitkenvale is effectively akin to the opening of the Ipswich to Grandchester line 130 years ago. Last week I was in Germany where we talked about 50 megabytes. This is 100 megabytes, which will enable the connected citizens to download movies, health outcomes and the like, which will bring the entire world into their living rooms and onto their doorsteps.

I note that before Christmas the Leader of the Opposition offered his support for this project. I thank him for his support for NBN. In my view, it is a bipartisan issue. He needs to talk to the member for Currumbin. I am surprised to see her here. I thought she would be at the Oscars. The reality is that she might as well be at the Oscars, because she is well and truly out of touch in terms of what she has to say about broadband in this state. The fact is that the Leader of the Opposition is on the right track here and I suggest that the shadow minister develop a little bit of high speed—

Mr Messenger: There are some good unionists chanting outside, Robbie.

Mr SCHWARTEN: I have a stye in my eye at the moment and I cannot quite see the gentleman over there. If I have it right, I might be misusing the term 'gentleman'. Given his manners this morning, I think that the occupant of this very large stye may well be sitting over there. They are reminiscent of a razorback pig, with the table manners to boot. The fact of the matter is that this is good news for 3,000 citizens of Mundingburra. At the last election the federal government promised—

An opposition member interjected.

Mr SCHWARTEN: I notice the squawking of irrelevancy coming from someone who, like John Howard, thinks that wireless is something you cock your ear at to listen to *Blue Hills*.

Asbestos in Schools

Mrs STUCKEY: It was interesting to note that the awards were taken out by women. My question without notice is to the Minister for Public Works and Information and Communication Technology. Can the Minister inform the House if Australasian Technical Services Pty Ltd, a Melbourne based company whose asbestos removal licensee, Frank Gatto, was suspended by the ACT Planning and Land Authority in October 2009, was allowed to conduct asbestos removal in Queensland schools during the summer holidays?

Mr SCHWARTEN: I am not aware of that. If that is the case, I will have it investigated immediately and I will get back to the honourable member. I will say this about asbestos, and I have said it time and time again: I have handled asbestos myself and I would venture to suggest that I am one of the few members in this House who has. My own father died from an asbestos related illness. Certainly I would never condone someone who is a shyster getting into the industry. I know firsthand about the dangers of the illness that can result from exposure to this product. As a result of that, no stone will be left unturned to get to the bottom of the issue. I thank the honourable member for the question. I take it that it is sincerely asked.

Electrical Safety Officer, Insulation

Mrs KEECH: My question is to the Attorney-General and Minister for Industrial Relations, and I ask: can the minister outline to the House what action has been taken to ensure the safety of householders and workers in relation to insulation?

Mr DICK: I thank the member for her question, for her interest in electrical and community safety and also for her support of a family tragically affected by an electrocution incident last year. I commend her for that. Members will recall that I have previously provided information to the House on electrical safety and ceiling insulation, most recently on 25 February. Since then I have received further advice about issues and concerns relating to the electrical safety of Queenslanders and their property, particularly in relation to foil insulation. As a result, today I will issue a new ministerial notice under the Electrical Safety Act 2002 for electrically conductive foil ceiling insulation. This notice will add to the regulatory measures relating to insulation safety that were implemented in November 2009. It will apply in Queensland, irrespective of any requirements or conditions imposed under the Australian government's household renewable energy bonus scheme, which is yet to commence.

This latest ministerial notice, which I will sign today and which will be effective from the time of its gazettal this afternoon, requires electrically conducted foil insulation installers to arrange a preinstallation electrical inspection by a licensed electrical contractor and to install safety switches on all circuits in the ceiling space. Further, the notice requires installers to mark and separate foil insulation from any wiring that cannot be protected by a safety switch.

The Electrical Safety Office is aware that there is currently a large stockpile of foil insulation products in Queensland, and this surplus stock may be sold and installed at discounted prices outside any new federal scheme. The Queensland government is concerned that these products could be rushed into the marketplace and exacerbate electrical safety risks. Last month, federal minister Peter Garrett made reference to the introduction of a strengthened compliance regime in concert with state and territory occupational health and safety and fair trading authorities. This latest ministerial notice will complement any new compliance regime and provides the clear regulatory framework necessary to properly address this important issue.

I have written to Greg Combet, the Minister Assisting the Minister for Climate Change and Energy Efficiency, outlining the ongoing concerns of Queensland's Electrical Safety Office in relation to foil insulation. I have urged him to consider these concerns with respect to any future federal action on both existing insulation under the former program as well as the new scheme. The Electrical Safety Office will also be undertaking advertising and communication activities to inform electrical contractors and householders about these new requirements. This is a great and important Labor initiative. Householders and electrical contractors wanting more information about the notice can phone the Electrical Safety Office on 1300650662 or visit electricalsafety.qld.gov.au.

Sex Offenders, Monitoring

Mr JOHNSON: My question is directed to the honourable Minister for Police, Corrective Services and Emergency Services. I refer to the former police minister, who proclaimed in 2007 that with the introduction of electronic monitoring the government was 'implementing Australia's toughest regime against dangerous sexual offenders' and that this 'is the best option available to monitor sex offenders'. Given that of the 54 offenders subjected to this regime, 17—or one in three—breached provisions of their sentence while under this surveillance, I ask: will the minister now admit that the best option would be to implement LNP policy that dangerous sex offenders remain behind bars until they are able to prove their readiness for release?

Mr ROBERTS: I thank the member for the question. Six years ago dangerous sex offenders were released into the community without any supervision. It was a Labor government which introduced legislation to provide an option for the courts to either keep them in prison or release them into the community under Corrective Services supervision with very stringent conditions. So, in terms of the National Party seeking to gain credibility on this issue, it was a Labor government in Queensland which introduced what is the toughest legislation in the country.

Prisoners who have committed sex offences against adults and children in particular are assessed prior to their release as to whether they are going to be sought to be classified as a dangerous sex offender. If that is the case, they are brought before the courts and the Supreme Court makes a determination as to whether that offender will be kept in custody—which is the preferred position of the Labor government. But, if the court determines that they can be released into the community, they are released under very stringent conditions.

Currently there are around 54 people on supervision orders in the community. Some of those people have 40 and 50 conditions attached to their particular release into the community—conditions such as where they can live, where they can work, who they can associate with, the times at which they are required to be within their premises. On all of these conditions they are monitored proactively by the Queensland Corrective Services Commission. If the offenders breach those conditions they are brought back before the courts and in many cases returned to custody or indeed additional supervision orders are put on them.

Our preferred position would be to keep all of these offenders in jail. The dangerous sex offenders legislation is at the limits of constitutionality. Our law says that when you serve your time you get out of prison. With these offenders we have extended and given the courts the right to keep them in prison. We introduced that legislation. If the court determines that they can be released, it applies the conditions. Queensland Corrective Services gives these people no quarter. If they breach conditions, they are brought back before the courts and extra conditions are placed on them or they are put back into prison.

I am happy to talk about law and order issues in this parliament. Let me get back to some of the things I was talking about last week. Under the National Party—those opposite talk about how tough they are about law and order issues—as I said, it is a case of throw away the keys and bring back the gallows. But let us look at the facts. Under Labor, crime rates have reduced by 21.5 per cent; property offences, 42.5 per cent; offences against the person, 18.7 per cent. They are all talk and no action when it comes to law and order issues.

Roads Summit

Mr PITT: My question to the Minister for Main Roads is about planning for growth not just in South-East Queensland but across the state. Bearing in mind the Premier's growth summit to be held later this month, can the minister please advise the outcomes of the Roads Summit held with North Queensland mayors in Townsville last Friday?

Mr WALLACE: That is a good question. I congratulate the member for Mulgrave. I was in Innisfail last week for community cabinet. He is very well received in his local electorate. He is working very hard for the people of Far North Queensland, especially on the issue of roads. I have some good news for the member for Mulgrave. The Roads Summit was a great success in Townsville last week and it links in very well with the Premier's growth summit—to get Queenslanders involved in shaping our state's future.

As a result of our Roads Summit in Townsville, I will be leading the charge to Canberra with a wish list of priority roadworks for the Bruce Highway in North Queensland. With over 2,000 people a week heading to Queensland, it is more important than ever that we plan for our future growth. We want to build stronger regional communities to cater for that growth and we want to generate jobs into the bargain.

I met with mayors from St Lawrence to Cairns on Friday. We all agreed on some urgent priorities for this vital 1,000-kilometre section of the Bruce Highway. Some of the works that we concluded needed to be done were the northern approach to Mackay; Sandy Gully, north of Bowen; Yellow Gin Creek, south of Home Hill; the ring-road stage 4 at Townsville; the Ingham to Cardwell Range realignment; the Eubenangee Swamp realignment; the Wrights Creek Bridge widening, south of Cairns; and overtaking lanes right across our region.

As a community we have worked shoulder to shoulder with the Rudd government to deliver some real achievements in roads in North Queensland. As a result of an earlier summit that I hosted in 2007, the Rudd government committed more than $1 billion to the Bruce Highway north of Sarina—$1 billion for that section of highway. We want to maintain that momentum. The best way to keep the ball rolling is to involve all three tiers of government—even more so after 11 years of neglect by the Howard government. The Bruce Highway in North Queensland, as the member for Mulgrave will know, was an absolute disgrace thanks to the lack of funding by the Howard government. The Rudd government has put in $1 billion.

The Bligh government's focus is firmly fixed on regional Queensland. Better roads and a better lifestyle will attract more people to settle in the regions and encourage regional growth. We are building more roads in regional Queensland. We are building a better, brighter future. Work will start this year on the $90 million Cardwell Range realignment and the $110 million jointly funded Douglas Arterial duplication in Townsville. Projects to ease congestion in Mackay and Sarina are on the drawing board and planning work is well underway for the $150 million upgrade of the Bruce Highway south of Cairns.

The Bligh government and the Rudd government are rising to the challenge of our fast-growing state when it comes to roads with sensible, working solutions. I thank those mayors from St Lawrence north who joined with me. We will take the fight up for further funding for our Bruce Highway.

Mental Health Services

Mr WELLINGTON: My question is to the Deputy Premier and Minister for Health. With respect to the incident of a person dying as a result of Queensland Health staff refusing to admit the person to a mental health unit for observation, notwithstanding the pleading of family members and carers for the person to be admitted, I ask: will the minister today speak with his director-general and ensure a direction is immediately issued to all Queensland Health staff that they must give due weight and act on the pleadings of family members and carers?

Mr LUCAS: The honourable member has asked me to speak with the Director-General of Queensland Health concerning the issues raised by him. Of course I am happy to convey the issues raised by him with the director-general in accordance with his request. If there is a specific incident that the member appears to be indicating, I am more than happy, if he wants to provide details, to ask the director-general—

Mr WELLINGTON: With respect, Mr Acting Speaker, the minister's office is fully aware of the incident I am referring to.

Mr ACTING SPEAKER: Order! Member for Nicklin, there is no point of order. You have asked your question; you will get your answer. The minister has the call.

Mr LUCAS: I am making the point that, if there is a specific incident that the member wishes me to raise with the director-general, I will also do that. The issue of mental health is a significant and serious issue for Australia—and, indeed, for the West and the world—and is one which the government recognises needs absolute attention.

In terms of the best way to interact with families and to deal with families' concerns, I have made it clear in the past, for example—and we have seen some of this debate nationally on privacy issues—that sometimes when it comes to communicating with others health systems become very focused on privacy issues with respect to a patient. Ultimately it is to the detriment of that patient because they do not raise them with either their general practitioners or members of the family. I do not know whether or not that specifically relates to this issue, but I think that is an issue that is very important. We have significantly increased our funding for mental health, but mental health is an issue that is of growing concern. I am not commenting specifically on this issue, but certainly drug induced mental health is a major issue, too. I am not saying that it relates to this issue because I do not have that information in front of me.

Clinical decisions about how best to respond to particular matters are best left in the hands of those people who are clinically qualified to do that. I, as a legal practitioner, have never sought, for example, to tell people in other professions how they might best deal with issues under their concern any more than I would expect that a doctor would tell me how to deal with legal matters. I am a great believer in having appropriate qualifications to deal with these matters. If, however, there is an issue about how families are being dealt with and there is an issue of general concern about that, I am more than happy to do that because I see families, particularly in respect of mental health issues, as critical stakeholders—as partners with Queensland Health in dealing with those things.

There is one thing I want to add, though. As with all health matters, including mental health matters, it is very difficult to draw particular conclusions as a result of what has happened before. Tragically, a whole lot of factors are often involved in deaths, and it is wrong to draw particular conclusions as a result of things that may or may not happen. That is a practice that I have observed in my dealings in government or with oppositions or oppositions federally. I am happy to have it further examined.

Energy Efficiency

Ms GRACE: My question is to the Minister for Infrastructure and Planning. The energy efficiency of new buildings is a real concern in the face of climate change. Could the Minister for Infrastructure and Planning inform the House what is being done to reduce the carbon footprint of the state's new homes?

Mr HINCHLIFFE: I thank the member for Brisbane Central for her question. I know that the member is particularly committed to ensuring that a large number of new home units being built in her electorate have a lesser impact on the environment than such development has had in the past. The Queensland government is delivering on its commitment to protect the Queensland lifestyle by combating the effects of climate change.

As I mentioned earlier, Queensland is growing by around 115,000 people every year. That is equivalent to a city the size of Darwin. Not only do we need to meet the infrastructure requirements of that growth; we also need to use this infrastructure more wisely while protecting our unique environment. The introduction of a five-star standard for new and renovated units is an important part of the Cleaner Greener Buildings election commitment and will help achieve the Toward Q2: Tomorrow's Queensland target of slashing Queensland household greenhouse gas emissions by one-third.

From 1 March 2010 all new units built in Queensland are required to achieve a minimum five-star energy equivalence rating. This includes a four-star minimum rating for individual units and a five-star average rating across all units in a building. Green designed features that count towards this rating and are recognised under the initiative include ceiling fans in living and bedroom areas; shading with wide eaves and awnings; natural ventilation through windows and doorways; and, very significantly, one-star recognition of units with covered outdoor living areas. Features like these are the ones that the community wants. The units that have these sorts of features are ones that win design awards.

The five-star standard for units was first canvassed as part of the government's 'Improving sustainable housing in Queensland' discussion paper in 2008. During a three-month industry and community consultation period it received over 90 per cent support. Ongoing feedback from industry has also been positive. This is because unit buyers are snapping up products that capture the things that we love about the traditional Queensland lifestyle. It is clear that outdoor living areas are key in both units and other homes.

The Bligh government's green housing initiatives also include five-star energy rating efficiencies for houses; the phase-out of electric hot-water systems in gas reticulated areas; and the prevention of sale and installation of energy inefficient air conditioners. These measures demonstrate the Bligh government's commitment to a proactive and long-term approach to protect the future of Queensland and to support Queensland lifestyles.

What does the opposition say? Nothing. We hear nothing about these issues. What sorts of policies does the opposition have to make Queensland houses more affordable? Get rid of one form. The members opposite are a policy-free zone on sustainable housing—an issue of very great substance in the face of global climate change.

Social Housing

Mrs MENKENS: My question is to the Minister for Community Services and Housing. I refer to the procurement by the department of housing of a Palm Cove block of land on the corner of Oliva and Harpa streets for the reported sum of $1.3 million. The block of land has approval for 18 two-bedroom units. The prime tourism niche of Palm Cove has none of the associated infrastructure or facilities required for public housing tenants. There are limited employment opportunities in the area. A similar size block of land at other sites with the required facilities for these tenants could be acquired for under $200,000.

Mr ACTING SPEAKER: Order! Member for Burdekin, ask your question, please.

Mrs MENKENS: Why is the department wasting significant government money on land that is totally inappropriate for the tenants' needs?

Ms STRUTHERS: I am wondering whether the member wants signs put up around the state, on the Captain Cook Highway: 'No public housing tenants welcome'. I wonder whether she wants them at Caloundra: 'No public housing tenants welcome' as you come over Caloundra Road; or at Surfers Paradise, as you come down the highway: 'No public housing tenants welcome here'. Is that what the member wants me to do? That is what it sounds like from her question.

The member is making outrageous claims about where people ought to be located. Everyone in this state—every senior, every person housed in public housing or on our register wanting to be housed in public housing—has a right to be housed in their own community. Every person in this state in public housing, every person in this state who is on the register for public housing, every person we know—and many in our own families or in our own communities at some point in their life may need the support of public housing—deserves to live in their own community. If they grow up on the northern beaches of Cairns—if they are seniors and they retire or their life circumstances change—and they need public housing, where should they live? Ipswich? Logan? The back of Bourke? Is that where the member wants them to live?

Every person in this state who needs public housing or at some point in their life will come to need public housing deserves to live in their own communities, and that is what our policies are all about. Gone are the old days when people were put on the fringes of communities. But, clearly, the opposition is stuck in the old days. The member for Surfers Paradise, the Leader of the Opposition, is setting the trend here. 'Not in my backyard,' he said. What did he say about Skiff Street, Surfers Paradise? 'Not these people in this community.'

Let us put a sign up on the highway. Let us put a sign up on Smith Street and on the Gold Coast Highway that says 'No public housing tenants welcome in Surfers Paradise'. Do you want me to put one up in Cairns, on the Captain Cook Highway: 'No public housing tenants welcome on the northern beaches'? That is clearly what underpins the message.

The future is public housing in the communities where people need and want to live. Everyone has the right to live in their own community, whether they need public housing or not. That is the message from this Labor government. That is the future of public housing. We do not want signs up in communities saying 'Public housing free zone' or 'Public housing tenants not welcome here'. Let me remind members how many new social housing units are being developed under our stimulus package. How many, members? Did I hear 4,030?

Mr ACTING SPEAKER: The time for question time is over.

MINISTERIAL STATEMENTS

Building Services Authority, Comments by Member

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (11.50 am), by leave: The BSA is an administrative agency responsible for regulation of the building industry. It is not a judicial body. It cannot decide contractual disputes or award damages. It must work according to the legislation under which it was established. I make this point as to the role of the BSA as the member for Burnett recently took up the cause of a local—

Mr Messenger interjected.

Mr ACTING SPEAKER: Member for Burnett!

Mr SCHWARTEN: I make this point as to the role of the BSA as the member for Burnett recently took up the cause of a local constituent and relied on her version of events concerning the role of the BSA and the commercial and consumer tribunal which is now known as the Queensland Civil and Administrative Tribunal.

Mr Messenger interjected.

Mr SCHWARTEN: I intend to table the entire documentation about this case and I will invite the honourable member to apologise to the parliament and to the BSA for his untoward remarks.

Mr Messenger: You should apologise to homeowners.

Mr SCHWARTEN: I certainly will not be doing that.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Burnett!

Mr SCHWARTEN: I would like to inform the honourable member that the BSA and QCAT are two distinct bodies. I would like to inform the member that he does not have the facts and the evidence given by his constituent was found to be less than reliable, as I will explain later.

Mr Messenger interjected.

Mr DEPUTY SPEAKER: Member for Burnett!

Mr SCHWARTEN: The local newspaper, the *Bundaberg News Mail*, also took up the cause on behalf of Mr Messenger's constituent. However, they also have a responsibility to report the facts of the matter. They unfortunately relied on Mr Messenger's view of the matter who, in turn, relied on the information, we suppose—

Mr Messenger interjected.

Mr DEPUTY SPEAKER: The member for Burnett!

Mr SCHWARTEN: He is again making a goat of himself in here. In fact, a goat would make more sense. I will start again. They unfortunately relied on Mr Messenger's view of the matter who, in turn, relied on the information passed on to him—

Mr DEPUTY SPEAKER: Minister, could I ask you to refer to the member by his title.

Mr SCHWARTEN: The member for Burnett.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! The minister is making a statement, thank you.

Mr SCHWARTEN: The local newspaper unfortunately relied on the honourable member for Burnett's view of the matter who, in turn, relied on the information passed to him by his constituent—or perhaps the member for Burnett invented it. Fortunately, the BSA, QCAT and the courts are required to—

Mr MESSENGER: I rise to a point of order. I find those words offensive and I ask that they be withdrawn.

Mr SCHWARTEN: Well, whatever he finds offensive, Mr Deputy Speaker, I withdraw.

Mr DEPUTY SPEAKER: Minister, if you withdraw, you must withdraw unreservedly.

Mr SCHWARTEN: I did so. I am just going on with the statement. Fortunately, the BSA, QCAT and the courts are required to take a fairer view. Building contractors have the same rights as consumers. The builder in this case was found by QCAT to be hardworking and experienced. For the honourable member to claim, as he did, that the BSA did nothing is an untruth. I have the time line of events here, which I now table—

Tabled paper: Time line of events (owner)-(contractor) outlining a 2007 complaint regarding water penetration and a 2009 complaint regarding rusty nails staining weatherboards [1840].

Mr Messenger: Your own department found two category 1 defects.

Mr SCHWARTEN: I will go back and do it again. We will stay here all day if we have to. For the honourable member to claim, as he did, that the BSA did nothing is an untruth. I have the time line of events, which I have now tabled, along with the two judgements made by the tribunal, which I now table.

Tabled paper: Queensland Commercial and Consumer Tribunal—Fergus v Halkett [2009] QCCTB 167 (31 July 2009) [1841].

Tabled paper: Queensland Commercial and Consumer Tribunal—Fergus v Halkett [2009] QCCTB 132 (5 June 2009) [1842].

There is no doubt that this is a complicated matter. However, it is before the tribunal and not in the hands of the BSA. I repeat: it is out of the hands of the BSA.

Mr Messenger: You can put in a recommendation.

Mr DEPUTY SPEAKER: Order! Member for Burnett, you have been asked on a number of occasions to not interject. Would you please refrain from comments, thank you.

Mr SCHWARTEN: Which brings me to the one-sided and ill-informed attack upon the local builder last week. I quote from the QCAT decision made by member Sheaffe. It stated—

The applicant and the respondent gave oral evidence and were cross examined in detail. The applicant was a builder of considerable experience ... he came across to me as a hard working, no nonsense builder and I have no hesitation in accepting his evidence.

This is the man who the honourable member defamed. It continues—

On the other hand, I have concerns about the respondent's evidence.

This is the person for whom the honourable member is taking up the case. It continues—

These concerns were raised by her exaggerated demeanour in the witness box and by the evidence that she gave ...

Further, the reasons why she made the speculative claim of $10,000.00 at the trial were difficult to explain.

Remember that this is an independent person making this statement. It continues—

In her original defence the claim for $10,000.00 was not made and it was first made on the day of the trial and significantly there was no evidence tendered to support it. This claim was no more than a spurious claim for damages and I am satisfied that the making of this claim, at the door of the Court, reflects poorly on her credit.

This is the person who this honourable member is standing up for. It continues further—

The applicant is a small builder, he does not have financial reserves or financial means, he is financially not in a strong position and he incurred the costs of materials and wages for these variations.

This is the man who the honourable member attacked. It continues further—

The respondent requested the variations, the applicant provided quotations that were accepted and he carried out the work ... I am satisfied that the applicant is entitled to an order approving the recovery of the sum of $9,490 for the variations.

This is a small businessperson. It continues further—

After taking into account all these matters and the general demeanour of the respondent I find that I am not prepared to accept her evidence unless it is corroborated by others. Where the evidence of the applicant and the respondent are in conflict, I will accept the evidence of the applicant.

That is a pretty straightforward statement. The applicant is the builder. This is the man who was attacked by the member for Burnett. These are just some of the facts available to the member and can be publicly accessed if he takes the time to look. Also, for Mr Messenger's information, the statutory scheme which provides the best safety net in the country for homeowners affected by incomplete or defective work is the Queensland Home Warranty Scheme not the home builders warranty insurance scheme, as he claimed it to be. This scheme offers protection for homeowners with legitimate complaints and claims. I have also taken the opportunity to advise the member for Burnett that this matter is listed for compulsory conference at Hervey Bay on 19 March and is listed for review by QCAT, an independent tribunal, on 25 March.

Mr MESSENGER: I rise on a matter suddenly arising.

Mr DEPUTY SPEAKER: The member for Burnett.

Mr MESSENGER: Thank you, Mr Deputy Speaker. I wish to correct the facts. I have never attacked any builder or named any builder as the minister suggested. The only person and authority that I have attacked is the minister and the BSA.

Mr SCHWARTEN: I rise to a point of order, if that is a point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: I have a ruling on the previous point of order. That is not a point of order, member for Burnett.

Mr SCHWARTEN: I rise on a matter suddenly arising from what the honourable member said. It is clear to me that the attack that was made on the BSA was an attack on the builder. It supported somebody who has been declared an unfit witness before an independent tribunal. That is your standard.

Mr DEPUTY SPEAKER: That is not a point of order, Minister. If there is a matter of privilege I would ask that the member write to the Speaker and set out the matter of privilege claim.

Further Answer to Question; Forestry Plantations Queensland

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (11.59 am), by leave: During question time in a response to a question from the member for Condamine I said that post sale of FPQ workers would be guaranteed employment for two years when I should have said three years.

MATTERS OF PUBLIC INTEREST

International Women's Day; Bligh Labor Government

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (11.59 am): It is my pleasure to rise today especially given the acknowledgement by the Premier yesterday of International Women's Day. It is not hard to see where women across Queensland who hold positions of leadership have taken their inspiration from. We honour the first woman to lead a political party in Queensland, the LNP's Joan Sheldon—the first woman to exercise the powers and responsibilities of Premier when she became Acting Premier at various periods between 1996 and 1998. We honour the first woman to hold a cabinet position in Queensland, the LNP's Yvonne Chapman—breaking the glass ceiling. We honour the first and only female Lord Mayor of Brisbane, the LNP's Sallyanne Atkinson. We honour Dame Annabelle Rankin, who in 1946 for the Liberal Party became the first Queensland woman to sit in the federal parliament when she took her seat in the Senate. And who can forget Irene Longman from the Country and Progressive National Party—the first woman elected to this place in 1929. We also remember fondly today that 14 years ago the coalition became the first government in Queensland to introduce paid maternity leave for the Public Service—not Labor. It was the LNP that introduced paid maternity leave to recognise working women in the public sector.

This government goes from joke to farce. This morning in question time we saw that the Premier's own union, the ASU—also the union of the Deputy Premier, the Minister for Climate Change, the Minister for Primary Industries and the Minister for Transport—has put out press releases saying that the ASU continues not to support the position of the state government on the privatisation of assets matter and that 'members are encouraged to attend rallies against the sale of assets in their local communities'. But of course with ASU members rallying outside today, did we see the Premier or those ministers or any of these Labor ministers having the intestinal fortitude to go out and face them? No, we did not! They would not face their own members!

Of course in the last week we have had the spectacle of this Labor Premier admitting that after 12 years of the Beattie and Bligh governments—after 12 years of telling the people of Queensland that they will fix it, that Queenslanders can count on Labor—they have finally given in to what has been obvious to Queenslanders for some time: Labor cannot run hospitals or health. Last week Kevin Rudd delivered a massive vote in Premier Anna Bligh and state Labor. On Tuesday last week we saw the start of the final act of a desperate Premier and a desperate health minister who, having admitted their own failure in running Queensland Health, have taken the first step towards handing over the running of Queensland hospitals to Kevin Rudd and Nicola Roxon.

In the last 12 years let us look at what this tired Labor government has given us. It has given us four health ministers, with one of those ministers in jail for taking secret commissions. It has given us an explosion in waiting lists. It has given us an explosion in waiting lists to get on the waiting lists. It has given us a cut in the available number of hospital beds. It has been slammed by the Auditor-General for a total failure of planning for Queensland's future health needs. It has given us queues of ambulances

parked outside public hospitals trying to get patients in but being told there is no bed available. It has overseen a system that has hundreds of children each month failing to be treated within reasonable times in Queensland's emergency departments.

So bad is the government at running Queensland's hospitals that the Premier thinks that the federal government—the same government that cannot even safely install roof insulation—is better placed to manage Queensland hospitals than a state Labor health minister. This is a minister who is strangely quiet about matters of health but who carries on like Foghorn Leghorn about everything he thinks he can score political points on in this House every morning in question time. What an amazing admission! Kevin Rudd cannot fix a roof, but he is still better than state Labor at organising brain surgery, or so the Premier would have us believe. So there you have it: Kevin Rudd's ministers and thousands of health bureaucrats in Canberra directing which regional health authorities get money for a brain surgery here, a heart transplant there. I can see it now: every muck-up by a Rudd-run hospital, every botched operation and every decision of a nameless, faceless bureaucrat in Canberra being appealed to the Commonwealth health minister will result in them then saying, 'It's not my problem! It's not my decision! Don't blame us! We just take the GST money and burn it up on Commonwealth bureaucracy.'

In the last week the people of Queensland have seen a Premier whose government has gone from bad to worse. This Premier and her Treasurer continue to thumb their noses at their own supporters. She continues to drive her ham-fisted campaign to sell off the state's assets in a fire sale. She is on the verge of destroying the state's finances for generations to come by taking steps down the road to handing to the Commonwealth 30 per cent of Queensland's GST revenue. I know, she knows and every member of this House knows that if Kevin Rudd is allowed to unpick the GST deal and steal Queensland's money the whole fabric of Commonwealth-state financial relations starts to fall to pieces, and the people of Queensland will be the big losers in the long run. If we hand over the lion's share of Queensland's GST money for hospitals, what next? The money for schools, for roads perhaps? At what point will the state government ever be responsible for running services ever again?

Not only would our hospitals, schools and roads infrastructure be horribly messed up for future generations to fix, but everyone in Queensland knows that state taxes will have to rise to pay for all of the new bureaucracy and so-called reform. I challenge the Premier and her government to give an ironclad guarantee that state taxes, charges, fees and levies will not rise to make up the GST shortfall. We all know that she cannot guarantee it and will not guarantee it, because she cannot. The state will have to go scrambling for more revenue and greater taxes like a whale that cannot get enough plankton, and the Bligh government will have to suck in more and more taxes to make up for the money she has gifted to Kevin Rudd.

Does anyone actually think that the amount Queensland Health spends will go down by the same amount that we pass over to the Commonwealth? Of course it will not! When we hand over our public hospitals, the cost of running health in Queensland will remain almost the same and the state will no longer have the rivers of gold that it used to have to fund Queensland Health. Queensland gets $7.839 billion of the $42.3 billion GST pool. That is about 18½ per cent of the GST pool. If respected economist Henry Ergas is correct and the states in total stand to lose $140 billion over 10 years, the people of Queensland will lose $25.94 billion over 10 years—an enormous amount of money for the state to give up. To make matters worse, the Premier has not rebuffed the Treasurer for saying that he was happy to hand over Queensland's mineral royalty scheme for a federal resource rent tax to be shared among the other five states, two territories and the Commonwealth government. This Premier and Treasurer simply will not stand up for Queensland. They are happy to do Kevin Rudd's dirty work and in doing so are putting our state back decades.

Let us be very clear: I will stand up for Queensland against Canberra and Kevin Rudd. Our nation is supposed to work on the principle of cooperative federalism. This announcement by Kevin Rudd and the Premier's likely capitulation means that cooperative federalism is dead. State governments are to become nothing more than branch offices of Labor Inc. The stench of arrogance and incompetence from this Premier, her Treasurer and her health minister continues to get stronger and stronger by the day. The Treasurer as recently as last Friday said that the Solar Hot Water Program would continue to be rolled out. Today it is cancelled. This Labor state government delivers another broken promise!

In a desperate bid to cling to anything, change the news story and divert attention from the ever-dysfunctional government that she leads, the Premier and the Treasurer this morning have resorted to throwing mud. Last week they decided to attack me for doing my job in readying the LNP for the next election and presenting to the people of Queensland the change and new direction that the people of Queensland so desperately need. When I announced that former Prime Minister John Howard was going to come and speak to the LNP party room, the Premier attacked me. She had the temerity to say that we were desperate. John Howard showed what good governments can and should do: good governments pay off Labor debt. I have invited him to come and speak to my troops because if we are

elected we will be facing the same problem that John Howard and Peter Costello had when they were elected in 1996. I make no apologies for ensuring that my team is prepared for government and that we have learnt from those who have gone before us, because we know that we will be left with almost $85 billion in state government debt racked up by this Premier and her Treasurer.

John Howard and his government got the nation's books in order. We on this side of the House are proud of the legacy left by titans such as John Howard and Peter Costello. Paul Keating was an abject financial failure, Gough Whitlam nearly destroyed the nation's economy and Bob Hawke will help out only if you pay him a fee. As I said, I make no apologies for inviting John Howard. The Bligh government is in terminal decline and reeks of hubris. As one Labor Premier so eloquently put it many years ago, the people of Queensland are waiting on their porches with baseball bats. This time, the baseball bats are directed at this arrogant Premier. The government is utterly tired and worn out. It is time for another mutiny on the bounty and this 'Captain' Bligh is destined to be thrown overboard too.

(Time expired)

Highfields School Site

Mr SHINE (Toowoomba North—ALP) (12.10 pm): The Bligh government is planning for the future growth of Queensland's state schools in the Toowoomba region. Last Thursday, I had the pleasure to represent the Hon. Geoff Wilson in announcing that the Department of Education and Training has now finalised the purchase of a block of land at Highfields. The 10.15 hectares on O'Brien Road, bounded by Polzin and Kleinton roads, was purchased as a school site for the future. The move is part of the state government's forward planning to cater for population growth throughout the state. We are delivering on yet another election commitment with the purchase of this land. Queensland's population continues to grow and this land will be set aside to ensure that we can meet the future education infrastructure needs of the region. When the time arises, the community will be fully consulted about any potential projects on the land. We are, of course, always keen to gain community feedback on education needs and requirements.

It was an election commitment by the Bligh government for the purchase of the land at Highfields for a future secondary school. The Treasurer promised to commit $2.5 million for this purpose. I understand, however, that the final cost was more than that, but the actual figure is commercial-in-confidence. I am particularly pleased that, after a very long effort on behalf of the local community, this land, which is a most ideal location, has been secured. Soon after being elected as the member for Toowoomba North, the need to secure this particular site was made very clear to me. In 2001 or 2002—I forget now which year—I had the pleasure of accompanying the then minister for education, the Hon. Anna Bligh, around Highfields indicating the need to secure this site. Over the years many Highfields residents have worked extremely hard with me to achieve this goal. Of special note are the members of the Highfields State School community, led by Bronwyn Cairns and Councillor Bill Cahill, who, along with other Crows Nest councillors and the then mayor, Geoff Patch, were long-time advocates. Last Thursday was a truly historic day for Highfields, as it ensured that future generations of Highfields residents would have their own secondary school facilities within the centre of Highfields itself. The location of this site is particularly handy to existing sport and cultural facilities, such as the Highfields Cultural Centre, the swimming pool, the indoor sports centre, and it is opposite a large expanse of land that is designated for future sporting or open community use space.

Education advancement for the Highfields area has always been of the highest priority for the Beattie and Bligh governments. How has that priority been demonstrated? Firstly, by their support for the Mary MacKillop Catholic School on Highfields Road through the three stages of its development. This school has received the lion's share of its funding for its construction from the state government. It now has a student population of around 400. Likewise, Highfields State School, which has a population of over 800 students, is a great state school and has received attention when it has been needed from time to time. For example, the latest major infrastructure project—that is the building of a $3 million state-of-the art auditorium—is a splendid project involving a partnership with the local school community through the P&C, the federal government via the Building the Education Revolution, and the state government. The state government's contribution is substantial indeed. In round figures, it is about $1 million, half of which is coming from the education department and the other half from Sport and Recreation.

Conscious as I am of the privilege to be the member for Toowoomba North, which includes the splendid locality of Highfields, I must say that when I was first elected in 2001 the area lacked greatly in terms of public infrastructure. I am very pleased now to advise the House that, since that time, government infrastructure is now in place in addition to the educational assets to which I have referred. For example, there is the four-laning, with three sets of traffic lights, of the New England Highway through Highfields, the new electricity substation at Meringandan Road and the further $12 million substation—

(Time expired)

Floods, State Emergency Service

Mr WENDT (Ipswich West—ALP) (12.15 pm): Today, I want to inform the House of the great work being done by our SES volunteers during the current flood situation, which has devastated much of inland Queensland. Last Friday morning, I had the very great pleasure of representing Neil Roberts, the Minister for Police, Corrective Services and Emergency Services, at the Ipswich SES depot. I was there at about 6 am to share a breakfast and to congratulate and encourage 75 volunteers from around South-East Queensland, dressed in orange overalls, who were about to head out the gate on the long road to Charleville and places beyond. Of the total of 75 people deployed to Charleville last Friday, 73 were SES volunteers and two were Emergency Management Queensland staff liaison officers. Of the 73 SES volunteers, 66 were general members and six were welfare officers. That deployment of volunteers towed with them a mobile kitchen and refrigeration unit as well as a couple of flood boats. That was done deliberately to allow the volunteers to be as self-sufficient as possible. That was necessary because the volunteers did not want to impact or impose on the local food supplies or, for that matter, any other resources. In fact, originally the volunteers were going to take tents for accommodation. However, after a few calls it was considered that the town hall would offer drier and eminently more suitable accommodation.

I should also point out that I believe that for the first time one of the SES volunteers was also a full-time QSA paramedic. I spoke to this volunteer over breakfast and I can report that he was very keen to assist with the deployment as it was his job to provide paramedic support as required to the members of the deployment. I am told that, as of yesterday afternoon, that paramedic had, in fact, treated nine SES volunteers for minor injuries. Again, this action was taken to avoid the volunteers having to draw on any of the medical facilities that were on the ground, which were stretched to the limit.

As members can imagine, the deployment travelled by road in convoy—in buses, four-wheel drives and utes. I am told that the journey took about 12 hours with, thankfully, only one tyre puncture en route. To be honest, though, when I saw the back of the LandCruiser troop carrier loaded with volunteers, in some ways I felt that it was going to be a long journey for all involved.

Once on the scene the group was split into task forces Alpha and Alpha 1, which included the Brisbane region's 33 SES volunteers, and Task Force Bravo, which contained the south-eastern region's 40 volunteers. Task Force Bravo's 40 volunteers included eight from Ipswich, 18 from Lowood and Somerset, nine from Logan and five from the Gold Coast. I had the pleasure of chatting with some of those volunteers and I can say that I have seldom seen people so focused on their objectives. As members could imagine, many of those volunteers were tradespeople, some were retired and some were simply there to do what they could.

I am advised that the deployment's tasks were many and varied, but I can report that they were able to complete 98 tasks in their first two days and it was expected that they would assist in completing an additional 52 outstanding jobs yesterday. The volunteers were also doorknocking to check on the welfare of the residents. In fact, I am advised that they found one confused and elderly lady in her 90s to whom they were able to offer help. I am now advised that, currently, most of their work involves the cleaning of flood affected properties, such as the town library and the community centre, as well as some commercial properties. I understand that much of this cleaning was going on while the volunteers were working in unison with Ergon Energy, which was responsible for checking electrical safety at residential properties and, of course, as the minister pointed out before, the ever reliable QBuild, which is checking the structural integrity of buildings. As members could imagine, these services are extremely important as only once this was done was it possible for the SES volunteers to move into some of the residential properties.

I am advised that, from a residential perspective, the volunteers' tasks included cleaning out houses, clearing out damaged fridges and removing damaged whitegoods, ripping up carpets, cleaning walls and floors and basically anything to help the residents. As well, it was also important for the volunteers to move damaged items to the footpath so that the council could collect them for removal.

Further to this, I can report today that an additional deployment—that is, Task Force Echo—has already departed Brisbane Airport by chartered flight to provide an additional 20 SES volunteers and one EMQ staff member to Charleville. They left at approximately six o'clock this morning and I understand that everything is going well. This means that 20 SES volunteers from the current deployment will be able to fly back to home on the return journey. I am also advised that these new volunteers will also sensibly use the existing SES vehicles that were driven out last Friday with a view to bringing them back on Saturday.

The current advice is that the floodwaters have reached a peak and it is expected they will recede slowly. This does not mean that the work is over; far from it, in fact. Rest assured that this government will continue to do whatever it can to ensure that our country cousins are assisted in any way possible during this unfortunate event.

Wivenhoe Dam

Mr SEENEY (Callide—LNP) (12.20 pm): With the recent good rains Wivenhoe Dam is filling rapidly. Today it is approximately 92 per cent full. Wivenhoe Dam was built in the late 1970s. In response to the floods that devastated Brisbane in 1974 it was constructed to have not just a large water supply capacity that has become the basis of our water supply today but also a considerable amount of extra storage volume to act as a flood buffer to help to manage future flooding in Brisbane. As Wivenhoe Dam today approaches full storage level, it is important to note that the full storage level is under half the possible storage level available in the dam. The full storage level is 1.15 million megalitres while the actual total storage available in Wivenhoe Dam is 2.6 million megalitres. In effect there is another Wivenhoe Dam over and above the one that was originally designed for water storage. This 'extra' Wivenhoe Dam was designed and built in the late 1970s as a flood buffer for Brisbane.

I believe that it is time to review the comparative uses of the total storage available in Wivenhoe Dam. I believe that more of the total available storage space should be used for water storage so that there is less chance of a water crisis developing in the future. Obviously the dam needs to continue to be operated to maintain a flood buffer for Brisbane and any decision about storing extra water will have an impact on the effectiveness of that dam's flood buffer role, but this is a question of finding the right balance between the two roles that Wivenhoe Dam performs today. It is a question of reviewing the situation to determine whether the balance between those two roles that was struck in the early 1980s when the dam was completed is appropriate for the situation that exists today.

It is clear that much has changed since 1980. Brisbane and Queensland generally have experienced long periods of low rainfall resulting in a critical water crisis which saw the real possibility of the city running out of water entirely. Since that original decision was made in 1980, technology available to the dam managers has also advanced considerably. We are now able to forecast and predict the occurrence of rainfall events with much more accuracy and much more reliability than was ever thought possible 30 years ago. In addition, the automatic stream flow monitors and computer flow models allow for much better informed decision making in regard to managing any potential flood events. These advances alone make it possible to attain the same level of flood protection for Brisbane while using less of the available storage area in Wivenhoe Dam as a flood buffer. That frees up the additional volume for extra water storage that should be used to complement the available water for South-East Queensland and guard against another water crisis developing in the future.

A discussion paper prepared by Seqwater in 2005 found that an extra seven metres of water could be stored in the dam before there were any concerns about the long-term safety of the dam wall. A table in that report shows that just an extra two metres of storage in the dam—two metres out of the possible seven—would store an extra 228,000 megalitres of water and provide an extra no-fail yield of 31,000 megalitres per year to the water supply of South-East Queensland. That is roughly equivalent to what could reasonably be expected to be the annual total yield from the Tugun desalination plant. This proposal has the potential to significantly add to water supply reliability in South-East Queensland just by using an extra two metres of the seven metres that is available in Wivenhoe Dam for additional storage.

I believe it would be absurd to release water from Wivenhoe Dam at the current time. It would be absurd to allow any releases until this option is thoroughly investigated. I call on the minister today to ensure that no water is released from Wivenhoe Dam and that serious commitments are made to developing this proposal to increase the storage levels in Wivenhoe Dam. The water that is running into the dam at the moment may well be sorely needed in the future to avert another water crisis.

A quick look at the dam record shows that, under the current rules of operation, an amount of water equal to 30 per cent of the dam's capacity was released in 1999 and then further smaller amounts were released in 2001 and 2002. Even if some of that water had been retained it would have made a huge difference in 2005 and 2006, when the people of Brisbane were facing the worst of the water crisis.

It is time the minister got serious about this issue. The Labor government has seriously mismanaged the water issue for many years. It has brought the city of Brisbane to the brink of running out of water. It then spent billions of dollars in panic on projects that are hideously expensive and grossly inefficient to run. It now thankfully has the opportunity to start to get it right. We need to make the best of our existing infrastructure—infrastructure that was provided by previous conservative governments and that has been poorly managed by the current Labor government.

Mr DEPUTY SPEAKER: I acknowledge the presence in the gallery of the school captains and teachers from Coombabah High School in the electorate of the member for Broadwater, whom I now call.

Floods, State Emergency Service

Ms CROFT (Broadwater—ALP) (12.25 pm): I congratulate those students from Coombabah High School on their recent appointments as school captains and welcome them to the House today.

Heavy rain has brought much flooding across many parts of the state. Hardest hit has been the south-west including Townsville, Charleville, Roma and St George. There have been 63 SES volunteers from Brisbane and south-east regions activated in support of the south-west flood event. They arrived in Charleville and Roma on 5 March. An additional 20 SES volunteers were deployed to St George. SES members have also been activated to a number of other locations across the state.

Just yesterday some 23 SES volunteers were tarping roofs on the Sunshine Coast, undertaking storm damage operations in Brisbane and sandbagging and doing temporary roof repairs in the south-east. The deployment of SES volunteers demonstrates just how ready our SES volunteers are to swing into action in times of emergency and disaster. Their vital work will go some way to helping residents of Charleville, Roma and many other towns and suburbs get back on their feet.

There are over 6,800 active SES volunteers in Queensland but we always need more. The basic concept of the SES is one of self-help and mutual assistance within each community. This concept involves the community in all aspects of disaster and emergency activity including prevention, preparation, response and recovery measures that will help protect the community when disaster strikes.

Each year the SES receives thousands of calls for assistance via the SES hotline—132500—launched by this government. In the last six months alone there have been over 7,000 calls made to the SES hotline. During the same six-month period of 1 July 2009 to 31 January 2010 there were approximately 1,792 SES activations resulting in 31,839 operational hours being performed by SES members. This financial year the state will contribute a total of $14.068 million in direct funding to the SES.

As part of the government's 2009 election commitment we will provide 20 SES vehicles, four SES flood boats and two SES rescue trailers this financial year. The state and local governments maintain an important partnership in assisting SES volunteers to provide a valuable volunteer emergency service to their local communities.

I pay tribute to our partners, BCF and NRMA, who supported our SES in 2009—BCF, through their 26 stores state-wide, asked customers to round up to the nearest dollar. These funds were totalled at $90,000 recorded and distributed to SES groups in each region equally to purchase additional ladders, portable lighting, hand-held navigation devices, computers and noticeboards. The NRMA has also provided significant funding to the SES to provide vital storm preparation messages to the public through TV, radio and print advertisements. I know that the Department of Community Safety looks forward to continuing its partnership with BCF and NRMA in 2010.

This month we have been reminded of the devastating impact of Mother Nature, but more importantly how vital our SES is. This government is committed to recruiting more emergency service volunteers. Last year I launched a new volunteer management strategy to help deliver on this government's Q2 target of increasing the proportion of Queenslanders who volunteer in the community by 50 per cent. That is an ambitious target but one that we can certainly go a long way towards meeting. The volunteer management strategy will help to strengthen our volunteer management in terms of the recruitment, retention, support, recognition and management of volunteers. Assessing the number of Queensland volunteers who are trained and active provides a definite indicator of our state's ability to respond to emergencies and disasters.

2010 has proved to be another busy year for emergency volunteers. On behalf of all Queenslanders, I thank our volunteers for their marvellous efforts. I urge anyone looking for an interesting and rewarding challenge in 2010 to consider joining their ranks. For more information on becoming a volunteer, people can visit the website www.emergency.qld.gov.au/volunteers.

Health System, Reforms

Mr McARDLE (Caloundra—LNP) (12.30 pm): Last week the Prime Minister outlined his proposal for the National Health and Hospitals Network, which is comprised of four principal points: firstly, corralling one-third of Queensland's GST revenue to assist with funding public hospitals; secondly, the Commonwealth government becoming the major funder, providing 60 per cent of the efficient price of running the public hospital system, while the states provide the balance; thirdly, the way public hospitals are run will be moved from central authorities to what are termed local hospital networks or, as we in the LNP call them, local hospital boards; and fourthly, over time the Commonwealth will fund 100 per cent of the efficient price of primary healthcare equivalent outpatient services provided to public hospital patients. Within a matter of hours, the Queensland government and, in particular, the health minister had basically rolled over and accepted the federal government's determination, despite significant and critical questions remaining to be answered.

No-one doubts the necessity for a change in the way the Queensland public hospital system is run. What is ironic is that it was Kevin Rudd, under Wayne Goss, who abolished Queensland's regional hospital boards and put in place the current structure, which has strangled the delivery of health services in this state. It is equally ironic that, as Prime Minister, Mr Rudd has advocated local hospital networks, a body he took the axe to a number of years ago. Successive Queensland Labor governments under former Premier Beattie and the current Premier have continued to deliver the most appalling health outcomes for Queenslanders. Despite all the rhetoric, pamphlets and brochures, Queensland's public health system continues to deteriorate, with quarterly performance reports showing greater and greater waiting lists, more ramping, increased access block and, generally, the withering of our once proud health system.

The proposal by the Prime Minister takes from Queensland's budget one-third of the GST revenue. It is important to note that Nicola Roxon did not rule out an increase in taxes to pay for the new system. Despite the Prime Minister's claim, there will be incredible pressure to increase the GST, and what guarantee does Queensland have that the one-third grab will not increase? The Queensland government appears not to be able to understand or comprehend the implications of what is proposed and the risks of a dual funding and reporting system. The policy announced by the Prime Minister gives no detail as to how it will be measured or what will be measured to determine the effectiveness of this change. There has been no rationale given as to what changes will occur in an operational sense to improve services, efficiency or the effectiveness of the system. It has purely been a statement about a shift in funding without any detail as to how this will actually improve the state of the healthcare system and address the many issues that confront us in health today.

For example, what measures will be put in place to determine if the funding is allowing for good patient care and patient outcomes? It would appear the focus is purely on numbers in terms of funding by numbers of patients treated without any consideration given to the effectiveness of the treatment. There is mention of a set of national standards but we have already a system of national standards through the Australian Council on Healthcare Standards, which was not referred to by the Prime Minister. There is no focus on the core business of health care; that is, how will this policy impact upon clinical outcomes, access and equity or workforce issues? The issue of waste has been mentioned in interviews, but no strategy to eliminate waste has been outlined. How will this shift in the funding mechanism relieve the pressures at the ward level or in the emergency department? These are just a few of the many questions that need to be considered in relation to this policy, as opposed to simply rolling over and accepting it.

The Queensland health minister has been loud and consistent in decrying the return to a local hospital board structure, saying that we would be going back to the days of a bygone era and that they were failures. It is clear that he was not listening to local clinicians, that he was not listening to local nurses and that he was not listening to local people in the various regions across the state including Cairns, Townsville, Mount Isa, Rockhampton, Ingham, Brisbane and the Gold Coast. It is clear also that Kevin Rudd did not bother to listen to him. At least on one issue, that of local hospital boards, Kevin Rudd and the LNP are in agreement. The LNP will not be supporting this proposal but will continue to work with all clinicians on a local level to empower local hospital boards to deliver better and more efficient outcomes.

Education Reforms

Mr WATT (Everton—ALP) (12.35 pm): One of the most exciting areas of reform for the Beattie and Bligh governments has been in education. We have reintroduced the prep year, ensured all young people are learning or earning until they are 17, rebuilt many schools, put an increased emphasis on literacy and numeracy, and reduced class sizes in the middle years. More recently, we have started building or expanding 240 kindergartens and have increased funding to long-day-care centres so they may provide a kindergarten service. This will give all young children the flying start to education that they need. However, our plans do not end there. The Bligh Labor government believes that a good education is the best start that any government can give a child. That is why the Premier recently released some proposals for further improvement to our education system.

Last Monday night I was very pleased to host a forum at Albany Hills State School to discuss the new education proposals. At this point, I would like to thank the principal and staff of Albany Hills State School, who hosted the forum with me. Despite it being a very rainy night, 65 parents, teachers and principals attended, which reflects the level of interest in these ideas. It was a very fruitful night with lots of discussion about the pros and cons of the government's proposals. On balance, the proposals were positively received. Parents welcome the government's support for reading, both at home and at school. They support the government's proposal to further lift school standards through the creation of a new, independent standards authority.

Not surprisingly, most debate surrounded the government's proposal to shift year 7 to secondary school. A number of the forum attendees acknowledged the inevitability of this move, given schools across Australia are moving to a national curriculum. In most other states, year 7 is in secondary school

and those students have access to specialist teachers in science, maths and other subjects. With Queensland adopting the national curriculum, Queensland students also deserve access to teachers with specialist content knowledge. Indeed, one parent at the forum, who is also a secondary teacher, mentioned that the rigour of the national curriculum will mean that teachers of year 7 subjects will increasingly require specialist knowledge in order to teach that curriculum. While some parents present at the forum accepted this move, others were concerned by this prospect, and I understand that concern.

The concern of a number of parents centred on the risk to their children, when they reach year 7, in mixing with students in higher year levels. Those parents said that they would feel more comfortable with moving year 7 to secondary school if secondary schools established a middle school for years 7, 8 and 9. Middle schools exist in many Queensland schools at the moment and they have proven to work well. I think this suggestion from parents has a lot of merit and I have asked the Minister for Education to consider adopting it, should the government decide to move year 7 to secondary school.

The other major concern raised at the forum involved how schools would be resourced if this proposal goes ahead. This was a particular concern for the school staff who attended the forum. Currently, schools receive resources such as deputy principals, physical education teachers and instrumental music teachers based on their enrolment numbers. School staff are concerned that, if year 7 is moved, they will receive fewer resources. Again, I have discussed this with the Minister for Education. He has assured me that the connection between enrolment numbers and school resources will be considered in the implementation of this proposal and it will not automatically result in a loss of resources for primary schools.

It is true that this government has been in power for a significant period of time. However, these proposals show that we have not run out of ideas on how to improve Queensland. Our previous reforms have already boosted education and training in Queensland. Our literacy and numeracy performance has improved, our teachers are better paid, and we have more Queenslanders graduating with post-school qualifications than ever before. Education is critical to a person's life chances. The more we can do to give all young Queenslanders a quality education, the more chances they have to succeed in life. These proposals represent the next great wave of reform for Queensland schools. I will continue to advocate for these reforms, but also for the government to take on board the feedback received at the forum held in the Everton electorate last week. I would like to thank all who attended the forum last week. I appreciate them all taking time out of their busy lives to help us make Queensland's education system even better.

Asbestos in Schools

Mrs STUCKEY (Currumbin—LNP) (12.39 pm): In June last year I informed the House of mistakes made by the Minister for Public Works's department regarding asbestos removal at Caningeraba State School. Despite initial denials that these were mere allegations and the minister's verbal abuse of a concerned parent, the minister finally admitted that there were errors that 'warranted my close attention'. This close attention resulted in an internal QBuild investigation and an external investigation by Workplace Health and Safety Queensland. The damning report found that QBuild had failed to comply with its own policies and procedures regarding asbestos handling. Failures included documents requiring updating, inconsistencies with legislative requirements, terms of notification, access to the school's asbestos register, access permits generally and work method statements.

Finally revealing these findings to the House some three months after the incident, the minister not only claimed that QBuild would implement all recommendations from the said report but insisted that 'this must never happen again'. The minister cannot claim that this was a one-off incident. Such behaviour has happened before and has happened again—this time at Mackay West State School in December 2009. Once again this minister has shown that the only thing he takes seriously is avoiding responsibility. He ignores reports that he himself ordered. The minister claims that QBuild employs a suitably qualified contractor in all instances where such a licence is required. Evidence from Mackay West State School shows that this has not happened. It is alleged that QBuild went to Programmed Maintenance Services, who were contracted to clean this site, and directed them to backdate a workplace statement to December 2009 stating that workers were trained in asbestos handling when they were not. I table photos of workers cleaning up the site.

Tabled paper: Photographs of asbestos removal [1843].

One of them, Mr Farnham, has been sacked for speaking out. Like a broken record we heard how seriously the minister takes asbestos, how much it has personally affected him. Yet, despite these protests of feigned outrage, despite these reports which point out where training and procedures are inadequate, despite his word that 'this must never happen again', it has. The Bligh government's attitude of silencing decent accredited workers and telling others to turn a blind eye is why so many people label the way the government handles asbestos removals as 'dangerous cowboy operations'.

A recent accusation that QBuild representative Bill Paton has destroyed a Mackay asbestos removalist's business and along with it 28 jobs since the December incident deserves close attention. The aggrieved contractor, Jayson Maskell-Drew of Asbestos Removal Technology, believes Mr Paton should be called to account for his actions and claims that Mr Paton took it upon himself to inform the contractor's client Townsend Building Services Mackay that he will preclude them from tendering on any jobs if they intend to use him or his company as the asbestos removalist. I note that my colleague the member for Moggill has seen fit to write to the CMC, asking it to investigate official misconduct, and I fully support this move.

If this is how QBuild and the Queensland government treat companies which comply with the code and do not take short cuts, then it gives you a pretty good idea of how lightly they take asbestos removal and mock their own code of practice. Now the minister has been forced to order another investigation—this time supposedly an independent one, with firm Ashdown Integrity Services, but he has enrolled staff from Project Services to provide technical support. Where is the independence in that? Queenslanders could be forgiven for thinking we have our own Peter Garrett here in the form of the Minister for Public Works. The issue that is of greatest concern is ensuring that all government employees whose jobs give them a reasonable prospect of encountering hazardous substances such as asbestos are given the proper training to prepare them to deal with this substance.

QBuild had 944 field staff as at 4 August 2009. Of those 944 staff, not one of them holds an A-class asbestos removal licence. Furthermore, only 66 per cent of QBuild staff have completed asbestos specific training and hold a B-class asbestos removal licence. Why has the minister not ensured that all QBuild field staff have received this training? The evidence is clear that the current training system is not working to protect QBuild employees or the general public. How many people have been contaminated by this government's sloppiness?

In government, the LNP will not simply pay lip-service to the safe removal of asbestos. We will ensure that there is adequate training for QBuild staff who handle it. Breaching of procedures will not be tolerated or swept under the carpet so to speak. Companies without appropriate training, such as Programmed Maintenance Services, will not be employed to handle asbestos without trained employees. Independent audits will be just that, not the same company conducting both, as happens now. And we will implement a regulatory body with teeth. Allegations that companies have committed serious breaches and bringing in workers from interstate to work in our schools is a slap in the face for Queenslanders and exposes the Bligh government's jobs, jobs, jobs mantra as a complete farce.

(Time expired)

Wacol, Land Use

Mrs ATTWOOD (Mount Ommaney—ALP) (12.44 pm): I rise to speak about the recent decision to provide community space at Wacol, in the neighbouring electorate of Inala, following my representations on behalf of my local community over many years. Before my election to the electorate of Mount Ommaney in 1998, the then Leader of the Opposition, Peter Beattie, committed future Labor governments to ensuring that there will be no future prisons built at Wacol after I campaigned with members of the local group called CRAMP, the Concerned Residents Against More Prisons group.

The Premier, Anna Bligh, has reaffirmed that position and confirmed that the government has purchased land at Gatton to provide land for future prisons in South-East Queensland without the need for an additional prison at Wacol. In 2006, I successfully pursued the Beattie cabinet on behalf of the community to quash the Westgate proposal for housing development on the Wacol site. The then Premier, Peter Beattie, on 2 August 2006 promised to make available Corrective Services land at Wacol for public recreation and open space. Our Premier, Anna Bligh, has now asked Queensland Corrective Services to ensure that land is made available for appropriate public access in suitable areas of the site.

The Premier outlined in a meeting with the Centenary and District Environment Action group at the western suburbs community cabinet late last year that her aim was to ensure that there is appropriate public access to that vast tract of Corrective Services land at Wacol. This is consistent with previous undertakings of the government which ensures that community safety is maintained. Any decision regarding access will be based on issues relating to community safety and the effective management of correctional facilities. The community appreciates that safe and secure prison operations require reasonable buffer zones between prison infrastructure and residential and community areas. These buffer zones protect the community by minimising public contact with offenders and reduce the likelihood of security incidents.

Given Queensland Corrective Services is not equipped to manage public reserves, it has liaised with the Brisbane City Council on managing land for public access at Wacol—that is, QCS will transfer land not required for a buffer to Brisbane City Council for community space. QCS has indicated that there is approximately 60 to 70 hectares of land that it can transfer to the Brisbane City Council to manage for community space. This 60 to 70 hectares is in addition to the 17 hectares of playing field already ceded to the Brisbane City Council and leased to the Centenary junior rugby league club, the 40 hectares of land north of Wolston Creek ceded to the Brisbane City Council as public recreation and the

40 hectares south of Wolston Creek that Brisbane City Council will replant and manage on behalf of QCS. The land remaining with QCS will be about one-third of the size of the original holding. The remaining approximately 70 hectares of land is required for correctional use and will be used as a buffer zone. While this land will not have public access, in line with the Premier's commitment, it will not be used to build a new prison and will be open space.

Generally in town planning the term 'open space and recreation' refers to public and private land that contributes to the recreation, conservation, biodiversity or landscape and amenity of an area. It may include land which does not allow public access, and there are a number of local government planning schemes that use this definition. Accordingly, the essential buffer zone required to ensure community safety will be retained as open space. It is the government's intention to selectively replant this land to ensure a clear demarcation of non-public access areas and deliver an ecological benefit for the area that can provide a habitat for wildlife without being disturbed by further encroachment.

The Wacol Land Use Working Party, which I initialised in March last year, will work with the proposed allocation of land and its future uses according to the needs of the community and the local member of Inala, who has jurisdiction over that part of her electorate. The Premier, Anna Bligh, acknowledges the strong representations that I have made to the former Premier in relation to quashing the proposed Westgate development and his subsequent decision to use this space for the community. The community appreciates that I have lobbied hard on this issue for many years to all Corrective Services ministers and instigated the formation of the current working group. I acknowledge the important role of the Centenary and District Environment Action group and the part they have played in supporting my representations to government.

Sale of Public Assets

Mrs CUNNINGHAM (Gladstone—Ind) (12.49 pm): On Friday and Saturday in Rockhampton and Gladstone respectively groups of angry and frustrated people met and marched to again highlight the concerns of QR workers, their families and supporters, as well as union members across many unions at this government's proposal to sell assets. In Rockhampton I am advised that approximately 300 people marched. In Gladstone, 75 to 100 people marched or met at the park to hear speakers expressing concerns in relation to this government's asset sale proposal.

At both events participants were invited to sign a retirement card addressed to the Premier and the Treasurer, as participants remain of the opinion that, if the Premier and Treasurer continue in their plan to sell the assets as proposed, they or their party will be unsuccessful at the next election. So great is the feeling that comments on the card include: 'After 22 years of voting Labor, next election will see me change that'. This family signed their names clearly and without equivocation, such is the feeling of many long-term Labor voters.

Additionally, Craig Giddins from the ETU, on behalf of those in attendance at the meeting, requested that I pass on to the Premier and Treasurer along with the retirement card this game of Monopoly. It is not any game of Monopoly but the Australian version as modified by Craig and others. The front reads: 'Monopoly—The Australian Here and Now—Sold Tomorrow Edition'. The board has been overlaid with pertinent new properties—our ports, our forests and our railways. It was stated at the meeting that perhaps a few games of Monopoly would bring home to the Premier and the Treasurer that one of the fundamentals of the game is not to sell your utilities. Properties may come and go. However, the utilities are proven money earners. In the real world it must also be acknowledged that affordable services such as power, water, transport, health, education and the like undergird the health, confidence and prosperity of a community. These strategic assets are most wisely operated by the people through their elected government.

I am on the record here and elsewhere opposing the sale of strategic assets. The people I speak to daily express concern that the government is selling those assets which are actually earning this state an income. For one single injection of funds, the government is intending to dispense with, in the case of QR coal freight, not only an asset which earns a significant return to state coffers but also an income stream which shows exponential growth.

While this government offers job security for two or three years after the sale of rail, ports and forestries, the reality is that, once sold, the government loses control and influence in these areas. The Premier has stated in this chamber that the sale of QR coal freight will create additional jobs. That has not been the case in the sale of Telstra, which is the closest sale size wise to QR. Workers there have been sacked in their thousands, and QR employees feel betrayed and isolated. People are angry that this government is not listening to their concerns.

I would place on the record thanks to Phil Golby and Craig Giddins, who have been organising these events, for allowing people in the community to express their dissatisfaction and frustration. Thanks also to the hundreds who turn out to these peaceful demonstrations. The demonstration outside this building today further reinforces the strength of feeling about this government's proposed asset sales. Across the state there is significant opposition. We should not be following the 'privatise, profits; socialise, losses' mantra.

I seek leave to table the card and Monopoly set for those concerned residents of Rockhampton and Gladstone, and again ask this government to reconsider its proposal to sell assets in direct conflict with the wishes of the majority of Queenslanders.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Could the member for Gladstone please indicate what the game attempted to be tabled represents?

Mrs CUNNINGHAM: It is a game of Monopoly. As I said in my speech, the people who offered this as a gift to the Premier and to the Treasurer believe that, in playing it, they would get a better understanding of the financial management of public utilities.

Mr DEPUTY SPEAKER: In terms of the card, it is capable of storage. In terms of the game, it would appear that it is not a suitable item to be tabled, unless it can be tabled in a paper form which is capable of storage.

Tabled paper: Retirement card to the Premier and Treasurer regarding the sale of assets [1844].

Drive Tourism

Mr WETTENHALL (Barron River—ALP) (12.54 pm): The Bligh government is fully committed to supporting growth in the drive tourism market. That is why we committed $37.8 million last March to support tourism in the state through our three-year Tourism Action Plan to 2012, which included $1.8 million for the development of minor infrastructure on Queensland's strategic drive tourism routes. An important part of this plan is building the lucrative drive tourism market throughout regional Queensland.

Drive tourism is all about holiday-makers and overseas travellers who get in their cars, campervans and motorhomes to experience Queensland regions, and in turn boost the economies of our towns and communities. It is a huge money-spinner, with drive tourism worth more than $4 billion and accounting for around 70 per cent of the overnight leisure market. To meet the expectations of our tourists and encourage more to come, we know that we have to improve our facilities and infrastructure such as toilets, roadside picnic areas, rubbish bins, walkways, and signage and information sites.

The government's Minor Tourism Infrastructure Grants Scheme is working to attract and encourage tourists to stay longer in our regions by offering grants of up to $50,000 to communities for local infrastructure projects. Last year the scheme provided more than $580,000 for 15 projects in regional Queensland. These projects included the installation of a viewing platform and stairs for tourists to visit the dinosaur footprints at the Mount Morgan mine site on the Matilda Highway; the construction of shade, shelter and picnic settings at the front of the Queensland Heritage Park complex in Biloela; and the construction and installation of an ecofriendly toilet on the Bedourie-Windorah road at the truck stop, and placement of refuse points at tourist stops in that shire.

The visitor experience in the Burke and Doomadgee shires will be improved by the development and installation of 20 directional signs and interpretive signage. Existing facilities and infrastructure on our strategic drive tourism routes can often be many kilometres apart—something that can be frustrating for both motorists and tour operators alike. That is why this program targets regions that are popular for driving holidays and special interest experiences.

Last week in Cairns we announced the opening of round 2 of this program, which closes on 30 April. Up to $600,000 in grants will be available this year to local government authorities and regional tourism, development and community organisations to improve facilities in their regions. The program will further enhance Queensland's reputation with travellers and support more jobs throughout the state. I know there is significant interest in upgrading and building new roadside infrastructure right across the targeted routes, so I urge as many organisations as possible to apply for the grants.

These sorts of improvements not only make a very positive impact on the drive tourism market and further enhance Queensland's reputation with travellers but also lead to more jobs in regional towns. In tropical North Queensland the Great Tropical Drive between Cooktown and Townsville is an identified route, and we know that previous marketing of this route has been a great success. Other routes include The Adventure Way between St George and the South Australian border; the Great Inland Way between Charters Towers and Dirranbandi; the Capricorn Highway between Rockhampton and Barcaldine; the Leichhardt Highway between Theodore and Goondiwindi; and the Warrego Highway between Dalby and Charleville.

As well as trying to improve the drive tourism market, the Bligh government is also committed to luring the international market back, particularly to the tropical north. Aviation will be the key to this recovery in 2010. Over the past few weeks the region has welcomed an increased number of Chinese visitors as a result of additional China Southern Airlines charter flights over the Chinese new year period. In the year ahead the local tourism industry can also look forward to the introduction of a new Virgin Blue group international service between Auckland and Cairns. The Pacific Blue flights will operate twice-weekly services, representing a 79 per cent increase in available seats on the route. In addition, Continental Airlines will operate a daily service from Guam to Cairns from 17 March to 6 April to meet an increased demand from Japan and Guam. In April the tropical north will see the arrival of 17

new flights per week from Melbourne, Sydney, Adelaide and Perth, adding just over 3,000 weekly seats. April arrivals will also include resumed direct flights between Osaka, Japan and Cairns. The four-weekly Jetstar flights will add up to 1,200 seats for the region per week, which equates to approximately 63,000 seats per year. The Bligh government along with Tourism Queensland will continue to work together to ensure the future of Queensland's tourism industry grows strongly.

Mr DEPUTY SPEAKER: Order! The time for matters of public interest has expired.

Sitting suspended from 12.59 pm to 2.30 pm.

MINISTERIAL STATEMENT

Forestry Plantations Queensland

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (2.30 pm), by leave: The issue of probity on one of the five businesses the state is putting to the market was raised in the House this morning. This is an issue of the utmost importance to this government. It goes to the heart of the sale process and indeed to the integrity of those parties involved.

Through all of the sales processes independent probity advisers have been involved, providing independent oversight of the transactions. After the somewhat bizarre question asked by the member for Clayfield this morning, I can advise the House that I have received correspondence from the probity adviser confirming that the sale of FPQ is being conducted under appropriate probity protocols. I table a signed letter from the probity adviser for the benefit of the House, but in particular for the benefit of the member for Clayfield.

Tabled paper: Letter, dated 9 March 2010, from Rory O'Connor, Managing Director, O'Connor Marsden & Associates to Mr Graeme Garrett, Commercial Transaction Team—Treasury, regarding probity protocols [1845].

I can also confirm that specific protocols have been distributed to FPQ which set out rules for the management of inquiries from the public in relation to the sale process and the interaction with customers and potential bidders for the FPQ business and assets. This is standard practice in both the public and private sector.

To question this reflects very poorly on the shadow Treasurer. No-one is under any illusion about the importance of maintaining the integrity of the sale process. Again, this is standard practice in a sale process of this nature. The suggestion from the shadow Treasurer that such probity protocols should be set aside is at best ill-informed and ultimately frighteningly irresponsible.

Mr NICHOLLS: I rise to a point of order, Mr Deputy Speaker. I made no such suggestion. I find his comments offensive and ask that they be withdrawn.

Mr DEPUTY SPEAKER (Mr Wendt): The member has asked for those comments to be withdrawn.

Mr FRASER: I withdraw. At this point I merely ask members to reflect upon the record of the House. As I said, the suggestion is at best ill-informed and ultimately frighteningly irresponsible.

Mr NICHOLLS: I rise to a point of order, Mr Deputy Speaker. This is exactly the point I raised before.

Mr DEPUTY SPEAKER: Member for Clayfield, hold on. Minister, take your seat. There is a point of order. I call the member for Clayfield.

Mr NICHOLLS: Thank you, Mr Deputy Speaker. This is exactly the same point I made a moment ago. I made no such suggestion and I find the words offensive and I ask that they be withdrawn.

Mr FRASER: I withdraw and I note that he did not suggest that they were untrue. Our commitment to integrity and probity—

Mr NICHOLLS: I rise to a point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Minister, take your seat! The member for Clayfield.

Mr NICHOLLS: If the Treasurer is going to play semantics, he ought to withdraw and withdraw without qualification. He has just made a qualification about the truth or otherwise of the statements made. I find them offensive.

Mr DEPUTY SPEAKER: Member for Clayfield, I understood that and I was going to get to that as well. Treasurer, I seek your withdrawal without qualification.

Mr FRASER: I withdraw without qualification. Members of the House should understand that our commitment to integrity and probity is about acting in the interests of taxpayers and the suggestion from the shadow Treasurer this morning is one which reflects very poorly upon him and—

Mr NICHOLLS: I rise to a point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Treasurer, please take your seat. Member for Clayfield.

Mr NICHOLLS: This is now the third time that the Treasurer has said that I made a suggestion. I made no such suggestion. I find the comments that I did offensive and I ask that they be withdrawn.

Mr FRASER: I didn't reflect upon him then.

Mr DEPUTY SPEAKER: Treasurer, I would ask that you withdraw those comments unreservedly.

Mr FRASER: I withdraw. Our commitment to integrity and probity is about acting in the interests of taxpayers. Any suggestion to the contrary provides a window on the way in which such matters would be dealt with under the alternative government in this state and therefore reflects very poorly on the opposition in this state given that it is providing a suggestion that the probity protocols, appropriate in these circumstances, would be set aside in such a transaction. This is standard practice. I refer all members, especially the member for Clayfield, to the advice provided by the probity advisers to this transaction.

REVENUE AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (2.34 pm): I present a bill for an act to amend the Community Ambulance Cover Act 2003, the Duties Act 2001, the First Home Owner Grant Act 2000, the GST and Related Matters Act 2000, the Infrastructure Investment (Asset Restructuring and Disposal) Act 2009, the Land Tax Act 1915, the Pay-roll Tax Act 1971, the State Financial Institutions and Metway Merger Facilitation Act 1996, the Superannuation (State Public Sector) Act 1990, the Taxation Administration Act 2001 and the Trans-Tasman Mutual Recognition (Queensland) Act 2003 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Revenue and Other Legislation Amendment Bill [1846].
Tabled paper: Revenue and Other Legislation Amendment Bill, explanatory notes [1847].

Second Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (2.35 pm): I move—

That the bill be now read a second time.

The Revenue and Other Legislation Amendment Bill 2010 amends the state's revenue legislation to maintain its currency and ensure it operates as intended. Many amendments are beneficial in that they provide new or extended exemptions and concessions or clarify the operation of the legislation, which will assist both taxpayers and the Office of State Revenue. A number of these beneficial amendments will have retrospective effect reflecting the fact that some exemptions and concessions have been operating on an administrative basis. Some other relatively minor amendments are also being made. The remaining amendments are necessary to protect the integrity of the state's revenue laws.

A number of beneficial changes to the Duties Act 2001 are included in the bill including 'top hatting' relief for the property industry, new exemptions from duty for certain restructuring of stapled entities which meet the requirements for the Commonwealth's capital gains tax rollover relief and other conditions. The exemptions will facilitate the adoption of more efficient operating structures.

Other changes include: reassessment and refund provision for cancelled transfers; extending access to the home concession provisions for homebuyers who acquire a lease of a home rather than the freehold title; extending the exemption for transfer of an interest in a home from one spouse or de facto partner by way of gift to situations where an existing mortgage is involved; providing an exemption for transfers resulting from the incorporation under the Commonwealth's Corporations Act 2001 of an incorporated association which satisfies certain conditions; and providing a discretion to extend the start date for use of a property for a qualifying exempt purpose by a charitable institution. Some beneficial changes are also being made to the Community Ambulance Cover Act 2003.

The bill also contains important measures to ensure that the integrity of revenue laws is protected and that the revenue legislation operates as intended. On 14 January 2010, I announced changes to the insurance duty provisions in relation to life insurance riders and certain insurers to be effective from that date. The bill gives effect to the announced changes. To ensure the integrity of the self-assessment

regime for duties, effective management of self-assessor noncompliance is critical. The bill extends the Commissioner of State Revenue's powers to suspend a self-assessor's registration by providing for immediate suspension where there is an immediate unacceptable risk of noncompliance with the self-assessor's statutory obligations. This amendment is a necessary protective measure to ensure the public interest is preserved and consumers can be protected from potential loss.

The Pay-roll Tax Act 1971 will be amended, with effect from 1 July 2009, to change the territorial nexus for wages paid to employees who provide services in more than one jurisdiction. These national changes, announced on 29 June 2009, are necessary following a decision by all jurisdictions to change the nexus rules from 1 July 2009. All registered payroll tax clients were notified of the change and given the option of either switching to the new nexus arrangements from 1 July 2009 or continuing with the current arrangements until the law is amended and making necessary adjustments for their 2009-10 annual return. The amendments provide clarity around which jurisdiction levies payroll tax and avoids the risk of double taxation.

Other measures in the bill include: clarification of the conditions of entitlement to the transfer duty exemption for conversions of ownership from joint tenancy to tenancy in common and vice versa; extension of the operation of the contracted property provisions to include trust interests; for the corporate reconstruction exemption ensuring that the condition that the property be group property applies as intended where property is subdivided; and providing that charges over land registered by the Commissioner of State Revenue for land rich duty and first home owner grant rank as first charges to align with land tax charges and with revenue laws in a number of other jurisdictions. This change is prospective.

A reduction of the cap on the value of homes which qualify for the first home owner grant from $1 million to $750,000 from 31 March 2010 to align with the caps in other jurisdictions and to allow the sharing of first home owner grant information with the Commissioner of Taxation under reciprocal arrangements are also included.

The bill will also amend the State Financial Institutions and Metway Merger Facilitation Act 1996 to remove the current requirements that a minimum number of directors of each Suncorp group company be residents of Queensland. The requirement that the managing director be a resident of Queensland will continue and is being progressed after consideration and endorsement by Suncorp's AGM. This amendment is necessary as Suncorp continues to compete as a publicly listed company in the competitive finance industry.

The bill will also clarify the extent and the operation of the existing state guarantee for Suncorp Insurance and Finance for insurance and indemnity policies that existed prior to the merger with Metway Bank in 1996. Earlier, Queensland law operated to provide a state guarantee for these insurance and indemnity policies on the basis that Suncorp Insurance and Finance was state owned. Suncorp, in its current form, was created on 1 December 1996 as a result of the merger of the Queensland government owned Suncorp Building Society, Suncorp Finance Ltd, Suncorp Insurance and Finance, QIDC and Metway Bank. The merger was aimed at enhancing the availability of banking, finance and insurance services throughout the state by creating a financial institution that was able to use its well-known brands to offer a wide range of banking, finance and insurance products in an increasingly competitive market. Prior to the merger, the entities all had strengths in different areas of the banking, finance and insurance industry. The merger brought these strengths together that provided a mix of banking, finance and insurance services to the whole of the state.

Suncorp's annual general meeting was held on 28 October 2009 and at that meeting shareholders passed a vote to amend the company's constitution to change the residency requirements that apply to Suncorp's directors. The resolution passed by shareholders requires that only the managing director of Suncorp be ordinarily a resident of Queensland. For this resolution to be implemented, the act must be amended to remove the current mandatory residency requirements. The requirement that the managing director be ordinarily a resident of Queensland will be retained, as will the requirement for principal operational offices of stated company personnel and company services being located in Queensland.

The bill will also amend part 7 of the act to clarify the provisions relating to the state's guarantee of all insurance and indemnity obligations by Suncorp prior to its merger with Metway in 1996. To be specific, the guarantee will only apply to policies or contracts of insurance and indemnity that were in existence on 30 November 1996 and to the maximum liability under the policy or contract of insurance or indemnity, whether actual or contingent, that existed on 30 November 1996.

The bill also amends the Infrastructure Investment (Asset Restructuring and Disposal) Act 1990 to facilitate the commercial restructure of the declared projects. In particular, on 8 December 2009 the government announced that the Port of Brisbane, Abbot Point Coal Terminal and QR Ltd's below-rail coal network would be divested by way of 99-year leases. This bill inserts new provisions to facilitate the lease of these projects and provides appropriate commercial certainty for the state and the ongoing businesses.

Further, the bill amends the Superannuation (State Public Sector) Act 1990 for the purposes of simplifying the current process for the continuation of eligibility for membership with QSuper for employees who are no longer employed by a state public sector unit as a result of a restructure of a government business. For prior transactions, the main process has involved the employee and new employer each giving a written notice to QSuper that the parties agree to the employee's continued membership with QSuper. The amendments introduce a new process which permits the minister to give notice, by gazette, to QSuper declaring that employees keep all of an employee's existing and accruing rights relating to superannuation. The effect is that the new employer will be bound by the QSuper scheme. The proposed amendments are intended to maintain the status quo and ensure that there is a simple streamlined process for QSuper, the new employer and the affected employees. These amendments will apply generally.

The bill also contains amendments to the Trans-Tasman Mutual Recognition (Queensland) Act 2003 to remove the requirement for an act of parliament for Queensland to endorse Commonwealth regulation amending the goods and occupations that are exempt from the operation of the Trans-Tasman Mutual Recognition Act 1997 at the Commonwealth level. This will bring Queensland in line with other jurisdictions. I commend the bill to the House.

Debate, on motion of Mr Nicholls, adjourned.

MINISTERIAL STATEMENT

Valuations of Land

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (2.43 pm), by leave: Today the Department of Environment and Resource Management has released an important and timely report which injects a much needed dose of reality into the public debate about statutory land valuations in Queensland. I table for the information of the House a copy of the Department of Environment and Resource Management's *Property market movement for the 2010 valuation*.

Tabled paper: Department of Environment and Resource Management, Report titled 'Property market movement for the 2010 valuation—Snapshot 2010' [1848].

This report does not purport to be, and should not be interpreted as, comprehensively or definitively representing any revaluation undertaken by the chief executive of the department under the Valuation of Land Act 1944. However, this report does provide a useful forecast of what we could expect when they are issued by 31 March of this year.

Anyone following and believing some of the wild public claims in the recent debate may be surprised to see that this report does not show evidence of massive valuation increases or the 'biggest ever change to land taxation'. In fact, what this sober report shows is land valuations reflecting the market movements since the property was last valued. With some exceptions, those valuations undertaken in 2007 should show substantial declines in commercial and industrial property sectors. Those local government areas not undertaken since 2005 should generally show net increases over the period due to the boom of 2005 to 2008, offsetting the declines or flattening of market values since 2008.

What do we see when we look at those sectors that have been the centre of claims about massive increases predicted in 2010? Since the 2008 valuation, commercial property on the Gold Coast and Brisbane fell by 16 per cent and seven per cent respectively and industrial property fell by 24 per cent and three per cent respectively. Indeed, land values for the top 10 most valuable properties in Brisbane's central business district appear to have actually dropped by 16 per cent in value, reducing their collective value by some $193 million. The report forecasts a 15 per cent to 23 per cent decrease in the value of theme parks, consistent with the overall commercial trend on the Gold Coast. Those shopping centres already on the prescribed formula will have increases of about two per cent since the 2008 valuation.

The report indicates that residential land values in Brisbane show an overall increase on average of 11 per cent since 2007, which is modest compared with average annual increases between 2005 and 2008. Gold Coast residential land decreased on average in value by five per cent over the same period. Not every local government area being revalued would see a fall in its property values. The report highlights the increase in sales volume and prices over the period from 2005 to 2008 in all market sectors. This boom period will be reflected in some local government area revaluations which have not been revalued since 2004. In the more regularly valued areas—mostly Brisbane and the Gold Coast—reductions in value are common due to the economic downturn. This report provides some much needed factual information and should calm the nerves of many industry sectors and property owners who have been spooked by recent campaigns. The report is available on my department's website.

VALUATION OF LAND AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 11 February (see p. 242), on motion of Mr Robertson—

That the bill be now read a second time.

Mr SEENEY (Callide—LNP) (2.47 pm): I rise to oppose the Valuation of Land and Other Legislation Amendment Bill 2010 as it was introduced into this House, and we will oppose it in the strongest possible terms. Today we debate a bill that has provided confirmation, if confirmation was needed, of the extent to which the Queensland government under Premier Bligh has descended into an administrative farce.

The bill before the House is the result of the government losing its particular case in the court over a period of time. This particular piece of legislation deals with an issue that is very complicated, and the government has sought to use the complicated nature of the issue to hide its true intentions and to hide the facts behind the legislation that has been introduced. In effect, the bill before this House this afternoon is a blatant, cynical attempt to increase the amount of land tax that the government takes from Queensland property owners. In simple terms, the government's intent for the last 10 years has been all about increasing the base on which land tax is applied at every opportunity, and increasing that land tax base to the maximum level possible to line the government's coffers.

This is a government that went broke in the biggest economic boom in Queensland's history and to compensate for its shocking lack of financial management it has sought to increase its land tax take at every possible opportunity. The figures bear that out. If we look at the total gross returns for land tax, we see that they have trebled in a 10-year period. They have trebled in a 10-year period because of a constant campaign to increase the base upon which that land tax is levied.

The base on which that land tax is levied is the unimproved value of land. Land tax has been paid on the unimproved value of land since that model was introduced into Queensland in 1944. Currently, land tax is paid by landholders who hold land with an unimproved value over and above $600,000. But it is the calculation of that unimproved value that has been the genesis of this legislation. Not only has the government taken the opportunity to increase the quantum of that unimproved value at every opportunity; it has sought to misuse the mechanism by which that valuation is calculated, and it has done that since 2002. Since 2002 there has been a campaign, particularly in relation to commercial shopping centre sites, but commercial sites generally, to tinker with the mechanism, the equation and the concepts that are used to calculate that unimproved value.

Once again, this argument gets very complicated. As I said, the government is seeking to use the complicated nature of the argument to somehow hide its true intentions. But in simple terms the unimproved value is calculated by taking the market value of a property and subtracting the improvements. The improvements have always been considered to fall into a number of categories, some of which are easy to identify and easy to value and others which are more difficult. Obviously, the first category of improvements that are easy to value are the physical improvements—the bricks and mortar. That is easily understood. But even in this particular bill before the House the government seeks to try to change that mechanism—and I will go into the detail about how it changes that mechanism later on.

The second category of improvements that has always been part of that calculation is what is known in the industry as invisible improvements. They are improvements that have essentially become part of the land, such as clearing, filling, levelling and stabilisation that, once again, have long been recognised as improvements that need to be deducted from the market value to get to that unimproved value of land.

But the third category of improvements is the one that has been the instigator of the legislation before the House and it has been the issue that the government has sought to use to its own advantage since 2002, and that is the category of intangible improvements. Intangible improvements encompass things such as leases, business goodwill, development applications—a whole range of things that add value to a site but which are really intangible. Obviously, that is why they are called intangible improvements. Since 2002 the government has sought to have the value of those intangible improvements reside in the land for the calculation of the unimproved value on which it levied its land tax. As I said, the government has done that to try to maximise the value of the land tax base, to gouge land tax from a group of people who it philosophically sees as being able, in its words, to pay a higher level of tax.

Mr Stevens: Mum and dad's superannuation.

Mr SEENEY: But the government, in its philosophical blindness, fails to understand that most of the people who are impacted by those decisions are, as the member for Mermaid Beach indicates, mum-and-dad superannuation investors. Shopping centres are a great example of those investments. In the main, they are owned by property trusts whose main investors are either unit holders or

superannuation funds which hold units on behalf of their investors. So the government, in its philosophical blindness, seeks to gouge additional land tax from those people without understanding or acknowledging that it is everyday mum-and-dad Queenslanders who are worse off because of its decision. As I said, it is that question of intangible improvements that has been at the heart of the dispute that has been running since 2002. It has been at the heart of the attempts by the government to increase that unimproved value of commercial property since 2002.

We considered legislation in this parliament in 2008 after the government lost one litigation case. Obviously the legislation that was introduced in 2008 did not achieve all of the government's objectives because, late last year, it was back in court again and it lost again. So we are back in this parliament today because the government cannot get its own way in the court. The court has found consistently that the government's interpretation of the legislation is wrong. The court has found consistently that the government's attempts to gouge extra land tax from the property owners of Queensland are illegal. The government's attempts are not supported by the law. So the government has come into this parliament to seek to change the law.

This is a pattern that we have seen from this government for 10 years across a range of departments, but more particularly in the department of natural resources. Time and time again the department of natural resources has sent its hapless minister into this parliament to change the law to ensure that the department gets its way when it cannot get its way in the court. When the court rules that the actions of the department of natural resources are illegal in case after case after case, the minister gets sent in here with legislation to change the law. It is almost as though the department of natural resources considers this parliament to be the final court of appeal, where it knows that it is going to get the result that it wants. The department knows that it can use the numbers in the Labor government to get the result that it cannot get in the litigation that it initiates.

It is important to understand that the litigation in this case was initiated by the department; it was initiated by the government. It has never been a case of property owners trying to tinker with the system to minimise their land tax obligations. This court action has been instigated by the department in trying to tinker with the system to maximise its land tax take. It has been at the department's initiative that the whole concept of unimproved value has been challenged, has been stretched and taken into areas that it was never considered to be. In fact, the legislation before the House reaches absurd levels when it talks about the meaning of unimproved value. It says something along the lines—and I will get to it in detail when we go into consideration in detail—that unimproved value has a special meaning in this bill that is not related to the dictionary meaning of the words. In this bill, 'unimproved value' has a special meaning that the government wants it to have simply so that it can increase land tax and so that it can gouge money from Queenslanders who own property either directly or, more commonly—and certainly in greater numbers—through their superannuation funds.

I think the consideration of this bill that we are going to undertake this afternoon is something of a first in another way in that the government has indicated that it is going to introduce extensive amendments. In fact, the amendments that the government has indicated that it is going to introduce effectively all but gut the bill. They take out all of the features of the bill that have caused so much debate. The amendments introduce a sunset clause to the bill that effectively means that it will have a life of less than one year and one valuation cycle.

But we have to consider the bill as it has been introduced and as it is tabled and we will consider the government's amendments when they are introduced during the consideration in detail. Effectively, in the tabling of those amendments, the government has admitted that this bill would destroy Queensland's economy and it has admitted that the bill was a huge mistake from the beginning. It is a bill that was introduced without consultation with the industry. It is a bill that was introduced almost in a fit of pique by the minister after the department lost yet another case in that long-running series of litigation to which I referred earlier. As I said at the very beginning of my consideration, it is an indication of the extent to which the administrative capacity and capability of the Bligh Labor government has all but dissipated completely.

The Premier also said this morning when she made a ministerial statement about the bill that the government would be moving towards site valuations. That is something that I believe is long overdue. It is something that I have called for. We have advocated for some time that there be a total revamp.

Mr Robertson: There is no record of it. It was done in silence, because we can't find any record of you actually doing it. 'Seeney' and 'site valuation' does not appear in the one sentence.

Mr SEENEY: We have often called for a total revamp of the valuation system.

Mr Robertson: Never. Don't try to get tricky.

Mr SEENEY: Absolutely. It is what the minister should have done when he introduced the bill. When he introduced the bill I said that he should have gone to a full revamp of the system. We will watch and wait for the government's legislation, which will supposedly be introduced in September, to see just how genuine the government is about achieving a proper revamp of the whole valuation system.

When the bill was first introduced into the House the LNP said that it had the potential to send land tax bills soaring. We said that it should be scrapped. We said that it should be thrown out and that the government should start again. We said that the government needed to go back to the drawing board. We said that Queensland needed a valuation system that was fair and equitable, that has been modernised. We said that business and investors in Queensland needed certainty, and this bill did not deliver on any of these aspects. We have seen over the last decade the Labor government plumb the depths to find any blatant tax grab or revenue snatch to empty Queenslanders' pockets. We said that this bill was a continuation of that agenda. We said that the changes proposed in this bill to the Valuation of Land Act would destroy more jobs in Queensland than the global financial crisis and the impact would be further reaching and longer lasting. We were treated with contempt by the minister and the government.

It has eventuated since that the majority of property owners and interest groups across Queensland have agreed with us that this bill will destroy investor confidence in Queensland. Some of the biggest investors in property in Queensland have publicly expressed that view. They have agreed with us that this bill will massively increase the cost of doing business in the state. They have agreed with us that this bill will inflate rents across all sectors of society and they have agreed with us that this bill will put house prices, particularly in new property developments and greenfield sites, way out of the reach of any first home buyer. Every other stakeholder has agreed with us that this bill will devastate the superannuation nest eggs of Queenslanders. They have agreed with us that it will demolish Queensland's tourism industry, it will kill small business in Queensland and it will flatten the construction industry in our state. The major retail companies themselves have agreed with us that it will ruin retail business futures throughout the state.

In short, if this bill were to be passed in the form that it was introduced into the parliament Queensland jobs and livelihoods would be devastated and decimated. The government has done this by trying to sneak through a change to one of the most important tenets underpinning the land taxation system—that is, the unimproved valuation of land. It tried to sneak through the change without consultation and against the results of two court cases. It tried to do that by using the complicated nature of the issue to hide the real effect of the bill before the House.

The positions that we took were supported by a range of interest groups. Some of their comments need to be put on the record. There were comments such as—

'A radical change to Queensland's rating and land tax system.'

'In one blow Queensland has undermined all the efforts in attracting foreign investment in Australia.'

'The new bill fundamentally alters the definition of unimproved value.'

'The proposed amendments are aimed at protecting the State budget's bottom line in the short-term. Their legacy, in terms of the inevitable disincentive to investment in Queensland, will be with us for years to come.'

All this under a Labor government that was desperate to gouge money because it went bust in a boom! The only people who did not see the absurdity of the bill were those with vested interests—those who were part of the Bligh government struggling against the results of its own financial mismanagement. When the minister announced the bill he stated—

The government introduced legislation to prevent a recent Court of Appeal decision overturning decades of past practice in the valuation of commercial property.

If we don't correct the Appeal Court's interpretation of the law, then we would be accepting commercial property calculations on a fundamentally different basis to other property valuations.

Both of those statements have been demonstrably shown to be untrue. While I will not use a term that is unparliamentary to describe the minister's comments, I will refer the minister to the fact that every professional body concerned with this matter has disagreed with his statement and has pointed out the untruthfulness of those statements. They include private valuers in Queensland, the Property Council of Australia, the Urban Development Institute of Australia, the Chamber of Commerce and Industry Queensland, the Shopping Centre Council of Australia, the Queensland Bar Association, the Queensland Law Society, a range of major superannuation funds, a range of major construction bodies, agricultural bodies and the mining industry. All have said that the minister's statements in this House when he introduced this bill are untrue and false.

We saw the Premier come into this place this morning and admit that they had got it wrong. It is in direct contrast to the position that the government tried unsuccessfully to maintain through things such as placing a full-page ad in the *Courier-Mail* that tried to maintain the unsustainable position that this bill meant no change for Queenslanders. The fact of the matter is that the government was caught out and, against the weight of evidence, had to concede that this was a blatant tax grab. The truth of the matter is that the government had been trying to change the valuation of land by stealth for 10 years and it has been caught out.

As I indicated earlier, the figures do not lie. Land tax receipts since 2001-02 have increased by over $800 million, or 355 per cent. Land tax as a proportion of state revenue has increased from 4.8 per cent to 11.1 per cent. Yet another example of Queensland's long-cherished low-tax status has been

thrown away by the Labor government in its bid to deal with the consequences of its own horrific financial management. In the biggest economic boom in Queensland's history, when the government had rivers of gold in terms of its income stream flowing from the mining industry, the property turnover tax and the GST, it still went out of its way to concoct this complicated approach to ensure that land tax rose by 355 per cent, so desperate was it to gouge money from the property sector in Queensland. Where have all these funds gone?

Mr Shine: Schools, hospitals, police, roads. Think about it.

Mr SEENEY: Every time we consider the government's economic management it is appropriate to ask where these funds have gone. Where has the money gone?

Mr Shine: Skilled Park.

Mr SEENEY: It is as well that the former Attorney-General seeks to interject, because he is a man who has sat in cabinet and he could tell us where all the money went.

Mr Shine: I just did—schools, hospitals, police, roads.

Mr SEENEY: Even before the global financial crisis, Labor had racked up more than $64 billion in debt. That is the legacy of the member for Toowoomba North and his colleagues who sat around the cabinet table when the government was in that fortunate position of receiving those cash inflows from the economic boom. In that period it racked up a debt that represented $16,000 for every man, woman and child in our state.

Today every Queenslander owes over $19,000, so every time we stand in this parliament and consider legislation such as the bill before the House, which seeks to adjust the tax system, it is fair to ask: where did all that money go? It did not get spent on our roads, it did not get spent on our hospitals, it did not get spent on our schools. Unfortunately, the money disappeared into a black hole—the black hole of Labor Party mismanagement. Queenslanders have nothing to show for the biggest tax grab that our state has ever experienced. Those who are struggling to understand this debate and have seen the advertising war in the *Courier-Mail* need to know that the debate comes down—

Government members interjected.

Mr DEPUTY SPEAKER (Mr Pitt): Order! Members to my right, I have given you some latitude. Let the member be heard in silence.

Mr SEENEY: Those people need to know that the debate comes down to a fundamental issue. It comes down to an attempt by the government to implement a fundamental change to one of the most basic definitions underpinning a taxation regime in our state, which is the definition of 'unimproved value'. It has long been the principle that land should be valued on its unimproved value for its highest and best use. However, the Valuation of Land Act 1944 requires that a valuer treat any improvements as if they did not exist in assessing the unimproved value of land for the purpose of levying land tax and rates. The government has increasingly ignored those principles, especially with regard to highly improved commercial properties. It has effectively stated an amount for intangible improvements such as goodwill and the existence of leases in its valuations. It has tried to include the value of those intangible improvements in the value of the land. This approach has been twice struck down by the courts. In the most recent case, the Pacific Fair centre was found to have an unimproved value of $47.5 million, but under its system the government submitted the value should be as high as $255 million. When there are such markedly different valuations, it is clear that it is not just a question of interpretation; it is a question of the government trying to fundamentally change the calculation. It is a fundamental change to the calculation that would achieve a difference between $47.5 million and $255 million as the base for the land tax that is going to be levied on that particular property.

The Land Appeal Court stated that the government's valuation amounted to 'a radical change to the state's rating and land tax system'. The government has consistently denied that. As late as today, the government is still trying to maintain that the bill before the House does not do anything to fundamentally change the land tax system or the land valuation system in Queensland. But the government's solution to the problem was to seek to retrospectively change the existing law to invalidate any outstanding appeal and to come in here with the bill that we are considering now that throws out the definition of 'unimproved value'.

Under this bill 'unimproved value' would now mean market value minus the depreciated cost of any buildings. An unimproved valuation will now include profit and risk; it will include the value of leases, the value of goodwill and the value of infrastructure charges. Those are the intangible interests that have previously been specifically excluded under Queensland's valuation of land system. Effectively, this bill introduces a tax on a person's business ability. Even the government admitted that. In the court case that led to this bill—and I will quote from the transcript from the case—Mr Jones said—

It seems to me that a fundamental consequence of your submission is that at the end of day it does result in a tax on entrepreneurial effort and skill and from my reading of a number of cases that has been contrary to the traditional approach of the Courts in assessing what unimproved is about.

On behalf of the government, Mr Fraser said—

> In terms of entrepreneurial effort it will involve considerations of, for example, prudent entrepreneurs. I mean, the unsuccessful one won't be taxed.

This is a fundamental shift in the land valuation system in Queensland. It puts our state further out of step with the rest of the nation.

The government is sitting on a major review of Queensland's valuation system by Professors Boyd and Heffernan. That review was instigated by the previous minister for natural resources and it has been long awaited by the industry. Today I call on the government to release this study in the lead-up to the introduction into this House in September of the bill that it has indicated it will introduce. The release of the review will ensure that the debate is fully informed and is not sprung on stakeholders when the bill is introduced into parliament, which is what occurred with the deficient legislation that is before the House this afternoon and is the subject of this debate.

As part of the public debate that has ensued since the introduction of this bill we have heard the government vilify those who oppose the bill as just shopping centre owners trying to protect their massive profits. There is no doubt that this industry is one of the many that will be negatively impacted by changes included in the bill, but let us be reminded of some real facts as we consider the legislation here in the parliament. In Queensland the retail industry is a massive employer. It does pay its way and it pays many individual Queenslanders. Already before this bill comes into effect, this industry is paying more land tax in Queensland than any other state.

A prominent proprietor of shopping centres has advised me that in a comparable interstate centre they are paying between $10 and $16 in land tax per square metre. Under the current regime, the Queensland Treasury is extracting $21 per square metre in land tax for similar shopping centre space. By how much do members anticipate this will rise under the new legislation? It will not be double or triple; they predict that the land tax regime that this bill will introduce will result in a sevenfold rise. This land tax will increase the charge to around $150 per square metre. Queensland would be charging more than 10 times the land tax paid in other east coast states, yet the minister and the government still claim that Queensland has the lowest land tax rate in Australia. Queensland may have the lowest land tax rate in the dollar, but it is the unimproved value in Queensland that makes the difference. The government's focus since 2002 has been on increasing the level of unimproved values so that it maximises its land tax take. What the minister neglected to state is that, while the land tax is low, the valuations underpinning it are extraordinarily high compared to other states. Under this bill, they will only increase. In fact, the very purpose of this bill is to justify and invalidate the government's attempt to increase the land tax base.

In other cases the increase is likely to be less, but I have talked to a number of property owners who anticipate a substantial 20 per cent to 40 per cent increase in their land tax, yet the Premier and the government continue to deny the implications of this decision. On the weekend the Premier said—

> This is not an issue that affects mum and dad investors—the only people affected by this are the very big end of town.

How wrong and misleading that is. The fact is that many Queenslanders, both directly and through superannuation funds, will have their investments slashed as a result of this decision. For example, most members in this parliament would have been contacted by a fund manager which stated that 50 per cent of its funds are invested in Queensland, largely in commercial property, and its investors are wholesale superannuation funds. In other words, the mums and dads the Premier claims will not be impacted are the very ones who will lose. They will lose because their superannuation funds will lose. This particular fund manager said that the bill will drop the value of the assets it holds in Queensland by a further nine per cent. It is not a big company, it is not a super rich family, it is not some overseas investor. The assets that the fund holds are held on behalf of everyday working Queenslanders. It holds their superannuation funds and it invests those funds in Queensland properties. The fund manager also stated that the change will delay or cancel further investment in the state. That is something that has been repeated across a range of correspondence that has flooded into electorate offices in response to this very poorly thought out legislation.

The fact of the matter is that the bill will devastate business investment in Queensland and it will devastate Queenslanders who have invested for their retirement. The bill will cost jobs across the state and it will destroy business certainty in Queensland. Not only is the government seeking to change the definition of the valuation of land for valuations in the future, but it is also seeking to correct its intentional tax gouging in previous years by retrospectively changing the definition of 'unimproved land' back to 2002.

This breaches the core and fundamental legislative principle that under a fair legal system the law on any given day should govern the actions of its citizens. No less than the Bar Association of Queensland has seen fit to write to the Premier and to all members to remind us of this principle and that 'citizens are entitled to organise their affairs (domestic and commercial) on the statute law as enacted from time to time'. It is the Bar Association's opinion that nothing in the bill or in the explanatory memorandum or in the government's public justifications would excuse a departure from this expected norm. It has long been the principle that retrospective legislation should be used only in extraordinary

circumstances. We see too much retrospective legislation introduced into this House by a government which seeks to use that retrospectivity to either justify its previous actions or to correct its former mistakes.

I note that the government has claimed in the media that some $600 million of rates and $300 million of land tax would need to be repaid if this bill were not made retrospective. That is simply rubbish. This has been disputed widely with legal advice that if a valuation was not challenged and subject to appeal then that valuation would stand. As a result, we believe that the likely impact would be much less—certainly less than the government's figure and probably in the order of $20 million to $30 million. The LNP understands the importance of ensuring the revenue base of Queensland's economy is protected. But this is an underhanded and blatant tax grab and it is clearly unacceptable.

To make it worse, the bill before the House effectively removes appeal and objection rights that have traditionally been available to landholders. It sets up a case where Caesar judges Caesar. Objections to valuations must be received within 45 days under the provisions that the bill seeks to introduce. The onus is on an owner to provide a high level of detail to support their objection. This would include details on improvements on the land, valuation reports, depreciation schedules and insurance assessments. But under the provisions of the bill the government does not have to inform the objector on what grounds it made the valuation. Only the government can make a determination that an appeal is properly made. If it decides it is not, there are no appeal rights available to the property owner. The government can require more information under the provisions of the bill, but if that information is unable to be provided the government may determine the objection may lapse, and there are no appeal rights to that decision that the government may make.

In addition, under the provisions of this bill, despite not knowing on what grounds the valuation was determined when making the original objection, the objector can only appeal on grounds included within the original objection. This is counter to the principle of natural justice and basic and reasonable fairness. The LNP again puts its position on the record. No-one should be in any doubt that we will always oppose the removal of objection and appeal rights for Queenslanders. Everybody has a right to appeal. Everybody has a right to have their objection heard. That is basic fairness. It is a reasonable situation that every Queenslander should have a right to expect when dealing with the Queensland government.

The bill before the House sets up a valuation schedule for Queensland local government areas over 10 years. Depending on growth, historical market movements and the numbers of valuations, each local government area will be revalued between three and five years. In the years when a valuation is not issued, an adjustment factor will be provided to the relevant local government by the Office of State Revenue. This will be determined and set by the department's chief executive. I understand that a property owner will have no right of objection or appeal against the valuation that has increased as a result of this adjustment factor. Once again, the right of appeal—the right to have their case heard—will be denied to ordinary Queenslanders. In an environment where land valuations regularly increase by more than 10 per cent a year, the impact of this change will be substantial and should not be abided by any of us. This will impact on both metropolitan and regional areas and yet again removes those basic rights that people have to a fair go, a basic right to fairness. The LNP will strongly oppose such changes wherever they appear in legislation.

As I noted earlier, the Premier this morning announced that the government would be introducing major amendments to the bill. In essence, they are a face-saving exercise for the government admitting that it got it wrong. However, some fundamental issues remain even after the consideration of the amendments. Even following the government's amendments, the fundamental change to the definition of 'unimproved land' will stand in the bill. That sets a very dangerous precedent that I believe has the potential at least to be misused in the future. Other fundamental issues will remain after the passage of the government's amendments. The effective removal of objection and appeal rights remain in the bill and will become legislation if the bill is passed, and the future of the land valuation system is still in doubt even with the passage of the government's amendments.

Let me conclude by saying that the valuation of land bill currently being debated by this House is, as I said at the beginning of my contribution, a blatant tax grab by a government that went bust in a boom, a government that set out to treble the land tax take at a time when every other one of its income streams was running at a record level. There is no doubt that this bill before the House would cost Queenslanders jobs—many jobs. There is no doubt that the bill before the House will hit businesses, particularly small businesses, due to the resulting increase in land taxes that they will pay, and that in itself will destroy Queenslanders' jobs.

There is no doubt that the bill before the House will be devastating to business certainty in Queensland and will reduce our state's attractiveness as an investment destination. There is no doubt that that too would destroy Queenslanders' jobs. There is no doubt that the bill before the House would affect housing affordability for every Queenslander. It will be hit yet again, as the cost to homebuyers will rise to reflect the increase in land tax, particularly in new developments and greenfield sites. That will result in houses becoming even more out of reach of Queensland first home buyers. There is no doubt

that the bill before the House will mean that average Queenslanders will be hit through the impact on their superannuation funds, most of which include some form of property investment. There is no doubt that as a result of this bill Queenslanders' retirement funds will dissipate and disappear.

The Bligh government has been caught out trying to misinterpret the law twice. It has been caught out acting illegally twice. It is retrospectively seeking to change the law to validate that illegal action. In addition, the Bligh government is effectively removing most Queenslanders' rights to object and appeal against decisions made by their government with regard to the valuation of their land which forms the basis of the land tax system. The Liberal National Party will oppose those changes wherever they appear in legislation.

We will await the debate on the amendments that the government has sought to introduce. We will consider those amendments on their merits. We will consider the sunset clause that the government seeks to insert into the bill. We will discuss the impacts of that sunset clause when it is introduced as an amendment to the bill in consideration in detail. As the bill stands before the House, as we must consider it as it was introduced into the House, it is a bill that should be voted against by every member of this House. It has been opposed by every stakeholder in Queensland's property industry who understands how important the unimproved valuations are to the land tax system. It has been opposed by everyone who understands the impact that higher land taxes will have on property investment.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Pitt): Order! Members, I remind you that cross-chamber activity is not on.

Ms Jones interjected.

Mr DEPUTY SPEAKER: Minister for Climate Change and Sustainability, I am speaking. Please take your conversations outside. If you wish to have debates away from the chamber, please do so. Apart from that, the member for Callide has the call.

Mr SEENEY: Thank you, Mr Deputy Speaker. As I was saying, this bill has been opposed by every interest group that has an understanding of the land tax system in Queensland. It has been opposed by every major investor who seeks to invest in Queensland's future, and it should be opposed by every member of this House. It is a blatant attempt by a government that went broke in a boom to gouge further land tax from a sector of the Queensland economy that it wrongfully believes has some capacity to pay. I look forward to this bill being defeated in its consideration before the House this afternoon.

Mr NICHOLLS (Clayfield—LNP) (3.30 pm): Make no mistake about it: this bill, as originally presented, is purely and simply a sneaky new tax grab by a sneaky government that has sent Queensland's finances deep into the red. It is a government, as the member for Callide, the shadow minister, has said, that has sent Queensland bust in a boom. We can imagine what was going through the minds of government ministers when this bill was being debated. The minister responsible for land valuations would have gone to the Treasurer and said, 'Treasurer, have I got a plan for you. You know how we are running out of money? You know how we are spending it like drunken sailors? You know how we are not getting any value for it? I can fix that problem for you, because we have all this land here. We have a property boom that is about to happen. What we will do is create a new way of valuing land in Queensland. It will be a different way of going about it. What we will do is introduce a sneaky new method of valuing unimproved land, and that is we will value it as improved land. Instead of it being unimproved land, we will call it improved land. But we will say, 'When you read the word "unimproved" it actually means "improved".' You can bank on that. You can put that in your future years' income and in your outlays. You can bank on the revenue that you will get from that particular sleight of hand. We will say that this is justified by valuation practice, or this is the way we have always done things, and we will start doing it.'

I guess the Treasurer said, 'We are always looking for a new way to take more money out of the pockets of hardworking Queenslanders. We are always looking for a way to penalise businesses, investors and people who make sacrifices, do the hard work, make the hard yards, incur the risk, put their families' wellbeing on the line and put their assets on the line. We will take that money and we will run with it.' In 2002 the dearly departed Treasurer at that time, Mr Mackenroth, said, 'You beauty. We'll take that money.' All of a sudden, property valuations started issuing. The year before they had been $40 million for the unimproved value, and the following year they came out at $155 million. How do you explain the valuations going from $40 million to $155 million in one year? The minister gets up in this House and has the presumption to say that there was no radical change in valuation methods. One year it was $40 million and the next it was $155 million, with no radical change in valuation method. It just does not wash.

This scheme—this sneaky new tax grab—comes from the same gang that brought Queenslanders 30-plus per cent increases in electricity charges after promising that no Queenslanders would pay any more. This is the same gang that promised not to scrap the fuel subsidy. What did the Treasurer say before the last election? He said, 'Make no mistake about it: we'll be delivering a fuel

subsidy. It will stay in place.' In reality, what happened? As soon as the Labor gang got re-elected it promptly scrapped the fuel subsidy—in effect, introducing a new fuel tax. Queenslanders now have the highest average price of unleaded petrol in mainland Australia on a regular basis.

Ms Grace: Rubbish.

Mr NICHOLLS: I hear the member for Brisbane Central—that sympathetic voice to business and entrepreneurial effort who has spent her entire life in the unions—say 'rubbish'. She is now so ensconced in the fantasy land of Labor Party politics that she does not even believe that Queenslanders are paying more for petrol after her government introduced a tax of 8.2c per litre. This is the same member who, when her office was approached by someone complaining about this particular legislation we are dealing with and the changes it will bring, said, 'I don't think we'll worry about responding because the person complaining doesn't live in Queensland.' She could not even be bothered sending a response back saying—

Ms GRACE: Madam Deputy Speaker, I rise to a point of order. I find the words uttered offensive and ask that they be withdrawn as they are not true.

Madam DEPUTY SPEAKER (Ms Farmer): Order! The member has asked for the comments to be withdrawn.

Mr NICHOLLS: I am happy to withdraw, Madam Deputy Speaker. I will speak to the member later and have a discussion with her about that.

This is the same Labor gang that imposed car registration increases of 17 per cent to 22 per cent last year. It is the same gang that promised to install 200,000 hot-water systems for $500 each, or $100 for pensioners, with one-third of them to be done that way, and has so far delivered less than one per cent of that total and has now scrapped the scheme. It is the same gang that, in addition to causing heartache to hundreds in the Mary Valley, lost $265 million by its own admission in going ahead with that fateful plan. It is the same gang that this year will oversee a $2.35 billion loss in Queensland's operating statement. This is the same gang that for the first time in Queensland's history lost our AAA credit rating. It is the same gang that has presided over the highest unemployment rate in Australia recently. It is the same gang that deceived the electorate by promising not to sell assets and is now shamelessly doing so.

Mr Watt interjected.

Mr NICHOLLS: The member for Everton pipes up now and says '100,000 new jobs'—100,000 jobs for 100,000 breadwinners. The January ABS statistics—

Mr Watt: They're on the way.

Madam DEPUTY SPEAKER: Order! The member for Clayfield has the call.

Mr NICHOLLS: Thank you, Madam Deputy Speaker. The member for Everton refers to job creation. The member for Everton should check the ABS statistics for January which show that there are 22,000 fewer full-time jobs in Queensland now than there were when that promise was made 12 months ago—22,000 fewer breadwinning jobs for breadwinners, and he is satisfied with that outcome. Not only is his government charging people more for the basics; it is also ensuring people have less capacity to pay for them by making sure they do not have a job.

When we hear the protestations of the minister, the Treasurer and the Premier that these proposed changes to the Valuation of Land Act are not about higher taxes, we know that in fact that is exactly what they are about. They have form. Their record speaks for itself. When the Bligh Labor government's form is analysed, when its actions are measured against its words, the people of Queensland can only reasonably come to one conclusion: this is a government built on the foundations of falsehood and deceit. This is a government that says one thing and does the diametric opposite.

This can even be seen in the minister's second reading speech. In his second reading speech the minister refers to a Court of Appeal decision. Obviously the government is unhappy with that. That is unusual, bearing in mind that the decision is the decision of the highest court in Queensland, one of whose members—the Hon. Justice Keane—has just been appointed by the federal government to be the Chief Justice of the Federal Court of Australia. He is obviously someone whom the minister will take issue with and prepare to cross swords with in terms of his understanding of the law. In his second reading speech the minister stated—

If the court's interpretation of the act in this case were to apply in future—

as it has in the past, for the last 60 years—

it would result in fundamentally different valuation principles being applied to commercial land, as opposed to other land types like residential land.

A bald statement is made without any justification or facts to back it up, and it is in complete contradiction to all the best advice from both lawyers and valuers. It is the case that the Court of Appeal's decision reaffirms the decision of the Land Appeal Court, which is a reaffirmation in itself of 60 years of valuation practice and which is clearly settled in law and in valuation practice in Queensland. In

fact, if we look at the reasons for judgement of the Land Appeal Court, reasons which were explicitly confirmed by the Court of Appeal—and it is a good read, Minister; I suggest you go through it and have a good look at it, and once you have read that you can then read the Court of Appeal judgement and understand it—we can see that what this government is proposing is a substantial change from previous history. Paragraph 90 of the Land Appeal Court decision contains this statement—

Had parliament intended such a radical change to the state's rating and land tax system, it would have said so in clear and express terms as for example, the manner in which it included the increase in value associated with planning instruments and development approvals under section 3(2B).

If the government had intended such a radical change, it would have said so. These are not the comments of the Property Council of Australia. These are not the comments of the shopping centre council. These are not the comments of the small investors out there. These are the comments of the specialist court formulated to determine appeals about property valuations. It is clear that what the minister and this government is proposing is indeed a radical change to land valuation practice.

This decision of the Land Appeal Court was expressly approved by the Court of Appeal. So in a contest between three judges of the Land Appeal Court, three judges of the Court of Appeal of the Supreme Court of Queensland, including the now Chief Justice of the Federal Court of Appeal, we have a clear statement about the state's proposal being a radical change to the state's rating and land tax system.

In contrast, we have the intellectual horsepower of the minister who comes in here and says that it is not a radical change, the courts have not decided it correctly and they do not understand what the prior 60 years of valuation practice in Queensland are all about. Bear in mind that this is the minister who introduced changes to overhaul the valuation system in 2003 which were considered so unpopular, so ineffective, that his successor, the member for Thuringowa, had to come back in here in 2008 and not simply introduce legislation repealing those changes that the current minister introduced in 2003 but introduce legislation to say that they had never been made in the first place. They had to try to rewrite history because those changes were so bad.

The minister said in his second reading speech that Queensland already has the lowest land tax rates in Australia. While Queensland may have some of the lowest tax rates for land tax in Australia, it has amongst the highest valuations. The government's argument about land tax rates is puerile and facile. As everyone knows, you cannot eat or bank percentages. It is the actual dollars that have to be paid by the owners of property that have to be counted.

Some figures provided by property owners show that land tax levied by other states is between $10 and $16 per square metre of retail space. In Queensland today it is already $21 per square metre, that is, it is 50 per cent higher in Queensland. Estimates show that if the legislation was enacted in the form it has been introduced into this House it could triple those payments. There is only one way that a sneaky tax grab will be paid—a tax grab like this—and that will be through tenants having to pay more, whether they are industrial tenants or commercial tenants, or by passing higher prices on to customers.

Then we have the minister's further line that the government's policy has always been to value land as developed. He says that the government's policy has always been to value land as developed. Why then since 1944 has the Valuation of Land Act referred to unimproved value? When one looks at the Valuation of Land Bill second reading speech from 1944 one can see reference to the term 'unimproved value'. It states—

The term 'unimproved' is used in part 5 of the bill. That is entirely in accord with the definition used in the Land Tax Act for the purpose of interpreting the terms 'unimproved value' but the value of improvements is also defined. All these definitions are based on decisions of the High Court of Australia.

The valuation made by the Valuer-General is to be the unimproved value for land tax purposes, the rateable value for local government rating purposes, and the unimproved value for the city of Brisbane rating purpose. That is the object of the bill.

Those were the words of the Hon. HA Bruce, the then secretary for public works, when the Valuation of Land Bill was first introduced. Unimproved value was clearly understood at the time and had a clear meaning.

When one looks at the government's own website one sees the concept of unimproved value under the Valuation of Land Act. It has been explained. It is on the web. It says that it requires the land to be viewed in its unimproved state, exclusive of any improvements but possessing all existing infrastructure and the environment external to the land. It goes on—

The unimproved value should be determined on the basis that the land in question was without buildings but was situated in a community with the amenities and facilities which had grown up around it.

There is a long history of case law which clearly points out the true meaning of unimproved value, not the radical change sought by the minister in the legislation he has introduced.

Putting aside the minister's obvious inability to reconcile the facts and truth with this government's agenda to introduce a sneaky new tax, we can now turn to the impact of the proposed legislation. Over and above the inherent fundamental deceptions which I have exposed, the proposed legislation fails on three principal grounds. Firstly, it is retrospective. Secondly, it changes the whole understanding of the valuation of unimproved value and makes a mockery of the term 'unimproved value'. It seeks to directly

overturn the law of the land as determined not once, not twice but three times—twice by the specialist Land Appeal Court comprising three members and once by the Court of Appeal in Queensland. Thirdly, its process for providing for objections is so stringent and so tightly controlled that it makes the process of appealing against government heavy-handedness almost impossible and financially out of reach for small landowners.

I turn to the first of these. The government's proposal, as advanced in court hearings and in this legislation, will see a radical change in the way properties are valued. No longer will land be valued for land tax and rating purposes based on unimproved value. This is a method that in Australia has been used and accepted in a variety of jurisdictions as a valid and a certain method of going about taxing interest in land. Applied properly—calculated on unimproved value—this is a fair and proper tax.

When it was first introduced in the 1870s it was considered almost a perfect tax because it sought to break up large landholdings, it sought to recover a value for the community but it did not tax the individual's business effort and enterprise. As the land value increased, as a result of community input around it—as roads were built, as sewerage was put in, as parks were provided, as communities grew—the value of the land increased. The increment—the actual increase in the value of the land—was taxed because the owner was getting the benefit of the increase in value, not from things he had done but from things outside his control. So it made sense to tax the increase in the increment of those things. But it was never a tax that was imposed on the work that the owner did in improving his own land because the owner already pays tax on that. He pays income tax. They pay corporate tax.

Ms Struthers: What about her land?

Mr NICHOLLS: It does not matter. In 1877 it is a historical fact, I am sorry, that women could not own land. Gladly that has changed and Queensland was one of the first to do it.

Madam DEPUTY SPEAKER (Ms Farmer): Order! Members should direct their comments through the chair.

Mr NICHOLLS: Sorry, Madam Deputy Speaker, I was correcting the historical record there. In effect there were two taxes. There was the land tax for which the unearned increment was taxed in the hands of the owner of the land. Then there was the personal tax, the income tax, that was paid by people who carried on business on the land and presumably earned a profit. We have not yet got to the stage in Queensland of charging a tax on people who make a loss—although, under this government, anything is possible.

That is the basis on which land tax on unimproved value has been assessed since the introduction of land taxes in Australia. There have been variations developed over the years. In New South Wales they have site improved value and in Victoria they have site improved value. There are different aspects of land value across-the-board. But unimproved value as a concept has been clearly understood for a long time. It is the way the courts have interpreted the law. It is the way valuation professionals have interpreted the law. It is the way past valuers-general have interpreted the law. It is the way in which honest governments have interpreted the law. It is obviously not the way this government interprets the law.

To seek to introduce limitations and to change definitions, as this legislation does, and to insert provisions to require the benefit of leases, agreements for lease or any other agreements included in the unimproved value is to make a mockery of both the English language and the courts' decisions. In fact, the Land Appeal Court was quite clear about what the government intended to do and what the impact would be, an impact now brought about by these amendments. It says at paragraph 45 of the decision—

It seems clear from these submissions—

these are the government barristers' own submissions, Mr Fraser QC—

that the respondent's position ... is that the assessment of unimproved value is now to include material elements of what would ordinarily be part of the goodwill of the business being conducted on the land.

In other words, the government was contending in the Court of Appeal and the Land Appeal Court that it wanted to tax as a land tax the value of the business conducted on the land—a sneaky new tax grab by a sneaky old government. Mr Fraser says as part of that case—

Well if one has regard to the trading history that is a reflection of the entrepreneurial skill because the trading history is what those who have developed the site have been able to achieve.

He goes on to say—

The instance that your Honour gave about looking at the trading history and seeing it has failed, well, that person won't be asked to pay any more in consequence.

So fail and one pays less tax on the land and succeed and one pays more tax. It is obviously a tax on entrepreneurial effort. It leads to bizarre results. It would impose a tax on the end product of value generated by the individual entrepreneurial skill and the efforts of taxpayers. The consequences would be at odds with what has been the recognised broad policy which has underpinned taxation on the unimproved value of land in Australia for many decades.

There are many other unintended consequences that flow from this. It would lead to discrepancies in unimproved values of similar parcels of land. All manner of commercial properties could be affected, ranging from shopping centres of varying sizes to CBD properties and various tourist attractions. It is interesting that I have a letter here from the Ipswich Visitors and Tourism Association which shows that proposals under this legislation were introduced. It stated—

Combined with coming off the worst conditions since the 1930s we believe that any increase in land tax should be thoroughly debated and economic modelling undertaken to identify the impact of such a bill on small, medium enterprises.

That is one example of the impact this legislation will have on the investment that is to be made in Queensland and in Ipswich, and I am sure members opposite would be pleased to say to the people of Ipswich that they are not taking any account of what happens in that part of the world! There are many other problems with this legislation, but time runs against me. There are problems with the retrospective nature of it. There are problems in terms of the appeal process. This government needs to amend this bill before it is finally passed. It needs to take into account the changes that it has been forced to make kicking and screaming. It needs to make sure that past valuations for properties are properly preserved and that a process is put in place for the future that equates to fairness, constancy and provides a reasonable return to Queensland taxpayers to meet the needs of our growing state. Under this bill, as introduced by this government, it does none of those. It is a mean, nasty, sneaky tax grab on individual effort, enterprise and business acumen.

Mr STEVENS (Mermaid Beach—LNP) (3.50 pm): I rise to speak on the Valuation of Land and Other Legislation Amendment Bill 2010, and I do so with a very heavy heart. This is probably amongst the worst pieces of legislation to come before this House. It is an ad hoc, knee-jerk reaction by a government that is out of money and looking for every opportunity to raise funds from any sector it can to try to make up for the shortfalls in its fiscal management. Those members on the other side who hold their electorates by less than five per cent—I think there are about 18 of them at last count—should be very angry at their leadership team for putting them into this financial situation and the fact that we have to have this ridiculous legislation taking up the time of this House. It was uncertain even as late as yesterday as to the outcome, and there is uncertainty in terms of community support for this legislation. As the shadow minister said earlier, this legislation is an absolute gouging and he expressed very clearly where the impetus for this legislation has come from. Quite clearly, the House is the poorer for this legislation coming into it.

This legislation brings uncertainty into the business planning of these groups that are affected by this bill. They have been going along running a business making returns for mums and dads through superannuation funds and, all of a sudden, a very clever, a very sneaky and a very out-of-pocket Labor government decides to change the rules that they need to play by so that it can get more funding in for this bankrupt government. It is a government that has had its credit rating downgraded from AAA to AA—the only one of the mainland states. We are even worse than New South Wales! For all of those backbenchers opposite who can stand up and say, 'This is great legislation. We think it should go ahead because we have to make up the money,' it will be very interesting to hear what they have to say about their leadership team that has put them in this situation after the next election.

How much has it cost, Minister? I ask the minister to itemise to the House in his summing-up speech how many millions of dollars have been spent on these court cases, and I will refer to my speech in March 2008 later on because exactly what has happened today is what I pre-empted back in March 2008. I ask him to identify how many millions of dollars this has cost in legal fees for the taxpayers of Queensland and also the department's time and energy that has been wound up in trying to defend the undefendable or attack a situation and gouge this extra tax from the people of Queensland.

The government should be ashamed of itself for imposing increased taxes on a minority section of the community because it thinks it can get away with attacking the big end of town. It is not attacking the big end of town; it is attacking all parts of the community. This morning on *Sunrise* the CommSec report was that those in the business community are very worried about the certainty of the economic climate in which they have to do business and that is restraining those people from employing more people, and that would satisfy the member for Everton. That is the problem when we have legislation coming through like this—completely unexpectedly—which impacts on business, and members have seen the reaction. There was no consultation at all with the property industry. There was just a sneaky grab in trying to play catch-up football since the first time it tried this sneaky trick in 2002 with Pacific Fair.

The result of this legislation will flow through to the end user, just as PIP charges do not stop with the developer. PIP charges are passed on to the first home buyer. What those on the other side do not understand is that the charges are not on developers; they are on the end user, because developers just pass them on. The same thing will happen with this land tax because, even though those affected by this legislation do not qualify to pass on the land tax through outgoings, when the next lease comes up for a small business—and I have been a small businessperson in Pacific Fair; that is why I know it very well—they will pass on these increases and their rent will double. That is where the end user will pick up

the extra increases. They will not be passed directly through but they will be passed on in terms of increased costs and then we will lose more people from the small business sector when businesses cannot carry on and they fold.

There has been very animated opposition to the introduction of the bill. All industry stakeholders cannot be wrong and the government right. Industry stakeholders have been concerned enough to make their issues very public and have gone on a very embarrassing public advertising exercise right across the media, and guess what? It has had some effect, because I understand there are amendments to the legislation. One could really call those the 'omit amendments', because everything I have looked at said 'omit', 'omit', 'omit'. That becomes a face-saving exercise for a government that has brought in ridiculous legislation. It could not stand the fact that it was going to get turfed out and rejected by the whole of the property industry. New 'omit amendments' have been introduced so that it can save face and at least hold its head up for 12 months until this silly piece of legislation reaches its sunset clause and we come back here again for another debate, because I can assure business that this Labor government will be out gouging them again in whatever possible way it can. This is the second attempt—and there will be a third attempt, and it will keep going until business suffers at the hands of this Labor government. The government has supposedly delayed this legislation with these 'omit amendments' to address all industry stakeholder concerns, but I think quite clearly it was hoping for the media attention to die down on the matter. That did not happen and, as members know, the Property Council put out very effective ads and quite clearly there has been a backdown by the minister and by the Labor government.

As of yesterday, the negotiations with industry stakeholders and the government had hit a roadblock and yet today we have a situation where amendments will be introduced to get a face-saving movement of this legislation through the House, and that is not what this House is about. This House is about setting legislation for the future direction of Queensland—not stopgap spin for a Labor government out of control. Mr Fraser and Mr Robertson's skills at negotiating are obviously very limited, or maybe they are saying to the industry, 'It's our way or the highway,' which is probably more the truth of the situation.

The objectives of the Valuation of Land and Other Legislation Amendment Bill 2010 are to amend the Valuation of Land Act 1944 to supposedly clarify the definition of 'unimproved value' and terminology. In effect, it is redefining the words 'unimproved capital value' as only a Labor Party can do to put a different spin on what 'unimproved capital value' has meant for successive governments since 1944 that operated very efficiently and financially effectively within those parameters. Those governments received that budgeted amount of money and spent that budgeted amount of money. This Labor government has spent beyond its wildest dreams and now has to play catch-up football and gouge wherever it can. From a local government perspective, land valuations have been, obviously as we all know, the main source of revenue based on the unimproved capital value, and that has been very effective. As we know, local government—and it has done it for quite a number of years—can set a differential rate, and that has been done for areas like Pacific Fair.

At one time I happened to be the mayor of the Gold Coast City Council. Pacific Fair was one of that council's very valued ratepayers. We set a premium a little higher than our residential ratepayers were paying, and Pacific Fair accepted that. It was in its business plans. We did not go back and change the rules retrospectively. Pacific Fair knew what rates it had to pay. It had business certainty and the councils—both the former Albert shire council and the then amalgamated Gold Coast City Council—had a wonderful relationship with Pacific Fair.

As we all know, this issue started with Pacific Fair. Certainly it has led to a terrible game of catch-up by legislation. In March 2008, when the government introduced silly legislation to again try to play catch-up and embarrass themselves one more time, I stated—

> As stated in the minister's second reading speech, the amendment to this bill only applies to highly developed properties and does not apply to residential or rural properties—but I would add the word 'yet' after that sentence.

Quite clearly, this bill tries to expand on that legislation that passed through this House in 2008. I also said at the time—

> We will see that come in down the track. Commercial properties will be next, as this government becomes more and more desperate to raise funds to meet the interest payment of $10 million every day. That is $70 million in one week. It is enough to buy those seven schools that the government is now looking at the private sector to buy.

I said that back in March 2008, and the government has continued with this sneaky manner of doing business with the people of Queensland.

This legislation has been brought in to resolve disputes more efficiently at the objection stage. By 'resolving disputes more efficiently', the government means to just make it very difficult and to stamp them out. That is the government's definition of making the process more efficient. It does not want any appeals. That is how this legislation is drafted. Also, the legislation allows for the use of a general valuation schedule and an adjustment factor in the statutory valuation process. According to the explanatory notes, the amendments to the act are essentially to provide for valuations of land to be carried out equitably, efficiently and fairly. That is not what the court found. The court said, 'You've not

done that on two previous occasions.' This bill is about extracting the government out of a financially embarrassing situation. Quite clearly, the courts have rejected the government's view, the property industry has rejected it and the LNP rejects it. We are certain that this poor legislation before the House is another nail in the coffin of this Labor government as the community is very concerned about its capacity to govern properly.

Apparently, this legislation is to put beyond doubt what is and what is not included in the land value and to enable the chief executive of the Department of Environment and Resource Management to confidently issue valuations. Owing to ongoing litigation regarding flaws in the dispute resolution process, a less complicated and plain-speech system is needed. Claimants under this legislation must now provide the specifics and supporting documentation and also engage in settlement negotiations before proceeding to court. The amendments will include a lodgement fee—gosh. Guess what? It is a Labor government looking for another fee. That lodgement fee is for objecting to a land valuation in an attempt to recover costs and avoid unwarranted objections—in other words, stopping all the objections that the government possibly can. It seems that this bill is attempting to quash the option to object to a valuation of land valuers. It repeats constantly that the chief executive and staff are highly skilled in this area and that their opinion is the only one that will be accepted.

The bill proposes to create a general valuation schedule so that local governments can be sure in what year their land will be valued. Over a number of years I have seen a flip-flop in land valuations for local government. It is just an embarrassment to this government of the past 10 years. When it suits this government it values the land: 'Look, prices are going up. We'd better have a revaluation and gouge some more land tax out of these poor people.' When prices go down or stay relatively the same they say, 'We'll leave those valuations as they are and we won't do another valuation.' I know for a fact that a couple of years ago the Gold Coast City Council was charged an annual fee of $600,000 for valuations, but when the council did not do a valuation the government still charged it $600,000. That is nice work if you can get it—600 grand for doing nothing. So that is what the department regards as an annual valuation fee.

Quite clearly, this bill is all about money. This bill is all about this government rectifying a very poor financial situation that has been brought about by poor planning. This legislation is only going to add to the problems involved for industry in trying to meet proper budgets, in trying to plan for certainty and in trying to conduct a reasonable business.

An adjustment factor will allow for movement in the property market without the local council being undervalued. There will be no objection rights to this adjustment factor. It is not an official valuation and no valuation certificate will be issued. The change in the market must be greater than 10 per cent for an adjustment factor to be provided. That is according to this bill that we are debating without the amendments that will come at a later stage. State Valuation Services values each large local authority every one to three years and smaller ones every three to five years, although I notice that Redlands has not been valued since 2004. Obviously the government has missed gouging some money out of the Redlands community.

The Valuation of Land and Other Legislation Amendment Bill seeks to amend the Water Act 2009 to recognise environmental risk management plans, which were introduced by the Great Barrier Reef Protection Amendment Act 2009 and which may fulfil land and water management requirements. That will provide flexibility to irrigators so that the chief executive may approve deferrals for extended periods. To ensure that irrigators and applicants do not have to double up on water management plans under the Great Barrier Reef Protection Amendment Act 2009, the management plans used will be sufficient under the Water Act 2009. Providing flexibility to irrigators that have low-risk irrigation plans relieves the burden on both the chief executive and the applicants as the chief executive can approve a deferral on a management plan for up to one year.

Even though the government believes that there will be considerable savings in the costs involved in conducting litigation in the Land Court, there are more cost implications in this bill. There will be increased costs in administrative and valuer resources and major costs involved in changes to the Queensland valuation and sales computer system. When one computer system is changed to another, there are always additional costs involved and, knowing the government's efficiency, it will probably put out a squillion dollars worth of new letterheads to announce the big change in the computer system.

The bill has inconsistency with basic legislative principles. The principle of retrospectivity is infringed completely. The bill introduces the necessity to confirm the valuations issued previously on or from 30 June 2002, in new section 105. I understand that 'omit variations' will change that amendment but, at this point, we are still awaiting those ridiculously late amendments to come into the House. So we are debating the bill that we have before us without those variations, which I am sure the shadow minister will debate very rigorously later on.

The bill allows the chief executive to not provide an adjustment factor in the case of unusual circumstances, in new section 37. In an objection to a land valuation, the chief executive is allowed to ask for the supporting documentation from the claimant. If the claimant refuses, the objection will lapse.

If the claimant claims to have no supporting documentation, they must sign a statutory declaration stating so. The claimant cannot make an objection to this requirement but can make a complaint under the Judicial Review Act 1991.

Unless another amount of land value can be approved in the Land Court, the decision of the land valuer's certificate will stand unless the claimant can give more evidence. There are no objection or appeal rights to the adjustment factor, which is not a valuation. According to the government, community and industry stakeholders were consulted. That is not what we are hearing. All we heard was some minor support from a section of the Local Government Association of Queensland which, obviously, was trying to curry favour with the government on this matter by picking on those big, bad, nasty developers that have been picking on local governments all across Queensland. The Local Government Association of Queensland was supportive. Some of the local councillors were crying all sorts of ridiculous numbers. Quite clearly, that was not the case. The Property Council identified that only those cases that had been appealed would have been affected by this matter. All of those furphy figures that came from the LGAQ were a great disappointment and, unfortunately, have blurred the independence of the LGAQ on this particular matter.

The Bligh Labor government obviously did not consult with major industry stakeholders, judging from the backlash and the reaction that has occurred as a result. The majority of the community have major concerns and are against the introduction of this legislation. The increase in land tax will not be paid by the developer because the developer will end up passing it through to the tenants through lease costs et cetera, and one can guarantee that mums and dads and their superannuation schemes will feel the brunt of this ridiculous legislation. I support our opposition to this bill and the wonderful efforts of the shadow minister. We look forward to this bill being voted against by the government and look forward to amendments coming in to make it more appropriate.

Ms MALE (Pine Rivers—ALP) (4.10 pm): In rising to participate in the debate on the Valuation of Land and Other Legislation Amendment Bill 2010 I would like to address the importance of the valuation system to Queensland. Every year State Valuation Services in the Department of Environment and Resource Management provides valuations to property owners across Queensland. These valuations are critical to local and state governments as the basis for determining rates, land tax and state land rental. How valuations are undertaken and their validity impacts every Queenslander in one way or another. This bill introduces amendments to give certainty to the way in which valuations have been prepared so that Queenslanders can have confidence that their valuations are assessed on a consistent and legislatively sound basis and so ensure equity for all landowners. Opposition members have spent the last hour trotting out every bit of scare tactic they could. Once again they have shown no concern for the running of the state of Queensland in a sensible and sound manner to ensure certainty in the valuation system.

Under the Valuation of Land Act 1944, State Valuation Services makes valuations of up to 1.6 million properties in Queensland. The valuations are undertaken in a professional manner using a longstanding legislative process for the valuation of land in its unimproved state. This process has been used in Queensland for many years. The use of land valuations is considered to be the most effective basis for revenue gathering and occurs throughout Australia and in many other countries. It is used as a basis for the collection of rates by local governments, land tax by Queensland Treasury and state land rental by the Department of Environment and Resource Management. It is critical that landowners have confidence in the system.

The Court of Appeal decision in December 2009 relating to Pacific Fair Shopping Centre in effect will change the way in which State Valuation Services undertakes its valuations. The court's interpretation of the legislation has, in fact, created two methodologies in how a valuation is determined: one methodology for commercial and industrial properties and one for residential properties. If the court's decision was to stand, the ramifications of the decision would be to drastically reduce valuations for commercial, industrial and multiunit properties but not for residential properties. It would also require the refund of revenue by local governments and Queensland Treasury. The outcome of this would be that local governments' ability to undertake necessary public works could have been seriously impacted to the detriment of local landowners. This uncertainty cannot be allowed to continue. The procedures set out in this bill restore surety to the revenue base.

I received in my office yesterday a letter from the Office of the Mayor, Councillor Allan Sutherland, for the Moreton Bay Regional Council. It is dated 5 March and he wrote it to the Premier. Throughout it he says things such as—

> This Bill responds to a ruling in the Court of Appeal and is designed to protect 'mum and dad' ratepayers, and in turn their councils, from having to meet any large shortfalls in revenue caused by the retrospective re-evaluation of commercial properties and shopping centres.

Mr Sutherland goes on to say—

> Should last year's court decision stand, Moreton Bay Regional Council's revenue loss could be in the vicinity of $26 million, or an additional cost of $6.75 for every ratepayer per million dollars lost. Effectively this means Moreton Bay's 120,000 residential ratepayers will end up subsidising the rating obligations of the commercial and property sector.

He goes on to talk about the fact that the Moreton Bay Regional Council is committed to keeping residential rate rises to a minimum as part of the amalgamation process and he has told me that last year that council delivered one of the lowest rate increases in South-East Queensland. The council has been able to achieve this by reducing triplication across the three former councils to deliver $9.1 million in savings last financial year and an anticipated $10 million this year. He further states in his letter—

To now face a $26 million shortfall would send our council and the community backwards—and significantly derail our efforts to make amalgamation work for our community.

He finishes up by saying—

Once again, I appreciate and value the Bligh government's actions to date and your intention to support, assist and protect councils across Queensland.

It would appear that Councillor Allan Sutherland and the Moreton Bay Regional Council get it, it seems that all the members on this side of the House get it, but once again the LNP members have shown that they fundamentally cannot understand good legislative process and protecting our community and making sure there is fairness across the system.

Without the amendments in this bill the decision of the Court of Appeal would have a major impact on local government's provision of essential services to all Queenslanders, services such as road maintenance, public parks and recreation reserves, libraries and so many more things. The amendments in this bill will ensure that residential ratepayers will not be adversely impacted and local governments can continue to provide these valuable services.

How do the amendments do that? The amendments make sure that the way in which statutory valuations have always been undertaken does not change. The amendments confirm that the valuations that have been issued have been issued correctly and that the valuations that have been issued in the past in local government areas across Queensland will not change. That means that the proportion of rates or land tax that residential landholders pay will not have to change.

Despite claims that have been made by peak property industry bodies, the amendments are not a new tax on Queenslanders. What this bill provides for is clarification of the valuation system in Queensland to ensure equity and fairness to all property owners in Queensland. The government is committed to ensuring that all properties in Queensland are valued using the same process. The amendments ensure that big business does not gain a windfall at the expense of ordinary landowners. The government has moved quickly to protect the revenue base of local governments and to ensure that landowners are not deprived of those essential services that are expected to be provided by this level of government. It has also moved to protect the state government's revenue base to allow it to meet its commitment to provide services to the people of Queensland. I congratulate the minister, his staff and his department on drafting this sensible and very important legislation. I commend the bill to the House.

Ms CROFT (Broadwater—ALP) (4.16 pm): In rising to participate in this debate on the Valuation of Land and Other Legislation Amendment Bill 2010 I would like to address in particular the streamlined objection and appeal process changes contained within it. All landowners who believe that their land valuation is incorrect have the right to object to the valuation, which results in a review of the original valuation of the property and other nearby properties. This bill introduces a more transparent and efficient process for Queensland landowners to object to their valuation. I would like to place on the record that a number of constituents have brought this particular part of the valuation process to my attention and I have relayed to them that there are changes in this bill that will address their concerns.

The new objection process will ensure that landowners know what information they have to provide so that the department has better information to decide land valuation objections and can do this in a more timely manner. Currently the legislation does not require landowners to provide any supporting evidence when lodging an objection. This means that the department had to review objections without a reasonable level of information to support that objection. As a result of this, departmental staff had to repeatedly go back to some objectors requesting information and the basis of these objections. These often lengthy exchanges resulted in significant delays in deciding all of the objections before them. Frequently the information was not forthcoming.

As insufficient information was available when making a decision, this often resulted in an objection being disallowed and the landowner consequently appealing the decision to the Land Court. This has resulted in significant legal costs to both the objector and the department in defending valuation decisions in the Land Court. Consequently the objection and appeal process has not been transparent or efficient for landowners or, indeed, the department. This bill sets out a better process for the landowner to object to a new land valuation making it more transparent and efficient.

As was the case previously, landowners will still have 45 days after the date of issue of a notice of valuation in which to lodge an objection in the approved form. In addition, if the form is not correctly completed, landowners will be advised by the department and will have a further 14 days to resubmit the correctly filled out form. Only if the objection meets the standard format and the information requirements—that is, the objection is properly made—will the department progress the objection to the

review and the decision stage. This will ensure that valuers from the department have a reasonable amount of information to consider an objection and will streamline the decision-making stage, thereby reducing the time taken to decide objections.

To help landowners lodge an objection, a simple step-by-step guide will be available in March when the 2010 land valuations are issued. This guide will ensure that all landowners with a legitimate concern about their land valuation can have their case considered by the department. Landowners will be able to access a copy from the department's website or call centre, which will be operating during the objection period.

Another change to be introduced is that if an agent submits an objection on behalf of a landowner the objection form must be accompanied by the landowner's written consent. That will ensure that all objections are made with the full knowledge and authority of the landowner. Once an objection has been properly made, a valuer will assess the objection and the amendments in this bill will enable the valuer to request additional information from the landowner at that stage. In most cases, this will be done by the department making a written request to the landowner to provide specific information.

In cases of highly valued property, valued at $2 million or more, the owner may be required to provide specific information that is necessary for the valuer to determine the property's value. These measures apply where the valuer requires specific information that was not provided in the original objection but that is required for them to fully consider the objection before them. When the owner can show that they do not have the information at hand, they can do so. Through this process, landowners will have an opportunity to add information that may not have been available at the time of lodging the objection form or modify the grounds of the objection. It also clarifies factors that are not valid grounds for an objection, such as a personal circumstance, council rating or land tax levels. Previously, a landowner could appeal to the Land Court on different grounds from those considered and decided in the original objection. Therefore, the circumstances considered by the objection decision maker would be different from those considered by the Land Court.

It is important to remember that the new objection process does not commence until the new valuations are issued in late March 2010. The existing objection form 58 is current until the 2010 valuation issues and should be used for any interim objections. The new forms will be gazetted prior to the issue date and the Law Society will be advised when the form is available and will be provided with a link to the guide and form on the department's website. This means that solicitors who use the form will be aware that the objection process and the form have changed. It is important to note that generally more than 98 per cent of landowners believe that their valuation is correct and do not lodge an objection.

The revised guide and the notice of objection form will be available from the Department of Environment and Resource Management website, by contacting the department business centre or by phoning a number on the valuation notice in March when the annual land valuations are issued. This new process encourages landowners to declare relevant information upfront, thereby allowing the department to assess their objection in a timely manner. By ensuring that the same grounds for objection carry through to the subsequent appeal, the department's resources can be directed to efficiently resolving objections and issuing appropriate valuations. I commend the minister and I commend the bill to the House.

Ms BATES (Mudgeeraba—LNP) (4.23 pm): I rise to make a contribution to the Valuation of Land and Other Legislation Amendment Bill 2010, which is obviously a blatant tax grab by Anna Bligh and her Labor government. Under their stewardship, Queensland went bust in a boom and this move will only cost Queenslanders jobs. Along with my colleagues, I call on the government to throw out this ill-thought-out, muddled legislation. We will continue the immense pressure brought to bear by the Liberal National Party and groups such as the Property Council of Queensland to ensure that this legislation is not supported. Nothing short of major amendments will suffice and one would hope that, with enough pressure, this legislation will not be successful and will lead to yet another monumental backflip by the government, which is obviously cobbling together policy on the run with little regard for the fact that it will put even further pressure on the long-suffering residents of Queensland who are already coping with a downgrade in our credit rating.

This morning we heard the Premier talking about the introduction of further legislation in September to tidy up the mess the government has made of this bill. On behalf of the constituents of Mudgeeraba, I reiterate that this is a blatant tax grab by Anna Bligh and her Labor government because Queensland went bust in a boom. This move will cost Queenslanders jobs and it will hit business, particularly small business, due to the resulting increase in land tax. This will result in Queenslanders' jobs being destroyed. It will be devastating to business certainty in Queensland and will reduce our state's attractiveness as an investment destination. This too will result in Queenslanders' jobs being destroyed. Yet again housing affordability will be hit as the costs for homebuyers will rise to reflect the increase in land tax, particularly in greenfield sites. This will result in houses becoming even more out of reach for Queensland first home buyers. In addition, average Queenslanders will be hit through the impact on their superannuation funds, most of which include some form of land investments. This will result in Queenslanders' retirement funds disappearing.

The Bligh government has been caught out breaking the law twice and it is retrospectively changing the law to make legal this radical change to land tax. In addition, the Bligh government is effectively removing most of Queenslanders' right to object and appeal decisions made regarding the value of their land. The LNP will be opposing this opportunistic cash grab. We will be opposing the bill but accepting the amendments and not opposing the amended bill. As my colleague the shadow minister for natural resources, mines and energy, Jeff Seeney, stated in his speech earlier today, the amendments mean the changes will only apply for the next year and, if a new bill is not introduced, foreshadowed for September 2011, valuations will be assessed on the legislation that is in effect now—that is, before the commencement of the amended bill before the House.

In essence, the amendments change the retrospectivity of the bill to validate previous valuations, with the exception of outstanding appeals that must be resolved by 30 June 2010. The bill applies the government's definition of 'unimproved value' with minor changes subject to it being replaced with site value in the bill to be introduced in September. That will allow the 2010 valuations to be released at the end of March—that is, this month. The bill has a sunset clause by the end of the next financial year after which, if a new bill has not passed, the current regime will be reactivated.

Appeals and objections continue to be massively restricted. There have been some other announcements, including the reinstatement of an independent Valuer-General, a move to site value by September 2010 and, in essence, the following fundamental issues remain: the government's attempt to fundamentally change the definition of 'unimproved land' in Queensland, the effective removal of objections and appeal rights, and the future of the land valuation system. In essence, the changes allow the government to save face regarding the poor bill that it introduced and to return to the consultation process to find a workable long-term solution to land valuations in Queensland.

This is an obvious tax on entrepreneurial efforts and nothing more than a great big new tax for Queenslanders. In an advertisement in the *Courier-Mail* on 18 February 2010, the Property Council of Australia stated—

A 'GREAT BIG NEW TAX' IS ALREADY HERE IN QUEENSLAND

There's a sneaky new business tax being rushed through by the Bligh government.

The biggest ever change to land taxation—and you probably don't even know it's happening.

But if you own commercial, industrial, retail, rural or residential investment property—this affects you.

You'll not only be taxed on the value of your land—but also on any extra value created by your hard work.

It's called the *Valuation of Land and Other Legislation Amendment Bill 2010.* And it's retrospective!

Not much of an incentive for your hard work—is it?

It will affect every Queenslander.

Increasing land taxes and council rates. Putting pressure on mortgages and rents. Crippling small businesses, the rural sector and tourism owners and operators. Torpedoing job-creating projects. Shrinking the value of your superannuation. Increasing prices of goods you buy.

We already have very high rateable land values in Queensland, meaning we already pay much more land tax than most other States.

Now the more you improve your property, the more tax you will pay. The more successful you are, the more you will be penalised.

If we do nothing this new tax will rob Queenslanders and their properties of hundreds of millions of dollars.

Investors will take their money, and the jobs they create, to other States.

Further in a letter to my office dated 22 February 2010, the Property Council of Australia brought the following to my attention, which would horrify all the mum-and-dad investors in the electorate of Mudgeeraba, and I quote—

This is not just a 'big business issue', this will also have an impact on small business owners, who will be taxed for their efforts, and the harder they work the more land tax they will pay with increases in land tax expected of 20 to 40%. It will also hit residential investors including 'mum and dad' investors who have been diligently investing for their retirement. Those renting will also not be immune, with landowners passing on the increased cost of owning land through rental increases.

Over the past few weeks many residents and business owners in Mudgeeraba have contacted me on this issue. One constituent stated—

Obviously we would not be happy with the proposed land tax calculation. Land tax already has gone up $8500 (from $16,000 to $23,500) for Mudgeeraba property last year, the money grab is out of control.

Another constituent stated—

I am appalled that yet another piece of oppressive, retrospective ill-considered legislation is being contemplated. I own a property within the electorate of Mudgeeraba and have already been adversely affected by the Bligh Government's amendments to the Land Tax Act passed in 2009.

The proposed new legislation is arrogant and offensive—having lost its appeal in the Courts, the Bligh Government now proposes a bizarre solution which is doubly offensive through incorporating a retrospective change in the law.

This proposed new law will adversely affect a vast number of landholders in Queensland and will tell the rest of Australia that Queensland is a bizarre place where the Bligh Government has no respect for normal commercial and legal principles, and no understanding for the usual processes of accounting and property valuation. This inevitably worsens business uncertainty and is more akin to rule by decree and the 'heads I win, tails you lose' principle.

Yet another constituent states—

I am writing to express my absolute dismay that such a proposal could even be considered never mind implemented. This is not only about Land Tax; this is about our whole economy and its destruction. The Government is actually proposing a brand new tax on a mammoth scale, which the property industry cannot absorb and so it must be passed on. Rents and prices must go up so the economy is on a new scale of costs at a critical point in recovery. The outcome is not hard to predict. This is a recipe for disaster and must be resisted at our peril.

Finally, a resident in Bonogin writes—

Until the GFC, we had a marginal but manageable financial position but over the last two years or so it has turned heavily against us and any negative impact—large increases in health insurance, car registration, council rates and electricity—will severely exacerbate our already tenuous finances.

I would not be representing the mum-and-dad investors in my electorate if I put my support behind this current ill-conceived, ill-thought-out, cobbled together, lacklustre legislation, put together by a minister who obviously does not get it and who will not even be present to see the passage of his own bill through the House. I cannot support this legislation. I call on this Labor government to radically amend this legislation on behalf of my constituents in the electorate of Mudgeeraba.

Mr EMERSON (Indooroopilly—LNP) (4.32 pm): The Valuation of Land and Other Legislation Amendment Bill, as it is currently before the House, is merely a tax grab by the Bligh government. It is driven by the state of the Queensland budget. Under this government and Queensland's worst ever Treasurer, the budget this year—

Government members interjected.

Mr EMERSON: They interject on 'the worst ever Treasurer'. I have seen a few Treasurers here. Let us have a look at his report card: state debt—F; deficit—F; AAA credit rating—F; unemployment—F. He is the worst Treasurer this state has ever seen. Under this government and Queensland's worst ever Treasurer—and, unfortunately, many government members are likely to lose their seats because of this worst ever Treasurer. However, I did note from the *Courier-Mail* the other day that the Treasurer himself will hold on to his seat, according to the polling. Unfortunately, many of his colleagues will not.

Mr Watt interjected.

Mr EMERSON: It is good to hear the member for Everton standing up for the Treasurer.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! There is too much noise.

Mr Watt interjected.

Mr EMERSON: It is good to hear the rather feeble efforts of the member for Everton trying to defend his good friend—

Mr ROBERTSON: Madam Deputy Speaker, I rise to a point of order. The member has now spoken for nigh on two minutes without referring at all to the bill that is currently being debated. I would ask you to instruct him to refer his comments, and make them relevant, to the bill before the House.

Madam DEPUTY SPEAKER: Order! There is no point of order. Will the member be certain to stay on the bill.

Mr EMERSON: Thank you, Madam Deputy Speaker. I do appreciate the opportunity to speak on the bill. As I began, before a few interjections from my opponents across from me—

Mr Watt interjected.

Mr EMERSON: The member for Everton again wants to have his piece and talk about the poor state of his side of parliament. The Valuation of Land and Other Legislation Amendment Bill, currently before the House, is merely a tax grab by the Bligh Labor government—along with its tax grabs from everywhere else. It is being driven by the state of the Queensland budget. Under this government and—I say it again—Queensland's worst ever Treasurer, the budget this year has a $2.3 billion deficit and the peak debt is currently budgeted to be $85 billion. The LNP will be opposing this opportunistic cash grab, as presented in this bill.

For the current year, land tax will net the Bligh government just over $1 billion—a 30 per cent rise on the previous year. The Bligh government now appears determined to create the most punitive valuation and land tax regime in the country. The minister says that he wants to 'correct the appeal court's interpretation of the law'. The appeal court has said, 'This is what the law is,' and the minister does not agree. So he wants to correct the court. This is a radically different approach to any other land-rating system in Australia. This proposal is retrospective, applying to valuations since 2002. It overturns historic valuation principle and practice in Australia. Effectively, the more an owner improves their property, the more they will be taxed.

The bill redefines 'unimproved value', taking into account intangibles such as leases, goodwill and profits. Queensland has always used unimproved value as the basis for setting valuations—that is, the value of the land without improvements. This bill proposes to include such elements as leases and

business goodwill, which have nothing to do with the land; they relate to the business on the land. To quote the Queensland Law Society president, the bill is 'ill-conceived' and takes the nonsensical decision to turn the term 'unimproved value' on its head to mean 'improved value'.

This bill will cost Queenslanders jobs. It will hit business, particularly small business, due to the resulting increase in land tax and this will result in Queenslanders' jobs being destroyed. Housing affordability will also be hit, as the cost for homebuyers will rise to reflect the increase in land tax. This will result in houses becoming even more out of reach for Queensland's first home owners.

Government members interjected.

Mr EMERSON: It is sad to see how unconcerned my opposition is here to the issue of housing affordability. We want Queenslanders to be able to afford homes; they obviously do not care about that at all. In addition, average Queenslanders will be hit through the impact on their superannuation funds, most of which include some form of land investment. This will result in Queenslanders' retirement funds disappearing.

The legislation will not affect just the big end of town. The principles outlined in this legislation do not apply just to the big end of town. In fact, the legislation does not make reference to big business, shopping centres or large commercial or industrial properties. The bill will apply to a unit, a small business or a house. These principles are required to be applied to all classes of land. They will hit residential investors, including mum-and-dad investors who have been diligently investing for their retirement. Those renting will not be immune, with landowners passing on the increased cost of owning land through rent increases. While your home remains exempt from land tax, your investment property may not. The benefit you receive from rental income from an investment property will now be included in calculating the unimproved value of your land which then determines your land tax bill.

These effects are not restricted to property owners, with increased costs able to be passed on to tenants. One in three homes in my electorate are rented—about 50 per cent more than the Queensland average. Most of those renting are students attending the University of Queensland. They continually struggle to afford to pay their rent. They have already seen public transport fees go up under this government. They have already seen the price of fuel go up under this government. What they do not need to see is their rents rise because of another tax grab by the Bligh government. I have been contacted by many constituents about this bill.

Government members: How many?

Mr EMERSON: Let me read it out for the interest of honourable members. Obviously they are concerned about this now. It was interesting to hear that they were not concerned before about those renting properties. They must not have anyone in their electorates who rents. As one of my constituents who wrote to me said—

As a retired person who relies on a self-funded pension and investment property, I am appalled at the prospect of additional costs associated with owning property ...

There is only one alternative and that is to automatically increase rent.

Then there is a flow-on effect to renters and increases to the cost of living.

It doesn't make sense and is counter-productive.

I am aware of the amendments flagged by the government which clearly recognise the public's concerns with this legislation. As I have said, the Valuation of Land and Other Legislation Amendment Bill is merely a tax grab by the Bligh government. In its current form, the LNP will be opposing this opportunistic cash grab.

Mr DICKSON (Buderim—LNP) (4.40 pm): This piece of legislation we are debating today shows that this government is prepared do anything to get more money out of Queensland taxpayers. What is worse, it is trying to con people into believing that this bill is business as usual. Land tax is one of the biggest contributors to the Queensland Treasury coffers. It will generate $1 billion in tax revenue this year—up from less than $400 million over the past five years. In the past 10 years it has gone up by well over 300 per cent. Over 70 per cent of that increase has occurred in the last couple of years. The economic slowdown has led to inequities between land tax value and the current market value of property. Land tax is being paid on the basis of valuations conducted when the impact of the slowdown is still happening.

Investors are faced with land tax bills that reflect the value of their property that would not be realised if they tried to sell it. This inflated value is made worse by three-year averaging systems. The government has also deferred revaluations of land in a number of regions last year, ensuring that land tax rates continue to be inflated. Property owners in this state are already struggling to pay these excessive land tax bills. These new laws could well be the final straw for many of those landowners.

Land tax is not just paid by the big end of town. It affects small investors—the mums and dads who have put some money away in property to help fund their retirement. It affects all businesses whether they own the land they operate on or are tenants. Land tax increases will inevitably have to be passed on to the end user in one form or another. Increased costs to business directly impact on

employment and investment, not just investment by companies already in Queensland but potential new businesses. We need new investment, but we will not get it by making our taxes even higher. Investors will turn to other states with lower tax regimes. Existing jobs will be lost in Queensland and new ones will not be created.

The message this government is sending to the business and investment community is: be successful in Queensland and we will slug you with higher taxes. What a great incentive that is to keep people away from the state. This legislation changes the rules on the definition of unimproved land so that it can include goodwill, the value of leases, development profits and infrastructure charges. All of these are, in fact, improvements. Improvements under these changes will mean that landowners pay more tax. The added costs are likely to flow on to council rates as well.

The government would have us believe that these charges will only affect large landholders—big commercial enterprises like shopping centres—but the legislation applies across-the-board. It will be imposed on all land that is subject to land tax. That includes residential land and residential property owned by investors. What a joke from a government that pretends to have a commitment to affordable housing. This is not going to help their cause by any means. It will drive up the cost of housing. I think they know that.

The negative impact on the value of assets like office buildings and shopping centres will flow through to those who invest in commercial property, many of whom are retirees or people who have contributed to superannuation funds. Worse still, this bill is retrospective. It applies to all valuations from June 2002. It begs the question: how many more laws will this government seek to bring into retrospectivity when it does not like a decision handed down by the court? Who knows what it is going to do next?

So desperate is this government to find excuses for this bill that it even claims the additional cost to the government in its implementation will be offset by savings for landowners and the department in taking cases to the Land Court. There is no mention of the substantial additional cost of increased land taxes. This will have to be met by all landowners. Has the government considered the real cost of undertaking the individual valuations required when additional factors like leases and goodwill have to be taken into account? This will mean an enormous amount of additional work compared to the traditional approach of a mass appraisal. How will the government guarantee these valuations will be applied consistently and fairly?

If landowners want to object to the valuation, this bill will make this process more difficult. Objections will need to be supported by significantly more supporting documentation. Appeals will be limited to matters raised by the property owner in their original objection. Owners may also face revised higher valuations on the basis of the financial information they are required to provide. Let us make no mistake: it is ordinary people across this state who will be unfairly targeted by another tax grab.

I would like to refer to just a couple of examples of my own constituents who have expressed their concerns to me. One is a retired couple who have a small commercial investment property. They have been trying to minimise rent and other increases to tenants who are small businesses and retailers who have been doing it tough over the last couple of years. This couple have invested in improvements to their property to improve the amenity of the area. Their reward for that effort and expenditure will be increased land tax which will, in some form, have to be passed on to the tenants. This concerns my constituents who are well aware that extra costs may force some people out of business. As small investors without the resources of a big company, the new objection process will also be more difficult for them to access.

Another constituent has several investment properties, all of which are mortgaged. With the economic downturn, his income from those properties is around $35,000 a year, but his land tax bill is currently $100,000. His bank valuations have decreased but his land tax will continue to increase. In order to meet his land tax bill, he has already laid off staff and will impose pay cuts on others. He is now seriously considering cutting his losses and taking his investment money out of Queensland because he cannot afford to invest here anymore.

This government keeps telling us that it is about job creation. Property investment creates jobs. As my constituent said to me, 'Where is the incentive now to invest in property?' He is just one person for whom yet another massive hike in land tax is one too many. Make no mistake: this bill is not about business as usual. It is not just another huge tax increase by a government desperate to reduce the massive debt that it has inflicted upon the state. It also changes the whole principle of unimproved land value to include improvements to the land that will increase its value. This is bad law not just for property owners but also for all Queenslanders.

This government has imposed on the people of Queensland a fuel tax, rate rises, amalgamation, the sale of assets, the debacle of the Traveston Dam and still the controversy relating to water. Where is this government heading? I think it needs to learn from the mistakes of the past because it continues to repeat them. Forcing businesses out of Queensland is not going to create jobs. That is what this land

tax is doing. This bill is going to transfer increased land tax costs onto people who rent properties, who work on those properties and who are employed by people who own the properties. The government is going to be forcing people out of work.

If the government is serious about trying to reach its target of 100,000 jobs created in Queensland, this is the perfect way not to do it. What it is doing is going against its own principles that it committed to the people of Queensland at the last election. The government promised it would create 100,000 jobs. This is the right ingredient to cancel jobs in Queensland. Tomorrow, after this bill is passed, I would like to hear the Premier come in here and say, 'We have just destroyed so many jobs in Queensland.' I hope the government has factored it into the documentation in this new land tax grab, because that is what it is going to do. It is going to destroy jobs. It is going to make people and businesses move out of Queensland and invest elsewhere because this is a greedy state government which has not been able to manage the economic climate in this state over the past 20-odd years, except for the two years when we were in government. Those opposite are bad managers of money, and they need to realise it. They need to get good advice from good businesspeople in our community, because they are not listening to them. They are about to destroy their livelihoods and drive them out of the state.

Mrs STUCKEY (Currumbin—LNP) (4.49 pm): I rise to join the debate on the Valuation of Land and Other Legislation Amendment Bill which was introduced into the House on 11 February by the Minister for Natural Resources, Mines and Energy and Minister for Trade. This bill seeks to amend the Valuation of Land Act 1944 by altering the definition of unimproved value of land, reforming the process for objection and appeals to a valuation and devising a schedule of valuations to replace annual valuations.

As honourable members have heard from the honourable member for Callide and LNP shadow minister and other opposition members, we on this side of the House feel that this legislation is repugnant. The LNP vehemently opposes sections of this bill that relate to land valuations as it currently stands before the House.

Rarely have we witnessed such an uproar from industry stakeholders who fear for the welfare of every Queenslander. This sort of advertising blitz is usually a union funded campaign. We saw and heard outside the parliament this morning the wrath of angry unionists who are ropable that this government is selling off their assets. For *Hansard* I note that the Premier, the Treasurer and the member for Brisbane Central abandoned them. They did not have the courage to go out and meet with these people whom they purport to represent.

Only yesterday evening this government moved this bill from No. 6 on the *Notice Paper* up to No. 1. Then this morning those opposite hastily cobbled together amendments as a direct result of the massive backlash from industry bodies. In doing so, the government has admitted that it got it wrong and that, if the legislation as it was introduced were passed, Queensland industries and the Queensland economy would be far worse off. As honourable members have heard, the LNP is prepared to consider the proposed amendments that were described by the Premier this morning based on their merit. Following a decision of the Court of Appeal in December 2009 that rejected the government's appeal of the valuation of Pacific Fair on the Gold Coast, this government has attempted to overturn decades of industry practice to save itself from its imminent demise.

The bill before us will have a dramatic impact on the way land is valued in Queensland and subsequently on the amount of land tax and rates that owners must pay. The implications of these changes are enormous and threaten to affect not only owners of commercial land but tenants, mum-and-dad investors, small business owners, superannuation fund holders—the list, unfortunately, is endless here. This bill is little more than a sneaky attempt to hike up the government's land tax base and boost its income stream to the detriment of industry, businesses and the economy in the long term.

The provisions in the bill before us represent a substantial shift in the legislation relating to land valuation which should be given the respect of honest and thorough consultation from industry representatives. Prior to introducing the legislation, consultation only occurred with the Local Government Association of Queensland and probably some government departments which stand to gain considerably from these amendments. Key industry bodies have led the fight against this government's outrageous attempt to overthrow decades of industry practice. These include the Property Council of Australia, the Shopping Centre Council of Australia, the Chamber of Commerce and Industry Queensland, the Queensland Law Society, the Urban Development Institute of Australia and the Real Estate Institute of Queensland, among others. The Queensland division of the Property Council of Australia in particular has expressed its deep concern with this legislation, as many members would be aware. Its interpretation of the changes is that the proposed definition of unimproved value will now extend to entrepreneurial effort. The more an owner improves their property the greater likelihood their taxes will increase based on this new definition.

Typical of this government, the harder someone works the harder the government will punish them for their effort. Small businesses, the retail sector and the tourism industry are still struggling to recover from the huge losses as a result of the global financial crisis. Passage of this bill would be a huge blow to industry throughout Queensland and the long-term effects would see our economy going backwards.

LandMark White, a leading valuation company, says these changes represent a sizeable shift that will affect everyone in Queensland at some level. The greatest concerns of LandMark White and others within the Property Council of Australia committee are the radical amendments to long-established valuation practice, the unworkable objection and appeal process that has been proposed and the retrospectivity which will remove the rights of some 300 appellants currently appealing their valuations before the land courts. The government's assertion that the changes proposed in this bill reflect procedures that have been practised for decades is highly disputed by these industry professionals.

As it is defined in the bill before the House, the term 'unimproved value' has been completely warped by this government. What the government is calling a clarification of the definition of unimproved value is about as far from the definition of the word as the term itself is proposed to become. Unimproved capital value, as it is understood by the industry, and has been for many years, is the value of the land in its raw state. Regardless of what has happened to the land at the owner's discretion, unimproved value is assessed without improvements.

If this bill is passed in its current form, unimproved capital value will be assessed essentially as improved value, taking into consideration a number of intangible measures that have the potential to greatly increase land values and subsequently land tax and rates for business and property owners. Unimproved value will include: the development premium or profit and risk associated with the historical development of the land; leases, including arrangement for leases; a component for goodwill as a measure of the business or purpose the land is being used for; and infrastructure charges—a far cry from the clarity offered by this government.

A submission by the Queensland Law Society to the Scrutiny of Legislation Committee warned that the ambiguous drafting of the word to the opposite of its ordinary meaning is inappropriate and misleading. The definition as proposed in the current bill has absolutely no correlation to the industry accepted use of the term. But those on the other side of the House are happy enough to change the entire backbone of the industry without a shred of consultation.

If the government thinks that the litigation sparked from the definition of unimproved value was too much to handle in the past, the inclusion of these highly subjective terms will undoubtedly drastically increase people flocking to object to the valuations. By proposing an onerous and virtually impossible procedure for lodging an objection, however, this government is ensuring that its decisions will remain unopposed.

Instead of propping up the resources available to land courts, the government's proposed amendments will directly shift the onus to civil property owners who are unlikely to have the capable industry knowledge to complete the requirements. If this bill is passed, an objection will need to include particulars of the facts and circumstances relied upon for the grounds of objection. One industry leader has suggested that professional assistance will be needed to lodge an objection because of the standard of proof that will be required.

Stakeholders believe requests are more likely to be disallowed by a public servant because of a non-complying objection rather than anything to do with the merit of the claim. The President of the Queensland Law Society, Peter Eardley, has concerns that the 14-day period for modifying an unsatisfactory objection will be 'woefully inadequate in most circumstances' and the proposed appeal process is 'virtually unworkable'.

This bill seeks to apply alterations to the 'unimproved value' definition retrospectively to valuations in effect in or after 30 June 2002. The Property Council of Australia asserts that Queensland currently has the highest unimproved values of land in the country, with business and property owners already having to fork out exorbitant amounts in land tax for commercial, retail and industrial properties. In making this legislation retrospective the government is trying to weasel its way out of paying back property owners money that has been taxed and spent outside of its legislative purpose.

It could not be more obvious from the nature of the legislation before us that the government's reaction to the Pacific Fair decision is just another excuse for a big tax grab. While Queensland's land tax rate is calculated at a low two per cent, the Property Council of Australia asserts that Queenslanders face relatively high rateable land values. In other words, the tax might be low but the inflated values of Queensland properties see Queenslanders coughing up more to the government.

Indeed, the Chamber of Commerce and Industry Queensland reports that government land tax receipts have increased by over $817 million, or 355 per cent, since 2000-01. A whopping 72 per cent increase has been seen in the last two years alone. It does make one ask where all this money is going.

And this from a government whose ill-fated election promise was to protect Queenslanders from more taxes! Those on the other side of the House can cry all they want that these changes will only affect the big end of town, not residential property owners, not local shopping centres. Unfortunately, the stories of those in my electorate of Currumbin reflect the real situation.

One residential landowner in my electorate detailed the increase in land tax from $4,300 in 1996 to $42,000 in 2009. Likewise, his council rates soared at an equivalent pace. Increasing the tax burden on owners will see tenants bearing the brunt of the financial hardship. It is logical for landowners to pass increasing maintenance costs on to tenants, and these proposed amendments will mark a point of no return for housing affordability in Queensland.

The retail sector, still trying to recover after the enormous economic downturn that gripped the world about a year ago, will undoubtedly suffer due to the changes proposed in this bill. One of the largest shopping centres in my electorate, The Pines, revealed that the unimproved value of its land has increased from $14 million to $31 million in just three years, with no work or material changes made to the centre itself. This centre has over 50 per cent of its tenants being small and independent businesses or franchises. The ongoing effects of this increase will hurt small business in a big way and may send many to the wall. If this bill is passed, it is scary to think what the land tax for this shopping centre might become.

The lack of foresight of those opposite in the House is outstanding. This short-sighted, sneaky approach to improve the state budget's bottom line and forgo any consideration of what these proposed amendments will do to the Queensland economy in the long term is negligent. The unnecessary stress and angst that it is causing people around this great state is totally unacceptable. Businesses, jobs and investment are all under threat by this government's hasty decision to bring in this bill. One Queensland law firm has described the impact of the inevitable disincentive to invest in Queensland as the legacy to be left by this incompetent government.

Members have been inundated with correspondence from investment industry professionals along with mum-and-dad investors and everyday citizens over the last couple of weeks detailing the loss of investment in Queensland that will be the direct result of passing this bill into law. Investment, whether interstate, national or international, is crucial to the future economic prosperity of our state. This bill as introduced by the government shows total disregard for attracting investment in the Queensland business and property sectors and makes a complete mockery of the Bligh government's 'jobs, jobs, jobs' mantra.

Ms GRACE (Brisbane Central—ALP) (5.01 pm): I rise to support the Valuation of Land and Other Legislation Amendment Bill 2010. I want to start by thanking all of my constituents and business representatives who have either spoken to me directly or contacted my office regarding this legislation. Obviously, they were stirred into action by what I believe was somewhat misleading information regarding the true objects of this bill, and I am looking forward to confirming the information I have forwarded to these people who contacted my office.

I know that land tax can be a very controversial issue. Nobody likes paying land tax and, with valuations increasing in recent times, it is not surprising that recent misleading media statements brought to the surface for many residents concerns regarding how they may be impacted and gave them the opportunity to highlight what they think about land tax in general. I have listened to what they have said and read all of the emails and correspondence and can assure my constituents that I have passed on their concerns, and I am pleased that the government listened to those concerns and we have the bill that we are debating this afternoon.

However, it is pleasing today to outline exactly what this bill aims to achieve and to get the record straight with regard to these amendments—clearly, amendments that have not been understood by those opposite when we take into account the recent contribution by the member for Currumbin. Firstly, as advised to those who contacted my office, this bill does not change the way land is valued in Queensland. In fact, it aims to achieve the status quo and to validate valuations which would have been impacted upon due to the recent Court of Appeal decision that threatened to turn past processes upside down. Also, this decision would have had drastic consequences for local governments, where it has been estimated that up to $600 million in rate repayments to commercial and industrial property owners would have to be made if the bill were not enacted.

This bill will ensure that, with the way homes are valued, property owners will see no change to the manner in which their valuations are prepared. This provides certainty and delivers an outcome which means no new taxes for property owners—I repeat: no new taxes for property owners—and no big refunds from state or local governments. Validating valuations already issued is the most sensible course of action to take, and I support this bill in doing so. I just do not understand why one would be opposing this bill as amended. In addition, this bill will ensure that the method for valuing property is crystal clear now and into the future by completing the 2010 valuation with certainty.

I also note that, as a preliminary report tabled by the minister today demonstrates, obviously due to the global financial crisis valuations have generally decreased—a situation that even the Property Council of Australia Queensland branch agrees with, as it has stated that it expects that 2010 valuations will generally be lower because of the GFC.

I also welcome recent statements made by the Premier and the minister, who have committed to going further and introducing a simpler method of valuation—site value—for non-rural lands from 2011. Site value methodology will bring Queensland into line with other Australian states from 2011 valuations for all property owners except those in rural areas. I also welcome the commitment to introduce an independent statutory position of Valuer-General to lead Queensland's State Valuation Services. I note that the member for Currumbin described this bill as 'repugnant'. She clearly has not kept up to date, because I note that the Property Council of Australia Queensland branch has stated that it is pleased that this bill being debated today will address many of the concerns raised by industry. In fact, I have in my hands its press release, issued today, which says 'Queensland property owners breathe sigh of relief'—

Mr Rickuss interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Member for Lockyer!

Ms GRACE: It goes on to say how pleased it is with what the bill we are debating today contains. Just keep up, those opposite; just keep up. It is not that hard. It states—and I agree—that this bill will ensure that the rights of those appellants with objections or appeals before the courts are protected and that settlement negotiations will continue under the current act until 30 June 2010. It is also pleased with—not averse to—the government's commitment to a full review of the state's valuation system for the 2011 round of valuations, with a focus on site valuations.

Mr Rickuss interjected.

Mr DEPUTY SPEAKER: Member for Lockyer, that is your final warning.

Ms GRACE: I know that it is looking forward to being consulted over the coming months in relation to this review, and I support full and proper engagement with industry as outlined by executive director Steve Greenwood—an ex-constituent of mine, I might add—in his media statement of today.

To set the record straight, I believe it is important to outline that Queensland has the highest threshold and lowest maximum rate of any state for individual taxpayers with regard to land tax. Queensland's land tax effort as measured by the Commonwealth Grants Commission was 30 per cent below the national average in 2008-09, and this is the latest independent comparative data. So all of those statements made by those opposite are misleading and untrue. This bill as amended addresses many of the concerns raised with government. As the Property Council of Australia's media release states—

I would like to acknowledge the strong leadership shown by the Premier in our final negotiations which ensured that a satisfactory resolution could be reached.

Mr Seeney: You don't believe that!

Ms GRACE: That is what it has said.

Mr Seeney: You don't believe that!

Ms GRACE: I do not have to believe it; I am merely stating what the Property Council of Australia Queensland branch has said. So we have industry pleased in coming on board by welcoming the amendments but, as usual, all we get from the other side is carping and nonsupport for a bill that addresses industry concerns, protects ordinary ratepayers as outlined by the LGAQ and commits to surety for current appeals or objections currently before the court.

Yet again, from those opposite there is no policy alternative. Nothing has been put. There is no alternative plan and no idea. Member for Callide, you did not offer one—

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! I would ask the member for Brisbane Central to direct her comments through the chair.

Ms GRACE: Thank you, Mr Deputy Speaker. I apologise. The member for Callide gave no idea whatsoever in his speech in regard to this bill. This bill indeed provides for what the government has set out to do. Those members opposite have come into this House and made misleading and untruthful statements and, unfortunately, the member for Clayfield likes to play the person and not the ball. This bill provides exactly what the government intends to do. It protects the ordinary mum-and-dad ratepayers who would have been severely impacted by the recent Court of Appeal decision, as confirmed by the LGAQ. This bill maintains the status quo by validating valuations that have already been issued, ensuring no new taxes and no unsustainable impacts on local governments. I say that for the benefit of the member for Indooroopilly, who seems to think that all the taxes in the world are going to rise and that the whole world is going to fall in. As for the member for Buderim, my goodness! All businesses are going to leave Queensland and go somewhere else. Unfortunately, land taxes there are higher than they are in Queensland.

We also have people who are concerned about rent increases. Those opposite have talked about rent increases, yet not one of them has made any statement in here on behalf of unit owners or unit renters who have experienced rate increases beyond their unbelievable imagination. Of course, in regard to that issue there has been no comment from those opposite on the impact of those increases.

This bill also protects appellants' rights currently before the court to be settled under the current act until 30 June. This bill is essential for all the reasons that I have outlined. I commend the bill to the House.

Mr ELMES (Noosa—LNP) (5.11 pm): I rise to make my contribution to this critically important debate on the Valuation of Land and Other Legislation Amendment Bill 2010. I welcome this opportunity, as I do every time I am given the opportunity to spend some time on my feet in this place to represent my electorate of Noosa. This is particularly the case today as the bill before the House seeks to savage my constituents of Noosa and those of my nearest colleagues in communities such as Cooroy and Eumundi by affecting employment. This bill will cost jobs in my seat—jobs that are very hard to replace when at the same time major employers are laying off a number of staff.

The first casualty of war is truth. If members read the *Courier-Mail* yesterday, they would have seen an advertisement—paid for with borrowed money to be repaid, principal and interest, by the long-suffering taxpayers of Queensland—which purported to tell those same taxpayers the truth. My office has been inundated by outraged constituents telling me that it is not so. They are telling me that that ad was the mother of all whoppers. But with the capitulation that we have witnessed today by the minister—a double backflip with pike that even the former Premier of Queensland, Peter Beattie, would have been proud—I ask: what has changed so dramatically in the past 24 hours to make Monday's truth so different from today's truth? Is it fluid truth or dynamic truth that we are hearing? It certainly is not the absolute truth.

I have prefaced my contribution with these remarks just to set in context that this Labor government is reminiscent to so many people who have migrated here from the southern states, particularly Victoria. I have heard painful stories about the dying days of the Cain-Kirner governments in Victoria when the poor unfortunate Joan Kirner was Premier. Of course, she inherited the consequences of the dreadful incompetence of her predecessor, John Cain, and his Treasurer. I am told that those were the days when you could see the weight of the state that was rapidly going broke etched in the faces of the populace as they shuffled along the streets of Melbourne like derelicts—shoulders stooped and spirits broken. Those were the days when the Labor government in its death throes tried to sell a hospital to a university and lease it back simply to get cash to meet its recurrent expenditure. Given the absolute panic that we have seen today by this Labor government and this minister, I wonder how far off such a repeat will be in Queensland following the desperate measures that we are seeing here today.

So why do these images keep recurring in my mind's eye? Why do I lie awake at night in a cold sweat thinking about the possibility? It is because the evidence of a repeat of the Victorian experience is growing day by day. Here in Queensland, everywhere we look now the Labor government is failing and the financial chickens of that comprehensive failure are coming home to roost. One of the candidates for the job of Premier is enhancing his credentials for the leadership by sending WorkCover broke. If the Attorney-General does not act quickly, then WorkCover's net debt will amount to about 20 per cent of the entire Queensland state budget.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! I remind the member for Noosa that this bill is not about WorkCover; it relates to land tax and I would ask you to come back to the bill.

Mr ELMES: Thank you, Mr Deputy Speaker. It is because of the monumental failure by this Labor government to make our workplaces safe. This Labor government is now ratting around hither and yon looking for yet another hollow log from which to extract some revenue. It seeks it here, it seeks it there; it seeks it everywhere. It seeks a magic pot of gold at the end of the rainbow which is called the magic pudding. I will bet pounds to peanuts that the government has a very secret task force somewhere dreaming up new taxes and charges with its members to be paid on commission.

The Valuation of Land and Other Legislation Amendment Bill is just the latest in another Labor government attempt to screw even more money out of our long-suffering community. It is gouging. It is using this bill to fix a mistake made in its rushed legislation only of last year to ensure that it can continue to mine $1 billion from land tax payers—a tax take that increased to $620 million from the $380 million of the very recent 2004-05 tax year. This hike is grossly unfair as the current property values are higher than market prices because the latest valuation was made before the impact of the current economic slowdown was felt. This effect is particularly disadvantageous for commercial property. The negative effect is made even worse by the three-year averaging, which keeps the valuations above the appropriate market price.

Has anyone done a cost-benefit analysis of this legislation? Unless the minister has been on another planet, he would know that investment advisers regard this bill as a very serious attack on property investment. Unless the Treasurer has been with him, he would know that stamp duty receipts would be under direct attack as investors flee the state on the advice of financial advisers and property consultants. It does not matter how much you bluff and bluster and how many times you put misleading

ads in the major dailies, the perception is that the government intends to change the rules fundamentally and, as a result, investors will go elsewhere. There will be a capital strike as the government has now compounded the problem by creating uncertainty and exhibiting panic through introducing what really is a half-pregnant bill.

What will be the effect on the building industry? One message that I have received argues compellingly that industrial land will become worthless and that there will be no point in developing it as there is no return for the owner and no tenant could afford to rent it. Another point has been made that four years ago outgoings averaged $10 per square metre. Today, it is $30 per metre, and most of that is rates and land tax. Although I am sure that this blatant tax grab can be dressed up by just some or more of the Labor government's 640 spin doctors to make it look equitable and to be the panacea for anything and everything, the very harsh reality is that it is a tax on jobs. It may now be a tax on 2010 jobs only, but it is still a tax on jobs.

Working families, which trusted Labor in 2007 at the federal level and in 2009 at the state level, are about to lose their jobs because of conscious decisions taken by this Labor government. Small business—the major provider of employment in this state—will be hit hard by this land tax. Our competitiveness as an investment destination will also be adversely impacted. The superannuation nest egg of all of those who were encouraged to migrate to Queensland will be adversely affected. Prudent investment of a superannuation portfolio requires a spread of investments and the property sector is part of a prudent, balanced superannuation fund investment. Retirement funds already brutalised by the effects of the global financial crisis are about to be hit by a double whammy by this Labor government through the effects of this tax on their investments. This attack on superannuants and self-funded retirees mirrors the assaults on those mum-and-dad investors who loathe Stephen Conroy with a passion for his attack on their Telstra investments.

Is Labor consciously attacking the financially self-dependent deliberately? Does it want every retiree to be totally dependent on the largesse of an Australian government of some kind? Does it propose to make the resourceful, who have scrimped to secure a loan for a single investment property to make themselves a little more comfortable and self-sustaining in retirement, stand helpless as legislation executes their initiative? It would certainly seem so.

The real trouble with this Labor government is that it has become so used to spin as a way of presenting information that it no longer recognises truth when the genuine people tell it the truth. It judges everyone by it is own appalling standards. When genuinely concerned constituents tell me that this legislation will cause mum-and-dad investors to suffer, that owners will breach financial covenants as property values fall, as loan defaults increase, as receiverships rise, as economic growth in the property sector stalls and as my constituents lose their jobs, I listen carefully and act accordingly.

Then we have the effect on housing affordability. Housing affordability is much touted, much spun and much talked about by this Labor government as if it were the sole champion of housing affordability, but what do we have here in this legislation? We have the true colours of this Labor government being nailed to the mast and it is the mast of lip-service. This tax hike will inevitably be reflected in the cost of land and house-and-land packages, particularly in greenfield sites. It will be the straw that breaks the camel's back for at least some. How many potential homeowners will never be proud homeowners because of this tax hike?

This bill was introduced into the House on 11 February 2010. During the last sitting week, which commenced on 23 February, the minister made a number of public statements indicating deferment of the bill to allow proper consultation with the Property Council of Australia. Fast-forward to today and we have the bill back as the first item on the *Notice Paper*. A week sure is a long time in politics. Why am I concerned? Because the rush to get this bill through the House mirrors the haste that got us into this mess in the first place. The rush to get the previous amendments in place appears to have created this uncertainty and it appears that this Labor government was about to compound that mistake. Now with the capitulation, we are certain that was the case.

The Scrutiny of Legislation Committee has grave concerns about this legislation, concerns which I and every fair minded Queenslander share. The committee pays particular attention to reviewing legislation according to the Legislative Standards Act, one of the in-built checks and balances of legislative excess. One of the pillars for review is whether proposed legislation has sufficient regard to the rights and liberties of individuals. The committee has in this regard drawn attention to clauses 26, 27, 32, 33, 37, 39, 51 and 54, which either alter or limit review of administrative power conferred by the Valuation of Land Act 1944. The committee was particularly concerned with clause 33, which may be inconsistent with the principles of natural justice. Concern was also expressed in regard to clause 52 regarding 'unimproved value' to operate retrospectively and in regard to clause 5, which would amend the definition of 'unimproved value' in the Valuation of Land Act and which may not be drafted in a clear and precise way.

The committee has also expressed two other significant concerns. The first was that clause 21 allows a decision of the chief executive to amend both the act and subordinate legislation. Accordingly, the bill does not have sufficient regard to the institution of parliament. The second grave concern was that clause 54 fetters the discretion of the Land Court.

The explanatory notes trumpet that one of the three objectives of this bill is to clarify the definition of 'unimproved value' and the associated terminology. The Legislative Standards Act requires legislation to be unambiguous and be drafted in a sufficiently clear and precise way to protect the rights and liberties of individuals. The Queensland Law Society does not believe that this is the case here. It states—

> It is the submission of the QLS that use of the term 'unimproved value' is not sufficiently defined, is ambiguous and not drafted in a sufficiently clear way to give a lay reader of the Bill a fair understanding of the Government's policy intent. It is inappropriate and misleading for a term in legislation to be substantially redefined to mean the opposite of its ordinary meaning.

I ask members to just pause and listen to that again, because it is a very critical point. It is not me but the Queensland Law Society that says that it is inappropriate and misleading for a term in legislation to be substantially redefined to mean the opposite of its ordinary meaning. The prime motivation alleged by the minister for this legislation to clarify the definition of 'unimproved value' and the associated terminology will not be achieved, in the opinion of the Queensland Law Society, because there is a term in the legislation which has been so substantially redefined as to mean the opposite of its ordinary meaning.

Another grave concern about this legislation which I share with the Scrutiny of Legislation Committee is in regard to clause 33. The committee is restrained in its report when it says clause 33 may be inconsistent with principles of natural justice. I will just lay out the facts, which seem to me to speak loudly for themselves. The legislation confers administrative power on the chief executive to publish an adjustment factor. However, landowners would not receive a valuation notice reflecting the adjustment, nor would there be an opportunity to object. The chief executive, in one fell swoop, becomes the prosecutor, judge, jury and appeals court all in one. That does not seem fair and equitable to me.

In terms of efficiency, the Pacific Fair LAC decision will have a significant impact on the chief executive and departmental valuers engaged in valuations who will be required, if the amendments are not retrospective, to proceed on the basis of what had previously been accepted as an appropriate process that should be discarded and a new process engaged in. That leads to a great deal of inefficiency. It will also result in inequitable valuations. Without retrospective changes to the act in that respect, the Pacific Fair LAC conclusions regarding the determination of unimproved value would have to be applied to other commercial, industrial and multiunit properties, exposing the state and local governments to significant repayment of land tax or rates charged on the basis of established valuation approaches.

However, in its submission the Property Council draws attention to the fact that the substantive amendments will retrospectively apply to valuations in effect on and from 30 June 2002, including those presently the subject of unresolved objections or appeals. This will give rise to inequities between the rights of landowners who have settled objections and appeals proceedings and the rights of those landowners whose objections and appeals remain pending. Clearly, the retrospective legislation is a bad idea, and here is a first-class example of why. While intending to provide equity and fairness, it has exactly the opposite effect. I am enormously relieved that the minister has come to his senses and thrown out retrospectivity, at least for now.

What troubles me most about this legislation is the Labor government's arrogance. This legislation shows a complete contempt for the courts and the judicial process in this state. This legislation flies in the face of decades of valuation practice in this state. Rather than create certainty for both businesses and private landowners as well, the Labor government has created immense uncertainty by the approach it has adopted. Rather than argue its case before the High Court, the proper and time honoured process for review of a Court of Appeal decision with which the government disagrees, it has resorted to retrospective legislation. In one fell swoop the Labor government has announced to everyone that if it gets court decisions it does not like it will legislate retrospectively to overturn them.

Where does that leave the community now, particularly the investment community? How can business plan and invest for the future on the foundations of a shaky past or in the knowledge that this Labor government will move the goalposts during the course of the game on a whim? Now it has compounded that problem by vacillation. Its credibility is shot. What will any future investor in this state be able to rely upon if this Labor government is in power?

This is taxation by stealth. It shows just how very desperate this Labor government is. That it would seek to gouge the principal donors to the Labor Party—that industry which donates more to the Labor Party coffers than does its trade union base—with this grubby piece of legislation sends shivers down my spine. How close are we really to the Victorian experience of moral, intellectual and financial bankruptcy to which I referred earlier? I am afraid we are very close.

Mr RICKUSS (Lockyer—LNP) (5.29 pm): I rise to say a few words on the Valuation of Land and Other Legislation Amendment Bill 2010. I would like to congratulate the shadow minister, the honourable Mr Seeney, who has done a wonderful job highlighting the flaws—

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! The member should refer to members by their correct title.

Mr RICKUSS: The member for Callide has done a wonderful job showing the flaws in this legislation. He actually highlighted the issues weeks ago and now the minister has come around to see real sense.

I have heard from people from every part of my electorate complaining about the issues raised by this legislation. I will read out a couple of comments. This letter is from Don and Pam up at Withcott on the western edge of my electorate. It states—

We don't believe the government's full page advertisement in today's Courier-Mail that attempts to allay our fears. The article by a member of the Property Council seems nearer to the facts of the matter.

Those comments are from Don and Pam, who are small investors in my electorate. Kathleen from the southern end of my electorate down near Logan in the Jimboomba-Greenbank area rang me on Friday very concerned about what was going on. I have had a lot of complaints from people living right across my electorate.

It must be disappointing for the minister to have to bring this poorly drafted legislation into the House. This seems to be a regular occurrence with the department of natural resources. I do not understand what is going on there. For some reason that department seems to be letting down the minister when drafting legislation. The scrutiny in the department itself seems to be rather poor.

The worst ever Treasurer, who has actually dug this enormous hole and now has to dig himself out of it, is also putting exceptional pressure on the minister. The rest of the ministry is now struggling to find ways to make a few bob for this worst ever Treasurer to fill up these enormous holes that have been dug. Unfortunately they are digging the hole with a backhoe and trying to fill it in with a spade.

It is disappointing that such poorly drafted legislation keeps coming into the House. It is really disappointing that our parliamentary time is being wasted and that money is also wasted through the running of full-page advertisements in the *Courier-Mail* because process is not being followed. It is a total disappointment. The changes to unimproved values and the ambiguous wording of some parts of this legislation are really disappointing the parliament. I think the government is almost treating the parliament with contempt in trying to ram through this poorly drafted legislation. I acknowledge that we are not going to support this legislation. There is no reason to support such poorly drafted legislation.

Dr DOUGLAS (Gaven—LNP) (5.33 pm): There is a wonderful saying that we need to cut our cloth according to our means. It is a truism of life. The changes to the Valuation of Land and Other Legislation Amendment Bill proposed by the Labor state government demonstrate everything that is wrong in a legislative step. The truism applies because the motive for change is driven by a desperate need not to secure a revenue base but a rush for the cash. In doing so, the ripple effect has led to an enormous coalition of businesses, companies and individual Queenslanders all opposed to this bill.

When so many people who contribute so greatly to our state's future feel so strongly that they take the kind of action they have done in response to the government's action, one has to take notice. I thank all those who have contacted my office, made submissions and personally spoken to me regarding this awful bill, and I acknowledge their great contribution to our great state of Queensland.

It seems to be such a trite statement that the minister and his cronies put out that only two per cent of Queenslanders pay land tax. This is not correct; two per cent pay it directly and 98 per cent of Queenslanders pay it indirectly and will pay this new enterprise tax indirectly as well. Clearly, the tax is passed on to tenants and also to consumers. The new tax—and that is what it is—is an extra burden on Queenslanders already doing it tough. Where does it say in a post-GST environment that the state Labor administration has the right to mandate and implement a new enterprise tax? I accept that the land tax which was previously calculated was an existing tax and, as difficult as it is to pay it, people know that it does apply in certain circumstances with property investment. However, to radically change the rules regarding how it is to be measured, reviewed and collected and then retrospectively apply it eight years back is fundamentally wrong. I realise that the amendment regarding the removal of the retrospective clause is very appropriate, but the mere fact that this was proposed was incredibly wrong and very hurtful.

The five principles of good regulation need to be stated and repeated here. Regulations must be proportionate, accountable, consistent, transparent and targeted. This bill is none of these and those opposing it have every right to feel that this jackboots and dictatorship approach has no role in modern democracy. To ignore the stakeholders is to risk all and is reflective of a government and its ministers and advisers who not only do not have experience in business but who are also incapable of understanding the mechanics of business.

We will not be supporting the bill as presented. I would like to briefly emphasise this as a small business owner of 25 years experience in the area of medical care in the general community. Even in these businesses, if you do not make a profit you will go broke. Every government tax has to be paid by consumers. The consumer budget is limited by income and family needs. Every minor rise in fees out of cycle leads to either rationing at the individual level or inability of access. This is the critical point: this new tax will lead to a significant issue—that of access. Access will be denied at every level from the failure of new projects to proceed to individual consumers not being able to afford the increase in charges that will be passed on to them. I ask a very basic question here: if this tax leads to problems of access, why are we doing it?

The Premier was quoted in the *Australian Financial Review* of Saturday, 6 March of this year as saying that the claims that the changes would hurt mum-and-dad investors were simply untrue. What planet does the Premier live on? The changes will definitely affect all mum-and-dad investors whether they invest directly or indirectly. That is the key factor here. Indirect investment is what superannuation investment is all about. It is very severely affected by this legislative step. The Premier is potentially doing great harm to her own constituency, and everyone else's too. The evidence is to be found in the UDIA report which significantly addresses the knock-on effect, saying that whilst owner-occupiers who do not pay land tax will not be directly affected, the additional costs that this new valuation scheme will place on developers will see further costs passed on to those buyers. Renters will also be affected as their landlords are required to pay land tax, which will flow through as higher rents.

At the other end of the equation, the Shopping Centre Council of Australia said of this legislation—

> The Bill, if passed, will massively increase the cost of doing business in Queensland. It will increase costs for all businesses, not just for shopping centres or for commercial offices.

To specifically address the Premier's statement, the managing director of Westfield Group, Steven Lowy, said—

> We see it as a very disturbing issue. It not only affects our centres, it affects every investor in the state.

I point out for the Premier—

> It has ramifications about how the business community, both domestic and foreign, views the certainty of investment in Queensland.

That word 'certainty' has been used multiple times today. We should be in the business of reducing the burden on business and the public in general. That burden includes taxation, red tape and incentive. We have no right to implement laws that hurt people and diminish our state's competitiveness. I put it to members that if this is the Labor government's belief, it sorely misunderstands the people, it is not representative of the democratic state of Queensland and it does not understand what democratic government is all about.

Whilst these fundamental questions are being considered, we really need to look at land tax in a modern context. While there is great doubt about the claim of $1 billion in lost revenue to the state, equally in a post-GST environment—GST being a 10 per cent progressive consumption tax paid by all and very difficult to avoid—land tax is an input tax that is paid before consumption and, even under the old rules, was a negative tax that Adam Smith's principles said did not deliver an equal and opposite benefit for the raising of the tax. This afternoon opposition members have covered particularly well the proposals to fundamentally change the definition of unimproved land value and issues involving profit and risk, leases, goodwill and interest income. The courts do not agree with the government's position and now the government is attempting to rule by decree. In effect, it is subverting the role of the courts in our democratic system. It is also intending to introduce a general valuation schedule, although the move to the new system later next year is a good move and has been discussed by the member for Callide.

The alternative to the objection process and, significantly, the scope for the department to reject objections on the grounds that they are not properly made is reprehensible. The alterations to the appeals process limit the grounds included in the original objection. A sunset clause has been proposed in the amendments and that is a good decision, although the government had to be dragged to it kicking and screaming. The retrospective issue has been withdrawn.

Critically, it must be said that this is a new tax. It is not a land tax, but a tax on enterprise and, in all fairness, it should be called that. If it is not called that or a similar name, the Labor government will be implementing laws that mislead the public and potential investors within the state. The proposed amendments will reassure the public, but they have had to be drawn out of the government. The *Australian Financial Review* correctly stated that the Premier should stow the legislative baseball bat that she has used to resolve what the government believed was a challenge to its revenue base. This Labor government is living in the past and seems to be unable to manage change. We must be in the business of the provision of services, rather than rationing services, and the growth of a progressive revenue base. We must not strangle investment at conception and be unrepresentative of the public. We must not be like the hated adversary that this Premier has become.

This bill is anti employment. Labor has consistently stated that its goal is to create 100,000 new jobs, yet the property industry has calculated that the legislation will result in the direct loss of 50,000 jobs. Who will be affected? It will be average Queenslanders working as grader drivers, drainage labourers, surveyors, surveyors' assistants, property managers and builders. All those people are well represented in my electorate of Gaven, which is the fastest-growing electorate in the state. At a time when they can least afford it, they will be severely punished by the knock-on effects of this bill. In Queensland, the average home mortgage is $450,000 and increasing, and electricity and water costs and interest rates are steeply rising. What do members think will happen? We are going to see foreclosures by the banks and increasing rates.

Members should not be fooled by the Reserve Bank's statement that interest rates are rising to stem overheating in the economy. Interest rates are rising because the federal government is running an unstable borrowing program. Money is short and money is priced accordingly. In Australia, Joe Average and Mrs Average have no ability to compete fairly in the market with the government. The impact of the new law will not only make their lives harder and more difficult but will also make them unsustainable. Just because the government could not balance its budget and address the issue of the state budget debt of $85 billion, it does not have the right to reach into the pockets of each and every Queenslander and rob them of an extra two cents in every investment dollar.

This is clearly an example of a government increasing its revenue stream through the clandestine manipulation of definitions, rather than by simply and transparently increasing the rate of taxation. The public rightfully expected to see the end of older taxes such as stamp duty and wholesale sales taxes when they supported the federal Howard Liberal-National coalition government and delivered them the GST. Has everything changed now that the Rudd federal government is claiming 30 per cent of the GST and, as Health Minister Roxon stated publicly, new taxes may have to be considered to pay for health?

Mr DEPUTY SPEAKER (Mr Ryan): Order! Member for Gaven, I direct your attention to the purpose of the bill and ask you to come back to it.

Dr DOUGLAS: I support the view of the shadow minister, the member for Callide, regarding the government's move to a new site improved valuation definition. I would like to see the government clearly respond to stakeholder input into this process. If, as proposed, the Labor government will now move to a new bill later this year incorporating some of the changes and the new valuation of land definition, then we must see compromises at that stage as well. The Boyd and Heffernan review is critical for informing all players and interested parties, and must be released. I call on the minister for its tabling. Every informed commentator in every responsible publication has specifically requested common sense. As the words 'blatant tax grab' suggest and the *AFR* editorial has stated, the minister's stated defence 'we need the money' is an abuse of state power and his reasoning is no different from those excuses heard in criminal pleas made in courts every day of the week. Furthermore, the stated $1 billion loss is really a fraction of the sum; that is a fact. The lameness of the defence is compounded by the fact that the Labor state government has managed the economy about as badly as any state government could and is the creator of its own fiscal predicament.

Like many previous speakers, I find it impossible to accept some of the nonsense that we have heard today from government members about suddenly finding an ability to understand those opposing their view. I say this on the basis of the completely unacceptable second reading speech delivered by the minister, the minister's questioning of the Court of Appeal judgement and his outrageously inaccurate statements about land tax rates in Queensland as opposed to those in the rest of Australia. The minister has no right to question the judges of the Court of Appeal in the Land Court. His facts are wrong and grossly misleading. Our current tax charges are higher than anywhere else in Australia and the minister's proposed rates are to be 10 times that of existing rates anywhere else. Our valuations grossly exceed comparable properties in the rest of Australia. The percentages are irrelevant; it is the quantum that has to be stated. The minister is assuming that we are all ignorant, that he can say anything he likes and that we will believe it. No-one believes him. All he has done is harm his reputation, I would think irreparably. For what? A tax grab built on a flawed calculation. I ask: who did the numbers? Who thought this up? Who wrote the second reading speech and why would the minister ever believe it would slip through? In his second reading speech the minister stated—

> I cannot let that happen. We have to get the balance right between residential rate and taxpayers and commercial and industrial rate and taxpayers.

The member for Clayfield has appropriately defined the history of land tax and how it was originally conceived. An owner pays income tax earned on the land and the land tax is paid on improvements that surround the freehold properties, not on the freehold property. I do not believe the minister's statement reflects an understanding of this issue. This world is facing a double-dip recession. In the US unemployment is at 10 per cent and static, and property values are falling to 1980 levels. In Australia, all the banks are holding huge loans to property speculators, land bankers and developers. Centro is arguably broke but trading, and Australia's assets are marginal. It is no secret that property values are set to fall, even though statements about land shortages remain. Property after property of undeveloped land is being offered at 50 per cent of its value, not just because of the greater demand for land but because of equity from the banks, yet the property's value is at least 30 per cent of the earlier

valuation. Developers, large and small, are being called on to increase their equity contributions and sell property at fire sales, or are being told to increase their equity position to 40 to 50 per cent, at a 30 per cent below market valuation. What do honourable members think of the implication of this? It is unemployment, decreased GST, decreased stamp duty, decreased personal income tax, foreclosure on personal homes and increased demands for crisis services, including health.

We have had a desperate government propose a totally unreasonable response to its own economic dilemma. I call on government members to not only demand that these amendments that we have driven through are passed but also collectively ask for explanations from those who have misinformed them all. They were misled. No-one in this state believes that we Queenslanders have a greater right to our funds than anyone else, especially other Australians. No-one has the right to tax enterprises, as far as I know. The defence of the public revenue base that has been presented here is fundamentally flawed. It is irrational, and the imposition of a fuel tax and this government's tacit acceptance of a potential new health tax proves this to me. I can say this because the Treasurer is defending his decision to support the transfer of mining royalties to the federal government at a time when government members are all saying that they are attempting to defend the revenue base here today. Either they defend the revenue base or they do not. There is no half measure. Even fence sitting means that the government's position is hypocritical.

The bill is an attack on business. It is completely undeserved and poorly targeted. It is a proven job destroyer and a destroyer of business confidence and an assault on every Queenslander who is an investor, either directly or indirectly. It makes homes much harder to purchase. It is a breach of trust to every Queenslander wherever they are. To say that it is anything less is completely wrong and to say that it is targeted at the big end of town completely misled people. This argument just does not wash. Has the Labor government learned anything from this shocking and offensive tax grab? If we are to judge from government members' speeches today, the answer is no. There are some small areas that need correction. The member for Pine Rivers incorrectly stated some facts today which are completely contradicted by the Property Council's statement and there is also the issue with regard to investment.

For those who believe that the asset sale is going to save them, the CEO of QR, according to the *AFR*, 'must be lying awake sweating on the decision of this land tax decision today'. I quote Richard Gilbert, Chief Executive of the Rule of Law Association. He said—

> Any decision to continue with the proposed bill will turn off those foreign investors (let alone Australian investors) to whom a stable legal system with an observance of the rule of law is a precondition to any investment.

So what does this tax do? It will reduce jobs. It will reduce available, affordable land for development. It will slow growth in state revenue and economic migration from other states. It will cost each and every Queenslander more money in tough economic times. It targets young families, the elderly, the disabled and those who cannot afford it. It will sound the death knell for many small businesses in shopping centres. I put it to this Labor government that it had to learn to live within its means and it could not do so. I thank all of the people who helped me with this speech including my son, Alex.

Mrs ATTWOOD (Mount Ommaney—ALP) (5.52 pm): In rising to participate in the debate on the Valuation of Land and Other Legislation Amendment Bill, I would like to address the amendments to the land and water management plan framework in the Water Act 2000. The Water Act, among other things, provides a framework for managing the use of water for irrigation through the requirement to have in place a land and water management plan. These plans are prepared by irrigators for their individual properties.

The purpose of land and water management plans is to ensure that irrigation water-use practices are ecologically sustainable both on and off the farm and to manage water use where there is a risk of land and water degradation. Preparing a land and water management plan can be either voluntary or a legislative requirement. The Great Barrier Reef Protection Amendment Act 2009, which received royal assent on 15 October 2009, introduced regulations to improve the quality of water entering the Great Barrier Reef. These new regulations include amendments to the Environmental Protection Act 1994 to require landholders to prepare environmental risk management plans. These plans will help to ensure the adoption of management practices that reduce the levels of farm chemicals, fertiliser nutrients and sediment harming the reef.

Environmental risk management plans may deal with similar land and water degradation issues and land management practices as land and water management plans. In recognising this, the bill amends the Water Act to align the two frameworks. The amendments will allow components of an accredited environmental risk management plan to be submitted and approved as a component of a land and water management plan. The new environmental risk management framework also recognises these linkages and allows land and water management plans and other equivalent documentation to be submitted for environmental risk management plan accreditation. These amendments will ensure irrigators are not required to prepare duplicate plans dealing with the risks of land and water degradation.

In addition, the existing land and water management plan framework allows an irrigator to seek a deferral for having an approved plan. The requirement to have an approved plan may be deferred for up to one year. However, under the current framework, after the one-year deferral has passed it is an offence to use water for irrigation without an approved plan. Requiring a plan where the risk of land or water degradation is low creates an unnecessary regulatory burden for irrigators as well as an administrative burden for the Department of Environment and Resource Management to approve and administer low-risk plans.

The amendments proposed by the bill will provide flexibility by allowing deferrals to be granted for up to two years and for subsequent deferrals to be granted where the chief executive considers it appropriate. This effectively creates a rolling two-year deferral process where the department will have the opportunity to review the level of risk every two years. It should be noted that the information provided in each deferral application and the susceptibility of the land and water to degradation from water use is assessed before the chief executive will grant a deferral. These amendments to the Water Act will provide more flexibility to Queensland irrigators in managing the risk of land and water degradation associated with water used for irrigation. In addition, the efficiencies created will allow departmental resources to be better targeted to land management and the practices where the risk of degradation from water use is greater. I commend the bill to the House.

Mr CHOI (Capalaba—ALP) (5.56 pm): In rising to participate in the debate on the Valuation of Land and Other Legislation Amendment Bill 2010, at the outset I thank the minister for his leadership in the development of and subsequent amendments to this bill. As the minister's parliamentary secretary, I know how hard he has worked on this legislation and the conflicting interests from different quarters that he has tried hard to accommodate.

Valuation is a very complex issue and, as the Premier said this morning in her ministerial statement, we as a government have committed to do at least two things: firstly, deal with the court's decision and ensure that the status quo remains—that is, no new taxes and no refunds to protect the state's revenue; and, secondly, put in place a new regime to change fundamentally how valuation is done in Queensland—that is, moving from unimproved value to that of site value, which is consistent with a lot of other states. The Premier said—

... the new system will not result in significant changes to rates and property taxes. This is being done to provide greater certainty for our commercial and industrial sectors and residential property investors. It is not a revenue measure. Further, the government will appoint an independent Valuer-General to provide transparency and independence in the assessment and issuing of valuations.

I welcome the announcement and decision by the Premier. I think it is about time, since 1944, that the state of Queensland moved forward—to move from unimproved value to site value.

I will restrict my comments on this bill to the valuation reform program being undertaken by the Department of Environment and Resource Management. For the land valuation system to be effective, it must be transparent, fair and efficient. In Queensland, where the state's population is growing by about 1,500 people per week, the need for change has been widely recognised by government, business and the community.

This bill provides the first step to give certainty to the way in which valuations are made in Queensland. It also introduces reforms to streamline the valuation objection process to provide a more transparent, consistent and efficient process for all landowners in Queensland. This updated objection process will provide clear processes for lodging an objection and will encourage the inclusion of appropriate information at the beginning of the objection process so that objections can be dealt with by the department in a timely manner. This is better for the landowner and better for the department.

Contrary to the view of the opposition leader in his radio interview with 4BC on 3 March, the amendments do not 'make it very, very difficult for people to appeal'. In fact, it is quite the opposite. In making valuations, State Valuation Services is not always right, and we are quite prepared to admit that. It does not always have all the information in front of it because it has not been provided by people objecting to valuations.

The right to object to a valuation has always been available and will continue to be available to a landowner. If a landowner disagrees with their new valuation, they have 45 days—which is exactly the same period provided for in the act—after the date of issue of the valuation notice to lodge an objection. The updated objection process now requires all objections to be lodged on the approved 'Notice of Objection' form—which is Form 58—stating what the grounds are for their objection to the valuation. I think that is fundamental information that is required to determine whether the objection has any substance.

It will not be sufficient for a landowner to state that the value of their property is simply incorrect or that the valuation is too high. That is not a reason. Information must be provided to substantiate the objection. This is not onerous or difficult. This information is essential to allow a correct and timely decision on the objection. In my view, it is impossible for anyone to make an assessment on an objection without knowing the reason for the objection in the first place. This is a new process, and the Department of Environment and Resource Management has developed extensive supporting

information including fact sheets and a guide for landowners on how to complete their objection form. During the objection period there is also a dedicated call centre operating to answer landowners' questions in relation to how to complete their objection within the required period.

For landholders who in the past have been lodging appropriately prepared objections, this new process should not present any new challenges. In fact, it provides the opportunity for further information to be provided to support the objection if needed by the department to assess the objection. If a landowner is not satisfied with the chief executive's decision to disallow an objection or adjust a valuation, they can still lodge an appeal with the Land Court. What the amendments make clear is that the grounds used in the objection will be the only grounds that can be used in the appeal. I think it is very fair that anyone objecting to a valuation should state their grounds clearly. The grounds and the information provided in the objection are what is considered by the department when making a decision. Therefore, if the decision is appealed, the appeal must be based on those same grounds. This is common practice in every single level of our courts. This does not preclude the objector from providing further information in the appeal, but it must be relevant to the grounds of the objection.

This new process is fair and is the first step in the reforms proposed to Queensland's valuation process and State Valuation Services. However, there is more needed to modernise State Valuation Services to accommodate the needs of Queensland's rapidly expanding population. The government has announced a package of reforms that impact on how statutory valuations will be undertaken in Queensland in the future, and I welcome that announcement. The centrepiece of this reform is a commitment from 2011 to move from unimproved value to site value for non-rural land, consistent with approaches in other Australian states for many years. Site value is more easily understood than unimproved value. It is more reflective of Queensland's state of development and removes the debate about what land was like in its original state.

Site value does not require the estimation of the value of historical site improvements such as filling, which may have taken place many years ago. It will provide for greater equity in the distribution of rates between filled and unfilled land like canal estates, which previously had a much lower unimproved value. The move to site value will align Queensland's valuation methodology with that used in other Australian states and ensure that the most commonly used valuation methodology is used for assessment of land tax.

Other reforms, such as setting a rolling schedule of valuations and an adjustment factor, originally contained in the bill, have been removed so that consultation with stakeholders can take place on the overall package of reform including the move to site value over the next two months. The government also proposes to undertake structural and business process reforms to State Valuation Services. These will include establishing an expert peer review process in 2010 for complex valuations; explicit performance standards and benchmarking of the performance of State Valuation Services against national best valuation practice; and the creation of an independent statutory position as the Queensland Valuer-General to provide greater capacity for strategic policy responses and strengthen stakeholder engagement.

The government is committed to introducing the site value methodology for non-rural land in 2011, consistent with the approach to the valuation methodology used in other Australian jurisdictions. As a demonstration of our commitment to implement these and other reforms prior to issuing the 2011 valuation, the bill contains a sunset clause provision to expire on 30 June 2011 for all of the amendments, with the exception of the provision to past validation valuations issued before the commencement of the bill. This program of reforms will see State Valuation Services established as a more professional, transparent and autonomous entity, charged with providing an impartial property valuation service that is equitable, efficient and fair, and enjoys the confidence of Queensland's landowners. I look forward to further consultation with the Property Council. I commend the bill to the House.

Mr DOWLING (Redlands—LNP) (6.06 pm): Tonight I speak to the Valuation of Land and Other Legislation Amendment Bill 2010 as introduced by the minister, the Hon. Stephen Robertson, on 11 February 2010. This is a complete farce disguised as legislation, and it is now a poor replica if the proposed amendments eventuate. So many changes and God knows how many amendments are yet to come. The honourable minister cannot win a trick. First, Health unravelled on the minister's watch. Today, we have the cancellation of the problem plagued scheme to deliver 200,000 discounted solar hot-water systems and now this—the Valuation of Land and Other Legislation Amendment Bill.

This bill is nothing short of despicable as it was introduced and so far has proved to be another example of a government that is incapable of governing Queensland. It is a government that went bust in a boom. This absurd piece of legislation proposes amendments to the Valuation of Land Act 1944 that are likely to affect all future unimproved land valuations and removes the right of appeal for property owners or makes it much more problematic than it ever has been.

The legislation is nothing more than a scramble for cash and an attempt to cover up years of mismanagement, mistakes and incompetence by the Labor government. The only saving grace is that this government has been brought back down to earth with an almighty thud. The amendments flagged

and the concessions made in early admissions are significant, and speak volumes about the incompetent Labor government and its shameless grab for cash at any cost, rewriting history and rewriting dictionaries along the way. That is how rife the incompetence and mismanagement of this Bligh Labor government is. It began with Beattie and, believe it or not, it has sunk to new low levels—new ways of undermining Queensland business confidence.

What this bill will most certainly do is cost Queenslanders jobs. It is about jobs lost, jobs lost, jobs lost—not the usual mantra that we hear from those opposite. What this legislation will do in my electorate is see a most significant increase in valuations, not a downward trend as has been hinted at by the government. The Redland City Council area has not been valued for over five years. It would be a brave speculator who would contemplate that the values may go down after five years without land valuations.

Surprisingly or not surprisingly, Redland City Council has, like other councils, been forced to continue to pay the state government up to $320,000 per annum for a service not provided—a service not provided in 2005, a service not provided in 2006, a service not provided in 2007, a service not provided in 2008. Every year ratepayers were shelling out money to the council to pay for a service they were not getting. The figures are about to be released for the valuations made in late 2009. That is, they will be released in 2010.

The impact of that will be that it jeopardises jobs. It will jeopardise jobs in retail. It will jeopardise jobs in property development. It will jeopardise jobs in the building trades. It will jeopardise farming and agriculture. In the Redlands, that is even more critical and has even greater significance when we consider that without consultation the Redlands employment area of Thornlands was taken out of the urban footprint and again thousands of jobs went begging. I am absolutely certain that the other members whose electorates encompass the Redland Council City area—the members for Capalaba and Cleveland—would support me in highlighting the significance that jobs play in our community.

The possible job losses in retail in the Redlands would be a disaster. Retail accounts for 17 per cent of residents' jobs in the Redlands. That is over 5½ thousand jobs just in the retail sector. Those jobs will be jeopardised when the land valuation ramifications are passed on to tenancies, and they will be. Construction accounts for eight per cent of residents' jobs in the Redlands. That is 2½ thousand jobs. Those jobs will be jeopardised because of the poor management of Queensland and the ill-conceived process this legislation has been through to date.

The figures I have quoted are based on the 2006 employment statistics. I fully expect the number of jobs to vary but I expect the percentages to remain unchanged, as they have for a number of years. The figure will be far greater than 5½ thousand jobs in retail put at risk. It will be well over 2½ thousand jobs in the construction industry that are jeopardised.

This government talks about jobs, jobs, jobs and then fails dismally in the delivery of them. Not only does it fail to deliver; it actually killed off jobs when it removed employment areas from my community that were supported by council, that were supported by the community and that were going to provide jobs.

Mr Moorhead interjected.

Mr DOWLING: Yes, it was the current council—absolutely. It is well and truly minuted that the current council supported the employment area because it does not want the exodus of traffic leaving the Redlands and heading all the way to Brisbane every day on congested and unmade roads and on poor road infrastructure.

There is, however, light at the end of the tunnel if we are to believe Labor. It has backed down and backflipped, as it should. This government is only buying time. It is buying a little breathing space with the amendments that it is talking about. Why is there a suite of changes coming? Because Labor got caught and it got caught big time with its ill-prepared and ill-conceived land tax grab. This is about nothing but cash.

I caution Queenslanders that Labor cannot be trusted. It has demonstrated that time and time again. It cannot be trusted when it comes to electricity charges. It cannot be trusted when it comes to water pricing. It cannot be trusted when it comes to registration fees or fuel prices. Again, I remind members about the light at the end of the tunnel. What worries me is that the light at the end of the tunnel may well be an express coal train—a coal train no longer owned by Queensland—or, worse still, a debt train with Queensland's worst Treasurer stoking the debt inferno to $85,000 million. That is debt we are looking at. This is the only government to go bust in a boom. It lost our AAA credit rating and it has lost its way.

In the Redlands, primary producers will be driven off the land with these land valuations. They will drive housing affordability well and truly beyond the reach of the average person. Who knows what other damage it will do?

This is an issue that has triggered a huge number of phone calls and emails to my office. Property owners, business owners, real estate valuers, solicitors and other small business providers have not been afforded the right to have their say and be part of a thorough, robust engagement process.

Let us look at a couple of the proposals in the bill through the eyes of an average property owner and see what these changes will mean to them. Firstly, we have the proposed changes to the definition of 'unimproved value', which will potentially lead to higher taxes, new or higher levies and surcharges and possible higher council rates as well.

Mr Ryan interjected.

Mr DOWLING: I take the interjection. They could be small business owners who are part of a tenancy that is a large shopping centre. I say to my honourable friend from Morayfield that that large shopping centre will pass on that expense. It will not wear it. The business owners will be affected. 'Mr and Mrs Average' and 'Mr and Mrs Small Business' will pass on their expenses.

Let us get back to the proposals in this bill. Firstly, we have the proposed changes to the definition of 'unimproved value', which will potentially lead to higher taxes, new or higher levies and surcharges and possibly higher rates as well. Effectively, this means that the more a property owner improves their property the more they will be taxed. The greater the risk, the greater the penalty.

We already have very high rateable land values, which means we already pay much more in land tax than people in other states. The current property valuations are also regarded to be higher than market prices because of the recent economic slowdown that occurred after the latest valuations were carried out. However, that is not true of my electorate nor those of the adjoining state electorates of Cleveland and Capalaba because these valuations have not been done for five years. Their valuations will almost certainly go up.

In addition, Labor last year delayed the revaluation of property for land tax purposes in a number of other regions. That again has resulted in the continued inflation of land valuations and land taxes to state coffers. Land tax is already one of the biggest taxes on Queenslanders each year, with Queenslanders paying out an anticipated $1 billion in land tax in 2010 compared to $380 million in 2004-05. These changes are simply another attempt by Labor to gouge every last cent it can out of Queensland taxpayers to prop up its own failing budget and mismanagement. Let us not forget the $85 billion—the $85,000 million—of Labor debt. Renters will also feel the pinch as property owners pass on increased costs through rent increases. This is in direct conflict with Labor's commitment to affordable housing.

Then, of course, there is the obvious lack of transparency that is being built into the objection and appeal processes. The average property owner will now have to make their objection blindly, with little more than their belief that the valuation is incorrect. In the previous objections process the property owner at least had the logical process on which to base their appeal. 'Mr and Mrs Average' must also state all grounds for objection and support their objection with documentary evidence. The grounds of appeal will be limited to those contained in the objection, even if the value is assessed on an entirely different basis from the previous methods.

Then if State Valuation Services does not believe there is sufficient grounds for objection it may well lapse the objection. How can 'Mr and Mrs Average' fully state all the grounds for their objection if there is no prescriptive logic to the valuation process that they can lay their hands on? To add insult to injury, for the first time property owners will have to pay to lodge an objection. This fee has been prescribed under the legislation but we do not how much that fee will be. How easy it is, then, for State Valuation Services to lapse all objections simply because it can, pocketing the lodgement fee and lining the state coffers in the process?

We cannot allow State Valuation Services to have such unfettered power. We cannot afford to give State Valuation Services our money when due process is absent. For 'Mr and Mrs Average', the amended objection and appeals process is burdensome and is overprescriptive, unfair and inconsistent with the democratic processes at best. This Labor government appears to be imploding and is hell-bent on penalising Queenslanders at any cost and removing the natural process for appeals. This is clearly not acceptable. A letter on this issue received by my office states—

> The objection process has changed substantially to a far more costly and unworkable exercise. The system is designed to remove all transparency. A bulk valuation process by its very nature will result in errors and the existing system has the transparency for those errors to be rectified. The proposed legislation is designed to ensure that equitable rating and taxation will not eventuate.

Then of course there is the retrospective aspect—undemocratic, unfair and just plain wrong. The injustice of this is obvious. To change the rules so long after the valuation date is reprehensible and Labor should be ashamed, and it has been shamed—shamed into acting by industry and by a community who saw Labor for what it is: money-grubbing. The government is introducing this bill—or the amendments—to try to fix the bungled legislation, yet it is still piling error upon error and mistake upon mistake, ending up with a nonsensical and mangled process that will almost certainly disadvantage homeowners and businesses alike.

Let us forget about 'Mr and Mrs Average' for a minute—and, let us face it, Labor forgot them a long time ago—what about the implications for business owners? This will be a new tax on business. It will increase the cost of doing business and will further diminish business confidence in the government. Investors will take their money, their infrastructure and their jobs to other states. There will be a negative impact for retailers, residential investment, child care, hotels, shopping centres and nursing homes. Another constituent wrote to me stating—

I am concerned that if this ill-conceived Bill goes through unchanged, land tax and potentially council rates will increase substantially; which in turn will lead to massive increases in costs and job losses in the business and property sector, and investors looking at interstate alternatives—not a good outlook for doing business in Queensland.

Another email said—

This is an issue that will be a vote changer for me.

I am going to operate on the presumption that they may well have been one of the supporters of the other side. It continues—

I will be supporting the candidates who commit to lower taxes, smaller government and support for small business rather than this crippling and frankly ludicrous tax grab.

The opposition will be opposing the bill but accepting the amendments and not opposing the amended bill. The amendments are significant and changes to the retrospectivity of the bill to validate previous valuations and appeals and objections continue to be a massive issue. There will, I suspect, be other announcements, such as the reinstatement of an independent Valuer-General. A move to site valuations in September is something that I think probably has merit, but we have not seen the detail of that. One thing I have learned in my short time here is that what starts out as potentially a good idea can end in catastrophe and disaster very quickly. However, the fundamental issues remain the same: the government is changing the definition of 'unimproved land' in Queensland; there is the effective removal of an objection and appeals process; and the future of the land valuation system. The changes proposed today allow the government to save face regarding the poor bill it introduced and to return to the consultation process that should have been undertaken long before the bill was introduced into the House to find a workable, long-term solution to land valuations in Queensland.

I am sure all members have received correspondence from a number of concerned parties, and I am sure other members received a letter from Steve Greenwood, the executive director of the Queensland Property Council. That letter sets out line by line the Queensland government's claims and every one of them is false. Claim No. 1 is false. Claim No. 2 is false. Claim No. 3 is false. Claim No. 4 is false. They are all significant, and it goes right through to claim No. 9. The pressure that the Property Council brought to bear, along with that of that LNP, is why we will see such a different bill going forward by the end of the night.

I also spoke to a constituent of mine who has a small business, Warren Pryde of Pryde Fabrication. He wrote a letter to the Premier from which I read an excerpt earlier. When I was talking to him over the weekend he said that he is almost certainly going to have to reconsider his staffing levels based on the legislation if it proceeds as it is. He made an interesting comment—that is, how can anyone now find Queensland an attractive place for investment when the government decides to tax entrepreneurial profit and to make a rating system so unfair, unjust and inequitable? The LNP will not be supporting the bill, but let us not lose sight of the fact that even with the amendments Labor is still going to include land valuations after 30 June to include lease value, goodwill, profit and risk, DAs. It is killing investment. It is killing entrepreneurship. It is not the Smart State. It is certainly not the state one would want to invest in. It is a state that is going backwards. It is a state that is costing jobs, particularly in my electorate.

Employment areas were removed without consultation, without consideration and without forward thought. Those jobs in those key areas in my electorate such as retail involved 5,500 jobs in 2005 and jobs in the construction industry involved over 2,500 according to the employment stats of 2006. There are not just those jobs but the jobs that roll on into other areas in my electorate that feed off those other employment sectors. Redlands is also strong on horticulture. It is an area that I did not mention; I mentioned farming and agriculture. Horticulture is a tremendous opportunity and a tremendous employer in the area. Again, land values will jeopardise that industry's viability going forward. The land tax issue is nothing short of an incredibly ill-conceived idea driven by Labor and driven without any real focus for jobs in Queensland, without any real consideration and certainly without consultation. That is why we will be spending hours tonight cobbling together something that will be a bandaid for 12 months while we rethink and rewrite the legislation in Queensland so we have a viable strategy going forward.

Mr GIBSON (Gympie—LNP) (6.26 pm): I rise tonight to make a contribution to the Valuation of Land and Other Legislation Amendment Bill.

Mr Hoolihan: Another Queensland hater!

Mr GIBSON: I notice that it only takes me to get to my feet and the members of the peanut gallery over there have something to say. If we listened to their contributions through this debate, what we have

heard from them is apology after apology—apologists as they have gone forward trying to somehow say that this flawed bill that is before the House now has merit. They are somehow trying to shore up this failed minister in presenting a bill to this parliament that shows his complete and utter incompetence, that shows his inability to present a bill for the state of Queensland that has merit.

Mrs Kiernan: How about a policy from your lot?

Mr GIBSON: Listen to these interjections, Madam Deputy Speaker; listen to them! They are said because they know I speak the truth. They know that this bill should never have been introduced in its current form in the House. We have heard very clearly from the LNP's shadow minister the member for Callide and from the LNP's shadow Treasurer the strong arguments—the very strong arguments—as to the flaws that are contained in this bill and what needs to go forward. But what we have seen from this government is an inability—an inability to say it was wrong, an inability to front the people of Queensland and say, 'We made a mistake. We'll withdraw the bill and we'll do it properly.' Instead what we have is a bill before the House that we will be required to vote on that is flawed—fundamentally flawed—and then we will face the amendments to that bill to correct those failings. This to me highlights the utter incompetence of this government and the way in which it attempts to bring about changes within this state.

As I looked to the explanatory notes, I wondered how a government could make such mistakes, and it became very clear. When one looks to the explanatory notes of the original bill under the section 'Consultation', one finds that the government did not consult with the property industry. This government did not think it was worth while to engage with the industry that would be impacted the most. This government did not bother to actually seek industry opinion. It did, however, talk to the Valuer-General of Tasmania. I am sure that the Valuer-General of Tasmania is very concerned about what is happening here in Queensland. But it was the property industry that it should have been talking to. However, we find that as we move to the explanatory notes of the amendments the government has been in ongoing consultation with the Property Council of Australia, the Shopping Centre Council of Australia, AgForce and the Queensland Farmers Federation regarding the effect of the Valuation of Land and Other Legislation Amendment Bill following its introduction into the parliament. It is not good enough! These consultations should have occurred before this bill was introduced into the parliament.

Sitting suspended from 6.30 pm to 7.30 pm.

Mr GIBSON: Since this bill was introduced into the House on 11 February, there has indeed been a great deal of concern. I know that within my own electorate my office has taken many calls from constituents concerned about the impacts not on the big end of town but on the mum-and-dad investors who will be impacted by this bill. I could not help thinking that I really have to take some time to look into this bill and the issues that it raises.

Government members interjected.

Mr GIBSON: Again, I note the rumblings of those opposite, who ignore the fact that the bill is flawed. It is only by virtue of the amendments to this bill that have been forced upon this government that we are seeing any semblance of decent legislation. If this bill were allowed to go forward in its current state, it would be an absolute disaster for the state of Queensland.

As I looked into this bill and did some research, I could not help drawing parallels between this bill and the best film nominations at the Oscars. For example, the movie *Avatar* is all about being focused on unobtainium. Unobtainium is what this government has been focused on in trying to redefine what 'unimproved value' is. There was also *The Blind Side* and *An Education*—something this minister would do well to look into. There was that great Tarantino movie, the title of which I will not state, that highlights the very approach of this government in dealing with its own constituents. There was also the movie *Up*, which is exactly where land taxes will be going should this bill in its original form be allowed to pass. Then there was the movie *Up in the Air*, which is where the property market was as at 11 February because of this bill and the uncertainty that it placed on the market. But of course, like the Oscars, this bill had more in common with *The Hurt Locker* than it did with any other, because it was a ticking time bomb waiting to go off that needed to be defused.

Thankfully, this government was dragged kicking and screaming to the table to bring about the necessary appropriate amendments. At the end of a campaign by the property industry against this bill, this government, once again arrogant in its approach, was shown to have got it wrong. From this government we got the equivalent of a B-grade movie going straight to DVD. Under Labor, there would be no premiere and no gala night; there would simply be that quiet release and before we knew it the movie would be sold as a DVD because no-one in their right mind would have bothered to view the disaster that was put forward.

Should this bill go forward in its current state, it would be the equivalent of the New South Wales vendor tax. We know what a complete and utter debacle that proposal was by the Labor government of New South Wales. It was so bad that it was required to be withdrawn. The amendments to be proposed for this bill contain a sunset clause that will limit the effect of this bill until such time as we see a new bill—the one that should have been drafted originally. If this government had such serious concerns it

should have done its homework originally. As has been stated by many in the industry, this bill is fundamentally flawed and it is only because of the amendments that we see being proposed that it is in any way worthy of consideration. Prior to those amendments, this bill should simply have become confetti. It was worth nothing more than that.

We have here the dynamic duo—the powerhouse, the brains trust of that side—of this parliament's most unpopular member and the state's worst Treasurer and a minister who clearly is not across his portfolio. That is saying something, because the government has a broad selection of ministers who are not across their portfolios.

This bill really takes the cake. It is an ill-conceived approach to dealing with a problem. This bill was to legalise the way in which commercial, industrial and residential land was valued for tax purposes after the Land Court found that this government had falsely inflated unimproved land values since 2002. This bill is trying to make unimproved land values based on intangible concepts, including business risk and business goodwill, rather than just the land alone. This bill is an attempt by this government to legitimise falsely inflated land values to cover its own failings in the way in which it has dealt with ordinary unimproved land valuations. The Land Appeal Court found that the government had more than tripled the value of the land upon which the Pacific Fair Shopping Centre stood, setting the value at $225 million in 2003 when in fact the true value of the land was $47.9 million.

Government members interjected.

Mr GIBSON: I hear the rumblings from those opposite, who clearly were trying to get their hands into the pockets of ordinary Queenslanders. This government, which has gone bankrupt in a boom, which wastes taxpayers' money time and time again, which has found itself—

Mr Schwarten interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Minister, I would ask you to stop interjecting.

Mr GIBSON: Mr Deputy Speaker, thank you for your protection. The rumblings from the brains trust opposite were clearly incoherent. Time and time again we find that. The members opposite have a lot to say but they have no facts. They mumble their way through, throwing out anecdotes, but we really do not find any elements of truth.

Today we have before the House a bill that, in its current form, is one reason among many why Labor does not deserve to govern in the state of Queensland. Even with the resources of the departments behind it, this government cannot present legislation to this House that is worthy of being passed. It is only because of the efforts of stakeholders, our shadow minister and the many other members on this side of the House in highlighting the failures of this bill that we will now see amendments that will rectify the bill's failings and its totally flawed nature. I say to the people of Queensland: if you want any further example of why Labor is unfit to govern, you simply need to look at this bill.

Debate, on motion of Mr Gibson, adjourned.

NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

Message from Governor

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (7.38 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker (Mr Wendt) read the following message—

MESSAGE

NATURAL RESOURCES AND OTHER LEGISLATION

AMENDMENT BILL 2010

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY, Governor, recommend to the Legislative Assembly a Bill intituled—

> A Bill for an Act to amend the Aboriginal Cultural Heritage Act 2003, the Aboriginal Land Act 1991, the Coastal Protection and Management Act 1995, the Dividing Fences Act 1953, the Fire and Rescue Service Act 1990, the Forestry Act 1959, the Forestry Regulation 1998, the Forestry Plantations Queensland Act 2006, the Forestry (State Forests) Regulation 1987, the Land Act 1994, the Land Title Act 1994, the Mineral Resources Act 1989, the State Development and Public Works Organisation Act 1971, the Survey and Mapping Infrastructure Act 2003, the Surveyors Act 2003, the Torres Strait Islander Cultural Heritage Act 2003, the Torres Strait Islander Land Act 1991, the Vegetation Management Act 1999 and the Water Act 2000 for particular purposes, and to make minor amendments of Acts as stated in the schedule for particular purposes.

(sgd)

GOVERNOR

Date: 08 MAR 2010

Tabled paper: Message from Her Excellency the Governor, dated 8 March 2010, recommending the Natural Resources and Other Legislation Amendment Bill [1849].

First Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (7.40 pm): I present a bill for an act to amend the Aboriginal Cultural Heritage Act 2003, the Aboriginal Land Act 1991, the Coastal Protection and Management Act 1995, the Dividing Fences Act 1953, the Fire and Rescue Service Act 1990, the Forestry Act 1959, the Forestry Regulation 1998, the Forestry Plantations Queensland Act 2006, the Forestry (State Forests) Regulation 1987, the Land Act 1994, the Land Title Act 1994, the Mineral Resources Act 1989, the State Development and Public Works Organisation Act 1971, the Survey and Mapping Infrastructure Act 2003, the Surveyors Act 2003, the Torres Strait Islander Cultural Heritage Act 2003, the Torres Strait Islander Land Act 1991, the Vegetation Management Act 1999 and the Water Act 2000 for particular purposes, and to make minor amendments of acts as stated in the schedule for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Natural Resources and Other Legislation Amendment Bill [1850].
Tabled paper: Natural Resources and Other Legislation Amendment Bill, explanatory notes [1851].

Second Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (7.40 pm): I move—

That the bill be now read a second time.

The Natural Resources and Other Legislation Amendment Bill 2010 provides amendments to a number of acts within my portfolio. Firstly, this bill will amend the Water Act 2000, the Land Act 1994 and the Survey and Mapping Infrastructure Act 2003 to resolve the longstanding uncertainty and confusion about the location of tidal and non-tidal ambulatory boundaries. An ambulatory boundary is defined by reference to a body of water such as a sea or river. The location of an ambulatory boundary may shift over time. This bill will provide criteria for locating an ambulatory boundary. Firstly, it will clarify the distinction between the state's jurisdiction over a watercourse and its ownership of a non-tidal boundary watercourse; secondly, it will clarify the location of each of these boundaries.

Confusion in the location of ambulatory boundaries has been the subject of both lower and higher court decisions. For example, in one case the court determined that the ambulatory boundary set at 'high-water mark' was positioned at mean high-water springs. As a consequence some landholders resurveyed their lot to incorporate the land between their original boundary and mean high-water springs. In some cases this increased the size of their lot and incorporated beach land into private ownership.

To protect beaches for the community, in 2005 the government introduced a stay on the registration of these types of survey plans. During the stay, tidal plans of subdivision lodged by surveyors were first subjected to a technical assessment—for example, has the surveyor followed the relevant survey directions including requirements regarding measurements?—and then to a public interest test, including issues such as public access and environmental considerations, before being considered by the minister. Under this process, 15 such plans have been approved for registration, six have been rejected for technical reasons and 10 are being assessed. The bill provides that tidal plans of survey approved during the stay will be treated as if they had been surveyed under the new rules. Where tidal plans of survey are not approved before the repeal of the stay, they will be subject to the new rules which, in effect, will be similar to those that applied during the stay. This bill creates a permanent solution to the problem, providing strict criteria to ensure that beach land cannot be taken into private ownership.

It applies similar criteria for non-tidal watercourse boundaries. For land with a non-tidal watercourse boundary, a change to a boundary on resurvey will not diminish a landholder's riparian rights in any way. Landowners adjoining a watercourse will still be able to take water for stock and domestic purposes, exercise the right of access and bring action against trespassers. This bill will create certainty about ambulatory boundaries for landholders and the state. As a result, it will reduce legal disputes over non-tidal watercourse boundaries.

This bill also provides for the longer term management of the state's plantation interests by the Department of Environment and Resource Management. This includes provisions for ensuring security of tenure and for public access into the future. Also, this bill will establish a licensing scheme where the state will issue a plantation licence for an area. It will ensure plantation forestry land is used and managed for the purpose of forestry and in a transparent and sustainable manner. This bill also ensures that the rights of others using the state plantation forest, such as apiarists and graziers, are preserved

into the future. Importantly, the right of access by the general public is also preserved. Given the need to ensure safety and security of persons during plantation operations, such as harvesting, this bill provides the plantation licensee with certain control powers limited to the licence area.

This bill also amends the Water Act 2000 to provide for the much needed finalisation of the Lower Balonne provisions for the Condamine and Balonne resource operations plan. The Lower Balonne provisions of the draft Condamine and Balonne resource operations plan were deferred in December 2008 due to a judicial review action. This resulted in the resource operations plan only covering the upper and middle Condamine catchments. Although the Supreme Court found in favour of the department and dismissed the judicial review application, it is critical the Lower Balonne provisions for the resource operations plan be finalised without further delay. Water users in the Lower Balonne are the only water users in the Murray-Darling Basin who do not have secure water access entitlements and who cannot participate in the Commonwealth government's water entitlement buy-back program to achieve improved environmental outcomes for the basin. This finalisation will provide certainty to water users and the environment and deliver the necessary creation of tradable water entitlements in the area to provide the flexibility for entitlement holders to participate in this program.

The conversion of existing entitlements to water allocations and the resource operations plan provisions will commence on the day the resource operations plan is made. This is the day the proposed legislative amendment, if passed, receives the royal assent. The resource operations plan rules will apply to flows from the day of commencement of the finalised resource operations plan. The majority of unsupplemented water entitlements at the commencement of the resource operations plan will be under an instantaneous water-sharing rule. This is a key feature of the finalised Condamine and Balonne water resource plan. As supporting information to the forthcoming debate on this amendment I would like to table the *Condamine and Balonne resource operations plan amendment incorporating the Lower Balonne area*.

This bill also makes minor amendments to the Forestry Act 1959, the Land Act 1994, the Land Title Act 1994, the Surveyors Act 2003, the Survey and Mapping Infrastructure Act 2003, the Vegetation Management Act 1999, the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003. These amendments will provide more legal security for landholders entering into agreements with third parties about ownership of the natural resource products on their land; strengthen provisions relating to lease terms under the Delbessie Agreement; ensure the keeping of registers relating to land is as efficient, convenient and accurate as possible; improve regulation of the surveying profession; and rectify a duplication of regulation for vegetation clearing in relation to national parks. The minor amendments will also clarify the definition of the Aboriginal or Torres Strait Islander native title party for an area to put beyond doubt the identity of the native title party for cultural heritage purposes in the situation where there are two or more previously registered claimants for an area.

In commending the bill to the House I note that in terms of the document I said I would table, I do not have it in my possession at this point in time but I will table it at the earliest possible opportunity.

Tabled paper: Document, dated March 2010, titled 'Condamine and Balonne resource operations plan amendment incorporating the Lower Balonne area' by the Department of Environment and Resource Management [1852].

Debate, on motion of Mr Seeney, adjourned.

MOTION

Suspension of Standing and Sessional Orders

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (7.47 pm), by leave, without notice: I move—

That, notwithstanding anything contained in standing and sessional orders for this day's sitting, the House can continue to meet past 10 pm to consider government business until the adjournment is moved to be followed by a 30-minute adjournment debate.

Question put—That the motion be agreed to.

Motion agreed to.

VALUATION OF LAND AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from p. 698, on motion of Mr Robertson—

That the bill be now read a second time.

Ms SIMPSON (Maroochydore—LNP) (7.48 pm): We heard the Oscar rating given by the member for Gympie of this government's performance, particularly aligning their acting cred to that of a B-grade movie.

Mr Gibson: Going to DVD.

Ms SIMPSON: Or going to DVD early it is so bad, but I think there is another analogy and that is of a government that is perhaps deserving of an award in the Razzies. They are certainly the worst economic managers that this state has ever seen. While we can laugh about just how bad they may seem, the sad reality is that it is Queenslanders who actually pay for that failed economic management.

This is the first government that lost its AAA rating. It would have us believe that it was not its fault. In an excuse analogous to the 'dog ate my homework', this government lost the AAA rating at a time when other states did not. Now we see this legislation before the House, which is another milestone on its path to economic disaster because it has no connection or understanding of the business and investment world in which we do live. That is not just big business; it is small business and it is private investment. If ever there was an example of a piece of legislation that has been crafted in such a way as to fail to understand the most basic principles of investment here in Queensland, this is it.

If there is a movie that we can align this government's performance to it is probably *Risky Business*. If we look at what industry has been saying about this piece of legislation, they have said this legislation is risky to business. You would think that those who are professional in the area of valuations—professional valuers who are in the business of putting their skills on the line, being willing to go out to the marketplace and make their professional judgements on the valuation of property—may see this legislation as such a great opportunity in that many of them would be called in to undertake revaluations under the government's proposed legislation. But no, they were critical of this legislation. They were highly critical of this legislation because of the fact that it was risky to business. I will read just one contribution from the valuation industry in this regard which I think is quite important. They said—

The deception—the bill—will serve to make Queensland a risky place to invest.

That is a very strong statement. As I said, this is not just about big business or even small business, which employs the majority of Queenslanders; it is also about private investors—all those mum-and-dad investors and people who have money in superannuation funds. What we have seen with this legislation is a sneaky, sly attempt to justify the government's desire to grab more land tax by changing the way that valuations are formulated in this state.

I have heard all these excuses from Labor members saying, 'It's not really that serious. It was not such a big change.' When we consider the level of extraordinary outrage from across the community in regard to this bill we realise that this government has no understanding of the field in which it operates. Did it conduct consultation? Looking at the explanatory notes, did it consult with the people it was impacting upon the most? The answer is no. The explanatory notes have a paucity of information about those the government has talked to other than government departments. Also we see that it did talk to government departments interstate. But did it bother to talk to mum-and-dad investors here? Was there any fair dinkum public consultation before this bill came into the House? No. We see it talked to the LGAQ, which is 'supportive of the amendments in relation to the rolling schedule adjustments factor'. However, I am looking for where the industry stakeholders are listed. I am looking for where the feedback is on the wider public consultation that the government should have conducted about a bill of this nature, and there is none. That is why when this legislation was tabled in the House we saw a rolling groundswell of absolute fury and disbelief that this government, which has taken dishonesty to a new level, would dare to stoop to this.

This legislation shows that this government is desperate for cash. It does not matter how it wants to get it or what means it wants to take; it wants to grab it without understanding the full ramifications upon the purses of ordinary Queenslanders. At the end of the day, to create jobs in Queensland you have to have businesses, big and small, you have to have certainty in the investment arena and you have to have an understanding of how economic development occurs. This Labor government really believes its own mythology that bigger taxes equals better service. It has shown that myth for what it is: there are bigger taxes, but we have not seen better services.

Queensland used to be one of the most competitive regimes in which to operate and it used to be able to deliver hospital services and a range of other services in a much more timely way with infrastructure than what we have seen with this government. Instead what we see now is a government that wilfully wastes money on PR campaigns and on poorly scoped infrastructure programs with significant blow-outs that should make it blush. Yet still it puts its hands out asking for more from the public and hopes that people will allow it to get away with it. The public did not want to allow it to get away with it. The government has had to back down in force as we now await the new legislation, the replacement legislation, which has been announced today and which will allegedly come forward at the end of the year.

Yes, it is an embarrassment to this state that this is the way that this government does business. Ultimately, we in the LNP want to see a business community and an investment climate for small investors that has the certainty to know that governments do what they say they will do and they are not deceitful and operate with a sleight of hand. This legislation as it was presented to the parliament is a sleight of hand. Some of the changes that it proposed were to redefine 'unimproved capital value'. The government tried to make out it was not really a definition; it already had a certain bundle of other

elements within unimproved capital value, which was just fallacious. It has been blown out of the water by those in the valuation industry. The government was attempting in this legislation to tax entrepreneurial profit and to also tax goodwill. It admitted that leases and goodwill were improvements, claiming that these improvements were always deemed to be part of unimproved capital value. As I said, the valuation industry begged to differ.

What was quite significant and took this beyond the realm of just big business is the fact that in Queensland since the amendment to the Land Tax Act in 2009 there is actually a wider base of people who will potentially be affected by land tax. Tenants are now directly liable to pay land tax under those amendments. That is passed on to a whole raft of thousands of Queenslanders. The tax burden might have been widened but it definitely impacts beyond big business; it impacts everybody. Someone who has an investment house, somebody who has a small business or is paying land tax or those at the big end of town—all were affected. Because of the way this government has been pushing up the unimproved capital value with its dodgy self-convenient reinterpretation of unimproved capital value combined with the rate of land tax, Queensland is now one of the most expensive places in Australia.

Queensland deserves better. Queensland deserves a competitive taxation rate and an efficient delivery of services. Queenslanders no longer deserve this myth that has been peddled by this government that bigger taxes equals better government, because what we have seen has proven that to be a complete lie.

We are opposed to the legislation that the government has tabled. We are vehemently opposed to a means which is about taking money off people, not delivering better services, and undermining the certainty which is so necessary not only for business but also for the small investor. Queensland deserves better legislation than this.

Mrs MENKENS (Burdekin—LNP) (7.57 pm): The bill that we are debating tonight, the Valuation of Land and Other Legislation Amendment Bill 2010, is a horrendous piece of legislation for Queensland. It will affect landholders and businesspeople as well as ordinary, everyday families trying to get a start. This is legislation that will be devastating to business certainty in Queensland and the Labor government should be condemned for its actions when it comes to the composition of this bill.

What we are seeing is a blatant tax grab. This is about high taxes—nothing else. It is about a broke state government that is on its knees and is ready to rape the Queensland business community to save it from its own financial woes. The Queensland government has definitely gone over the top this time and it is desperately trying to scrape its way back and save face. We have seen thousands of dollars spent on advertising trying to convince Queenslanders, and now the government has had to back down after the huge public outrage was expressed.

As the shadow minister has said, we will not be supporting this bill. I commend the shadow minister, the member for Callide, on his well-presented argument and analysis of this legislation. The main thrust of this legislation is that the definition of 'unimproved value' for the purpose of rates and land tax has been fundamentally altered by including further components in the unimproved value of land. These include infrastructure charges, leases including agreements for lease and other instruments increasing the value of the land, goodwill of the business conducted on that land and profit and loss generated by the business conducted.

This means that the tax base is no longer on the unimproved value but on a very subjective assessment of the economic value of that land. The original method of valuation of land was based on comparable sales, but more recently this government has moved towards valuing land according to the level of development on that land. Of course, this current legislation has been introduced as a result of the Pacific Fair case, where the court rejected the state's declaration that the unimproved value of improved land included the added value of leases, goodwill and profit or loss. As the shadow minister has stated, because the department could not get its own way with the court it has now brought this to the parliament to change the face of land valuation across Queensland.

As a result of the huge outrage expressed by the Property Council and so many other organisations and individuals across Queensland, this morning the government foreshadowed a series of amendments to the bill. These include changing the retrospectivity of the bill to validate previous valuations, with the exception of outstanding appeals that must be resolved by 30 June. The bill applies the government definition of 'unimproved value' with some minor changes, subject to it being replaced with 'site value' in the bill to be introduced in September to allow the 2010 valuations to be released at the end of this month. The amendment introduces a sunset clause to the end of the next financial year after which, if a new bill has not passed, the current regime will be reactivated.

Regardless of the various tweaks of the original bill, the amendments still reflect the government fundamentally changing the definition of unimproved land in Queensland. It still sees the effective removal of objection and appeal rights, and sees the future of the land valuation system in Queensland becoming very concerning. Calculating land valuation is an extremely complicated procedure and it is becoming far more subjective under this legislation.

Like many members of this House, I have been approached by many people who are very concerned about this legislation. In fact, they are very frightened about the effects that the legislation could have on their livelihoods. I quote from a communication that I received from a gentleman who is a respected property analyst and a registered valuer with retail and commercial valuation experience. He states—

Valuation of income producing properties is quite technical and requires a high degree of skill. It would appear to me that this Bill has been drafted by parties which do not hold the required experience as the proposals are not only extremely detrimental to the values of income producing properties (of all value ranges) but illogical and unworkable from a practical sense. Contrary to the Government's claims, these proposed changes represent a fundamental shift away from how valuations have been done in the past. What is even more concerning is the Queensland Government's denial and rejection of the criticism it has received from most leading industry bodies regarding the issues.

I must say that, to a point, we have seen a backdown from the government as a result of the massive criticism it is receiving, but what we debate today is still a fundamental change. It is wrong and it will greatly impact on the business sector of Queensland. There will be a flow-on effect as this will hit business, particularly small business, due to the resulting increase in land tax and very possibly council rates as well. It will result in Queenslanders' jobs being lost. Housing affordability will be affected. The cost for homebuyers will surely rise to reflect the increase in land tax as a result of valuations.

This will have a very real impact on superannuation. Average Queenslanders who have property shares in their superannuation funds will of course be affected. How can they not be affected? The government is saying that this will only affect the big end of town. That is totally untrue. The flow-on effects of the legislation will affect normal battling families. House costs and land values within superannuation packages will of course be affected. It is so wrong for this government to pat itself on the back and say, so condescendingly, that it will not affect mum-and-dad investors. That is another blatant untruth from the government.

Again we are seeing the socialist system of total control by the government, which is effectively removing most of the Queensland landholder rights to object and appeal decisions that have been made regarding the value of their land. This bill proposes to streamline the objection process, but this streamlining involves a significant increase in the level of detail required in an objection. The objection must now include grounds of objection to the valuation with particulars of the facts and of the circumstances relied on for each of the grounds. This will become a process that will give the department far more scope to reject objections on the grounds that they are not properly made. A process of appeal is a fundamental democratic principle and the erosion of this right is very dangerous for the future of Queensland. I really do fear where this government is taking us.

This is another blatant attempt by the government to get itself out of trouble. It is a deliberate tax grab by the beleaguered Premier and her Treasurer because they have sent this state broke. This is the government that says the global financial crisis caused it to go broke. The Queensland people will not swallow that argument any longer. This government was $65 billion in debt before the GFC and it has effectively racked up another $20 billion since then. In effect, we now see the government saying, 'Let's get the big end of town. Let's push up this wealth tax to get the most we can from them.' There is no thought for the businesspeople who will suffer, the small businesses that will surely go to the wall and the massive job losses that will result.

Encouraging private enterprise will encourage jobs creation, but this government has no idea. It thinks that all money comes in a pay envelope with a PAYE ticket attached. It has absolutely no idea of wealth creation or the encouragement of wealth creation. Housing affordability will surely suffer further as a result of this land valuation regime. This process will actually place additional costs on developers which of course must be passed on to new homebuyers. However, this comes from a government that has seen fit to waste $1.3 million on land at Palm Cove to build a few units. That money could have been spent much more wisely and much more appropriately to benefit far more Queenslanders and build far more units, which are desperately needed. The government could have built far more, but it does not know the meaning of fiscal restraint. It has no idea and the Queensland people have to bear the brunt of its inadequacy.

Prior to the 2009 election, Treasurer Andrew Fraser said that he would rule out any increase to state taxes. But what is this if not another sneaky way to massively increase land tax? Even though the land tax rate may remain constant, the increased valuation of land will result in a massive increase in taxes, to the detriment of the Queensland business sector. This is pricing Queensland out of the market to investors from right across Australia. I quote another communication that I have received. The person stated—

I write to you today to advise that every potential buyer of property in the Brisbane CBD from the southern states has now decided it is safer to invest in NSW & Victoria due to the crazy/lunatic antics of the current State Government in relation to changing the way the state values land. This is not just a local issue. How dare the elected government overturn decisions by no less than 4 Judges?

I am dumbfounded that this can happen in an educated society. We are supposed to be the Smart State—we are on a boat with no rudder.

How wise that man is! Once again the government has been proven to be wrong and is desperately trying to cover its tracks. At the end of the day, this can only be described as an opportunistic cash grab and the LNP will be opposing it.

Dr ROBINSON (Cleveland—LNP) (8.08 pm): I rise to oppose the government's Valuation of Land and Other Legislation Amendment Bill 2010 as it was introduced into this House. I join the many concerned constituents in my electorate and across Queensland who have contacted my office, and I call for major amendments to the bill. I will mainly address the bill in its introduced and supposedly well-considered form.

The government has had plenty of time to get this right. It is an indictment on this Labor government that, despite all the resources at its disposal, it has put forward such a pathetic bill. The government's incompetence is further demonstrated by the fact that, on the morning of the debate, at the eleventh hour, after suffering from LIP syndrome, or 'Labor induced panic syndrome', it suddenly produced amendments. Today members opposite, including the member for Brisbane Central, falsely presented to the parliament the perception that the government planned this approach all along. What a farce! To accept the member for Brisbane Central's assertion is to ignore all the facts in the lead-up to the debate today.

The government communicated to the public in the light of the Pacific Fair court case that it intended to change the definition of 'unimproved value' and to apply it retrospectively. There is no doubt that the Property Council, among other bodies, together with landowners everywhere, interpreted the government's bill as nothing but a tax grab and a radical change to what the public understands as the definition of 'unimproved value'. To suggest differently is to fly in the face of the facts—but the member for Brisbane Central rarely lets the facts get in the way of the Labor story.

Ms GRACE: Madam Deputy Speaker, I rise to a point of order. I find those words offensive. They are misleading and I ask them to be withdrawn.

Dr ROBINSON: I withdraw. The truth that government members are running from and seeking to hide from the public is that the government today performed a gold medal winning backflip. Succumbing to the great pressure applied by the community and the opposition, and with a sudden and rare rush of common sense, the government has decided to scrap several of the discriminatory and unjust aspects of the bill that it fully intended to force upon the public. Except for the high-profile campaign by various property industry groups, the government would have forced its bill through today without amendment. This dramatic backdown by the government on the new land valuation laws while welcome would not have been necessary if the government had consulted with industry and listened to the public and LNP suggestions in the first place. Something has gone very wrong with this government's public antenna. Labor has lost its ability to listen and respond to the public. When the large majority of Queenslanders do not want Labor's asset sales or its social experiments, Labor has this ability to ignore the public and push ahead.

This bill needs to be understood in the light of the failure of this government to manage the state's economy and its need to increase its revenue through increased taxation. Labor's original laws may have seen land tax increases of between 20 and 40 per cent. Such increases would have threatened the viability of many businesses, cost jobs and hurt mum-and-dad investors. This land tax bill is nothing more than a rip-off tax grab from this high-taxing, high-debt Bligh government. Instead of being more prudent with expenditure, this government looks for every opportunity to feed its tax addiction.

This government loves taxes. Like the mutants in the Will Smith blockbuster movie *I Am Legend* who thirst for human blood, this government is sucking the life out of Queenslanders—everyday investors and workers. No-one escapes the bared fangs of this tax-thirsty government. It loves new taxes and it loves lifting taxes so that it can spend more. We see the example of Labor's ETS—a great big new tax—that Labor does not want to talk about since the failure of Copenhagen. We also see Labor's possible GST increase to 12½ per cent rumoured in the hidden Henry review. The tax increase will be needed to pay for the new layer of federal bureaucracy in Rudd's health plan.

Then there is the Queensland transport minister's flirtation with a congestion tax. She wants to tax everyone who drives into the city by car. One person who understood the Labor tendency to tax anything and everything said that they were surprised that the Premier had not put a congestion tax on all the voters switching from Labor to the LNP. Based on the latest polls and including union members who were outside the parliament today who are deserting Premier Bligh, we could replace all other taxes in Queensland with a congestion tax on the exodus from Labor.

Madam DEPUTY SPEAKER (Ms O'Neill): Order! Would the member return to the topic of the bill, please?

Dr ROBINSON: Taxes? I do not intend to repeat what other opposition members have presented. Let me say that I concur with the excellent speeches provided by the members for Callide and Clayfield, among others, and commend them for their very significant and common-sense contribution to this debate that I have listened to. Further, I condemn the government for its legislative recklessness.

Key problems identified in the bill by opposition members and groups such as the Property Council include: firstly, the cash-grabbing retrospectivity provisions; secondly, the attempt to unjustly redefine unimproved land value in favour of the government and against the public; thirdly, the fact that it supports the status quo in which Queenslanders are already slugged with excessively high land tax bills that under this government will keep climbing—land tax has grown dramatically from $380 million in 2004-05 to a projected figure of $1 billion in 2010; fourthly, the flow-on effect of the tax to everyday consumers as higher rents, rates and prices; fifthly, the loss of jobs when land tax increases cannot be recovered; sixthly, the restrictions regarding appeals; and, seventhly, the ignoring of key stakeholders in the process resulting in unnecessary pain.

I would like to build on the LNP's opposition to the bill by considering some local stories from my electorate of Cleveland and the wider Redlands community. Since the introduction of this legislation, my office has received many complaints about this bill. These were unsolicited phone calls, emails and faxes. I offer just a few examples to illustrate the problems that Labor's land tax policy has already inflicted on constituents of Cleveland, the wider Redlands and other parts of Queensland.

One local businessman told me that his land tax bill had gone up dramatically under the Bligh government. His land tax bill has grown as follows: in 1993 it was $1,400 for a number of years up until 2006, when it grew to $3,000. That is a $1,600 increase in around 13 or so years. Then in 2007 it grew to $6,000—from $3,000 to $6,000 in one year. In 2008 it was $10,000. In 2009 it was $14,000. This is a tenfold increase since 1993. Another resident whose land tax bill has soared in recent years to be in excess of $100,000 wrote to me on 8 March. He wrote—

Hello Mark, we are contacting you trusting this will allow us to strongly object to the proposed land tax amendments by the current state Labor Government. Land tax ... can only create increased rents and charges [and] more unemployment. This shallow blind thinking is a cover to recoup wasted millions to boost empty government coffers ... The resultant inflation will immediately erode the spending power of the worker, yes and the investor also—a great result.

This individual went on to say that they would normally have to pass on the high level of tax that they pay, particularly any increases, to their clients who would in turn have to pass it on to their customers. However, in this case the leases of their clients were not due to be renewed for another eight years, so he was having to contemplate other remedies. His employees would have to be nervous.

On a slightly divergent but still relevant note, I give another example of the impact of this legislation on local Redlanders. The sports minister, Phil Reeves, today announced in a ministerial statement that the Bligh government will continue its investment in the Australian PGA Championship at Coolum for a further three years from 2010 until 2012. He also claimed that the event generates more than 100 jobs for Queenslanders. I would like the House to consider another golf course that shows the real impact of the government's tax-hungry policies—the Howeston golf course in the Redlands. Many Cleveland residents use it. I admit to hitting the occasional golf ball into the trees and dams myself. I raise the case before the House to illustrate the fears this insidious high-taxing Labor bill has created in the Redlands community. Recently the owners of the golf course wrote a letter to the Premier and they sent me a copy. It states—

Dear Premier,

We pay $47,178.00 Land Tax now.

We have been in business for 38 years.

Our family business is now in its third generation.

Since we started employing staff in 1984, we have employed 50 different people. Some starting from school days and working here during their university studies. These employees have gone onto professional positions. Six school teachers, events management, environmental officers and so on. Three of our staff have received long service and are still working here.

We have improved our golf course from 9 holes to 27 holes, made by our own hands. This sporting venue has hosted the Queensland PGA Foursomes, the Queensland PGA Championships as well as hosting 38 consecutive annual Pro Am's. Many of the Professional golfers that have played in these Pro Am's have gone onto the world stage.

Our sporting venue is an important part of the community attracting players from far and wide. Our low green fees are a big part of the attraction allowing people from many walks of life to play. We neither ask for nor receive any government help. If the government goes ahead with the idea put forward—

talking about this bill—

it would mean the difference of us remaining a going concern. Staff would be out of work. Suppliers affected. Please give this your consideration.

No one would ever improve or invest in their business. This would affect all business and investors. They would leave Queensland en masse. It would be political suicide. Any gain in tax would be chicken feed compared to the loss from business and investors ... Please reply to my concerns. Please consider what you are doing to us and to our State.

Yours faithfully ...

The impact of increased land tax on the golf course is clear: higher green fees that some people may not be able to afford, jobs lost, suppliers affected, and potentially bankruptcy. It is clear that the original bill was a disaster, and I note that the government has backed down from some of its most disastrous provisions. While this backdown is welcome, as a member of the opposition in representing

the residents of Cleveland, I will be watching for what the government comes up with later in the year to do what I can to ensure it does deliver a fair and proper land valuation system. In summary, I oppose this unfair and unjust bill, and call on the government to implement major amendments.

Mr FOLEY (Maryborough—Ind) (8.21 pm): In its original form, this bill could have been called the 'Robin Hood Bill' except it did not seek to tax only the rich and it certainly did not seem to have much of an intention of giving back to the poor. The industry has written to each one of us members, and we have all had a flood of emails, faxes and communications from people who were very concerned about the bill in its original form. The Property Council of Australia said that this bill was introduced without prior industry consultation. The government is making much of the fact that it has consulted with the industry, but doing things after the fact is not the ideal way of doing them with credibility.

The Property Council has also said this bill will have far-reaching and significant impacts on all Queenslanders, contrary and far beyond the policy intent expressed by the Minister for Natural Resources, Mines and Energy in his second reading speech. The Property Council further urges us to note that if this ill-conceived bill goes through unchanged, land tax and potentially council rates will increase substantially. It is a double whammy, because when that happens asset values will fall which can lead to job losses and massive increases in the cost involved in doing business. At this particular time in the economic cycle, Queensland is in a fairly parlous state financially. We certainly do not want private enterprise to be suffering from those kinds of double whammies. Now that the government has acquiesced and rolled three wheelbarrows full of amendments into this chamber, we now see a new political strategy called 'WTHCWGAW', which stands for 'what the heck can we get away with'. That is the new manifesto and philosophy.

In its original form, this was a pernicious piece of legislation which had a lot of people suitably and, in all fairness, notably worried. Under the bill the unimproved value of land was going to include—among other things—goodwill, the added value of leases and agreements for lease, and the value of infrastructure charges paid. In my previous career in accounting and financial planning, the one thing we would always tell clients who were buying a business was to not pay for goodwill. The government's original intention to add goodwill into the mix of revenue would be a crazy decision.

I well remember in my financial planning days that people could make things sound good. If ever you saw someone who had a business card that said 'Offices in London, Brisbane and Hong Kong', no-one would suspect that you worked at home from your kitchen table. It is not just about looking good; it is about doing good. I want to give credit where credit is due. Now that the government has been to 'Camp David' and there is a modicum of peace in the middle east of Queensland finances, let us have a quick look at the amendments. This morning, in her summary of these amendments, the Premier stated—

> The government will preserve appeal rights for any appeals already on foot until 1 July 2010. We will endeavour to settle these appeals as soon as practicable and have set aside $30 million in a settlement fund to do so.

I would ask the minister for clarification on what will happen if that $30 million fund is exceeded. In the context of big business, that could be swallowed up very quickly. What will happen after that? Personally I would have liked to have seen that date pushed out until at least the end of the calendar year to give people time to be certain about the cases they were fighting. If there is a conga line of people lining up at the door for negotiation, then these things can take some time to go through. It is already March and July is knocking on our door.

Under the proposed system, the site valuation will represent the land's current market value if it was vacant and will include the value of current site works such as landfill and pipe work. We could call that colloquially the footprint of the land. I think that is a much fairer system, and I am very supportive of the majority of the amendments that have been foreshadowed to this bill. As I said before, to bring legislation into the parliament and then bring in later 50 or 60 amendments begs the question whether the bill was sound in the first place.

The Premier also stated in her ministerial statement this morning that this was not a revenue measure. If the bill had gone through in its original form, if the government was not dragged kicking and screaming to the negotiating table, it would have been a major revenue grab. The bill in its original intent was tantamount to daylight robbery.

Any settlement of the appeal rights that we talked about occurring by 30 June this year puts far too much pressure on small business. As I said, this is not just a 'Robin Hood Bill' of robbing the rich. This is mum-and-dad investors, people with superannuation funds and many other properties that certainly would not be considered to be fabulously wealthy, and it was a big hit either way. Lots of other states have retained the position of an independent valuer-general, and I welcome the government's decision to do that. I think independence is needed so that in the process there is due transparency. With those few comments, I welcome the amendments that have been foreshadowed in the House. I urge all members to consider them very carefully.

Mr KILBURN (Chatsworth—ALP) (8.27 pm): I rise to speak to the Valuation of Land and Other Legislation Amendment Bill.

Mr Schwarten: We'll get some sense now.

Mr KILBURN: I certainly hope so. In rising to participate in this debate, I would like in particular to address the amendments that allow the chief executive of the department to require that further information be provided by property owners in relation to their objection. We have heard quite a lot of talk from the other side tonight about a whole range of things, and a lot of it has been quite deceitful, which is not unusual for them, but what surprises me most is the laziness of their speeches. It appears to me they have made a bunch of speeches they must have written last week and they have not taken into account any of the changes or the amendments that have been made to this bill in the meantime. We have seen deceitful statements made, and I talk particularly about the member for Cleveland's statement that this was going to apply to farming land and that farmers were going to get hit with a tax on their rural properties. This is either deceitful or the member is incredibly lazy in not taking the time to check his facts, but we have been hearing quite a lot of that tonight.

Under this bill the valuation objection process will be streamlined to ensure that better information is available to decide objections in a timely manner. I would think that that was a good outcome. All objections will now be required to be lodged on the approved notice of objection form which must include information that demonstrates why the objection is being made. It is hardly onerous to ask the landowner why they are lodging an objection and why they believe the valuation is incorrect. It is not sufficient anymore for a landowner to simply state that the value of their property is incorrect. The landowner must now provide the grounds for their objection and information to support this must be provided with the objection form. I think that is pretty much standard when anyone lodges an objection to anything. They have to specify what it is about.

Once this information has been lodged with the department and assessed as being properly made—that means that the form is filled out properly—a departmental valuer will then consider the objection by reviewing the grounds for objection and the supporting evidence. At this point the valuer can invite the owner to provide more information relative to the objection within 14 days of the request. This period can be extended by another 14 days by mutual agreement between the parties. That is a total of 28 days.

I have heard numerous times tonight those on the other side of the House say that we are taking away the right of people to object. That is blatantly untrue. There is still plenty of opportunity for people to lodge an objection. There is also an opportunity for the department to initiate a conference with the objector to discuss the objection. If a conference occurs the objector then has a further 14 days after the conference ends to give the chief executive further written information in support of their objection. Far from taking away the right to object we have streamlined the process and made it more sustainable. We are giving people more of an opportunity to provide information to the chief executive.

Under the Valuation of Land Act 1944 the chief executive has always had the power to require further information be provided in relation to an objection. This request is only made when the chief executive or their delegate considers that the information is in the objector's possession and is relevant to the decision-making process. In the past, property owners have stated that the information was not in their possession and the objection had to be decided on the information available. If the objection was disallowed, the objector, in some cases, appealed the decision to the Land Court and then produced the evidence that was being requested in the course of the assessment. I think streamlining this process makes sense. It stops time being wasted in the appeal process. It stops people lobbing up at the Land Court with new information that has not been available in the process. I think these are good amendments.

The new section is not changing the ground rules; it is making the process more robust to ensure that all the relevant information is available to make a proper and fair decision on the objection. The provision to require information will only apply to properties with an unimproved value of $2 million or more. So we are not talking about ordinary residential properties. The homes, investment properties and farms of mums and dads are not the ones that will be affected by this legislation.

If the chief executive reasonably believes that the objector has further information which is relevant to the objection the objector will be provided with a notice requesting the provision of this additional information. The objector will then have 28 days to provide this information and a further 14 days by agreement. Once again, it hardly seems like we are stopping people objecting. They will have 28 days and a possible further 14 days to provide the information. If this information is not received within the time frame the objector will receive a lapsing notice stating that if the information is not provided within a further 14 days—that is a total of two months—then the objection will lapse. Once the objection has lapsed a decision cannot be made by the chief executive on the objection. Therefore, the appeal cannot be lodged with the Land Court.

This process provides the objector with ample opportunity to provide the information which is only being requested because it is considered relevant to the objection. I would also like to point out that if this information is not in the objector's possession or cannot be provided because of legal professional

privilege and the objector signs a statutory declaration to that effect then the objection will not lapse and the decision on the objection will be made based on the information before the chief executive. Whilst the objector cannot appeal the chief executive's decision to require this information, the objector does have the right to request a review under the Judicial Review Act 1991.

Industry groups have raised concerns about this process saying that the department could use this to request information that is not relevant or that it is on a fishing expedition to justify the valuation that has been issued. This is simply not the case. The information would be requested because it is considered that it would be relevant to accurately decide the objection, provide for a fair decision to be made and take into account all of the relevant information. These provisions will encourage the provision of the appropriate information at the beginning and during the objection process. An improvement in the quality of the information considered in the objection process will provide landowners with more confidence in the robustness of the process and potentially reduce the number of objections that progress to appeal.

Reducing appeals lodged in the Land Court is a benefit to everyone, potentially saving landowners and the department a great deal of time and money—something I would have thought the LNP would have supported. Making a decision on an objection based on all available and relevant information ensures the right decision is reached. The department knows that it does not get every valuation right. If information is available to rectify an incorrect valuation it is better for everyone if this is resolved during the objection process.

I say again that it amazes me how often the LNP comes into this place fearmongering and raising illegitimate concerns about bills for purely political reasons. This causes people to be concerned. The statements those opposite are making are simply not true. They are fearmongering for the sake of it. We have seen it regularly recently. We have heard the fearmongering from the LNP that when the surrogacy bill was passed the world could come to an end. We heard once again with the preamble to the Constitution bill that the world was going to come to end and it was going to be horrible. Then we saw the member for Redlands and the member for Cleveland sneaking down to the ceremony afterwards and pretending to be supportive when in fact they stood in this House and voted against it. The deceit and the ability for those people to use untruths to raise fear in the community is unbelievable.

We have seen that those in the LNP cannot be trusted. They will say whatever they need to say to try to gather some quick votes. Some of the statements that have been made are interesting. They have said that the investment community will tear off and leave Queensland at a rate of knots because of this new valuation system.

I had a quick look at the way land valuations are done in other states. I had a look at our near neighbour New South Wales. Valuations are done on vacant land and improved properties making adjustment for the added value of improvements. The value of the improvements and their worth is reflected in the valuation. So they will not be racing off to New South Wales because that is what they do in New South Wales. Where is it that they are going race to? Once again, those opposite are fearmongering for the sake of fearmongering. They should be ashamed of themselves. I commend the bill to the House.

Mr WETTENHALL (Barron River—ALP) (8.37 pm): In rising to participate in the debate on the Valuation of Land and Other Legislation Amendment Bill 2010 I would like to address the need to validate valuations issued prior to the commencement of the new legislation. There has been considerable public discussion about the impact of the Court of Appeal decision on past valuations if not addressed.

The government has moved to address that court decision which overturned decades of past practice in commercial property valuation. If not addressed that decision would have changed the way in which commercial industrial property was valued, resulting in property values falling, valuations falling by up to 35 per cent and a consequential windfall reduction in the payment of rates and taxes.

However, of even greater concern is that under the current act the court's decision would have to be applied to the last three annual valuations dating back, in some cases, to 2002. This would have resulted in an estimated repayment of rates of more than $600 million and $300 million in land tax. Who would have worn the cost of this? It would have been ordinary ratepayers. The government could not stand by and let that happen. Consequently, the bill provides for an amendment that valuations issued prior to the commencement of the new legislation will be validated to be correct as at their effective date.

The bill also provides that existing provisions that require the chief executive to apply the decision to all commercial and industrial valuations over the past three annual valuations be turned off. Existing appeals will not be captured by these validating provisions. On the basis of proceeding in good faith and without prejudice to negotiate settlements to these appeals, a new provision is being inserted in the bill to allow outstanding appeals existing at the time of the passage of the bill to be decided under the existing legislation up to and including 30 June 2010. These provisions protect the interests of the state by validating those valuations that are not the subject of appeal and have been accepted by landowners as being correct, thereby ensuring that significant refunds in rates and taxes do not accrue. They also

protect the interests of appellants, preserving their appeal rights and providing an opportunity to settle these matters on reasonable terms within a reasonable time frame. Any outstanding appeals after 30 June 2010 will be decided on the amended legislation, if passed.

The Pacific Fair Court of Appeal decision has thrown into doubt the unimproved value methodology that has been used by State Valuation Services for many years. The court's interpretation of the legislation has now created two methodologies as to how a valuation is to be determined—one methodology for commercial and industrial properties which delivers a huge reduction in the rates and taxes those property owners would have had to pay, and one methodology for residential property owners which would result in ordinary ratepayers having to pay extra in rates to subsidise the substantial loss of revenue to local governments. This uncertainty cannot be allowed to continue, and the procedures set out in this bill restore surety to the revenue base.

The property industry has stated publicly through media releases that the implications of the amendments will prove to be a windfall for government in relation to land tax. In effect the amendments equate to a 'business tax', as property owners who have developed their land to its highest and best use are now being penalised for this. I want to assure business owners throughout the state but particularly those in tropical North Queensland and my electorate of Barron River, particularly those involved with the tourism industry, that, contrary to the statements being made by the property industry in the media, this is not a new business tax which will penalise the people of Queensland. This is not even a tax; it is a land valuation. I recognise that the tourism industry in Far North Queensland in my electorate of Barron River should not be burdened with additional costs, particularly in the current economic climate. Land tax and rates will not increase because of these amendments.

The amendments to the definition of 'unimproved value' do not change the valuations that have been issued to every landowner in Queensland. Valuations will continue to be based on market sales. This legislation will validate all past valuations, with the exception of those currently under appeal. This will provide the certainty that landowners and the property industry are seeking. I commend the bill to the House.

Mr BLEIJIE (Kawana—LNP) (8.42 pm): I rise this evening to address the Valuation of Land and Other Legislation Amendment Bill 2010 introduced by the Bligh government, and I say at the outset that I will be opposing the bill in its current form. Nothing gives me greater pleasure than being a couple of speakers on the speaking list behind the honourable member for Chatsworth, because he always has a word of wisdom for this House, and tonight was no exception. The member for Chatsworth asked why the opposition was being deceitful when all of these amendments are before the House and asked why we were talking about all of this rubbish in this bill. I inform the member for Chatsworth that the bill before the House was introduced by the government. There have been no amendments moved as yet. Placing an amendment on the member for Chatsworth's desk does not make it an amendment moved in this House. Therefore, we are required as parliamentarians to speak on the bill before the House.

Mr Seeney: Exactly right!

Mr BLEIJIE: And the bill before the House does not contain the amendments the member so talks about.

Mr Seeney: Exactly right!

Mr DEPUTY SPEAKER (Mr Hoolihan): Member for Callide, you have already had your chance to speak. Would you kindly sit there and listen in silence, as everyone else is asked to, while the member for Kawana is speaking. Thank you.

Mr BLEIJIE: On that note, I will talk to the bill before the House because that is my job. I am not going to talk about amendments that have not been moved in this House because that is done in the consideration in detail stage. It is stated on the amendments 'during consideration in detail to be moved by the honourable the minister'. With reference to these intended amendments announced today by the government, the opposition will of course consider those in detail and at the appropriate time.

Today in her speech the member for Pine Rivers congratulated the minister on such a wonderful piece of legislation. There are 60 amendments to that piece of legislation that the member so talks about. I am sorry: call me stupid, but one cannot stand in this place and congratulate a minister on a wonderful and brilliant job in preparing legislation when that minister has to move some 60 amendments to his own legislation! Congratulations, Minister! Congratulations on a piece of legislation that you now are required to move some 60 amendments to! One would think it would be expected of us as an opposition or Independent members in this place to move amendments, and we would have in such situations. But why should we move these amendments when a minister has to move 60 amendments to his own piece of legislation?

Mr Schwarten interjected.

Mr BLEIJIE: That is not a form of congratulations but incompetence—absolute incompetence by this minister!

Mr Schwarten interjected.

Mr DEPUTY SPEAKER: Minister!

Mr Schwarten: He does test me.

Mr BLEIJIE: This bill amends the Valuation of Land Act 1944 and the Water Act 2000.

Mr Schwarten interjected.

Mr Seeney interjected.

Mr BLEIJIE: It seeks to clarify the definition of 'unimproved value', which relates to the valuing of commercial properties for the purposes—

Mr DEPUTY SPEAKER: Perhaps we could have some quiet so that I can listen to the submission from the member for Kawana.

A government member: What for?

Mr BLEIJIE: Like the member for Chatsworth, I would encourage all those opposite to listen carefully to what I have to say, including honourable ministers.

This bill clarifies the definition of 'unimproved value', which relates to the valuing of commercial properties for the purposes of rates and land tax. In a blatant tax grab by the Bligh government, it wants to redefine the rules in order to increase government revenue. It is ludicrous to value a property based on the actual use of the land rather than a system of comparable sales, which was far more equitable. The term 'unimproved value' is being redefined to include profit and risk, leases, goodwill and infrastructure charges.

The legal technicality that is intended to be corrected in this bill stems directly from a case in 2009 in which the Land Appeal Court rejected the government's contention that unimproved value of the improved land for the purposes of levying land tax and rates included the added value of any leases, the goodwill associated with the business conducted on the land and any amount for any development premium or profit and risk associated with its previous development.

The Land Appeal Court determined that the definition of unimproved value of land in relation to improved land required that the land be treated as though it were vacant and unimproved. The benefit of leases, improvements and any development premium or profit associated with the property was all to be disregarded in arriving at the unimproved value of the property.

The definition of 'unimproved value' is being changed because this government has dollar signs in its eyes. It comes on the back of breaking two core election promises—(1) that it will not raise taxes and (2) that it will protect jobs. The introduction of this bill breaks those core promises. It increases land tax on mum-and-dad investors and property developers in this state, and the rate will be determined on the intention for the property. That is, the more the mums and dads and investors and developers make from the property, the more tax the government will make. It can be described as a half Robin Hood measure: the government is taking from the seemingly large pockets of developers and mum-and-dad investors and keeping it, all in a desperate attempt to raise government revenue and rescue Queensland's bottom line. It is a sneaky tax grab through the alteration of a definition which applies to land tax that will ultimately increase government revenue without actually altering a rate of taxation.

Whether you call it a levy, whether you call it a registration, whether you manipulate the definitions of 'unimproved value'—call it what you like—it is a tax, and it is a tax that raises the cost of living expenses for Queenslanders which this government does at an alarming rate. Treasurer Andrew Fraser stated prior to the last election year that he would rule out any increases to state taxes. Is it any wonder now, 12 months on, that we in this place and the community talk about the Treasurer being the worst Treasurer in Queensland's history?

Up until today, I would have called the Treasurer the most unpopular member of the parliament. But considering that the honourable minister in charge of this legislation will introduce 60 amendments to it, I now do not know. I think all bets are off for who is the most unpopular member of this parliament. It is either the honourable minister or the honourable Treasurer. That is because this legislation will significantly increase the amount of overall land tax collected by this state government. This process is not being done transparently, either, by raising the base rate for the tax; rather it is being done by changing a definition that will ultimately increase the amount of tax that will be collected. As the value of properties rise, Queensland businesses and investors will pay more tax.

The state of the budget has caused the government to introduce a raft of measures to recover from 12 years of its mismanagement of the state's coffers. Quite simply, Labor went bust in a boom. We heard it here today. We have heard it over and over again. It went bust in a boom and now it is trying to recover the state's AAA credit rating. We have seen Queensland motorists slugged with increases in vehicle registration, the privatisation of some of Queensland's main assets—

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! I remind the member for Kawana that we have a land tax bill before the House. If he would come back to the bill it would be very much appreciated.

Mr BLEIJIE: Absolutely, Mr Deputy Speaker. I am very happy to talk about tax and the way in which this government—

Mr DEPUTY SPEAKER: Order! No, member for Kawana, you will return to the bill. Your comments can be seen as dissent from the Deputy Speaker's ruling. I would advise you fairly strongly against that. Would you please come back to the land tax bill.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. There are serious ramifications to the Queensland economy that this land tax bill will ensure. The costs of extra land tax will be passed on to small business owners and eventually to consumers. Housing affordability options will become more difficult as a result of this land tax as home prices will rise to reflect the increase in land tax, particularly in greenfield sites such as the Palmview development in my electorate. The Shopping Centre Council of Australia expressed this concern. In a statement on the legislation that is before the House, it stated—

The Bill, if passed will massively increase the cost of doing business in Queensland. It will increase the costs for all businesses, not just for shopping centres or for commercial properties. Furthermore, the managing director of the Westfield Group, Mr Steven Lowy, in the *Australian Financial Review* when questioned about this legislation was quoted as saying—

We see it as a very disturbing issue. It not only affects our centres, it affects every investor in the state ... it has ramifications about how the business community, both domestic and foreign, views the certainty of investment in Queensland.

He went on to add that his company already pays higher land tax in this state than in any other state in Australia. That dispels the claim that this legislation will bring Queensland into line with other states in Australia. The Premier likes to talk about jobs ad nauseum and this government's commitment to deliver 100,000 new jobs at the end of its term. This land tax bill will result in potential jobs being destroyed as Queensland's attractiveness to interstate and international investors will diminish.

I have been contacted, as have other members of this House, by many constituents in relation to this land tax grab. The feedback that I have received has been unanimous. Their sentiments could not be better summed up than by this statement by the Chairman of the Property Council of Australia, Mr Wayne Rex—

Commercial property owners are absolutely livid with the government for changing the rules without consultation and on the back of losing the court case.

The Queensland law firm HopgoodGanim says that the implication of this bill will reduce asset values as a consequence of the capitalisation of net income reduced through the increase in land tax and rates. That will have a significant impact on the value of the investments held in superannuation funds. The reduced asset values will make it more difficult to obtain finance, further impacting on the Queensland property sector—a sector already reeling from a difficult year in 2009. These increased charges will place increased pressure on small businesses and will lead to the loss of jobs. These changes are likely to act as a major disincentive to investment in Queensland.

These are the comments of stakeholders who are furious at the lack of consultation that was undertaken when this legislation was being formulated. In fact, let me talk about consultation on this bill. The only piece of consultation, other than a rushed effort in the past 24 hours with the Property Council, was a competing advertisement campaign in the *Courier-Mail*. The government criticises the opposition and any other member of this House for quoting the *Courier-Mail*. Yet during the week the government used the *Courier-Mail* as a mediator in this consultation process between business investors, the Property Council, parliament and the general mum-and-dad investors. The cost of this land tax grab will be borne by the owners, including investors in the superannuation funds, and will potentially impact on tenants, either indirectly through market rent reviews or directly in the case of non-rental tenants who have entered into leases after 1 July 2009 that provide for the recovery of a land tax.

The Local Government Association of Queensland has made the claim that, unless this bill is passed, $600 million in local government rates, which has been collected over the past three years, will need to be repaid. This claim is incorrect. It is based on an incorrect assumption that the past three land valuations could be contested. Submissions by the Property Council of Australia, which I am sure all members of the House have received, state that this assumption is unfounded. Even assuming that the state government is unsuccessful in all the cases currently subject to the objection/appeal process, a total of no more than $10 million—not $600 million—of previously collected rates would be owing to property owners. The Property Council and the Shopping Centre Council have advised the minister that property owners would be willing to accept repayment via offsets on future rates bills, meaning that councils would not need to stump up their debt immediately.

Furthermore, the state government's claim that it will need to repay $300 million in land tax is false. The same submission by the Property Council indicates that this figure is based on another incorrect assumption that three years worth of valuations could be contested. Similarly, assuming the state government is unsuccessful in all the cases currently subject to the objection/appeal process, a total of no more than $25 million of previously collected land tax would be owing to property owners, not $300 million.

Constituents in my electorate have expressed to me concerns about this bill. One constituent of Wurtulla in my electorate emailed me in which she stated the following—

... Jarrod

I'm not sure if you are my representative or if it is Mark McArdle—

because the electorate boundaries changed one year ago—

but I want to register my protest with you at the proposed new higher taxes—

Government members interjected.

Mr BLEIJIE: They do not want to hear it.

Mr Schwarten interjected.

Mr DEPUTY SPEAKER: Order! Minister, would you like to return to your seat to make those comments.

Mr BLEIJIE: My constituent stated—

... I want to register my protest with you at the proposed new higher taxes on rates & land. Why, if one works hard to get an investment property or business (to prepare oneself for a self funded & reasonable retirement) should we incur these new taxes because Labor has sent the State broke? Can you please forward/lodge my strong protest against this on my behalf?

'Because Labor has sent the state broke'. There are no words so closer to the truth.

Mr Schwarten: Signed 'mum'.

Mr BLEIJIE: I take the interjection from the minister as a complete contempt and arrogance towards one of my constituents. The minister of the Crown has a responsibility to every Queenslander.

Mr DEPUTY SPEAKER: Member for Kawana—

Mr Seeney: He's entitled to respond to the interjection.

Mr DEPUTY SPEAKER: Member for Callide, I warn you under standing order 253A. Member for Kawana, please continue.

Mr BLEIJIE: This constituent is just one of the thousands of concerned mum-and-dad investors in Queensland who will bear the brunt of the government's proposed legislation. I have stated in this House before on many occasions that the Bligh government always talks about DNA. I have said that DNA stands for debt, negligence and arrogance. With the way in which this government has performed, it needs a DNA transplant. This bill stems directly from that DNA: debt, negligence and arrogance. The government introduced this bill to relieve the dire financial situation that it has created on the back of a mining boom in this state. It has neglected to substantially consult the relevant stakeholders involved in land tax and, if it had done so, it would have heard the overwhelming concerns that this bill will cost jobs, denigrate the state's investment opportunities, hurt small business and, ultimately, consumers alike.

Thirdly, the arrogance this government continually projects into the electorate illustrates its attitude. It treats Queenslanders as fools and continually breaks election promises as these promises are tokenistic gestures to make it look as if it is taking action.

Queensland had the opportunity to be the leading economic state in Australia. Due to the Bligh Labor government's continuous mismanagement in this state the opportunity is slipping away. This bill is another example of a crisis-management government trying to recover a ballooning bottom line on the back of a state going bust on the back of a mining boom.

In closing, I reiterate my point about the comments made by the member for Pine Rivers congratulating the minister on a bill that will have some 60 amendments to it moved in consideration in detail. In light of the minister's performance in relation to the solar hot water debate in the House today, this minister is to Queensland Labor what Peter Garrett is to federal Labor. It indicates nothing but incompetence. Members of the government stood in this honourable place and congratulated the minister on coming into this place and saying, 'Ladies and gentlemen, here is a piece of legislation. Let us go and consult on it through mediation with the *Courier-Mail*. But hang on, now that there is such public outrage I will move 60 amendments to my legislation.' He did not have the guts to withdraw this legislation. That should have been done. The minister comes in here and moves 60 amendments. That is nothing but shameful and shows the absolute incompetence of this minister.

Mr POWELL (Glass House—LNP) (9.01 pm): I rise to speak on the Valuation of Land and Other Legislation Amendment Bill 2010. The legislation we have before us today is yet another example of the mess this government makes in its haste and its arrogance. What we have is a poorly constructed and poorly consulted on attempt, in the minister's own words, to correct the court's interpretation of the existing valuation of land laws—laws for the purpose of levying taxation revenue as first codified in Queensland in the Valuation of Land Act 1944.

As others have iterated, in the original act a number of methods of valuing property for the purposes of rates and land tax existed. The most prevalent method for commercial properties was the use of comparable sales. However, in recent times the government has sought to value highly developed properties with reference to the use and businesses occurring on the land. The court

decision the minister was seeking to correct came in the Pacific Fair case of last year. In that decision the court rejected the state's assertion that the unimproved value of improved land, for the purpose of levying land tax and rates, included the added value of any leases, the goodwill associated with the business conducted on the land and an amount for any development premium or profit and risk associated with its previous development.

Rather than addressing the broader legislative amendment required, as we now hear the government will be doing before September this year, it has cobbled together this abomination and sought to rush it through the House. Thankfully its haste and arrogance has been called to order by the LNP and the wider Queensland community. In a public outcry on par with the state-wide dismay at asset sales, the opposition, industry groups, community groups, retailers and private citizens have vented their spleens at a government too arrogant to give them the courtesy of consulting in the first place. Why does it take such public outcry to get this government to listen? Is it just that it does not care anymore about Queenslanders, it only cares about itself?

In this bill alone, as others have identified, we could see massively detrimental impacts on businesses, on mum-and-dad superannuation investors and on renters more broadly as property owners among others pass on the increased taxation burden. Others have spoken about the impacts on our mum-and-dad investors, on the rental market more broadly and on large business groups so let me just focus on one other element of the business community, our independent supermarkets. I am appalled that members of our communities that own and operate our independent supermarkets have had to invest their own hard-earned money in taking out a full-page advert in yesterday's *Courier-Mail*. I am appalled that they had to go to such lengths to get this government's attention, community members like Rob and Samantha Outridge, owners and operators of the Maleny Supa IGA. Rob and Samantha write—

If the government increases land tax, landlords will have to increase rents. Small business people will be forced to either take it on the chin or put up prices and cut back wages. We employ 100 people and have an annual payroll in excess of $2 million. When you're in business, running things properly is your own responsibility. It must be great to be the government—if you need more money you just put taxes up!

The supermarket sector occupies some 1,576,000 square metres of retail space, the largest retail tenant by sector. Independent supermarkets occupy almost a third of this: 464,000 square metres of retail space, even though they make up only 20 per cent of the market. Independent supermarkets employ twice as many people per dollar of turnover as the major chains and are a significant wealth creator in our local communities. Furthermore, the ACCC has found the presence of independent supermarkets reduces prices. A key finding of the ACCC in the grocery prices inquiry was that the level of competition might be increased if large format independent stores increased in number. However, the barriers to that growth were substantial.

With the introduction of this legislation I would say the barriers to growth in the independent supermarket sector have gone from substantial to insurmountable. That says nothing of keeping their heads afloat. As Rob and Samantha say, small business people will be forced to either take it on the chin or put up prices and cut back wages. For a community like Maleny the latter would be disastrous. People throughout the district, throughout the electorate and throughout Queensland will be the ones paying for this hasty and arrogant legislation through the loss of jobs and the hiking up of grocery prices.

At the end of the day, if the government does introduce amendments to correct these disastrous impacts, then there will be muted support from the independent supermarket sector, the opposition and the broader community. But it should not have come to this. I call on the members of the government to get out of their ministerial ivory towers, stop being arrogant and start talking to ordinary Queenslanders. One never knows, they may learn a thing or two about managing a state.

Mr Robertson interjected.

Mr McLINDON (Beaudesert—LNP) (9.06 pm): Thank you, Mr Acting Speaker.

Mr Robertson: Speaking of special.

Mr McLINDON: I will be. Thank you for the interjection before I have even commenced. When drafting legislation I think it is critical to understand that the first thing one does is to consult with key stakeholders. The bill before the House is absolutely atrocious. It has been ad hoc. We have clearly seen that no key stakeholders have been consulted in this process. Politics is very simple: the government collects the money and distributes the money. It is as simple as that and as complicated as a government wants to make it. What we have seen in the last two or three weeks is a complication of a political process that should be simplified by speaking to the very people who have put those opposite in this chamber. What we have seen is an absolute farcical sideswipe from the very Queenslanders who were put in this chamber in order to make sound policy and to ensure that that policy is implemented to such a degree that it makes Queensland a better place. It was interesting to hear the member for Barron River state—

This is not a new tax. This is not even a tax.

The definition of a tax is to impose a financial charge or other levy upon a taxpayer. It is very clear cut, very black and white. It is as simple as that. For a member who has been in this chamber for quite some time longer than myself not to understand what a tax is and to come in here and tell the Queensland community that this is not a new tax, this is not even a tax, is completely ignorant and, at best, dishonest.

Mr WETTENHALL: I rise to a point of order. I find those comments offensive. I ask that they be withdrawn.

Mr ACTING SPEAKER: The member has asked for a withdrawal.

Mr McLINDON: I withdraw my comment in its entirety. It was interesting to see those opposite slowly come out of their foxholes once the unions had left. They switched bill No. 6 to bill No. 1 because they knew that while the thousands of their own were protesting outside they could run this in parallel and get it out of the way. All of a sudden when the sun goes down and all their buddies that they have left behind go home, they start coming out of their foxholes one by one. They know exactly what is going on.

The minister and the Treasurer need to do a crash course in economics. They clearly do not understand that there is a ripple effect when imposing these extra charges. Regardless of whether it is the big end of town, the middle end of town or the little end of town, there is a ripple effect that the government clearly does not see will impact on each and every Queenslander directly and indirectly. Until the government understands this and until it goes through its embarrassing 60 amendments one by one and realises the ad hoc policy it has tried to push through this parliament it will not understand the mistakes it has made by trying to push this bill through without any consultation whatsoever.

An amount of $1 billion in land tax has already been collected, which is a 30 per cent increase on the past 12 months. What we are seeing here now is a retrospective policy that will set a precedent in this chamber that will fundamentally amend the definition of unimproved land value. With the written rules and moving goalposts, this government will fundamentally undermine the legal system we have set up in this state. Yes, this will have an effect on housing affordability, on job security, on rental properties, on the very people whom this government claims it represents. It will impact them both directly and indirectly. It comes as no surprise because it is the same minister who presided over the 'vegetation mismanagement act' last year.

We see the government and this minister gridlock the land, tell landowners what they can and cannot do with their properties, and with the little bit of property they do have left they tell them, 'We're going to retrospectively hit you to make sure that you have no money left in the bank.' What we have seen this government do is ensure that the flower does not blossom. It will cut each and every Queenslander off at the stem before they have had a chance to blossom. That is exactly what the fundamentals of this bill do. They dictate that the government can do whatever it likes in Queensland. That is why it is making these changes to such a great state. People who are willing to roll up their sleeves and put in some hard work and sweat to provide for their family, their friends and their spouses and contribute to this great state are being completely undermined by the intent of this bill.

This government continues to drag society, bill by bill, down to the lowest common denominator. We have seen it. Regardless of what this government says, it is undermining and squeezing out of them every brass razoo they have left. In 2009 we heard the Treasurer say, 'No, we will not introduce new taxes.' What have we seen here? He says, 'No, it is not a new tax; it is a new tax structure.' This is what this government does. It is now changing its own definitions of a new tax. It has clearly changed the goalposts. It is undermining the income of every Queenslander, and the ripple effect will have a dire impact on everybody in each member's electorate.

No person's investment is protected in this state. I remember when I was in year 10 at school I learnt about the separation of powers. This completely undermines the judicial system we have set up in this state. Regardless of the court's ruling, this parliament will then use its legislative powers to undermine the very court system that this parliament should be protecting as a separate sphere. What we have seen in this bill is not only ad hoc, it is clearly irresponsible. I use 'irresponsible' generally, not like the Premier did on tonight's news saying that the protesting workers, who are doing everything they can to protect their jobs from the asset sales, were irresponsible in protesting outside this parliament. What this government is doing in the true sense is just that. Until such time as this government realises that it needs to use the processes of consultation and understand the impacts, directly or indirectly, we will continue to slug Queenslanders and cut them off at the stem before they have blossomed.

Mr MALONE (Mirani—LNP) (9.13 pm): I rise to speak briefly on the Valuation of Land and Other Legislation Amendment Bill. I congratulate the opposition spokesman on his contribution to the debate and on the way in which he dealt with the arguments that we have heard in the House tonight. Most of the technical aspects of the bill have been covered quite extensively, but I would like to put on record that the valuation of land and the unimproved value of land underpins business investment in Queensland. Without that understanding, which appears lacking on the Labor side of politics, we are obviously heading for a difficult situation. It certainly shows in the presentation of this bill before the House today.

I think it is incumbent on all of us to understand that right across Queensland mums and dads, small investors and big investors rely on the valuation of land and the unimproved value, as we understand it, to make secure investments. It has been raised in the House in this debate that land tax is imposing an ever-increasing burden on small investors who are using their life savings to build up a portfolio of housing, whether that is residential or unit housing. That ultimately, even now, is impacting on people's decisions about whether they will increase investing in urban land and dwellings.

Had this legislation been passed as it is currently before the House tonight, we certainly would see a situation where people would walk away from investing in property and units, which in turn would have dire impacts on those people who rent. The amounts that people are paying for rent across Queensland would increase quite substantially. Ultimately, the people who support the Labor side of politics would be worse off. That is a very simplistic argument. However, honourable members need to understand that, as I said before, the very basis of investment and procurement and the way in which land investment works in Queensland is based on a very tightly controlled situation. Land valuations and unimproved value have effects not only on rates but also on people who rent land from the government and pay rental on that land, and it goes all the way down the line.

There is no doubt that there is certainly work to be done on the way in which land is valued, but it has to be done with full and concise open accountability and open discussion with those stakeholders who have an investment in that area. When we look at the legislation before the House, we see that adding goodwill, lease values and capital works that have been done on the land to the unimproved value certainly makes a mockery of the whole situation.

My contribution tonight is basically to underpin the arguments that we have seen in this House tonight and during the day. I take this opportunity to speak on behalf of those people out there who do not have an opportunity to speak in this House. It is the ordinary mums and dads, the small investors and the self-funded retirees who have worked all their lives and put money aside as an investment in their future who would really be impacted by this legislation. I support the arguments of the opposition. We will not be supporting the bill.

Mr WELLINGTON (Nicklin—Ind) (9.18 pm): I rise to participate in the debate on the Valuation of Land and Other Legislation Amendment Bill 2010. I note in light of the 50-odd amendments that the minister has flagged he intends to move during the consideration in detail stage of the bill that, by and large, the debate on the bill will be secondary to the significant debate on those amendments. I have no doubt that last year's Queensland Court of Appeal decision involving the Pacific Fair case is central to many of the reasons why this bill is currently before the House for debate.

This is not the first time a state government has introduced changes to existing laws as a result of either a court decision or a pending court decision. I have no doubt it will not be the last. By way of an example, I refer members to the debate in this chamber back in December 2002 when the state government changed the laws so that many failed investors caught up in the shonky property marketing scams lost their right to claim government compensation through the Property Agents and Motor Dealers Tribunal.

I understand in that instance the government estimated it faced possible claims from the marketeering victims amounting to between $90 million and $300 million and, at the time, there was only approximately $1.5 million in the property agents and motor dealers claim fund. In relation to this bill, in his second reading speech and in supporting material, the minister has claimed that without the changes proposed in the bill Queenslanders face refunding up to $350 million in taxes and Queensland local councils face refunding between $600 million and $700 million in rates, which are partly levied on the basis of land valuations. If those estimated quantums are accurate, clearly the state finances and Queensland local councils do not have the capacity to make the refunds, and, put simply, that cannot be allowed to happen.

I refer members to the ministerial statement that the Premier made this morning in the parliament and to the statement made by Steve Greenwood, the executive director of the Property Council, this afternoon. I understand there is now agreement in principle to many of the amendments that the minister proposes to introduce to the House later this evening. I also put on the record my real disappointment with the way this matter has been handled and with the lack of consultation with significant stakeholders and Queenslanders before the bill was introduced. I understand there was consultation with the Local Government Association of Queensland, that the Local Government Association is the representative body of all local councils in Queensland and that it supports the bill because of the significant implications on its capacity to pay compensation should claims be made without the amendments the government has proposed.

I support the government in its intent to make sure that Queenslanders are not made liable for significant claims for compensation by the big end of town as a result of the Pacific Fair case. However, I do have major reservations and concerns about the way that the government has tried to respond to that important court decision. At this stage I flag that I will be voting against the bill, to send a message

to the all-party committee that was formed at the last sitting of this parliament and that is currently charged with the task of investigating how our committee system can better respond. I use this as a real example to refer to that all-party committee. There must be a better way to introduce bills into parliament, to consult with significant stakeholders and to investigate possible implications of bills before they are voted on. I look forward to the bill proceeding to the committee stage and the significant debate on the amendments that the minister has already flagged he intends to introduce.

Mr HOOLIHAN (Keppel—ALP) (9.23 pm): In speaking to the Valuation of Land and Other Legislation Amendment Bill, I am rather mystified as to whether many people sitting in this House—and I do include some from my own side—really understand what valuations of land are. It seems that they did not bother to read the explanatory notes. In Queensland for many years—since 1930—the valuation of land has followed a ruling in a 1913 case. In 1930 the Australian parliament passed laws that corrected a decision of the Privy Council and that repudiated a deduction approach to the valuation of land.

We have all seen the advertising about this bill from the Property Council of Australia. It is instructive to look at the explanatory notes at page 2 which state, '... a concept described as "*intangible improvements*" was enacted in 2003 with the encouragement of the Property Council of Australia'. It was inconsistent with the general concept of land valuation and in 2008 had to be removed from the act retrospectively by amending legislation. Therefore, the Property Council really needs to reassess the basis for its opposition to this bill. In actual fact, if the bill is not passed the only beneficiaries will be large shopping centres. It will create a divergence between the value of land that is used for shopping centres and land that is actually used for the construction of units in dealing with the unimproved value of land.

For many years, in my practice with commercial law, there was always a struggle with valuation. The valuation of the unimproved value of land included the land as it was and excluded fences and buildings, but it also had to take into account any zoning or use to which the land was put. It was the highest and best use that was taken into account. I do not wish to criticise the court, but it is rather surprising to me to say that the highest and best use of a building that was built as a shopping centre, which is meant to be leased out to people who pay that lease to the shopping centre owner, should exclude any of that. Perhaps it surprises me because I am not an accountant.

Tonight I heard a proposal that really sickened me. The member for Kawana said that the Property Council had suggested that, if the council had to repay rates, the council would not have to stump up the money straightaway but could credit it against future rates. That is a very interesting concept, but it gives no thought to the ordinary, everyday ratepayer who does not own any of that property. Who pays those rates? The ordinary, everyday ratepayer! Let us not go down that sort of path.

I draw the attention of members to the Local Government Association of Queensland press releases of 18 February, 23 February and 2 March. On 18 February, the president of the association stated, 'Quite simply, there is no new tax.' He said the same thing on 23 February. He also said, 'If you can stretch a bow to its limit, that's what this claim is doing.' On 2 March—and I think every person who stands up for the LNP should think about this—he said, 'The attitude of these big operators puts Ronnie Biggs to shame.' Those people who do not know who Ronnie Biggs is should look at the history books.

The campaign that has been waged was a fear campaign. A number of members have mentioned emails that were sent to their offices. I received them too, but I spoke to the people who sent them to me and explained that this is declaratory of the law before 2009. It is purely declaratory. In this debate many examples have been referred to; I think one member even went as far back as 1985. They have to take into account the increased value of the property anyway.

I do not think anyone in this House—if they had that sort of money—would say they did not get a bargain if they had offered $47.49 million for the Pacific Fair shopping centre, because that is what the valuation came to, having been reduced from $180 million. Anyone would reckon that they made a profit.

An honourable member interjected.

Mr HOOLIHAN: That is the rub, because the property owners were going to get that. That was the windfall. I hesitate to say it, but I will say it: I believe that the Property Council promised them that they would get all of this money back and that is why they took on the argument and tried to scare the people of Queensland. A number of people in my electorate have rural properties and they have been caught up in the fear campaign. This is what I would like to refer to in this debate. The minister will cover a lot of these areas in his summing-up. I refer to the impact of the amendments on land use for rural purposes by our farmers and graziers, the mums and dads. I have spoken to a couple of people who own big properties. Some of those are leasehold properties. This does not apply to leasehold properties. Rural landowners have nothing to fear from the proposed changes to the Valuation of Land Act. Rural properties have been value based on the unimproved value of the land since the inception of the Valuation of Land Act in 1944. This has not changed and will not change.

Traditionally, rural farming properties are valued using sales of other comparable rural properties taking place through normal market transactions. In analysing rural sales, State Valuation Services of the Department of Environment and Resource Management will continue to use the established practice of deducting the added value of physical improvements, such as houses, sheds, fencing, water facilities and timber treatment, from the sale price to arrive at an unimproved value. An allowance is also made for development interest. The new legislation will not affect this traditional approach to rural valuations.

Departmental valuers are very experienced in making these assessments and determining which sales are genuine and are truly reflective of the market. As Queensland has a large farming base—which I had believed the LNP claimed as its backers—properties are always selling, providing a good range of sales evidence, and the values are going up. The property market for rural properties is driven by supply and demand and often related to the seasonal conditions applying at that time. For example, it is difficult to sell grazing properties in dry times—I am not sure there would be too much trouble now—but after rain the volume of sales generally picks up. If there are no comparable rural sales in a locality, there are usually sales in another area that may be used to form a basis for valuation. Departmental valuers will continue to follow the market and apply market movement, including increases and decreases as they occur.

There is a myth going around that rural valuations will rise as a result of the new legislation. Mr Acting Speaker, I can assure you that this is not the case. Rural valuations will continue to reflect fluctuations in the property market only, as they always have. The valuations are generally issued by State Valuation Services to landowners before the end of March each year and are used by the local government to calculate rates in the financial year commencing on the next 30 June in the year the valuation is issued. That is the basis for requiring this legislation to be considered now. The councils—which I would hesitate to say did not really have much time for the Labor government at one stage—are realising that they are being looked after and they require those valuations.

The valuations determined under the Valuation of Land Act are only one of the considerations used by the relevant local government to calculate the rates which are levied for each property. Local governments have wide powers to moderate any substantial increase in the issued values which may be indicated by the real estate market. They may, for example, average the last two or three valuations issued for a property or adopt a cap above which a rate may not be increased. A minimum rate may also be applied. If a landowner is unhappy with the amount of the valuation issued, they may lodge an objection within 45 days of the date of issue of the valuation. A new, more robust and transparent objection process is also being proposed in this bill which will enable landowners to provide additional information upfront if they think their valuation is incorrect. In all the arguments about how much people have paid in land tax, every one of those people had a right, if they felt that their valuation was incorrect, to object to that valuation. It has always been open to them, but they have not done so. They have paid their land tax and that valuation is presently the basis for their argument.

The new objection form will require a landowner to provide details about their property. Information such as the lot and plan number, the valuation they think should apply, the reason or grounds that they are basing their objection on and any information to support those grounds will be required to inform the objection. Another change to be introduced is that, if an agent submits an objection on behalf of a landowner, the objection form must be accompanied by the landowner's written consent. This will ensure that all objections are made with the full knowledge and authority of the landowner. State Valuation Services is producing a landowner's guide to objections, with links to information and call centre advice, to assist all landowners in preparing objections. The proposed amendments in the bill are necessary to confirm and ensure that rural property will continue to be valued based on the existing valuation methodology and that there will be no impact on these properties.

Over the last three sitting weeks we have heard some extraordinary attitudes and comments made by the LNP. With this argument raised today in this House—and apologies to the journalist who wrote part of this—along with the last two sitting weeks, we have seen an extraordinary display of small minded ignorance from people who can obviously ill afford to squander their brain cells. I think that it is time LNP members woke up to themselves. I commend the bill to the House.

Mrs SULLIVAN (Pumicestone—ALP) (9.35 pm): I rise to support the Valuation of Land and Other Legislation Amendment Bill 2010, introduced into this House earlier this year by the Minister for Natural Resources, Mines and Energy and Minister for Trade, the Hon. Stephen Robertson. The bill amends the Valuation of Land Act 1994 and the Water Act 2000. But I want to talk about the process used by State Valuation Services in the Department of Environment and Resource Management in determining the unimproved value of land when undertaking a statutory valuation.

Statutory valuations in Queensland are made on an unimproved basis under the Valuation of Land Act 1944. The previous speaker, the member for Keppel, defined valuation very well. I am sure that he has probably read the textbook which is recognised as the authority by the valuation profession—by Rost and Collins—which defines this in part by saying that when assessing the value of

a parcel of land 'it must be assumed that the land is notionally in its natural state but that it possesses whatever advantages that exist as a result of extrinsic circumstances, such as roads, railways, public services, amenities, land settlement in the neighbourhood and any other benefits which are not due to the operations on the land itself by past or its present occupiers'.

Therefore, in its simplest form, what a valuer has to consider is: here is a vacant piece of land—what would it sell for? In the case of residential properties, the highest and best use of this land is residential, so that is the basis for the valuation. It does not include the value of the house that is built on the property. When determining the valuation, the valuer will use comparable sales of vacant or slightly improved land to determine the current valuation. This can be done because there is an abundance of sales data for the valuer to use in the assessment. This is the case for most property types. However, this simplistic approach can be complicated when there are few sales of vacant land and there is a possibility that purchasers are prepared to pay an absolute premium above market price to obtain a scarce commodity.

In the case of complex properties such as shopping centres, there is very limited sales data available to the valuer to determine the value of the property this way. In these circumstances the legislation provides for an alternative method to determine the unimproved value of the land. Using shopping centres as the example, the land has been developed to its highest and best use as a shopping centre site, and the associated development approvals and leases, because its highest and best use has already been achieved, are not deducted from the value of that land. The only costs deducted are physical improvements, such as the cost for building the shopping centre, car parks and other site works.

In December 2009, the Court of Appeal affirmed a decision of the Land Appeal Court relating to the Pacific Fair shopping centre. The Land Appeal Court in 2007 determined that the definition of 'unimproved value of land' in relation to improved land required that the land be treated as though it were vacant and unimproved. Any development premium or profit and risk associated with its previous development was to be excluded from the unimproved value of the improved land. In the Pacific Fair decision, the Land Appeal Court also concluded that the benefit of leases of improvements entered into was to be disregarded in arriving at the unimproved value. The Pacific Fair decision of the Land Appeal Court found that any approvals which had been granted for the development of the shopping centre had to be assumed not to have been obtained and that the valuation had to be made against the assumption that there was a risk associated with obtaining the already existing approvals. The government appealed this decision, but the Court of Appeal rejected the government's appeal in December 2009, confirming the 2007 Land Appeal Court decision.

The court's interpretation of the legislation does not reflect the actual intent of the legislation, which is to value the land as developed at its highest and best use. If not addressed, this interpretation would fundamentally change the way that certain properties, primarily commercial and industrial properties, are valued in Queensland. This bill will confirm the valuation approach adopted to previously issued valuations and provide certainty for the future.

It has been stressed that the amendments do not affect landowners, as they simply reinforce the valuation approach that has always been used by the department. For example, the amendments do not impact on residential properties. Residential properties will continue to be valued in the way that they always have been, as a residential lot based on vacant or lightly improved sales. Similarly, agricultural properties will continue to be valued as they always have been, as a farm using other farm sales.

The amendments seek to strengthen the application of the Valuation of Land Act in valuing commercial properties to overcome the lack of equity between valuations of different types of properties created by the court decision. To ensure certainty for all landowners, the bill will clearly define the term 'unimproved value' in the act. The amendments will clarify that the benefit of a lease which enhances the value of the land must be included in its unimproved value. No amount will be deducted from the unimproved value of the land for goodwill, and no deduction for any profit or risk allowance or development premium will be made.

The benefit to the land of the payment of infrastructure charges must be included with the unimproved value. These infrastructure services, such as water and sewerage, are directly relevant to what the land would sell for, and hence its value. The bill, in amending the definition of 'unimproved value', confirms the approach used by departmental values in arriving at the statutory values of property in Queensland. I commend the bill to the House.

Mr MESSENGER (Burnett—LNP) (9.40 pm): I have to congratulate the shadow minister for natural resources and shadow Treasurer for their accurate and wise assessment of this bill before the House—the Valuation of Land and Other Legislation Amendment Bill.

Mr Robertson: No matter what you say you are still not going to get back on the front bench—no matter how hard you suck.

Mr MESSENGER: I take the interjection from the minister.

Mr ACTING SPEAKER: Order! Minister, your comments are unparliamentary and I ask you to withdraw.

Mr Robertson: I withdraw.

Mr MESSENGER: Mr Acting Speaker, through you I make this comment on the interjection: while he is winging his way first class and listening to the clink, clink, clink of the first-class lounge, he should remember this—while the Left is away, the Right will play. This is one of a series of controversial bills rushed through this House by the Labor Party of Queensland which are of two categories—tax grabs or social engineering pandering to the greens or the left wing of the Labor Party. This bill—the Valuation of Land and Other Legislation Amendment Bill—is another nail in the coffin of the Premier's leadership of the Queensland Labor Party.

While this bill will create enormous pain for businesses, workers and retirees, the one small comfort that those of us who oppose this bill can take is that it means the Premier's leadership of the Labor Party is almost over. Very soon we will see a new leader of the Labor Party and a new Premier of Queensland who will have to deal with the mess that this bill creates. Mr Acting Speaker, can you please pass my warm regards on to Mr Speaker?

As indicated by the shadow minister and evidenced by the government's radical foreshadowed amendments, this bill falls into the sneaky tax grab category and deserves, in a legislative sense, to die. Unfortunately, the very structure of the Queensland parliament, by having only one chamber, and the overwhelming majority that one party has in this chamber ensures that this unfair and dangerous bill will be given legislative life and passed at some time in the next 24 hours. We can only hope that the amendments proposed will address the many issues raised by members on this side of the House.

The structure of this place and those who vote for this bill will be responsible for bringing into life a legislative monster that will destroy jobs because first home buyers have to pay more, decrease ordinary Queensland retirement funds and increase the cost of development in all areas including my electorate of the Burnett. At a recent meeting of the Urban Development Group set up to advocate for developers in the Burnett-Bundaberg area, the group heard about the already significant existing disincentives for people to open businesses in Queensland compared with other states. This legislation will not decrease those disincentives. This legislation will increase those disincentives.

Local governments are struggling to cope with the cost of forced amalgamation and the abolishment of the 40 per cent on local government infrastructure projects. This tax will add to the state taxes and charges that will cause the costs of a first home owner's block to rise. To compare the cost of developing in Queensland versus that of Victoria, in the Burnett-Bundaberg area there is approximately $20,000 per block in both council and state charges. In Victoria, it is approximately $5,000 in council and state charges. It is four times more expensive in Queensland than Victoria to develop a building block. I note that the Victorian government has introduced legislation which I believe sets limits on the amount of money that local governments can charge developers, but that is because they are also operating in an environment where they have a much more sensible state government when compared with this Labor government.

Before I address the specific provisions of the bill, I think it is worthwhile to reflect on the political structure which is allowing a series of deeply flawed and dangerous bills to be given legislative life. In the leader of February's *Economist* magazine it says that America's political structure was designed to make legislation at the federal level difficult, not easy. It further said that the Senate, much ridiculed for antique practices like filibustering and the cloture vote, was expressly designed as a cooling chamber where bills might indeed die unless they commanded broad support. It is a sad fact that not many Queenslanders realise that their state does not have an upper house. This badly designed bill and the many before it are reasons why Queensland needs an upper house. A place like the American Senate, the Australian Senate, indeed—

Mr ACTING SPEAKER: Order! Member for Burnett, while your arguments are no doubt fascinating, they fail to relate to the bill that is currently before the House, and I urge you to return to the bill before the House.

Mr MESSENGER: I return to the Valuation of Land and Other Legislation Amendment Bill. This bill is a classic example of why we must have a legislative house of review. This bill before the House would die in a cooling chamber because this bill is not wanted by the broad majority of stakeholders within Queensland. The wisdom of the majority of stakeholders is not only being ignored but this government has mounted a sophisticated publicity campaign at taxpayers' expense to deliberately undermine and drown out the voices of the stakeholders. At my office I have received a lot of feedback about the government's proposed bill before the House.

Mr Lawlor interjected.

Mr MESSENGER: I take the interjection from the tourism minister. It was quite an arrogant interjection. He does not want to hear the voices of the Burnett. He does not want to hear about the people on the ground who are paying taxes, writing out cheques and staying awake late at night wondering if they can pay the bills—something, I might add, that the minister has never done in his whole working career, writing out a cheque for someone's wages. A constituent of mine writes—

Dear Rob,

Please do whatever you can to prevent this amendment passing through Parliament ... It is another blatant tax grab by a terribly arrogant, wasteful, bloated—

a word I cannot use in this place beginning with 'l'—

soft, lazy government ... always looking for the easiest targets for fundraising. We farmers are continually battling the constantly rising costs and lowered returns (and climate change, caused by international big polluters, not by good Aussie farmers) with no credit or thanks given whatsoever for the good work we do caretaking the environment, sequestering carbon in our soils and trees. It's no ... wonder our kids want to live in the city. Just turn on a tap and water will flow, good steak comes in a package from the supermarket, choice vegies shine on the shelves, lovely soft cotton, woollen, hemp, angora, alpaca ... fashion garments to die for ... and we are dying ... How long can Aussie farmers keep going against all the odds ... A country which cannot afford to pay its farmers a fair return and refuses to value its farmers ...

This legislation will impact on our farming communities and primary industries. It is going to result in more costs to them. Another email states—

I cannot understand the government of today.

Mr Fraser interjected.

Mr ACTING SPEAKER: Order! Treasurer!

Mr MESSENGER: It states—

They want to save and acquire property et cetera so as we do not become reliant on the government for pensions, but they want to crucify us with all of the taxes. The new proposed changes to land tax will send us broke and for the first time in our lives we will require government handouts.

The Green Group says—

We are writing to you to express our concern over the recent bill regarding the valuation of land. We are a small family company that has ownership of a number of commercial and shopping centre properties. We have always been based in Queensland and over a number of years we have invested our money in developing and owning these properties. Over the past four years we have experienced a 300 per cent increase in valuations of our properties and a corresponding increase in both land tax and local authority rates. Whilst we understand that the valuations will increase over time, the quantum and disregard to established valuation practices by the department of natural resources have us bewildered. This combined with the increase in the land tax rate now has us looking to invest outside our local area and interstate which will have lower land tax bills.

Allen Crawford, the Executive Director of Chesterton Corporate Property Advisers, said—

You no doubt have received correspondence in regard to the Valuation of Land and Other Legislation Amendment Bill 2010 and realise there are conflicting viewpoints regarding the facts. In order to become better informed before this Bill is debated may I suggest—

Mr Fraser interjected.

Mr ACTING SPEAKER: Order! The Treasurer will cease interjecting.

Mr MESSENGER: I continue—

you complete some simple research by making a few phone calls in your local area.

Please speak to the Town Planner at your local Council and ask 3 questions:

1. How do you assess the credit on infrastructure charges inherent in an existing building in the event that an application is made for redevelopment of a site?
2. What are the practicalities of doing the same thing for every property in the Council area?
3. Is it reasonable to expect a valuer to assess the infrastructure credits on every property in the Council area on a cyclical basis of say 3 to 5 years?

The answers to these questions will give you some idea of the practicalities of this aspect of the Bill being equally applied to all ratepayers. The Bill requires #3 to occur.

Please speak to Principals of valuation firms operating in your area or just call some at random and ask 7 questions:

1. Historically, has goodwill been included in the Unimproved Value?

I do not think so.

2. Historically, has the added value of tenants been included in the Unimproved Value?

Once again, I think the answer is no.

3. Historically, has the added value of entrepreneurial profit or developer's profit been included in the unimproved value?

These are all issues that are dealt with by the legislation. These are issues that I doubt the best Treasurer in the world, in his own mind anyway, has actually thought about. He is probably too busy in front of the mirror practising his lines. Another constituent says—

Dear Ministers,

I moved to QLD from NSW when I was 3 in 1985. I love the QLD Reds with all my heart and have stuck by them in the last couple of years through thick and thin. I am a passionate Maroons supporter against the rest of my family who were born in NSW as well. In short I love QLD and what we stand for. Until now.

It absolutely pains me to say this but I am ashamed to be a Queenslander.

The proposals that the Bligh government is enforcing has lead me to be disenchanted with the way this State is being run.

I work in the Commercial Property industry and liaise regularly with National clients. We are the laughing stock of the country and these amendments will have an unmeasurable effect on real estate investment in this State and therefore my industry colleagues future employment. It astounds me that people (not just the Government) haven't thought about the long term implications should these amendments go through.

You should vote against this bill and do what is right.

Another piece of correspondence says—

I am writing in relation to the amendments to the above Act to be argued before parliament. I have been a practising valuer in Queensland for over 20 years and never in that time have I seen a proposed amendment which would have a greater impact on the property market in this State.

This change will have a far greater negative effect on the market in Qld than the Vendor Tax had on the NSW market, which was introduced and then repealed in recent years due to the damage it caused. We have already witnessed buyers walking away from investment in Qld because of the legislation and that will cost the State hundreds of millions in stamp duty alone.

The proposed changes are a fundamental shift in valuation practice. I am aware that a small number of the department's valuers have advised the Director General that it is not a change, however 90% of the department's valuers and 100% of the valuers in private practice have been valuing Unimproved Values the same way and this legislation is a fundamental change.

I implore you to contact any number of the professional associations who have been trying to get these proposed amendments altered to establish the reality and flow on effect these changes will make.

Another constituents says—

Dear All,

I write to you today to advise that every potential buyer of property in the Brisbane CBD from the southern states has now decided it is safer to invest in NSW & Victoria due to the crazy / lunatic antics of the current State Government in relation to changing the way the state values land. This is not just a local issue. How dare the elected government overturn decisions by no less than 4 Judges.

I am dumbfounded that this can happen in an educated society. We are supposed to be the Smart State—we are on a boat with no rudder.

The practicality of the legislation the way I see it is that we are going to have to start preparing our objections 6 months before the assessment notices issue otherwise the 42 days we are given to prepare the objections to the level proposed is a physical impossibility. So we are going to be preparing objections against something that hasn't even happened.

There is no better example than industrial land. 4 years ago we all used to use $10 per meter as an estimate of outgoings. That figure is now closer to $30 and most of it is rates and land tax. To make matters worse deals are being done around $100 per meter gross meaning that 30% of rent goes out in outgoings. Therefore if the net yield on industrial is $70 per meter and the cap rate is 9 to 10% industrial is now worth $700 to $800 per meter of building area. What is the unimproved land value????? (Negative when I went to school) but the State will tell you it's $500 per meter.

The point is we are all going to loose the question is who and how much. Theoretically industrial land will become worthless because there is no point in developing it. There will be no cut for the owner and the tenant can't afford to rent it.

Total madness ...

Another person said—

Dear Minister,

I am contacting you with my serious concerns about the introduction of the Valuation of Land Act and Other Amendments Bill 2010 due for debate on Tuesday.

My background is a Property Analyst and a Registered Valuer with retail and commercial valuation experience. I have read the proposed Bill and am alarmed at the implications this may have. I have estimated that these amendments will cause a circa 20% decline in value to a typical commercial office building with greater losses likely for retail properties. This has a direct impact on superannuation funds of mum and dad investors and other shareholders. I am more than willing to discuss with you my calculations if requested. Furthermore, this is likely to cause many owners to breach finance covenants and cause a significant increase in loan default, receivership appointment and job losses.

Valuation of income producing properties is quite technical and requires a high degree of skill. It would appear to me that this Bill has been drafted by parties which do not hold the required experience as the proposals are not only extremely detrimental to the values of income producing properties ... but illogical and unworkable from a practical sense. Contrary to the Government's claims, these proposed changes represent a fundamental shift away from how valuations have been done in the past. What is even more concerning is the Queensland Government's denial and rejection of the criticism it has received from most leading industry bodies regarding the issue.

How would the people who have written in good faith feel if they were to look across the chamber, as I do, and see the dull, arrogant expressions of those opposite who are responsible for this madness? Those people would then get a little bit of a sense of what we are feeling now. The arrogance of members opposite is unbelievable. The dull, arrogant way they cross their arms, with their absolute contempt for the people of Queensland, is absolutely outstanding.

In closing, it is worth reminding this place of one of the leaders of the nascent Western world who was forced to give up absolute control of his country and was eventually forced to call the first parliament in 1264, Henry III. He was perceived by his constituents the barons as an inept king who taxed them to the hilt, ignored their counsel and wasted resources on unsuccessful campaigns. We are seeing history repeat itself once again here. Allowing such a dangerous and unfair bill to be presented to this place is just further proof that we have an inept Premier who has taxed the state to the hilt, ignored

their counsel and wasted resources on unsuccessful campaigns but who will very soon pay the political price at the hands of those opposite, who may vote for this bill now but will vote against the Premier when it comes to the coming leadership spill in the Labor Party. My one piece of advice to the minister when he flies away is this: while the Left is away, the Right will play.

Ms DAVIS (Aspley—LNP) (10.00 pm): I rise to speak on the Valuation of Land and Other Legislation Amendment Bill 2010 which was introduced into this House on 11 February 2010. I firmly believe that business and personal investment in Queensland should be attracted by tax structures that enhance competitive positions. I think that the system should be simple to comprehend, equitable and provide incentives for long-term growth. But this bill as it stands before the House seeks to do none of that. In my opinion and in the opinion of many in the Aspley electorate, this legislation as it currently stands is purely and simply an attempt by Labor to gouge every cent it can from Queensland taxpayers to prop up its failing budget and pay for the massive $85 billion of Labor debt. Shamefully we are in a budgetary situation of debt and deficit, and now Queenslanders' jobs and mum-and-dad investors' financial security will be put at risk by the Bligh Labor government's proposed changes to land valuation laws.

These laws are an unprecedented attack on Queenslanders' jobs and investments, and industry groups estimate that if this bill is passed it will see increases in land tax of between 20 per cent and 40 per cent across-the-board. The Australian Bureau of Statistics data for January shows that Queensland had the equal highest unemployment rate in Australia with 137,500 people looking for work, and this sneaky new tax slug on business on top of the fuel tax and electricity and car registration hikes will put more Queenslanders on the unemployment line. While also slashing jobs, Labor's tax increases will see massive cuts to the value of investments that Queenslanders have put aside to provide financial security for their future, the prime concern that the residents who are visiting and contacting my office have with this legislation currently before the House.

According to the explanatory notes, the objectives of the bill are to amend the Valuation of Land Act 1944 to, amongst other things, clarify the definition of unimproved value and the associated terminology; provide for a more focused process of objection designed to resolve disputes more efficiently at the objection stage; and to allow for the use of a schedule of valuations—the general valuation schedule—and an adjustment factor in the statutory valuation process. I want to focus on the first objective of the bill as it will have the most tangible consequences for anyone who owns property in Queensland.

In assessing the unimproved value of land for the purpose of levying land tax and rates, the Valuation of Land Act 1944 has long required that a valuer treat any improvements as if they did not exist. However, this government had sought to challenge the scope of the definition of 'unimproved value', especially with regard to highly improved commercial properties and, in doing so, has been struck down twice in the courts. In part, this was the motivation for the government to bring this rushed legislation before the House.

In the most recent case of the Pacific Fair centre, the Land Appeal Court stated that the government's position on valuation amounted to a radical change to the state's rating and land tax system, and so the government has retrospectively decided to change the law. Put simply, the proposed legislation places a tax on entrepreneurial effort. If we are going to include development approvals, leasing arrangements, tenancy arrangements, development profit and goodwill in the definition of unimproved value, we will simply be punishing business owners with a sneaky new way of taxing effort and enterprise. As a small business owner I understand the frustration of hardworking local businesspeople and investors who feel that this legislation is just another way to slug them in difficult economic times.

Members will be aware that the Aspley area of Brisbane's north has been a commercial hub for decades. Long before the larger shopping centres of Chermside and Toombul existed, strip shopping on a large scale existed along Gympie Road in my electorate. This business corridor continues to operate, but its ongoing success and the jobs it provides to locals are placed in jeopardy by the legislation before the House. A quick search on the Sensis business counts data tells me that there are 1,366 business listings in the suburbs of Aspley, Carseldine, Bridgeman Downs and Bald Hills—suburbs that make up the bulk of my electorate of Aspley. That is thousands of business managers and owners who will have to find the extra money for increased rent and wages that will be the flow-on effect of these legislative changes. As one constituent in an email to me points out—

> This legislation will burden my commercial properties. My properties cater for small businesses, which are the very backbone of the Queensland Economy. The increased costs will either be met by them or met by me. The tax will only cripple our economy when we need help for small business.

But this current legislation is not merely about commercial property. I have seen in recent advertising that the government purports that there will be no changes to the way family homes, investment properties or farms will be valued, but nowhere in this current legislation does it make reference to big business, shopping centres or large commercial or industrial enterprises being the only categories of property affected. This is the most frightening aspect of the legislation because the

principles contained in the bill can be easily applied to units, small businesses and residential property, and that is what the residents of my area are telling me they are most concerned about. They fear that as a landlord they will have to increase rents for their tenants to cover the costs of increased land tax. They fear that housing affordability will yet again be hit as the cost for homebuyers will rise to reflect the increase in land tax, particularly in greenfield sites, placing first home buyers at risk. Perhaps the biggest fear from the residents of Aspley is the concern for their superannuation investments for their retirement. The fact is many mums and dads, both directly and through superannuation funds, have interests in property. Under the bill before us, these mum-and-dad investors will have their investments slashed, and that is simply unfair.

I want to touch on an aspect of the legislation which I do feel is incredibly unjust—namely, the retrospective nature of the bill which I note from the explanatory notes means that the bill infringes on some fundamental legal principles. The Bar Association of Queensland has seen fit to write to the Premier to remind her of this principle and that citizens are entitled to organise their affairs, domestic and commercial, on the statute law as enacted from time to time. I find it abhorrent that existing outstanding appeals will now be assessed under new rules which differ from the rules that have governed objections and appeals in the past. Talk about changing the goalposts midplay!

Whilst talking about objections, I want to briefly turn to the new processes for making an objection to a valuation under the current bill. The minister said in his second reading speech that the reforms being introduced will update and modernise the objection process and will provide all landowners with a clear process to lodge an objection and will encourage the inclusion of the appropriate information at the beginning of the objection process. These amendments place an enormous burden on owners and, in my opinion, may be likely to be unworkable given that an owner has only 45 days to prepare and lodge any objection. As the Property Council says in its submission to the Scrutiny of Legislation Committee—

The proposed objection process in the Bill is burdensome, overly proscriptive, and unfairly constricts landowner's appeal rights in a manner inconsistent with the principles of natural justice.

I could not agree more. This morning the Premier announced that the government would be introducing major amendments to this bill which are in essence a face-saving attempt and an admission that the bill before the House is fundamentally flawed. Whilst the LNP will carefully consider the amendments, I cannot support the bill before the House as it stands—a cobbled-together, cash-grabbing piece of legislation about which the LNP and residents in Aspley have raised very real and grave concerns.

Mr KNUTH (Dalrymple—LNP) (10.08 pm): In speaking to the Valuation of Land and Other Legislation Amendment Bill, to retain the present bill before any amendments are moved would be a catastrophe, and this is highlighted by the numerous concerns by businesses and citizens that will be affected by this bill. If the government had set about designing a course of action to inhibit development, hinder investment, destroy property values and increase the cost of living and entrepreneurial activities in Queensland, this would be the ultimate option.

Many investors acknowledge that there would be a disaster if this bill were passed without significant changes being made to it. On 7 March, Steve Greenwood wrote in the *Courier-Mail*—

Unless we can stop it, sometime soon (maybe this week) new laws will be passed in Queensland which are breathtaking in their scope and audacity.

They will massively increase the cost of living and doing business in Queensland.

In the 2004-05 period, land tax was $380 million. This year, land tax will escalate to $1 billion, making it one of the largest taxes in Queensland. The likelihood of astronomical increases in land tax, prepared in secrecy, has caused a tsunami of anxiety throughout the business sector. Constituents who have contacted me have expressed alarm over what will be a potential catastrophe because of this legislation's unexpectedness, absurdity and injustice.

Far from delivering the loudly proclaimed 100,000 jobs for Queenslanders, this legislation will cost jobs as small businesses are hit yet again with another tax, resulting in some closing up shop. Increased rentals will reflect higher land tax on properties, future homebuyers will have to meet the flow-on cost of land tax imposed on developers and superannuation funds that include some form of land investments will see the financial security of retirement diminish or even disappear.

Over the past six years the government has lost several court cases and appeals. The courts found consistently that the government was not valuing land in accordance with its own legislation. The government's remedy for an outrageous lack of legal acumen is to change the law retrospectively, making the radical changes to land tax legal. The definition of 'unimproved value' will be changed to include infrastructure charges, buildings, leases in place and business goodwill—items not previously included in the concept of 'unimproved value'. Definition changes and retrospective legislation are the government's solution to getting out of the hole that it has dug for itself.

Incentives for landowners to improve and value-add to their property will disappear as producers attempt to reduce the items to be calculated in the new unimproved value criteria. The process of appeal will also be made more difficult, reducing the eligibility criteria for the appeal and adding a complexity of

detail required, ensuring that the government gets its way at the expense of others. These changes are alarming at best and blatantly dishonest at worst. It is very difficult to escape the conclusion that the government is in a desperate frenzy to grab every dollar.

Mrs CUNNINGHAM (Gladstone—Ind) (10.12 pm): I rise to speak to the Valuation of Land and Other Legislation Amendment Bill. Every now and again legislation will come before this House that creates a great reaction in the community that it will affect, and this is one of those. I assume that each of us here has received quite a number of letters in relation to this valuation of land amendment bill. I do not think I have received one letter that has been in favour of the legislation. Each letter has expressed concerns and I believe all—if not all then the vast majority—have already been referred to. In recognition of the time, I will not reiterate the contents of those letters. Suffice to say, the letters, whether they were from the Property Council, the valuers, residents or Chesterton—irrespective of whether the letter was from an individual or a company—expressed grave concerns about the impact of the proposed legislation on their business, whether they were big business, a medium sized business or a small business.

In a general sense it is vitally important for landowners, irrespective of the type of property they own, to be able to object to a valuation. I have said this to the valuers in my region, so I am not saying anything out of school. When the valuations are produced and released to local government, they are put on the public record for landowners to check their valuation and to decide whether the new unimproved capital value is something that they can accept or whether they believe that it is higher than is necessary. Overwhelmingly, my experience—and I have stated this to the valuers—in objecting to a valuation has been that you need a valium and a good lie down before having a conversation with valuers, because you are on a flogging to nothing to win anything.

It used to be that the unimproved capital value was assessed on the value of the land—its attributes. Then the valuation became a more sales based valuation, again based on unimproved capital value. If there were sales around the area then they were used to determine an increase or decrease in the unimproved capital value. As time went by, when there were no local sales valuers then imported sales. A lot of landowners used the argument that there were no local land sales. No properties had changed hands in years. Previously that was a reasonable argument, but then valuers started to import land sales and there was no way landowners could adequately prove their case.

I know that we are debating the legislation, and I acknowledge that the minister has significant amendments to be brought forward, but the fact is that, irrespective of what legislation is in place, landowners must be able to object or appeal the valuation and that objection or appeal process must be accessible to whoever the landowner is. The objection process must not be complicated; it must be straightforward and it must be based on information that an owner can easily provide so that landowners are not put in a position where their appeal can be dismissed by the department out of hand without a fair and transparent consideration.

I am not surprised that local government, through the LGAQ, has supported the legislation. My understanding is that that support is solely on the basis that local government was concerned that, on the basis of the court case on the Gold Coast, it could be faced with significant cost in terms of refunding dollars. However, I do not believe that local government would support generally, as members of the community, a new valuation act that disadvantaged landowners or, indeed, that based valuations on improved capital value that includes goodwill, which I find to be a most ethereal matter to be assessed by a valuer.

I am a little bit jaundiced by valuers—but not all of them. I have raised in this chamber before the instance where a valuer was acting for the government in my electorate valuing land for the purpose of government acquisition. I believe that the valuers were there to value what was on the property. They actually devalued a shed because they said that, in their estimation, the shed was too big for the property's needs. That was completely out of order and completely unacceptable. My concern about introducing into the valuation process fewer objective matters to be considered is that landowners are going to be very much subject to an assessment by the valuer that is not based on objective fact.

The other matter that I would seek clarification on is that previously, in objecting to valuations, the landowner has been able to request a conference. It appears that, in this legislation, the meeting is going to be initiated only by the departmental people. If that is the case, I certainly would have to express grave concerns. Some people do not write well. Some people best articulate their view verbally. Those people who cannot put their thoughts on paper need to be able to request a face-to-face conference or a meeting so that they can put to the departmental officers the reasons for their concern about the valuation. Currently the request has to be in writing, but it can be just a letter requesting a meeting. I would certainly request a clarification on that point.

Based on all of the concerns that have been expressed to me—the disadvantage that the bill would establish, again on the basis of the information provided to me—means that I cannot support the bill as it stands. However, as already acknowledged, there are significant amendments foreshadowed. I will be listening to the consideration in detail and then I will determine my stance. The legislation must

not disadvantage people in Queensland, particularly those who can ill afford to pay more in rates and charges. On that basis I will not be supporting the legislation, but I look forward to the consideration in detail.

Mr RYAN (Morayfield—ALP) (10.20 pm): I rise to contribute to the debate on the Valuation of Land and Other Legislation Amendment Bill 2010. I must say firstly that I am embarrassed by the contributions of opposition members to this debate. *Hansard* will show that they have remained true to form. Through their partisan fearmongering contributions they continue to trash Queensland, they continue to scare businesses and communities and they continue to knock our state's reputation. In respect of this debate *Hansard* will show that their contributions clearly misstate the real intent and effect of the amending bill.

Opposition members interjected.

Mr RYAN: I take the interjections as further proof of the opposition's hatred for Queensland. They hate Queensland. They continually interject. They continually trash our state's reputation. The amending bill is about preserving the status quo and providing certainty for landowners, governments and community members. It will come as no surprise to the House that the provision of public services and public infrastructure are funded through a budget process from public funds. The way in which those public funds are collected must be transparent, fair and accountable and must reflect taxation burden priorities.

It is important for taxation burden priorities to be clear and steps taken to preserve those priorities. There is only one bucket of money and the way that we fill that bucket of money depends on the relative priorities of government. This bill is about preserving those priorities. This bill is about preserving the status quo. This bill is about protecting the property owners, particularly residential property owners, from a change to the relative taxation burden priorities flowing from a recent case decided by the Queensland Court of Appeal. If the government did not act then the government would not be protecting Queenslanders from the potential for hundreds of millions of dollars in land tax and rate repayments which have emerged after a recent court decision. Make no mistake, to support the status quo, to protect property owners, particularly residential property owners and to provide certainty to government and the community for the future, members of this House must support this bill.

In speaking in support of this bill I would like to reassure property owners in the Morayfield state electorate and around Queensland that this bill will not affect their rates or land tax payable by them. The budget bucket is not getting larger as a consequence of this bill. This bill merely preserves the respective proportions contributed by different sectors of the Queensland community to the government budget.

In reassuring residential property owners in the Morayfield state electorate I would like to address the impact of the amendments on land used for residential purposes by the majority of Queenslanders. Valuations are made under the Valuation of Land Act 1944 and are one of the considerations used by relevant local governments to calculate the rate which is levied for each property. Local governments have wide powers to moderate any substantial increase in the issued values which may be indicated by the real estate market. They may, for example, average the last two or three valuations issued for a property or adopt a cap above which a rate may not be increased. A minimum rate may also be applied.

The valuations are generally issued by the Department of Environment and Resource Management to landowners before the end of March each year and are used by the local government to calculate rates in the financial year commencing on the next 30 June in the year the valuation is issued. The valuations reflect the price which an owner who is well acquainted with the real estate market would be expected to pay for the land as a vacant site but with the surrounding infrastructure in place.

This figure would reflect the physical nature of the block before the current or former owners carried out any improvements on the land, such as a filling or levelling, and ignores the value of any structures erected on the land such as a house or shed. It does, however, reflect the services and advantages which would influence a purchaser in deciding which property they consider best meets their needs and budget. This could include existence or absence of road access to the property or the availability of services such as electricity, reticulated water, sewerage and access to rail and bus services. It could also include proximity to schools and shopping centres.

This method has been adopted for residential lands in the past and will continue to be used. This is because the amendments have no effect and no impact on this historic valuation approach and residential values will continue to be based on sales of vacant or near vacant lands. There is generally no shortage of such sales to be used as a basis for valuing land. If there are no sales in one area there are usually sales in another area that may be used to form a basis of valuation for residential properties. Departmental valuers are very experienced in making these assessments.

A landowner who is unhappy with the amount of the valuation may lodge an objection within 45 days of the date of issue of the valuation. A new, more robust and transparent objection process is also being proposed in this bill which will enable a landowner to provide information upfront if they think their valuation is incorrect. The new objection form will require a landowner to provide details about their

property. Information such as the lot on plan number, the valuation they think should apply, the reasons or grounds on which they are basing their objection and any other information to support these grounds will be required to inform the objection. The department will assist landowners to make a properly made objection where required.

There are claims circulating that all landowners in Queensland will be adversely impacted by the legislative changes. This is not the case. The government has made it quite clear that residential property owners, and to that end occupants of residential properties, will not be disadvantaged by this bill. As the minister said in his second reading speech, without intervention the commercial property owners would receive a massive discount in their rates at the expense of residential property owners. Without action by this Labor state government residential property owners would be put in a position of effectively subsidising the current relevant contributions made by major commercial property owners to the Queensland state budget. This is an unacceptable situation and I am proud that this Labor state government is acting to protect and give certainty to Queensland property owners. I commend the minister, his staff and the department on their hard work in respect of this bill and I also commend the bill to the House.

Mr SORENSEN (Hervey Bay—LNP) (10.27 pm): I rise in the House today to speak against this badly drafted, draconian piece of legislation called the Valuation of Land and Other Legislation Amendment Bill 2010. This is one of the most damning pieces of legislation that this Labor government has presented to the House that I can recall. Now we are told that there will be about 60 amendments.

Mr Robertson: All the years you have been here!

Mr SORENSEN: Yes, I know. This is just a money grab. When one looks at what will be used to decide the new valuation, it includes such things as goodwill. At the end of the day, goodwill depends on the businessperson who makes the business grow. Looking at the valuation of rent and development approvals, at the end of the day what are they worth if they cannot be sold onwards? Then there are the infrastructure charges. Some of the developers in my area are paying over $400,000 a year in land tax. The profit of potential development is one that really gets me.

If the government wants to know why people are worried about this legislation, I will give examples of what has happened to three small moteliers in Hervey Bay to show why. In 2007-08 the first motelier paid $4,044 in land tax. Three years later in 2009-10 they paid $12,300. That is a 304 per cent increase over three years. The second motelier in 2006-07 paid $6,124 in land tax and in 2009-10 they paid $21,000. This is an increase of 343 per cent over four years. Another owner of a small unit development in 2006-07 paid $2,487 in land tax and in 2009-10 they paid $10,630. That is an increase of 427 per cent in four years. People are worried about this legislation because there have been increases like this on small businesses that only have six or 10 units. They are worried about having around about a 100 per cent increase in land tax every year. It is a real problem. These people cannot pass this cost on to consumers in the economic climate that we have today. The government should think about that. These are only small businessmen. It might be all right for the government to go out there and try to catch the big fish, but it is going to kill a lot of little fellows along the way.

My short congress here has to show that this government has a record of not listening to its people or even its own members. This legislation does not consider many sides of this argument. I have seen many emails and letters from valuers, property institutions, small business owners and investors, large investors and institutions. Just about everyone I speak to about this bill pleads and says, 'Do something about it.' 'This will cripple us,' some of the smaller businesses say.

I refer to including goodwill, potential profit et cetera in a valuation using the same rate in the dollar for land tax. Small businesses, like the independent IGA supermarket, are already suffering from the huge increases. In the past few years they have faced even more and this will be added to the price of food. These small businesses are the backbone of Queensland. They employ hundreds and hundreds of people. Of course, even in the larger supermarkets and shopping centres that may be affected, once again the prices will go up and we will lose a lot of small businesses in some of those shopping centres. If the shopping centre loses those small businesses, will their valuation come down because the rents they are getting have dropped?

The badly indebted government cannot keep flogging the businesspeople of this state. It is hopeless that we are going down this track. In the last three to four years land tax has doubled. Today it has raised over $1 billion in taxes. That has to come from somewhere, and at the end of the day it usually comes out of the pockets of people who employ other people.

Mr HORAN (Toowoomba South—LNP) (10.32 pm): Today in the parliament we saw the collapse of the government's ill-considered solar hot water rebate scheme and tonight we are going to witness the collapse of one of the most ill-prepared and ill-considered bills ever brought into this parliament. It is a bill that will collapse under the weight of 53 amendments. This government, with all the resources it has at its fingertips, has brought into this parliament something that is so flawed, that is so damaging to Queenslanders of all dimensions, that it has to have 53 amendments.

This just demonstrates the ignorance of this government. To bring in a bill that is so important to business, to development, to superannuants, to the grazing industry, to Queensland industry and to jobs in particular and to tack onto the end of it something that has nothing to do with all of this—to tack on issues to do with water management and land use plans—just demonstrates how incompetent this government is.

With the collapse of this ridiculous bill—an ill-considered bill—we see tonight another reason for Queenslanders to vote against a government that has been deceitful and dishonest and has been incompetent to the point where Queenslanders are drowning under $85 billion worth of debt. Not only that, they are also going to be drowning under the continual multibillion dollar deficits that are forecast for this state.

Queenslanders pay out of their own pockets for the incompetence and the financial mismanagement of their government. Queenslanders are paying now. Not only will they pay the extra cost that will emanate out of this particular bill; they are already paying and they cannot manage anymore. They cannot pay anymore for petrol with the 10c that has been added by the new petrol tax and the GST on top of that. They cannot pay anymore the 50 per cent increase over the past three years or so in electricity. They cannot pay anymore for the hundreds of per cent increase that some of them, particularly my constituents, have faced in the cost of gas and the cost of water in the case of the government withdrawing the normal state government subsidies being provided to local councils throughout Queensland. In the case of Toowoomba, some $6 billion is to be taken out. We are seeing massive increases in the price of water because these government grants are being taken out and councils have to find other ways to pay the interest on the infrastructure they have to borrow the funds for.

We are seeing a massive increase in rego costs for cars. We have gone from the cheapest in Australia to the dearest in Australia. On top of all of this, now we are going to have under this particular bill the proposed changes to the valuation system which will affect land tax in particular and will have indirect effects on the cost of shopping leases and on self-funded superannuation schemes where they have particular property. It will affect the prices that those shops or businesses have to charge to try to recoup some of this extra cost.

All of this is loaded on top of the petrol tax, on top of the sale of assets, on top of the loss of income from the sale of the airports that were sold a year or so ago and all the other assets that are about to be sold, on top of the rego, the gas, the electricity and the water costs. Ordinary average Queenslanders cannot pay anymore and here we see another money grab to try to cope with the $85 billion of debt and the $10 million to $14 million a day, seven days a week, that has to be found just to service the interest, let alone try to repay some of that debt so that future generations will not be saddled with tons and tons of debt.

People have to pay. It is not the government's debt; it is the people's debt, but the people's debt has been put in place by an incompetent government led by an incompetent Premier who was also the infrastructure minister and the Treasurer when much of this debt was accumulated. Now we have an incompetent Treasurer who continues to grow and grow the debt and continues to plunder the pockets of people. The ones who are really hurt are the low-income people—the people on pensions, the people on low incomes, the people on modest incomes. They cannot afford this anymore.

This bill will add to the burden on people. Not only that, this burden will result in a great loss of confidence in Queensland for a number of reasons. Investment, whether carried out singly or in groups through a superannuation fund or some form of trust that invests in development, is the lifeblood of the state so that there is work for builders, contractors and subcontractors. There are then opportunities for small businesses to operate. There are then shopping centres or little commercial areas where there might be mechanics, panelbeaters and so on. All of those are there to service the people of the state. All of those are going to have increased costs charged to them. All will be passing on the cost to the tenants. All of those tenants will have to pass on the costs to those who purchase their goods and services, and so on it will go.

People have had enough of the deceit. It is well known now in Queensland that people will never forgive the Labor Party for the deceit and dishonesty of the last election and the veil of secrecy that they tried to pull over the debt and pulled over issues like asset sales, the petrol tax and increases in the cost of other very important basic commodities.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Toowoomba South, I have been reasonably patient, but let us get back to the valuation of land bill. Could you please refrain from the repetition?

Mr HORAN: Thank you.

Mr Fraser interjected.

Mr DEPUTY SPEAKER: Treasurer, would you please regain your own seat if you wish to make comment.

Mr HORAN: People will not forget that deceit and dishonesty. They see it again in this particular bill. There has been almost negligible consultation with those who should have been consulted on this particular bill. As a result, we see the absolute mess and shambles of a bill that has been brought into this parliament which was to be debated during the last sitting week of parliament and which was withdrawn from the parliament. Now it is back in here and we are debating this bill. This bill will be shredded and will collapse later tonight with some 53 amendments.

On top of that, we will be asked to trust the government that it will stand by its word when it says that by September it will enact some of the changes that have been foreshadowed in the amendments. This has been a most embarrassing backflip by an incompetent government. It is another example that it has been in government for 12 years too long, that it has lost touch with the people and that it no longer cares. The government is swallowing debt at the rate of about $14 million a day in interest and the people are paying it.

Analysis has been undertaken of the mechanics of this bill and there are some fundamental flaws in it. The definition of 'unimproved value' is fundamentally altered by including profit and risk, including leases, including agreements for lease and other instruments increasing the value of the land, including goodwill and including infrastructure charges. The items I just referred to were not previously included in the concept of unimproved value. The reference to infrastructure charges in the bill is probably incorrect and should be a reference to infrastructure credits. In recent years the courts have determined that those components do not form part of the unimproved value. The amendments proposed in the bill will change the law as determined by court decisions. It is considered that the insertion of the above components into the concept of unimproved value will result in significant increases in unimproved values, leading to higher rates and land tax impositions.

In this debate some people have spoken about rates. Whilst the major effect will be upon land tax, there will be a flow-on effect to rates. When unimproved values or the valuations go up, councils do make adjustments. Regardless of that, when valuations go up, even with adjustments, rates still go up. AgForce supported the action against this bill. It is going to affect some of the massive areas of Queensland that are under leasehold arrangements where the annual rent depends upon a percentage of the valuation. The effects of this legislation will spread far and wide across the state.

It should be noted that the inclusion of infrastructure charges in the calculation of unimproved value will effectively see the calculation of land tax on previously levied infrastructure charges. People have come to see me about these issues. They are ordinary, average people who have worked hard all their lives and provided for themselves so they did not have to seek a pension from the federal government or the taxpayers of Australia. After years of hard work they have invested in commercial property and come to Toowoomba to retire. They are extremely concerned about what the changes to the valuation method will mean for the retirement funds that they have set up so that they can live independently and continue to make a contribution to society without being a burden on the taxpayer.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! There is too much audible conversation. Would those members standing around please take their seats. The member for Toowoomba South has the call.

Mr HORAN: I have received similar representations from quite elderly people who, many years ago when they retired, invested in property on the Gold Coast to be enjoyed by themselves and their families. After a lifetime of working and contributing to society, they purchased a unit within a family trust. They are now paying land tax because of the increase in valuations, even though they may only use the units for holidays and rent them out to try to cover some of the costs of rates and so forth. Such people will be caught by increased valuations that will put their properties into higher levels of land tax which, on top of body corporate fees, rates and everything else, could mean that in many cases they will have to sell up and will no longer be able to enjoy their holiday homes after a lifetime of contributing to our nation.

Another concern about the mechanics of this bill involves the introduction of the general valuation schedule and adjustment factor. There is no right of objection against the value following the application of the adjustment factor. The bill proposes to streamline the objection process by significantly increasing the level of detail required in an objection. The bill alters the appeal process. If dissatisfied with a decision of the department on the objection, the objector can appeal to the Land Court. However, the grounds of appeal are limited to the grounds included in the original objection.

The thing that sticks in everybody's craw is the retrospective application. It is morally wrong to bring in legislation that is retrospective. If the government is dissatisfied with something and thinks there needs to be an improvement, the honest and moral thing to do is to make the change and say, 'From now on, from this day forward, that is what you will pay,' and that will be the process. However, when people have abided by the law and the decisions of the court, when their formal investigations are shown to be the correct application of the law and the courts have then proven they were correct, to change that retrospectively is immoral and dishonest. It is a sign of a desperate government.

It is important to put this bill into the context of what has happened in our state. We have a government in decay. This government is leading Queensland into devastating debt that will affect generations to come. That debt will mean that every single fee, levy, charge and cost will be at the absolute maximum because we have the highest debt of any state in Australia. Our debt is far above that of New South Wales. On top of the extra interest charges that homeowners have to pay to meet their mortgage payments and all the other costs that they have to pay, now they will run into the situation that will result, directly and indirectly, from this bill.

What is going to happen to people who are trying to rent when investors in rental properties find that those properties are moving into higher land tax brackets? Somewhere along the line the investors will have to recoup that increase or they will simply stop buying rental properties because there will be no return on such an investment. People who need rental properties will not be able to find any, let alone one with a reasonable rent that they can afford to pay.

This bill mirrors all of the problems that beset the Queensland government. It reflects why the people of Queensland are fed up to the back teeth with the performance of this government. The introduction of this bill has been based upon incompetence, ignorance, deceit and an unwillingness to talk to people. Tonight we see the absolute farce of a major bill of this dimension the subject of 53 amendments because the government was so incompetent that it could not get it right at the start. This is as wrong as the mess it made of the solar hot water program. The government pranced throughout the electorates, put pensioners on TV to talk about the solar hot-water systems that would cost next to nothing and that were to be introduced, but it could not deliver. We will be voting against this bill because everything about it is anti Queensland. It is a sign of the incompetence of the government to introduce a bill that is so flawed.

Mr DEPUTY SPEAKER: Member for Toowoomba South, we have the message from your repetition. Thank you.

Mrs PRATT (Nanango—Ind) (10.48 pm): I rise to speak to the Valuation of Land and Other Legislation Amendment Bill. This is the fifth term that I have served in this House. On quite a few occasions over the years, I have mentioned my incredulity with regard to the poorly formulated bills that come into this House. Some of the bills are so badly done that I can only assume that at the end of every term there must be a prize for the most number of bills that come through the House. Some of them are just not thought out properly.

When I was out there with 'Joe Public', I honestly used to think that the people who ran this state and the country of Australia were smart. In the 12 years I have been here, I have become convinced that they are not. They cannot even give themselves the time to concentrate on legislation and get it right. This is an abysmal piece of legislation. It is mind-boggling to think that the people who put this forward are running our state. It is embarrassing to stand here and be a part of this process. However, at least I can say what a lot of people cannot, which is that I oppose the nonsense that occurs in here. I am the next-to-last speaker on the list and I have listened to members of the government stand up and say what a wonderful bill this is. We all know that is not true, because if it were a great bill it would not need 53 amendments. For the government to blow its own trumpet in that way and then introduce so many amendments shows what a pack of idiots we in this House really are that we have to debate this legislation.

So this is a great bill! The government is bringing in 53 amendments. The reason it is going to bring in 53 amendments is so that it can get the legislation through the House without too much trouble from organisations. I note in the paper this morning that the minister said—

> The Queensland Government has strong approval and public support for its proposed valuation amendments from key stakeholders ...

Hello—where are those key stakeholders? Not one whom I have contacted and not one who has contacted me has been in support of this bill. In fact, there are so many people who are against it, whether they be big or small business or whether they be representing industry bodies. They were so totally opposed to this bill that I note this afternoon there had to be massive backflips for some of them to come forward and make a statement in the paper so that this bill might be passed. Again, we have a government that rapidly backtracks on its legislation because it is so poorly designed.

All I can see and all that most people outside are seeing is that this government is so intent on selling its assets and so short of cash, yet if it sells its assets it will not have the assets to bring in any money, and everybody knows that you do not sell the cow no matter how bad things get. I can only assume and most people outside are assuming that this land tax grab is to replace the income that those assets would have brought in to some extent. We have had so many increased taxes and so many increased levies and fees over the last 12 years. I do not know where people are going to find the money. I know they are doing it very, very tough now. They are quite frightened for their future because they know that as soon as this Labor government is voted out and the opposition is in government there will be a lot of belt tightening and people will really wear that. So they are going to do it really tough in the next few years through no fault of their own, rather through poor governance.

As I said, the government is going to bring in 53 amendments to make this an acceptable bill in some form or another. But what really surprises me is that the government thought it was acceptable to include goodwill in the unimproved valuation—I know very few businesses now that can ever sell goodwill; it just does not exist anymore—to include rental value in the unimproved valuation and to include infrastructure and potential development in the unimproved valuation. It is a warped kind of logic. I must admit that I have difficulty with that sort of thing because to me when you say something is unimproved it is unimproved, full stop.

I believe that this government hoped that with its numbers it could push this legislation through. I think it hoped that the people were as stupid as it thinks they are. But they are not. People are up in arms over this. People are getting to the point that they are so sick of legislation that hurts them that they are not afraid to speak up anymore. People are not that silly. They are happy to have their say nowadays. They are quite vocal about it and I think it is about time. They have been walked over for long enough.

Just like everybody else in this House, I received so many emails that it was difficult to get through them. I know that most of us got a lot but I have an awful lot here that most people probably did not get. I received emails from the Queensland Rural Women's Network and from CWAs. I received some from many other women's networks who wanted me to stand and oppose this bill, which I had no intention of supporting. The arguments that some of them put forward and the effects that this bill might have on them, their families and their businesses I had not even thought of. So those who wrote to me should have no worry that I would have supported this bill. I am going to read a couple of the comments that I did receive.

I will read the letter sent to me by the Chamber of Commerce and Industry Queensland. I think most people would have received this, but I believe that it is well worth reading into *Hansard*. It states—

On behalf of the Board and the 25,000 businesses that the Chamber of Commerce and Industry Queensland (CCIQ) represents I write to express our organisation's concern over the Valuation of Land and Other Legislation Amendment Bill 2010.

Every region in Australia is in competition with each other in the area of investment attraction through competitive taxation regimes. Whilst still competitive CCIQ is increasingly of the view that Queensland is unfortunately losing its low tax status.

The passage of this Bill will further lead to our State falling back into the pack. Indeed the Valuation of Land and Other Legislation Amendment Bill 2010 will be creating a significant competitive disadvantage through the considerable expansion of the land tax base.

I would have thought that was something the government did not want. It continues—

In those areas that are within our control, our target must be the best in every aspect ... Indeed, recent trends in terms of Land tax receipts to the State Government are concerning. Land tax receipts since 2000-01 have increased by over $817 million or 355%—

that is not exactly what I call in line with CPI—

The trend over the past two years has seen a 72% increase in receipts to the State.

It goes on further—

The Valuation of Land and Other Legislation Amendment Bill 2010 does little to bring Queensland into alignment—

as has been stated previously—

with the other States in terms of the calculation of the land tax base. To the contrary it effectively moves us further away from this objective. The Queensland business community is right to expect policy consistency from your Government.

That letter was addressed to the Premier. I am assuming everybody got that. With any luck, government members may have possibly read it and listened to some of that. I move on to an email from Ruth Bonnett to Grace Grace. She says—

Hello Grace,

It is my will that the Queensland Government not pass this legislation.

This legislation will burden my commercial properties.

My commercial properties cater for small businesses, which are the very backbone of the Queensland economy.

These increased costs will either be met by them, or met by me.

This tax will only cripple our economy when we need to help small business.

This tax also removes incentives to improve or develop my properties.

Please vote against this legislation.

We know that Grace holds a lot of things close to her heart but we also know that the Labor Party will come first on this issue with her.

Government members interjected.

Mrs PRATT: I can keep going through these and go on and on.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Members, there is too much audible conversation in the chamber.

Mrs PRATT: As long as people keep yelling at me, I will keep going. I will use my full 20 minutes because this is a very important bill. Here is another email that most people should have got. It reads—

I write to express my concern to the proposed changes to the Land Tax regime in Queensland. Our company represents several hundred private investors, many of which are self funded retirees. We own and manage approx. $1.3b of real estate nationally. Recently, (26th February 2010) our first acquisition in Queensland was completed, being a $63,500,000 commercial office property. The stamp duty payable on this acquisition was $3,319,425.

I am in Brisbane again later this week to identify further property acquisitions, however I can confirm that whilst there remains a risk that the method of assessment of Land Values remains uncertain (ie, that the methodology is broadened to enable the value of leases, goodwill and profits to be captured), and/or the proposed legislation can be applied retrospectively, we will not complete any further acquisitions in Queensland.

Whether or not the government says this is the reality, perception in life, as we all know, is the reality for many people. It does affect business. If this bill were passed in the way that it is written, it would affect productivity and investment in Queensland. The emails just go on and on. We all received a huge number of emails.

I find it very hard to understand how it is that the government can disregard the general will of the people to a degree. I have understood why certain bills have gone through in the past, but why is the government constantly putting its hands in people's pockets when there is virtually nothing there?

Retrospectivity is something that amazes me. I have often seen it occur in this House. When governments give themselves money, they often act retrospectively. When they take money, they want to do so retrospectively. When it benefits a government, it is happy to act retrospectively. When it concerns people outside this place, the government is happy to rob them blind. I think it is a very sad state of affairs.

I have to say that I am really pleased with two statements issued this afternoon. One is by the Premier, and the other by the Property Council is titled 'QLD property owners breathe a sigh of relief'. I will not read it all because hopefully all honourable members have read it. The Property Council states—

Firstly we are pleased that the Government has taken our advice and will not be introducing this legislation retrospectively back to 2002. This will ensure the rights of those appellants with objections/appeals before the courts are protected and settlement negotiations can now continue without prejudice.

It further states—

This means that the Bill that will be passed by the Government today will only impact the 2010 round of valuations. We expect that these valuations will generally be lower, reflecting the impact of the global financial crisis on the property industry.

I hope that is true. I hope that the 53 amendments that will be introduced in this House will indeed ensure that is true. The statement issued by the Premier and Minister for the Arts is as follows—

The Premier has today committed to moving to site valuation, consistent with other jurisdictions and in line with what the property industry and local government have been seeking for some time.

So do not come in here and tell me that this bill, with its 53 amendments, was wholly and solely the government's own idea. If there had not been such a backlash by the community, the government would not have brought in these 53 amendments. If it had thought properly about this bill, it would not have needed to bring in 53 amendments because it would have addressed the bill in an appropriate manner. There is no prize for rushing legislation into a House like this—and to continually rush legislation through. The prize at the end of the day for government members is to lose their seats.

I hope that the government will reflect a lot more on the bills which it introduces into the House in future, because I am totally disillusioned with this government. I understand the people's disillusion. I would like to think we had a smarter mob in here than that which we have got.

Mrs KIERNAN (Mount Isa—ALP) (11.02 pm): I wish to speak briefly to the Valuation of Land and Other Legislation Amendment Bill. Two weeks ago I started to receive a string of emails from pastoralists in my electorate. I will not talk about all the other emails, and particularly not about the ones from New South Wales. I would like to focus my attention first and foremost on the people in the electorate of Mount Isa.

The email to my constituents was in response to an e-newsletter being circulated throughout the state. I want to contain my comments to the impact of this campaign of misinformation and untruths which was circulated. We need to remember that the people to which all of this misinformation was directed have lived through the worst drought in history, have battled for years and have just in the last 12 months come through the worst floods in 30 years. These areas are now receiving exceptional circumstances funding for flood, which is unprecedented. These people have been genuinely doing it tough in my part of the world. They are battlers. I think they have enough to contend with and do not deserve the unscrupulous campaign that was waged—

Ms Struthers: Scaremongering.

Mrs KIERNAN: I take that interjection.

An opposition member: It's the truth.

Mrs KIERNAN: It is not the truth at all. I have to say that I spent many nights and early mornings talking on the telephone to graziers. The fact is that rural landowners were never going to be, and will not be, affected by changes in respect to these laws.

Ms Struthers: They don't pay land tax.

Mrs KIERNAN: No, well they wouldn't. The e-newsletter circulated to rural producers was a campaign of fear being waged that had no foundation in relation to what was actually the case. Rural properties have been valued on the unimproved value of the land since the inception of the Valuation of Land Act in 1944. This has not changed and it will not change. Agricultural land is valued and will continue to be valued on its highest and best use as a farm, with the value of the physical improvements removed.

Valuers use evidence of sales of rural lands in the locality that is comparable to the land being valued. In analysing rural sales, valuers will continue to use the established practice of deducting the value of improvements such as fences, shearing sheds, water facilities and timber treatment to arrive at an unimproved value. There is not, and will not be, any consideration of written-down value of the fixed improvements on the property, as was being circulated.

These amendments will not lead to the extreme claims of an increase in valuation, and rates and rents going up as a result. The only movement rural landowners will see in their valuations will be as a result of normal market movement as evidenced by sales. Even with the amendments to the bill, the fact is that pastoralists and farmers will not be affected. I was summoned to one of my councils to explain to them what was happening with this bill on the very same day that the Local Government Association condemned the misinformation. I have to say that, of the 60 amendments that will be passed this evening, not one is relevant to rural or pastoral land.

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (11.06 pm), in reply: In recognising all the contributions that have been made in this quite lengthy debate, I have to say with some exceptions, including one or two members of the opposition, that this has perhaps been the worst informed debate that I have ever had the displeasure of being part of in this place. The continuing parroting in this place of positions taken by industry without any understanding of how valuations operate in this state or how land tax operates in this state and the personal abuse meted out to members of the government on the way through were beyond the pale.

I appreciate the views expressed by the shadow minister. He is someone who does understand how valuations are conducted. Unfortunately, I cannot say the same for too many of the member for Callide's colleagues, including the Independents. I sat here and listened to a former mayor of a midsized city in this state give the contribution that he did when the LGAQ—a body in which he would have been an active participant—has made it perfectly clear what impact this Court of Appeal decision would have had on the rate base of towns in which he lives. For him to carry on with the nonsense that he did I think reflects very poorly on his understanding of both local governments and how rates are calculated in this state.

I do not intend to speak long. This debate has gone on for too long. The important thing is that, as a result of exhaustive discussions with the Property Council, we have resolved a lot of issues that were in dispute. I will say this on the record: from day one we made it perfectly clear to the Shopping Centre Council and to the Property Council that it was never the intention of this government to use the outcome of the Court of Appeal decision as a revenue grab. That was made clear to them from day one.

The fact that they then went on a campaign and ignored the commitment that we gave from day one and repeated on every occasion that we had contact with them should be reflected upon. What we have endured in the campaign that was waged is people being misled about the impact of what we were trying to achieve. We were simply trying to achieve an outcome that ensured consistency—nothing new, no tax grab, no increase in rates. In fact, if members consider the report that I tabled earlier today they will see in terms of the commercial and industrial sectors, particularly here in the south-east, that valuations have actually gone down.

For members to stand up in this place and talk about some massive increase in land tax as a result of increasing valuations when the evidence that was actually put before them shows that this year's valuations will actually go down in those sectors just indicates how political the debate has been tonight and how free of facts it has been as well. Most of the members of the opposition and Independents who participated in this debate frankly made fools out of themselves. Time will show exactly that.

The important thing for me—and I have been the minister for natural resources at various times for some years and have been a strong supporter of site value—is to have the announcement today that what we will be moving to by the middle of next year represents the single largest and most significant reform to valuation legislation in this state since 1944. Without wanting to be too antagonistic, when I heard my opposite number get up and say that we have finally agreed with him in moving to site value I asked my staff to search the *Hansard* record dating back to the day he came into this place for the name

'Seeney' and the words 'site value' and it returned no outcomes. When one googles 'Seeney' and 'site value', when one goes to the World Wide Web—that most exhaustive of resources—and looks for 'Seeney' and 'site value', no matches are returned.

I think it is important to state what the record actually does show and not *The World According to Garp*. That is, the member for Callide, whilst he may privately have supported site value, has never been bold enough to enunciate that support until it was clear that the Shopping Centre Council and the Property Council actually gave him permission to say so. My record is quite clear in this regard. I have been battling for site value for a number of years. I am very proud about the Premier's announcement today that that is what we will be moving to in 2011 and this will stop the enrichment of lawyers going through the exhaustive appeal process brought about by a rickety old act that dates back to 1944. I commend the bill to the House.

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

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

NOES, 36—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Bill read a second time.

Consideration in Detail

Clause 1, as read, agreed to.

Clause 2, as read, negatived.

Clause 3, as read, agreed to.

Clause 4—

Mr ROBERTSON (11.21 pm): I move the following amendments—

3 Clause 4 (Amendment of s 2 (Definitions))

Page 7, line 6, 'definitions *annual valuation* and'—

omit, insert—

'definition'.

4 Clause 4 (Amendment of s 2 (Definitions))

Page 7, line 10, from 'adjustment'—

omit.

5 Clause 4 (Amendment of s 2 (Definitions))

Page 8, line 7, 'a general'—

omit, insert—

'an annual'.

6 Clause 4 (Amendment of s 2 (Definitions))

Page 8, line 9, 'a general'—

omit, insert—

'an annual'.

7 Clause 4 (Amendment of s 2 (Definitions))

Page 8, line 11, 'general'—

omit, insert—

'annual'.

8 Clause 4 (Amendment of s 2 (Definitions))

Page 8, lines 17 to 19—

omit.

I table the explanatory notes to my amendments.

Tabled paper: Explanatory notes to the Hon. Robertson's amendments to the Valuation of Land and Other Legislation Amendment Bill [1853].

Mr SEENEY: As many members have made the point during their contributions to the second reading debate, the minister has tonight tabled some 52 amendments to this piece of legislation. Many members have made extensive comments about that during the second reading debate. I do not intend to repeat those comments. However, with the minister moving the first batch of amendments it is appropriate to note that I support the comments that were made by so many members on this side of the House and that were treated in such a derogatory manner by the minister when he summed up the second reading debate.

It is quite extraordinary for a piece of legislation to have 52 amendments, but that reflects the extent to which the government has been forced to back down on this particular piece of legislation. What we have left after the passage of these 52 amendments—the first six of which the minister has moved en bloc—is a piece of legislation that has effectively been gutted, a piece of legislation that will have a sunset clause that will ensure that it will only be current for one valuation cycle, less than 12 months. But I do not intend to labour the point. It is worth putting on record that the comments that were made by so many members on this side of the House are accurate and reflect the lack of competency on behalf of the government. They reflect the situation that we have tried to illustrate since this bill was first introduced into the House. They reflect the truth in our claim that this bill should have been withdrawn, that the government should have gone back to the drawing board and started again. The government has chosen not to do that. In an attempt to save face, it has brought in 52 amendments which effectively gut the bill. But those 52 amendments have meant that it has been able to reach a compromise with the Property Council in the first instance and with other stakeholders that have been represented. It needs to be put on record that that is the effect of the amendments that the minister has moved and has chosen not to speak to.

Amendments agreed to.

Clause 4, as amended, agreed to.

Clause 5—

Mr SEENEY (11.24 pm): In addressing clause 5, I would make the point that there are a number of clauses that are consequential to clause 5. Clause 5 is the first of a number of clauses that deals with the definitions that relate to unimproved value and indeed improved value and, as I indicated in my contribution to the second reading debate, seeks to change the way that those essential elements of the valuation system are calculated by including a whole range of intangible improvements that were never considered to be part of the unimproved value of land. Because it has been a long debate and these issues have been well canvassed and because of the fact that a compromise has been reached and this bill effectively has been gutted and will be a very temporary piece of legislation, I do not intend to debate each of those clauses individually, nor do I intend to divide the House on each of those clauses. However, it is worth noting that, as I consider clause 5, there are consequential clauses such as 6 and 15 that in any normal circumstance could have been considered in some detail as well.

But all of those clauses go to the heart of this legislation. They go to the heart of the problem. They go to the heart of the issue which has been the instigation of this legislation—not just this legislation but the legislation that the government brought into this House in 2008—because they go to the issue of defining the unimproved value of a piece of land. That concept of establishing the unimproved value, as I indicated in the second reading debate, is at the heart of the land taxation system that uses that valuation for a whole range of taxes.

The government, as I indicated, set out on a course in 2002 which has brought us to this place tonight considering this bill. In 2002 it set out on a course to ensure that the unimproved value of land in Queensland was made as high as possible. It did that through a number of mechanisms, but the one that has been the instigator for this particular piece of legislation has been a change in the way that intangible improvements have been dealt with in the calculation of unimproved land, and it is there in the bill. You cannot deny that that has been the case and that the bill sets out to do that. If one looks at the bill that was introduced here originally, in proposed section 3 it sought to insert a new clause 5 that states—

To remove any doubt, it is declared that—

(a) the benefit of a lease, agreement for lease or any other instrument of any type relating to land, or improvements on land that enhances the value of the land, as unimproved or improved must be included in its unimproved value ...

As the member for Clayfield quite rightly pointed out in his contribution to the second reading debate, this bill set out to make unimproved value mean improved value. It is quite clear from that section that the case being made by the member for Clayfield was certainly a valid one. That is what the bill set out to do. It set out to completely change the definition and the concept of unimproved land and make it improved land that was subject to land tax—the improved value was subject to land tax. And so that particular section goes on that sought to insert new clause 5 that—

(A) the added value of improvements on the land including any allowance to be made under this section or section 5; and

(B) the added value of improvements involved in any comparable sale of improved land;

(ii) no amount can be deducted for goodwill whether in analysing the improvements on the land, or any comparable sale of improved land, or otherwise;

(iii) no deduction for any profit and risk allowance or development premium can be made for the realisation of the use of the land, or for continuing the use of the land, for any purpose for which it was being used on the date of valuation ...

That reinforces the point that I made in my contribution to the second reading debate. The government set out to ensure that all of those intangible improvements were part of the unimproved value of the land, and that made it an absolute mockery of the definition of 'unimproved value'. So it was necessary to put into the legislation that was introduced into this House that ridiculous clause that said that unimproved value had a special meaning that was unrelated to the ordinary dictionary definition of the words.

We will not support the continued inclusion of these particular clauses in the bill, because we think it sets a very dangerous precedent to allow such a sloppy piece of legislation, to allow such a horrendous definition to be included. We will not support these particular clauses, because we do not believe that the definition of unimproved land should be so corrupted and so changed as this series of clauses changes it. I will not—

Mr Nicholls: Nor does the Queensland Law Society.

Mr SEENEY: Exactly. That point that the member for Clayfield made again was made over and over during the second reading debate. The Queensland Law Society does not support that change to the definition. None of the major stakeholders supports it. It is at the heart of the criticism that has been levelled at this legislation ever since it was introduced into this parliament. There is no need for this clause to be included in the compromise deal that has been reached. The bill will stand and serve its purpose in its short life, between now and when the new legislation is introduced in 2011, without this considerable change to the definition of unimproved land.

One thing I would note is the absurdity of the government's continued defence that somehow or other the bill before the House does not set out to change the definition of unimproved land. We have heard it over and over again—from mindless backbenchers who stand up and read speeches that are written somewhere in the department, who understand nothing about what they are reading and who, even though there are extensive clauses in the bill that make it clear that a fundamental change is being made to the underlying principle of unimproved value upon which all land based taxation is based, stand up and parrot the line that somehow or other nothing is being changed.

Indeed, the government spent $25,000 of taxpayers' money to run the ridiculous argument in the *Courier-Mail* that nothing had changed. Of course it has changed and it is self-evident to anyone who reads this legislation that a profound change has been made to the fundamental basis of land taxation in Queensland if this bill progresses in the form that it is, because the whole concept of unimproved value and what it means is changed and changed immeasurably. That is why we will oppose these clauses.

Mr ROBERTSON: In appreciation of the argument that has been put by the shadow minister, I think it is important that I respond and put on record the position that has been adopted by this government which is, in our view, a position that has been adopted for many years in this regard. The question is often raised: does unimproved value have a special meaning? That is at the heart of a lot of the argument that has been put by the opposition. The answer to that is absolutely. The meaning is not the dictionary meaning; it is the meaning as defined in the act. That is, it is the capital sum that the land might be expected to realise if offered for sale assuming that the improvements—that is, the physical improvements—did not exist. The capital sum that might be realised is based on the land as developed for its purpose—that is, for residential, rural or industrial purposes in consideration of its location, zoning et cetera.

Unfortunately, some people—and I think this is the heart of the opposition's argument—interpret it to mean that land has not been developed for a purpose at all. For that reason, the bill makes it very clear that the meaning of unimproved value is as defined in the act and thus it has always been. That is why you have different categories for valuing residential land, commercial land and industrial land—because it is valued according to its purpose. That is all that is being sought to, if you like, buttress in terms of the definition in the legislation. To that extent, that is why we argue—and have consistently argued—that nothing has changed in this regard.

Mr SEENEY: I will not labour the point because I think the difference between the government's position and our position has been well illustrated. The minister cannot avoid the fact that this was an argument that was instigated by the government in adopting this position in 2002, and every time the government's argument has been tested it has been found to be flawed. The government has lost every case it has taken to court. The government sought to use this parliament as the final court of appeal in 2008 and it seeks to do so again now. The government seeks to change the law to suit its interpretation. The government seeks to change the law to correct a situation in which it has been found by the courts of this land to be acting illegally. That is what is happening here tonight and that is why we will oppose the clause.

Division: Question put—That clause 5, as read, stand part of the bill.

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

NOES, 36—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Clause 5, as read, agreed to.

Clause 6, as read, agreed to.

Clause 7—

Mr ROBERTSON (11.40 pm): I move the following amendment—

9 Clause 7 (Amendment of s 5 (Meaning of *value of improvements*))

Page 12, lines 12 to 22—

omit, insert—

' '(3) In assessing the value of improvements the price payable for the construction of the physical'.

Mr SEENEY: In considering the amendment that the minister has moved to clause 7, I think members can see the reason why rural landholders were very concerned about the way that the original clause 7 was written. I was interested to hear some of the comments that were made by government members, in particular the member for Mount Isa, that somehow or other rural landholders had nothing to be concerned about in this legislation.

The way clause 7 was originally written certainly had every rural landholder in Queensland concerned, and so they should have been. There was a great deal of concern about how clause 7, proposed subsection (3), would impact on the unimproved value of properties all over Queensland and rural landholders' properties in particular. Proposed subsection (3) dealt with the method of assessing the value of improvements. As I indicated a number of times in this debate, at the heart of the contention is how unimproved value is determined. In simple terms, unimproved value is determined by taking the market value of the property and subtracting the value of improvements.

This particular clause, clause 7, proposed subsection (3), limits the way in which the value of those improvements may be assessed. The bill as it was originally introduced into this House stated—

In assessing the value of improvements—

(a) the amount assessed can not be more than the total of the following—

(i) the depreciated value of the improvements, if any, recorded in books of account of the owner of the land current on the date of valuation;

That is a frightening clause to every property owner because it means that without any shadow of a doubt the value of improvements that can be deducted from the market value to reach the unimproved value is limited to the depreciated value recorded in the books of account of the owner. Especially on rural properties, some of those improvements are depreciated for taxation purposes to a level that is understandably very low. To suggest that somehow or other that depreciation of those assets for taxation purposes could affect the unimproved value of the property sent a shiver of fear through landholding communities. The government has recognised that. In fact, the departmental officers recognised that when I raised it at the briefing. The amendment that the minister has just moved to clause 7 changes the proposed subsection (3) to read—

In assessing the value of improvements the price payable for the construction of the physical.

That is a lot closer to the situation that has long existed. In assessing the value of the improvements it was the price payable for the value of those physical improvements that was used in the calculation of the unimproved value. Let us put an end to this nonsense that somehow or other there was an unnecessary fear campaign which duped rural landholders. Rural landholders, like every other landholder in Queensland, had much to fear from clause 7, proposed subsection (3), because it severely limited the value that could be attributed to physical improvements and the value that could therefore be deducted from the market price to achieve the unimproved capital value. I am pleased that the minister has sought to amend it and I support the amendment, but let us have an end to the misinformation the like of which was peddled by the member for Mount Isa and recognise that the legislation that was originally introduced into this House was fatally flawed and the reaction from Queensland property owners was totally justified.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clauses 8 to 13, as read, agreed to.

Clause 14, as read, negatived.

Clauses 15 and 16, as read, agreed to.

Clause 17, as read, negatived.

Clause 18, as read, negatived.

Clauses 19 and 20, as read, agreed to.

Clause 21—

Mr ROBERTSON (11.47 pm): I move the following amendment—

13 Clause 21 (Replacement of pt 4, hdg (Annual valuations))

Page 17, lines 24 and 25 and page 18, lines 1 to 30—

omit, insert—

'21 Insertion of new pt 4, div 1 hdg

'After part 4 heading—

insert—

'Division 1 Making annual valuations'.'.

Amendment agreed to.

Clause 21, as amended, agreed to.

Clause 22—

Mr ROBERTSON (11.47 pm): I move the following amendment—

14 Clause 22 (Replacement of ss 37–39)

Page 19, lines 1 to 25—

omit, insert—

'22 Amendment of s 37 (Chief executive to make annual valuation)

'Section 37(1), after 'land in an area'—

insert—

'and fix a date of valuation for each annual valuation'.'.

Amendment agreed to.

Clause 22, as amended, agreed to.

Clause 23—

Mr ROBERTSON (11.48 pm): I move the following amendments—

15 Clause 23 (Amendment of s 40 (Particulars of annual valuation to be available for inspection))

Page 19, lines 28 to 30 and page 20, line 1—

omit.

16 Clause 23 (Amendment of s 40 (Particulars of annual valuation to be available for inspection))

Page 20, line 2, '(2)'—

omit.

17 Clause 23 (Amendment of s 40 (Particulars of annual valuation to be available for inspection))

Page 20, lines 5 to 7—

omit.

Amendments agreed to.

Clause 23, as amended, agreed to.

Clause 24, as read, negatived.

Clause 25—

Mr ROBERTSON (11.48 pm): I move the following amendments—

19 Clause 25 (Amendment of s 41A (Notice to owners about valuations))

Page 20, lines 13 to 18—

omit.

20 Clause 25 (Amendment of s 41A (Notice to owners about valuations))

Page 20, line 19, '(3)'—

omit.

Amendments agreed to.

Clause 25, as amended, agreed to.

Clause 26—

Mr ROBERTSON (11.49 pm): I move the following amendments—

21 Clause 26 (Replacement of ss 42 and 43)

Page 21, line 2, 'general'—

omit, insert—

'**annual**'.

22 Clause 26 (Replacement of ss 42 and 43)
Page 21, line 3, 'a general'—
omit, insert—
'an annual'.

23 Clause 26 (Replacement of ss 42 and 43)
Page 21, line 21, 'general'—
omit, insert—
'annual'.

24 Clause 26 (Replacement of ss 42 and 43)
Page 23, lines 4 to 6—
omit.

25 Clause 26 (Replacement of ss 42 and 43)
Page 23, line 7, '(vi)'—
omit, insert—
'(v)'.

26 Clause 26 (Replacement of ss 42 and 43)
Page 24, line 10, 'a general'—
omit, insert—
'an annual'.

Amendments agreed to.

Mr SEENEY: Clause 26 is one of a number of clauses that deals with changing the processes relating to the objections and the appeals that are available to landholders. This issue, too, was dealt with in some detail in the second reading debate and I do not intend to repeat the arguments. I do, however, want to call members' attention to the report of the Scrutiny of Legislation Committee which expressed a deal of concern. If members read the report and understand the language that is used there I think it is obvious that the Scrutiny of Legislation Committee is expressing a deal of concern about the changes that are being implemented by this bill and the extent to which they restrict the concept of fairness and reasonableness and the opportunities that they deny landholders in regard to objections and appeals.

I fail to understand why those changes are necessary. I do not believe there is any reason for them to stand part of this bill. I think the government's intention and the compromise that has been worked out with the industry stakeholders can be delivered and the purpose served without limiting the opportunities for objection and appeal in the way that these particular clauses do—26 in this instance but also consequently 27, 32, 37 and 54. All are part of that limitation on the objection and appeal rights of property owners.

Because of that philosophy that I outlined in my second reading contribution which was reinforced by a number of members on this side of the House we will not support this particular clause in the bill. I will not divide the House on the other four clauses that follow, but I certainly believe that we need to support the comments that have been made by the Scrutiny of Legislation Committee. There is no reason for this to be part of the bill. The comments made by the Scrutiny of Legislation Committee reinforced the concern that I expressed and that other members on this side of the House have expressed. We will oppose this clause.

Division: Question put—That clause 26, as amended, be agreed to.

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

NOES, 36—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Clause 26, as amended, agreed to.

Clauses 27 to 29, as read, agreed to.

Clause 30—

Mr ROBERTSON (11.58 pm): I move the following amendments—

27 Clause 30 (Amendment of s 43C (Effect on objection of change in valuation))
Page 32, lines 22 to 27—
omit.

28 Clause 30 (Amendment of s 43C (Effect on objection of change in valuation))
Page 32, line 28, '(3)'—
omit, insert—
'(1)'.

29 Clause 30 (Amendment of s 43C (Effect on objection of change in valuation))

Page 33, line 1, '(4)'—

omit, insert—

'(2)'.

Amendments agreed to.

Clause 30, as amended, agreed to.

Clauses 31 and 32, as read, agreed to.

Clause 33, as read, negatived.

Clause 34, as read, negatived.

Clause 35, as read, negatived.

Clause 36—

Mr ROBERTSON (11.59 pm): I move the following amendments—

33 Clause 36 (Amendment of s 50 (Notice of valuation (other than annual)))

Page 38, lines 3 to 5—

omit.

34 Clause 36 (Amendment of s 50 (Notice of valuation (other than annual)))

Page 38, line 6, '(2)'—

omit.

Amendments agreed to.

Clause 36, as amended, agreed to.

Clause 37—

Mr ROBERTSON (11.59 pm): I move the following amendments—

35 Clause 37 (Replacement of s 52 (Objections to valuation))

Page 38, line 16, 'general'—

omit, insert—

'**annual**'.

36 Clause 37 (Replacement of s 52 (Objections to valuation))

Page 38, lines 17 and 18, 'a general'—

omit, insert—

'an annual'.

37 Clause 37 (Replacement of s 52 (Objections to valuation))

Page 40, lines 11 to 13—

omit.

38 Clause 37 (Replacement of s 52 (Objections to valuation))

Page 40, line 14, '(vi)'—

omit, insert—

'(v)'.

Amendments agreed to.

Clause 37, as amended, agreed to.

Clauses 38 to 48, as read, agreed to.

Clause 49, as read, negatived.

Clause 50, as read, agreed to.

Clause 51—

Mr ROBERTSON (12.00 am): I move the following amendments—

40 Clause 51 (Amendment of s 96 (Evidence))

Page 53, lines 28 to 30—

omit.

41 Clause 51 (Amendment of s 96 (Evidence))

Page 54, line 1, '(2)'—

omit.

Amendments agreed to.

Clause 51, as amended, agreed to.

Clause 52—

Mr ROBERTSON (12.00 am): I move the following amendments—

42 Clause 52 (Insertion of new pt 9, div 5)

Page 55, after line 3—

insert—

'Subdivision 1 Preliminary'.

43 Clause 52 (Insertion of new pt 9, div 5)

Page 55, line 6—

omit, insert—

'***amending Act*** means the *Valuation of Land and Other Legislation Amendment Act 2010*.

commencement means the date of assent of the amending Act.'.

44 Clause 52 (Insertion of new pt 9, div 5)

Page 55, lines 19 to 31 and page 56, lines 1 to 10—

omit, insert—

'Subdivision 2 Validation of particular valuations

'105 Application of sdiv 2

'(1) This subdivision applies to a valuation issued or made and in effect at any time on or from 30 June 2002 but before the commencement.

'(2) However, this subdivision does not apply if an appeal under this Act against the valuation was started but not finally decided before the commencement.

'106 Validation

'(1) The valuation is taken to be, and to have always been, validly made under this Act for—

(a) generally—the amount stated in the valuation; or

(b) if an objection against the valuation was made under this Act before the commencement and the valuation was not appealed against—the amount of the valuation decided on the objection; or

(c) if an appeal against the valuation was finally decided before the commencement—the amount of the valuation decided on the appeal.

'(2) Subsection (1)(b) applies whether the decision is made before or after the commencement.

'(3) This section is subject to section 107.

'107 How ss 28 and 29A apply to the valuation

'(1) Section 106 does not prevent the application of sections 28 and 29A, as in force from time to time, to the valuation in circumstances of error or omission, change of circumstances or adverse natural causes.

'(2) New sections 3 to 6 and 23 apply for the application of sections 28 and 29A to the valuation.

'(3) To remove any doubt, it is declared that—

(a) section 28(1)(g) does not apply to the valuation; and

(b) sections 28 and 29A do not apply to the valuation merely because of the operation of former sections 3 to 6 and 23 before the commencement; and

(c) the chief executive can not re-issue, re-make or amend the valuation to increase its amount merely because of the operation of new sections 3 to 6 and 23.

'Subdivision 3 Proceedings

'108 Existing decided proceedings

'Former sections 3 to 6 and 23 continue to apply for the purpose of a proceeding decided before the commencement.

'109 Undecided proceedings

'(1) Former sections 3 to 6 and 23 continue to apply for the deciding, on or before 30 June 2010, of a proceeding started before the commencement.

'(2) New sections 3 to 6 and 23 apply for the deciding—

(a) of a proceeding started before the commencement and decided after 30 June 2010; and

Example—

New sections 3 to 6 and 23 apply for an appeal from a proceeding mentioned in subsection (1) if the appeal started before the commencement but is not decided on or before 30 June 2010.

(b) of any proceeding started after the commencement.

'(3) For this section, a proceeding that is an appeal starts when the notice of appeal is filed.

'Subdivision 4 General provisions for post-amended Act'.

45 Clause 52 (Insertion of new pt 9, div 5)

Page 56, line 11, '106'—

omit, insert—

'**110**'.

46 Clause 52 (Insertion of new pt 9, div 5)

Page 56, line 15, '107'—

omit, insert—

'**111**'.

47 Clause 52 (Insertion of new pt 9, div 5)

Page 58, lines 4 and 5—

omit, insert—

'(3) In this section—'.

48 Clause 52 (Insertion of new pt 9, div 5)

Page 57, lines 1 to 23—

omit, insert—

'112 References to date of valuation

'(1) For an annual valuation that takes effect on 30 June 2010, the date of valuation is taken to be 1 October 2009.

'(2) For another valuation issued or made after the commencement, its date of valuation is the date stated in the relevant notice about the valuation under new section 50.'.

49 Clause 52 (Insertion of new pt 9, div 5)

Page 57, line 24, '111'—

omit, insert—

'**113**'.

50 Clause 52 (Insertion of new pt 9, div 5)

Page 58, line 12, '112'—

omit, insert—

'**114**'.

51 Clause 52 (Insertion of new pt 9, div 5)

Page 58, line 17, from 'appeal'—

omit, insert—

'appeal.

'Subdivision 5 General sunsetting of amendments under amending Act

'115 Sunsetting

'(1) This section applies despite the post-amended Act.

'(2) The amendments to this Act under the amending Act, other than sections 105 and 106, do not apply for valuations that take effect on or from 30 June 2011.

'(3) The pre-amended Act applies to valuations that take effect on or from 30 June 2011.

Editor's note—

For the text of the pre-amended Act, see reprint 7E of this Act.

'(4) Subsection (3) is subject to section 116.

'116 Undecided objections and appeals

'(1) If an objection or appeal under the post-amended Act has not been decided on or before 30 June 2011, the objection or appeal must continue to be decided under the post-amended Act.

'(2) This section is subject to section 113.'.'.

Amendments agreed to.

Mr SEENEY (12.00 am): At the conclusion of this debate I want to make a couple of comments about the sunset clause that is now inserted as part of clause 52. I was relieved to see a sunset clause in the list of the minister's amendments because it does give a point of reinforcement to the promise that was given this morning by the Premier that the government would introduce legislation into the House by September—I think the assurance was—to ensure that we do have the complete revamp of the valuation system for which I have been calling for quite some years. I acknowledge the minister's cleverness with his little Google search before. It was a tricky little stunt. I acknowledge it is clever, but it does not take away from the fact that I have long advocated that the basis of land taxation in Queensland needs a complete review.

I have said to the minister, both in this House and in other more informal forums, that the basis for land taxation in Queensland is long overdue for a major modernisation. When we look at the models that are available in other states in Australia especially, it is hard to avoid the conclusion that site values are the way to go. I welcome the commitment that was given in the parliament to move in that direction. I would be concerned about accepting that commitment at face value, except for the fact that the sunset clause in the legislation I believe will force the government's hand. It will ensure that the legislation that will be passed in a few minutes time using the government's numbers will have a very short lifespan. It will be enacted for one valuation cycle only. By the time the next valuation cycle comes around we will have a more modernised valuation system and hopefully it will be fairer for property owners in Queensland.

I look forward to seeing the government's proposals for that. I will not enter into the elements of that debate now, as tempted as I might be. I look forward to seeing the government's legislation and to judging just how genuine are the commitments that have been given as part of the compromise negotiations in dealing with this particular bill—just how genuine the commitments that have been given by the government actually turn out to be. I welcome the sunset provision that is inserted into clause 52 by the amendment that the minister moved. I look forward to another debate on land valuation and land taxation before this calendar year of parliament is completed.

Mr Robertson: So do we. Come September, I will buy you a drink. It is my shout.

Clause 52, as amended, agreed to.

Clauses 53 and 54, as read, agreed to.

Clauses 55 and 56—

Mr ROBERTSON (12.05 am): I move the following amendment—

52 Part 4 (Amendment of Local Government Act 1993)

Page 59, lines 3 to 16—

omit.

Amendment agreed to.

Mr ROBERTSON: I move the following amendment—

53 Part 5 (Amendment of Water Act 2000)

Page 59, line 17, 'Part 5'—

omit, insert—

'**Part 4**'.

Amendment agreed to.

Clauses 57 to 65, as read, agreed to.

Third Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.06 am): I move—

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

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.06 am): I move the following amendment—

1 Long title

Long title, from 'and to make'—

omit.

Amendment agreed to.

Question put—That the long title of the bill, as amended, be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. AP FRASER (Mount Coot-tha—ALP) (Acting Leader of the House) (12.07 am): I move—

That the House do now adjourn.

Palm Meadows, Acid Sulfate

Ms BATES (Mudgeeraba—LNP) (12.07 am): I rise tonight to ask the question: what is the role and purpose of the Department of Environment and Resource Management? The DERM website states—

The role of the Department of Environment and Resource Management is to conserve and manage our natural environment for the benefit of all Queenslanders.

That leads me to ask another question: why has DERM not acted on behalf of the residents of Palm Meadows?

The Carrara flood plain contains acid sulphate soils that were disturbed during lawful land clearing and drainage works conducted over 50 years ago. As a result, residents have foul smells, dirty water and fish kills in the canals surrounding their homes. In 2000 a report was commissioned by the Palm Meadows Golf Club, Gold Coast City Council and the then EPA on the acid sulfate soils that were located in the area. For eight years nothing was done by the Queensland Labor government on this issue. It was not until a petition was lodged in June 2008 that the then Minister for Sustainability, Andrew McNamara, directed the EPA to find a solution to the problem caused by acid sulfate soils from the Carrara flood plain leaching into the Nerang River after heavy rain.

I have been working on this issue with the residents of Carrara since 2007 and, since being elected as the member for Mudgeeraba, affected residents Bruce Fraser and Mark Spinks have continued their fight to have this issue rectified. What did I find? That again, this Bligh Labor government had treated these residents like second-class citizens. Nothing had happened since the minister's announcement although nearly a year had passed. Even though a report had been on its desk since 2000, DERM proved that it really is 'toothless tiger' by not taking any proactive action for the residents' benefit.

As a result of a question on notice I lodged in June 2009 to the petulant minister for the environment, who routinely evades questions, DERM finally acted to meet with the Gold Coast City Council to look at options and solutions. In September 2009, as a result of these meetings, management options were tabled to the developer. Not surprisingly, the developer responded late last year objecting to the options and believes it does not hold any responsibility for the exposure of the acid sulfate soils.

So where does this leave our residents? They are still experiencing disgusting smells in their own homes and dead fish litter their waterways as a result of DERM not having the fortitude to act strongly on this issue. This would have to be one of the longest political football games going around. I ask members opposite: would you like to have disgusting smells invading your home on a regular basis? Enough is enough. It is time for the minister to stop the buck-passing of her predecessors and instruct her department to take strong, decisive action so that these residents can get some relief and normalcy back in their health and everyday lives.

Indigenous Sports Queensland; Hall of Fame and Sports Awards

Mrs SMITH (Burleigh—ALP) (12.10 am): On Saturday, 13 February I sat in the stands at Skilled Park with more than 27,000 football fans to watch the first ever National Rugby League All Stars game. I saw an Indigenous All Stars team play against an NRL All Stars team. The line-up of Indigenous stars represented the greatest gathering of Indigenous talent ever brought together in a single team. Very early on, the crowd got behind the Indigenous team and the atmosphere was electric. The game was won 16 to 12 by the Indigenous All Stars, but I think the greater winner was the NRL and the paying public.

I had greater pleasure, however, representing the Minister for Sport at the 2009 Indigenous Sports Queensland Awards and the 2010 Hall of Fame website launch on the Friday night before the game. This was to recognise Indigenous sports men and women and induct a number of them into the Hall of Fame. The Leigh Anne Goodwin Youth Award went to India Matthews, a 14-year-old golfer who is the Queensland Indigenous women's champion and whose goal is to be the world No. 1. Twelve-year-old Terri Anne Cain was awarded the Robbie Williams Encouragement Award. Terri Anne, fondly called the 'Aboriginal pocket rocket', has made shock waves in athletic circles. She was recently selected to represent Queensland in track and field at the Pacific School Games. She returned from the meet with two gold medals and in the process broke two longstanding records.

The first inductee into the Hall of Fame was Eddie Gilbert. Seventy-six years ago he was the most famous athlete in Queensland. On 6 November 1931 Gilbert, from the settlement now known as Cherbourg, did the unimaginable. After a spell of bowling that Don Bradman acknowledged as the fastest he had ever faced, Gilbert dismissed the mighty Don for a duck. Darby McCarthy, another inductee, was a jockey who rode more than 1,000 winners. In 1976, Darby McCarthy was subjected to a highly controversial seven-year disqualification for allegedly helping to fix a race at a Victorian bush meeting. More than 30 years later, Racing Victoria has given Darby an official pardon, citing the incident as a serious miscarriage of justice.

Lloyd McDermott was recognised for his sporting achievements in the world of Rugby Union. Not only was Lloyd the first Aboriginal person to represent his country in Rugby Union playing for the Wallabies in 1962, he also made a poignant statement by opting to withdraw from the squad rather then play as an honorary white on the South African tour. Also acknowledged on the night was Greg Inglis and the great Artie Beetson. I want to thank Wayne Coolwell and Donald Johannessen for their graciousness towards me and for allowing me to be part of this very special night.

Recreational Fishing

Dr ROBINSON (Cleveland—LNP) (12.13 am): I rise to speak about the government's failure to handle fishing issues in Moreton Bay. Last sitting week I spoke about the planned sinking of the *Tiwi Pearl* boat at the already existing Harry Atkinson Reef. This 24-metre boat has been dubbed the *'SS Minnow'* for its miniature size. The government calls it fair compensation to recreational fishers for the loss of 70 to 80 per cent of the best fishing spots in the bay. While a good number of anglers do support artificial reefs, as does the LNP, they see them as a small consolation prize, not fair compensation.

The *'SS Minnow'* will be sunk later this month amid claims that the government is looking after, and has the backing of, recreational fishermen. However, it has been rumoured that the sinking event will be held on the same weekend as the Tinnie and Tackle Show, a major recreational fishing event. The reason for the timing clash is obvious: the government does not want anglers to attend the sinking and to protest against the government's anti-fishing policies. It is another example of the sneakiness of this government—pretending to support fishermen but waiting until the coast is clear before venturing into their territory. Like the premier during the election, the Minister for Sustainability will venture bayside without any local support, all the while pretending that the green preference zoning is popular. The fishers of Queensland see through this peewee Tiwi plan and continue to condemn this anti-fishing government.

I want to wind the clock back to a time before March 2009, when the government's green preference deal was imposed on Moreton Bay. In mid-2008, scientific research of the state of the fishery was provided by the fisheries department to the EPA to provide the foundation for the zoning. If the fisheries data showed that the fish stock was in severe decline and likely to be devastated, then tough measures could potentially be justified in order to return the bay to a sustainable situation. But what do we find? The fisheries minister, Minister Mulherin, during estimates on 24 July 2008 stated that his department would provide a range of data including fisheries catch and effort data for the EPA's review of the marine park plan. He went on to then make an amazing admission based on the data his department provided the EPA. The minister said, 'My department has no major concerns about the sustainability of fish stocks in the Moreton Bay Marine Park.' The minister's admission reveals that he knew the fish stock was not in major decline and not needing saving or strong protection measures. The minister's admission shows that the government's policy was not based on any fisheries science but was purely the result of a green preference deal stitched up beforehand. I invite Minister Mulherin in his next ministerial statement to explain whether he still stands by his positive statement about the fish stocks in the bay and why the EPA ignored the data his department provided.

It is time the government does more than tinker at the edges of the fishing problem it created, scraps its current unpopular plan that locks anglers out of fish-rich areas, tells the truth about the scientific research and puts a fair and more appropriate plan in place for Moreton Bay.

Daisy Hill Toastmasters; Logan Chamber of Commerce

Ms STONE (Springwood—ALP) (12.16 am): Daisy Hill Toastmasters recently celebrated 15 years of success. It has had great success at all levels of speech contests and its success continues today. The club was always noticed wherever its members went as they wear their bright yellow T-shirts displaying the club's name. They were known as 'the fun club' and soon had other clubs following their ideas such as the club T-shirt.

Today's president, Alana Beale, the 16th president of the club, reminded members of their humble beginnings. She acknowledged the work of previous members in continuing the momentum of the club and for making the club what it is today. She said—

President number 16 and proud of it. When I joined Daisy Hill Toastmasters in 2006 there was a special feel about the club that continues to attract new members today. As a club we have accomplished so much and yet there is still so much more to achieve.

It is certainly a strong club and I have no doubt that it will keep on achieving. I also congratulate it on its community spirit. For nine years the club has provided the judging for the debating final at Chisholm College and is seen at events throughout Logan. I was pleased to be invited to attend its 15-year celebration dinner held at Riverlakes Tavern, Cornubia. I was entertained by a number of speakers and heard wonderful stories of the past. The skills the speakers have gained from Toastmasters are certainly noticeable.

On the night the room was very striking as everyone was asked to wear yellow and white to make the room look like a field of daisies. Mayor Pam Parker and I joined in the celebrations of the night and congratulated the club on its success, and we wish it even more success in the future.

I take the opportunity tonight to also speak about the Logan Chamber of Commerce and the work it is doing to support local business. BAD nights—Business after Dark—are a perfect opportunity for chamber members to showcase their business after-hours. February's BAD night was held at Rhapsody Cafe and Restaurant in Cornubia, which is in the Springwood electorate. It was a great night of networking and great food. I applaud the chamber for this initiative as it is a great opportunity to see the range of businesses in our local area.

Last week the 7 am Springwood Networking Breakfast was held at Springwood State High School, and what a great breakfast it was. The hospitality students arrived very early in the morning to prepare a two-course meal for approximately 40 people. This is not the first time that Springwood State High School has hosted this event. In fact, it is a regular breakfast venue for the Springwood 7 am Networking Breakfast. The students always do a terrific job in preparing the food, serving the tables and creating a restaurant atmosphere. It is a great opportunity for the students, it is a great opportunity for the school to showcase the education being given to students and it is a great opportunity for the business community to see firsthand the good work being done by schools and students.

I congratulate the president of the chamber, Michael Franzmann, and his committee on the work they are doing promoting Logan businesses, promoting Logan as a great business location and promoting Logan as a great place to work, live and play.

International Women's Day

Ms DAVIS (Aspley—LNP) (12.19 am): Yesterday was International Women's Day and I would like to add my support to the celebration of the economic, political and social achievements of women past, present and future. Two weeks ago the President of Chile, Michele Bachelet, toured Haiti to communicate solidarity with the women who are fighting to reconstruct their lives and communities, and this week she is inspiring her own country to come back stronger from another devastating earthquake. There is nothing more galvanising than a time of conflict, crisis or disaster, and time and again empowered women have demonstrated their leadership capacity with an iron fist disguised in a velvet glove.

Locally we have seen the magnificent leadership of regional mayors Donna Stewart and Jo Sheppard in dealing with the devastation caused by flooding in their shires in South-West Queensland. Their strength, determination and commitment to their communities is to be greatly admired.

In celebration of International Women's Day, I attended the 21st UNIFEM International Women's Day Breakfast held at the Convention Centre. UNIFEM is the United Nations Development Fund for Women, which was established in 1976 and provides monetary and practical assistance for projects aimed at nurturing women's empowerment and gender equality. UNIFEM reaches out to women and girls in over 100 countries.

Over 1,400 people gathered at the breakfast to celebrate the achievements of women from all walks of life and to consider our collective responses to the issues of poverty, abuse, and inequity. There were some remarkable speakers at this year's event, including presentations from year 12 student and ranger guide Marney O'Dea, representing Guides Queensland, which celebrates its 100th birthday this year, and Ms Tacko Ndiaye of the African section of UNIFEM New York. I found the presentation from Tacko very poignant. We are truly blessed to live in a country where women can choose how they live, where they work and with whom they socialise.

I was delighted to host students and teachers from our local high schools—Anthony, Rachael and Marjorie from Craigslea State High School; Zoe, Gillian and Mrs Sharon Chapman from Aspley State High School; and Olivia, Rinasha and Ms Leisa Harper of St Paul's School. I am quite certain that the students left the event with a greater understanding of the work of UNIFEM and the many challenges that women face in other parts of the world.

Locally, I attended an International Women's Day function hosted by the Brisbane North Chamber of Commerce women's networking group, The Hub. The Hub provides a forum for local businesswomen to come together to share experiences and to support each other in their business and community pursuits. The organising committee, steered by Hilary Knight, was extremely well attended by local businesswomen, community organisations, students and even a few blokes! The guest speakers were Anna Brown from Westpac and Lady Mayoress Lisa Newman. Anna, a senior relationships manager from Westpac Chermside, spoke on the theme 'Women leading the way' and the Lady Mayoress spoke about her role as chairperson of the Lord Mayor's Community Trust, which supports charities that care for and help those in need in the Brisbane community.

Mr Deputy Speaker, 8 March is an important day—a day not only to celebrate the achievements of women but also to highlight and be mindful of the struggles that so many women still face worldwide.

Woody Point Special School, Art

Ms van LITSENBURG (Redcliffe—ALP) (12.22 am): Last Friday evening Woody Point Special School launched its art exhibition comprising a combination of works from respected local artist Janet Holmes and students. These works were produced as a result of Janet working with the students over six months, creating several large combined works and individual works by students. Janet challenged students to step out of themselves and communicate through their painting in a way they had never done before. This was an opportunity for students with multiple disabilities to make a statement and communicate their ideas and emotions in a way and on a scale they had never done before. Many students who have difficulties communicating produced vibrant works that demanded a response from the viewer.

This six-month study has given students new experiences and new ways of viewing the world which will impact on their outlook and enable them to approach other life issues in new ways. I would like to thank the principal, Jan Baildon, and her staff for their commitment to a better education for their students that has given many of them another tool for self-expression.

The exhibition at the cultural centre, where a wide number of community members will see the works in the coming weeks, and the high-profile launch, which over 50 parents and people from the wider community attended, validated the labours and stunning results that the students attained. Jan Baildon and her staff demonstrated the educational value of art as a medium for self-expression and communication for children with multiple disabilities. Choosing an artist like Janet Holmes, who also has an education background, maximised the educational outcomes for students. That is what a quality education is all about for children with multiple disabilities, and it reflects strongly the values of the Bligh government's Q2 initiative of a better education for all Queenslanders.

The Bligh government's Flying Start initiative also adds value to education for young Queenslanders by giving them the regular and enjoyable experience of reading a book with an adult. This enables them to gain valuable prereading skills, ensuring they will transition to reading more easily.

Similarly, the experiences of Woody Point Special School students through art have increased many students' avenues for communication which they did not have before. Their work will be sold to raise funds to continue to improve the delivery of their education. The state government knows the value of education and we work hard to provide all children with the opportunity of a good-quality education. The improved lifestyle due to better educational opportunities is a legacy that the Bligh government will bequeath Queenslanders far into the future.

(Time expired)

CSIRO, Green Space

Mr EMERSON (Indooroopilly—LNP) (12.25 am): The greatest challenge facing Brisbane in the decades ahead is preserving the livability of our city in the face of growth. Part of preserving that livability is ensuring that there is adequate green space. Later this month, tenders will close for the sale of a 7.2-hectare site at Long Pocket in my electorate currently owned by the federal government and occupied by CSIRO. I have heard Prime Minister Kevin Rudd repeatedly speak of his commitment to battle climate change. Rather than selling this land for development, the Prime Minister can give a practical demonstration of his commitment by preserving this riverside land as green space. Preserving it as green space would be an investment in our community's future and the environment. We are not making any more green space and this is an opportunity that cannot be lost.

Next door to the CSIRO site is an 11-hectare site currently occupied by a DPI research facility which is also vulnerable to development. The Bligh government has repeatedly refused to rule out selling off this DPI site at Meiers Road for development when the research facility moves out in 2011. The state government has also refused to reveal its plans for the six-hectare site of the Alan Fletcher Research Centre at Magazine Street in Sherwood which is also due to close next year. It is vital that these state owned sites are also preserved as green space.

I note that earlier this month the state government flagged earmarking key sites for green space to fight the concrete jungle and urban sprawl of the state's booming population growth. The Premier told the *Courier-Mail* last week that she would reveal a major new park in South-East Queensland under a state-wide green space inventory. 'People need space to play sport, run a dog or kick a ball with the family,' the Premier said. 'We want to open up as much green space as possible,' she went on to say. 'That is part of what Queensland is all about and it is essential if we are to better manage growth and keep the lifestyle we love.'

Residents across my electorate want to see action, not just rhetoric, from the Premier. They want to see these two sites preserved as green space along with the CSIRO site. But I have my doubts that the Bligh government will listen to them, especially with the state government wanting to allow a free-for-all on duplex developments, where two homes are built on the same block. It wants to do away with the normal building development applications for such developments. The duplexes would not have to pass the normal town-planning processes and would be self-assessable. The minister says that he wants to fast-track these developments—that he wants to make it 'easier' to see duplex developments spread out across Brisbane suburbs. What the minister really wants to do is fast-track the loss of character housing in our suburbs and make it easier to use up this valuable and irreplaceable green space.

Community Benefit Fund; Constitutional Convention for Aboriginal and Torres Strait Islander Students

Ms JOHNSTONE (Townsville—ALP) (12.28 am): I am pleased to share with the House two great events that I had the fortune of being a part of in the past week. On Monday, 1 March I was pleased to be involved with the official launch of the Cowboys League Club's Community Benefit Fund. We all know that the Cowboys is the best rugby league team in the NRL, but I wanted to share with the House the great work that the league club is doing in North Queensland as well.

The community benefit fund will provide $25,000 worth of funding each year for not-for-profit groups and individuals in the North Queensland community. The program will provide funding for projects which will provide a community benefit to the local region. There will also be five educational awards provided in the form of bursaries to five high-achieving students each year who may need just a little bit of financial assistance for them to realise their goals or potential. An independent judging panel will assess the applications and determine who will be successful in receiving the grants. I am very pleased and proud to be a member of this panel. It is very satisfying for me to be involved with the Cowboys in this way by assisting the community at both a group and an individual level.

The judging panel is made up of representatives from right across our community including Councillor Ray Gartrell, Mr Daryl Holmes, Mr Mark Adams, Father Dave Lancini—he would have to be one the most decent, compassionate and caring priests that I have ever met—Mr Gerard Moloney and Ms Fiona Pelling. The diversity of the panel members will ensure that the community benefit will really be the focus of our decision-making process in awarding the grants. Congratulations to the league club general manager, Joe Kelly, for putting the concept together. I look forward to a strong and fruitful working relationship with the club going forward.

Then on Thursday last week I had the pleasure of attending and being a part of the Townsville zone schools' Constitutional Convention for Aboriginal and Torres Strait Islander students. The theme this year was 'A new preamble for the Australian Constitution'. During the course of the day students from 23 schools across North Queensland participated in a challenging and thought-provoking program. They heard from guest speaker Mr Max Lenoy and they participated in small group discussions on the question 'Are you in favour of a new preamble for the Australian Constitution?' and consideration of a proposal for a new preamble. Fourteen students then spoke to the group on the question 'Does the content of the preamble to the Australian Constitution matter? Why?' There was a vote, and some students will go on to Canberra shortly. Finally, students participated in a mock parliament, ably facilitated by Brett Nutley and Roylene Mills from the Queensland parliament's own Community Engagement Unit.

Along with providing the closing address to the students, it was my pleasure to announce the top three speeches as voted by the students on the day. In third place was Miss Jesse Onus from St Margaret Mary's College, Townsville. Second place went to Miss Kaitlyn Tass from Mirani State High School. First place this year went to Mr Mangubadijarri Yanner from St Teresa's College at Abergowrie. Congratulations to all students. It was a pleasure to be involved with them. I wish them all the very best for their futures.

Gold Coast, Buses

Dr DOUGLAS (Gaven—LNP) (12.31 am): Gold Coast bus drivers are not getting a fair go from TransLink. The passengers, other road travellers and pedestrians are all suffering, too, because TransLink bus timetables are impossible to meet on 70 per cent of Gold Coast bus routes. Drivers cannot safely pick up paying passengers and allow passengers to disembark at their required bus stops on many of the well-used routes within the time frames allowed by TransLink. TransLink tells Surfside buses what they will or will not pay for and the times that the bus routes will be serviced for paying passengers.

TransLink, in its divine wisdom, has now decided not to sequence its bus scheduling with the rail scheduling of Queensland Rail. So passengers routinely are now waiting up to one hour and sometimes two hours on weekends and late afternoons and nights for linking bus services. The timetables are so tight that bus drivers routinely are unable to get to the toilet for up to five hours and there are no scheduled toilet stops. The turnaround times merely allow them to catch up on their schedules if they can.

But wait, it gets worse. There are very few toilets available over the Gold Coast. Queensland Rail in particular locks railway station toilets after 7 pm on weekdays and earlier on weekends. The women drivers have been advised to go and find a bush to crouch behind to go to the toilet. TransLink seems to be unable to cross-link with the Gold Coast City Council to locate open toilets near bus routes for bus drivers.

The timetabling is unsafe. It is impossible to drive the routes in a car in the times provided. Older, non-highway routes are the worst and often run 15 to 30 minutes late and sometimes as much as an hour. If bus drivers are to stick to the timetables they either have to speed or never stop at bus stops to pick up passengers.

Bus drivers have been warned by police. Passengers are becoming irate at being late, being delayed or not being picked up when hailing buses and are venting their anger at drivers. One bus driver was recently sacked for trying to explain to passengers, certainly in a very forceful way, his frustrations. Going to the toilet is a very big issue for everyone.

Sure, TransLink has a budget, but the Gold Coast is now Australia's sixth largest city, second largest council area and a big income generator for GST and revenue for the state. Gold Coasters are entitled to a fair go. Bus drivers are entitled to be given a job that they can realistically do. Modern urban congested traffic is the norm. Remember, these buses are critical for servicing the needs of our people.

The public needs to know that they are going to be picked up on time, transported safely and arrive as scheduled. The drivers need to know that they can provide the service with realistic timetables. A healthy public transport system must be a safe one for road users, passengers, bus drivers and pedestrians. Gold Coasters, and especially Gaven electors, are calling on the Labor government to address unrealistic bus timetabling so as to make the public safe and give them a reliable, safe bus service.

(Time expired)

Merlo, Dr B

Mr PITT (Mulgrave—ALP) (12.34 am): On behalf of the Babinda community and the many others whose lives he touched, I wish to place on the record my appreciation for the long and great contribution made by Dr Brian Merlo, who passed away on 1 March 2010 after a brave battle with illness. I thank the family for entrusting me with this task.

The second of three children, Brian Leo Merlo was born on 15 March 1947 and grew up in Surrey Hills in Victoria. Whilst at school, he suffered an injury and spent a long period in hospital. However, it was the treatment and care he received during this time that was the catalyst for his desire to become a doctor.

Brian studied at Monash University, which at that time was known as 'the farm'. With his degree and training in hand, he left the cold of Victoria for the warmth of Queensland. It was as medical superintendent of Babinda Hospital and through his surgery that Dr Merlo made his mark.

Brian Merlo was the quintessential country doctor. A dedicated medical professional, he thrived on the essential role he played in the community. He believed strongly in bulk-billing in order that no person would be denied the medical treatment that they needed.

He never allowed the sleepless nights, a seven-day working week or his own pain to interfere with the care he provided. I am told that on at least one occasion, after a long day seeing all of his patients, he needed to call an ambulance for himself. The long hours at the surgery, however, did yield other results. It was at his surgery that he met his beloved Delia, the person who brought peace and happiness into his life. It took many years for Brian to convince Delia to marry him, but when she did it truly was the best day of his life.

A devoted family man, Brian raised seven children in Babinda: Deanna, Clinton, Alissa, Warren, Kirstyn, Harry and Greg. He provided them with well-considered advice and instilled in them his strong work ethic and community spirit. He was a proud and contributing member of the Babinda Lions Club, Babinda Bowling Club, Babinda Boxing Club and the local branch of the Bendigo Bank.

While none of his children followed in his footsteps professionally, Brian encouraged them to follow their dreams and reminded them that education was the means by which they could achieve their goals. Brian would stay up all hours with his children but would always be up at 6 am for his rounds. On Sundays he was able to sleep in until 7 am and catch at least a little bit of Macca on the ABC.

I was truly humbled last Friday when I attended Brian's church service. It was literally standing room only and only the hardest person would not have been moved by the guard of honour formed by the dedicated medical and nursing staff of Babinda Hospital. It is difficult to do justice to the legacy of Brian Merlo in such a short amount of time, but perhaps his contribution can be best summed up this way.

Dr Merlo essentially did the job we now ask three people to do and he did it for more than three decades. This is testament to his work ethic and his dedication to the Babinda community. Devoted husband and father, loving son, supportive brother, doting grandfather and a true local hero, Dr Brian Merlo, long-serving and long-suffering, is no longer on call. Finally, he can have his Sunday sleep-in. Our thoughts are with Delia and her entire family at this difficult time.

Question put—That the motion be agreed to.

Motion agreed to.

The House adjourned at 12.37 am (Wednesday).

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, 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