



RECORD OF PROCEEDINGS

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THURSDAY, 19 AUGUST 2010

The Legislative Assembly met at 9.30 am.

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

PRESENTATION OF APPROPRIATION BILLS

Mr SPEAKER: Honourable members, I have to report that on Wednesday, 18 August 2010 I presented to Her Excellency the Governor the Appropriation (Parliament) Bill and the Appropriation Bill for royal assent and that Her Excellency was pleased, in my presence, to subscribe her assent thereto in the name and on behalf of Her Majesty.

ASSENT TO BILLS

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

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

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

Date of Assent: 18 August 2010

"A Bill for An Act authorising the Treasurer to pay amounts from the consolidated fund for departments for the financial years starting 1 July 2008, 1 July 2010 and 1 July 2011"

"A Bill for An Act authorising the Treasurer to pay amounts from the consolidated fund for the Legislative Assembly and parliamentary service for the financial years starting 1 July 2010 and 1 July 2011"

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

18 August 2010

Tabled paper: Letter, dated 18 August 2010, from Her Excellency the Governor to the Speaker advising of assent to bills on 18 August 2010 [[2799](#)].

SPEAKER'S RULING

Personal Reflections

Mr SPEAKER: Honourable members, standing order 234 provides that imputations of improper motives, personal reflections or unbecoming or offensive words in relation to another member are disorderly. A member has a right to require the withdrawal of such reflections. The practice adopted in this House has been to apply a subjective test. That is, if the affected member believes a statement is a reflection then the chair will require withdrawal and not make an objective assessment.

However, I have noticed a developing trend whereby a member who disagrees with what another member is saying in a speech rises to a point of order and alleges that the member is misleading the House. When the point of order is rightly dismissed, the member then again rises stating that they feel that they find the words personally offensive in circumstances where nothing personal to the member has been alleged. I make it very clear that such a practice is not within the intent or the spirit of the standing orders and members, by indulging in this practice, are effectively making frivolous points of order.

PETITIONS

The Clerk presented the following paper petition, lodged by the honourable member indicated—

Cross River Rail Project

Mr Finn, from 141 petitioners, requesting the House to locate the cross river rail southern portal at Clapham rail yards, not in Yeerongpilly [2781].

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

Fraser Coast, Fishing Zones

Mr Gibson, from 669 petitioners, requesting the House to make strong representations to the Federal Government and the Federal Environment Minister to make no further closure of fishing areas as threatened in the 'Fraser Area for Further Assessment' until the affected communities concerns are addressed and an economic and scientific assessment of the impacts of any closures has been undertaken and publicly released for comment [2782].

Gambling Community Benefits Fund

Mr Gibson, from 379 petitioners, requesting the House to reverse the decision to remove \$10M from the Gambling Community Benefits Fund to subsidise the floundering solar rebate scheme [2783].

Petitions received.

MINISTERIAL STATEMENTS

LNG Industry

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.34 am): Today I can welcome the successful completion of the acquisition of the Australian coal seam gas company Arrow Energy Ltd. The acquisition follows an offer in March this year to purchase 100 per cent of the shares of Arrow by a 50-50 joint venture company owned by Shell and a subsidiary of PetroChina. This acquisition is an investment of an estimated \$3½ billion and will be marked by a signing ceremony in Parliament House later today.

The LNG industry is worth an estimated \$40 billion to Queensland and has the potential to create some 18,000 jobs. What this deal does is bring together Shell's international experience and knowledge in LNG and PetroChina's access to the Chinese energy market. It is a major boost for the coal seam gas and LNG industries.

What this deal means in simple terms is that the big players are in town and that they mean business. This deal could accelerate the delivery of the proposed Curtis Island facility that could process up to 16 million tonnes of LNG per year. The Curtis Island project will utilise gas resources supplied from CSG tenements in the Surat and Bowen basins in South-West and Central Queensland.

Those who have been following this industry will know that Arrow was one of the players proposing to develop this resource and this facility in the Gladstone area. What this acquisition means is that this project has now been taken over by a significant international consortium with a very strong view to accelerating and bringing forward the project.

A pipeline will bring gas from the tenements to the Curtis Island LNG plant to be processed and exported to international markets. This one project alone would require a workforce of up to 3,000 people at the peak of construction, with approximately 200 to 300 permanent jobs needed for ongoing operations.

The community consultation process for the environmental impact statement for this project has commenced. Community information sessions will be occurring in Gladstone in September. As I have said in this House many times, our government is committed to making the LNG industry a reality in Queensland because it means jobs, investment, a new export industry and prosperity. But each and every project will be subject to strict environmental regulations and the legislation passed by this House.

Our government recently banned petroleum compounds containing benzene and other dangerous chemicals from use in CSG operations or fracking. We recently appointed Ms Kay Gardiner as Queensland Gas Commissioner to monitor and guide development of the state's gas market. Through measures such as these we are working to ensure that this very exciting new market can be developed in a way that will benefit all Queenslanders.

Airport Link, Tunnel-Boring Machines

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.37 am): I am pleased to advise the House that within the next 24 hours Australia's two largest tunnel-boring machines—Rocky and Sandy—will be hard at work on the Airport Link project. The scale of these machines is simply incredible. They are the largest tunnel-boring machines of their type ever to operate in Australia and they are working on the largest road tunnel project in our history.

Each TBM is longer than the playing field at Suncorp Stadium and can carry a crew of up to 22 workers each during their amazing 12-month journey from Kalinga Park to Lutwyche. Rocksy commenced her 12-month, 2½-kilometre journey carving out the eastbound tunnel on 21 July 2010. Her sister machine, Sandy, starts work within the next 24 hours travelling the westbound tunnel route.

A competition was held to name the boring machines and the winning entry was by six-year-old Emile Bragard and his four-year-old sister, Lila. Emile and Lila attend a local primary school and their father is a tunnelling engineer on the project. They were joined by the Minister for Infrastructure and Planning at Rocksy's launch on 21 July.

Mr Lucas: What about St Barbara? The patron saint of tunnelling, St Barbara is.

Ms BLIGH: I take the interjection from the Deputy Premier. St Barbara is in fact the patron saint of tunnelling. Her name was invoked at the ceremony to launch the first tunnel-boring machine.

When fully assembled, each of the boring machines will be 12½ metres high and 195 metres long and will weigh 3,600 tonnes. Rocksy has so far tunnelled approximately 50 metres. Each boring machine will tunnel about 130 metres and then stop for six weeks while the rear of the machine is assembled. When the final assembly is complete, the boring machines will move forward about 85 metres each week.

Rocksy and Sandy will operate 24 hours a day seven days a week over the next 12 months. They are expected to generate about 1.1 million tonnes of spoil which will be transported to a spoil-handling facility at Nudgee Road by a two-kilometre conveyor belt which will eliminate up to 80,000 truck movements from local streets—a very important outcome for residents. As Rocksy and Sandy progress, residents above the alignment will be notified two weeks before the machines reach their property. In the unlikely event that tunnelling impacts are felt, relocation will be available for residents during that period. The \$4.8 billion Airport Link, Northern Busway, Windsor to Kedron and airport roundabout upgrade are Australia's largest road infrastructure projects. On completion in mid-2012, they will slash travel times between the CBD and the airport, they will reduce traffic on Lutwyche Road by up to 40 per cent, and they will eliminate 18 sets of traffic lights. To date they have already employed more than 3,400 people, surpassing predicted peak employment levels, and are generating 12,000 direct and indirect jobs.

Commonwealth Games Bid

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.40 am): The Commonwealth Games Federation will hold its general assembly on 2 October in Delhi the day before the games open. Cities bidding for the 2018 games have been invited to make a presentation, and our government intends to take full advantage of this opportunity to bring these important games to the Gold Coast. First impressions count, and this is Queensland's first formal opportunity to spell out just why the Gold Coast is the perfect location for the 2018 games. I will lead the delegation which will include the federal minister for sport and representatives of the Gold Coast City Council, along with bid committee chair, Mark Stockwell. Mark Stockwell is a stalwart Queensland sportsman and businessman and one of the most vocal champions of our great state. Mr Stockwell is not only well known locally but also known and respected internationally as a Commonwealth and Olympic Games medallist and a member of the Queensland Sport Hall of Fame.

Another of the coast's biggest champions, Mayor Ron Clarke, will join the official bid via electronic hook-up. Unfortunately a medical condition prevents him from undertaking long-haul flights, but his international sporting reputation and his contacts and relationships in the Commonwealth Games family are invaluable and in my view will be one of our secret weapons in getting our bid over the line. It is critical that we get our games bid right. It is vital to assure the Commonwealth Games Federation that the bid has the full support of the Queensland government, of our business leaders and of the Gold Coast City Council and community. Our competitor for this bid, the city of Hambantota in Sri Lanka, will be represented in this bid presentation in October by the President of Sri Lanka, Mahinda Rajapaksa, and we should not underestimate the competition from this city for this bid.

Those who know the coast need no convincing about why the games should be there in 2018. The games will bring a wealth of benefits to the construction and tourism industries, creating an estimated 30,000 jobs and around \$2 billion worth of economic benefit. The Gold Coast will also benefit from a big boost to infrastructure to prepare for the games, including not only transport infrastructure but a number of venues that can continue to operate as community and competitive event facilities post the games, such as an upgrade of the Gold Coast Aquatic Centre on the Broadwater, further works on the new Carrara Stadium to accommodate track and field events and the construction of accommodation for the athletes' village at Gold Coast Parklands in Southport. Once the games are over, this athletes' village would also be utilised as new housing and office space for the region.

This is an opportunity that I for one will not miss, and I want to acknowledge and welcome the bipartisan support of the Leader of the Opposition for the bid. I think he understands on a personal level how transformative this could be for the Gold Coast. The opportunity this provides for our state's second largest city and, I think, the fifth largest city in Australia for decades to come will assist in supporting

grassroots participation in sport in addition to supporting our athletes to develop and achieve at an elite level. Overall, both the staging of the games and the lasting legacy will help position Queensland as a premier sporting and event destination. I trust all members will get behind the games bid and do all that they can to support the Gold Coast and to support jobs and key infrastructure in the region. I know that Queenslanders have a strong tradition of volunteering at these sorts of events. For example, people come from all over Queensland, and have for more than a decade, to be part of the international car racing event at the Gold Coast as volunteers, and we simply could not run that event without their help. If we are successful in getting the 2018 games, then I would trust that every member of the House would be encouraging their community to see this as a Queensland games and to get behind it in every sense of the word.

Medical Research

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (9.44 am): Queensland sets the pace in many areas of medical research. The advances our researchers are making have changed, and continue to change, people's lives—increasing life expectancy, reducing the invasiveness of surgery, radically improving the quality of life for those suffering serious and chronic illness, and even curing diseases. Where once progress and advancements were made over generations, our researchers are now producing significant scientific breakthroughs every year. But they cannot do this alone, and this government is committed to growing Queensland's reputation as a world leader and centre of excellence in the field of science, research, development and innovation. That is why the Bligh government invested \$61.5 million in this year's state budget to two medical research centres being built on our hospital campuses. The Queensland Children's Hospital Academic and Research Centre and the jointly funded Translational Research Institute at the Princess Alexandra Hospital will conduct world-class medical research within the campus of two of Queensland's iconic hospitals.

Professor Ian Frazer's team at the University of Queensland's Centre for Immunology and Cancer Research gave us the cervical cancer vaccine, Gardasil—proof of what can be achieved with innovation, drive and financial support. However, the best and brightest are not just confined to the South-East corner. The Tropical Public Health Unit's Medical Entomology Unit in the north of the state is one example. Its advancements in dengue fever research have won wide praise. Today I am very pleased to inform members of this House that Professor Jonathan Golledge, Townsville Hospital's director of vascular surgery, has been awarded a second round senior clinical research fellowship to continue his work in peripheral artery disease in Townsville. This is one of the most prestigious research fellowships awarded by Queensland Health's \$20.55 million Office of Health and Medical Research program. He has been awarded the full fellowship amount of \$850,000 per annum for five years. This award will allow Professor Golledge to establish a centre of clinical research excellence for peripheral artery disease in North Queensland. Peripheral artery disease affects about 15 per cent of adults aged over 40 years, and the incidence is increasing in Queensland. The Heart Foundation tells us that cardiovascular disease—which, I might add, cost Queensland in 2008 around \$32 billion in lost wellbeing and \$2.6 billion in direct financial costs—kills one Australian every 11 minutes. In 2008 that was almost 48,500 deaths, many of them largely preventable.

Also in Townsville this week a visiting Japanese bioengineering and robotics expert has been helping set up a unique piece of technology for an Australian-first trial to test the middle ear function in newborns. The sweep frequency impedance meter, which is on loan from the University of Queensland, could potentially unlock for doctors and audiologists the secrets of the middle ear in newborns. The very nature of their tiny size means that making accurate diagnoses of ear problems in infants using visual means is very difficult. The SFI meter provides information about the middle ear system without having to look directly into the ear. Queensland Health nursing staff from the North Queensland Healthy Hearing Program screen about 6,500 babies every year. The startling fact is that four babies per 1,000 have middle ear problems and the incidence, regrettably, is substantially higher amongst Indigenous newborns. The Townsville Hospital's audiology team plans to test about 1,200 babies over a two-year period as part of the research program.

On another front, the Queensland Institute of Medical Research has appointed the institute's seventh director and CEO. Professor Francis Bernard Xavier Gannon is an internationally renowned expert in the field of molecular bioscience and is currently director-general of Science Foundation Ireland. Of course the QIMR does fantastic work which is reflected in the Bligh government providing \$31.2 million over four years to support its research. We were reminded of this recently when one of its research teams was named as a Eureka Prize finalist, having developed an anticancer drug which has delivered excellent results in human clinical trials in Australia and the US of non-melanoma skin cancer and solar keratoses. Professor Gannon will arrive in Brisbane to take up the appointment in January.

Later today I will sign a very generous five-year agreement worth \$3.2 million with beyondblue's inaugural chairman, Jeff Kennett. This is the Queensland government's third such agreement with this organisation and proves our commitment to raising awareness, encouraging early intervention and finding ways to prevent depression and related disorders. One in five Australians will experience mental

illness in their lifetime and the sad fact is that around two-thirds of these people will not seek treatment because of the negative stereotype attached. The Bligh government has committed \$8.5 million over four years towards a campaign to reduce the stigma and discrimination associated with mental illness. We remain steadfast in our commitment to improving the lives of people with mental illness.

National Broadband Network

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (9.49 am): Two of Queensland's most isolated shire councils have asked to be part of the national broadband network. This is a big vote of no confidence in Tony Abbott's broadband plan for the LNP's heartland. The Barcoo and Diamantina shire councils in Queensland's far west are seeking support to have optical fibre cable connected to their areas. The Queensland bush does not want to be a broadband backwater. Councils such as the Barcoo and Diamantina councils are not buying Tony Abbott's digital Dark Ages plan. As I said, this area is supposed to be LNP heartland. The bush knows that the former Liberals have done the dirty on the former Nationals and have sold the bush a patchwork broadband pup. The Gold Coast based leader and shadow spokesperson clearly does not care a toss for the people who will miss out under this second-rate Abbott plan. The bush gets it.

I know that no private provider is going to lay cable and provide a service to back up a high-speed wireless delivery. Yesterday I met with Mayor Robbie Dare from the Diamantina Shire Council and Mayor Bruce Scott from the Barcoo Shire Council in this House. These mayors want to connect—

Mrs Stuckey interjected.

Mr SCHWARTEN: The member should meet them and hear what they have to say. You would not know them if you fell over them in the street, Ms Stuckey. These mayors want to connect Boulia, Birdsville, Stonehenge, Jundah and Isisford to the NBN regional backbone cable. The councils said that there are big benefits for local schools and tourism and other services and I was happy to give these two mayors a good hearing.

It was good to have both the member for Mount Isa and the member for Gregory at the meeting to support the councils. The member for Mount Isa always backs a good cause, but it is always good to see that the member for Gregory is not scared to have a go. That is something that he did back when I was the housing minister. He was not frightened to take on his own in that regard and I admire him for that—unlike the other shadow minister who probably does not even know where Boulia is.

The Department of Public Works is examining the council's proposal but, of course, we know that the idea is dead—d-e-a-d—if Labor is not returned on Saturday.

Mrs Stuckey interjected.

Mr SCHWARTEN: Ever been to Boulia? Ever been to Betoota?

Mrs Stuckey: Why don't you get out of the gutter? Have you read this? 'Australia needs an NBN, but not this.'

Mr SCHWARTEN: I would not read any rot that the member puts out. I would not waste my sight on it.

Mr SPEAKER: Order! The minister will come back to the ministerial statement.

Mr SCHWARTEN: The Gillard—

Opposition members interjected.

Mr SCHWARTEN: They do not like it, because they know that they have ratted on the bush.

Mr SPEAKER: The minister will come back to the ministerial statement.

Mr SCHWARTEN: The old saltwater Tories. They know nothing about brown water.

An honourable member interjected.

Mr SCHWARTEN: I was there with the builders' labourers, actually. The member would not know one if he fell over one.

Mr SPEAKER: Order! The minister will get back to the ministerial statement and those on my left will not feel as provoked.

Mr SCHWARTEN: The Gillard government's \$43 billion gold-standard NBN is going to be a vastly superior option for the bush than the opposition leader's \$6.3 billion ramshackle plan. The NBN will always provide better services to the bush than the opposition's plan will and the bush knows that. At the end of the day, you get what you pay for. Rural and regional Queensland will be short-changed by the LNP. We saw last night that the state LNP and the Independents, with the exception of the member for Nicklin, are happy to support the Abbott sell-out and sell-off of the NBN.

On another issue—

Opposition members interjected.

Mr SCHWARTEN: They do not like it. The truth hurts and I will keep saying it while ever I have breath in my lungs.

On another issue, the member for Currumbin yesterday alleged that I was hiding information in small print when I released a list of Queensland towns that will get optical fibre—the small print in my own media release, which is a strange place to hide something. Even the member for Currumbin found it there.

Mrs Stuckey: You can't even spell 'optical fibre'.

Mr SCHWARTEN: She cannot even read, because it said that they would get wireless services as well as optical fibre. So she put out a media release to make a bigger goat of herself than she already is.

Mrs Stuckey interjected.

Mr SCHWARTEN: She is high volume today, Mr Speaker.

Mr SPEAKER: Order! The ministerial statement—

Mr SCHWARTEN: Screeching over there. The point remains that all of these places get optical fibre, which they will not—

Mr Seeney: How do you spell it?

Mr SCHWARTEN: I know they find it very funny.

Mr SPEAKER: Minister, just resume your seat and I will wait for the House to come to order and I will call you again.

A government member: They can't spell 'NBN'.

Mr SCHWARTEN: They cannot spell 'NBN'. They do not know what it means, anyway, for their own constituents. The point remains that all of these places get optical fibre, which they will not get under Tony Abbott's mickey mouse plan. I thank the member for Currumbin for highlighting one of the very strong advantages under Labor's NBN program.

Finally, in the *Sunshine Coast Daily* today I note that Associate Professor Don Kerr of the University of the Sunshine Coast said that the NBN was far better for Australia.

An opposition member interjected.

Mr SCHWARTEN: The member can disregard him. He can think he is smarter than him. I would like to see the four members who represent the Sunshine Coast put out a statement condemning him today if they think they are so smart and so brave, because he is saying what everybody in the industry is saying and that is that the NBN is the way to go. Government owned fibre and resources and infrastructure is the way to go. Everybody in the industry knows it—everybody knows it except those opposite.

Life Sciences Industry

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.58 am): It was this Labor government that kick-started Queensland's life sciences industries and it is this Labor government that is driving its growth into the future. The *Queensland life science industry report 2010* shows that the industry experienced substantial growth in the 2008-09 financial year, exceeding its own growth expectations. I table a copy for the benefit of the House.

Tabled paper: Report, dated 26 May 2010, titled 'Queensland life science industry report 2010 final report—26 May 2010', by Dr Patrick Silvey and Dr Lavinia Proctor for the Department of Employment, Economic Development and Innovation, relating to the size and performance of Queensland's life sciences industry [[2784](#)].

Estimates indicate that the biotechnology industry alone employed some 3,760 people in the private sector in 2008-09. Biotechnology companies are also fulfilling their potential as successful corporate entities, earning \$1.1 billion in revenue in 2008-09, well above the projected \$600 million they expected to earn in 2010. These figures show undeniable growth for our biotechnology industry amid difficult economic times and this augers well for the industry's continued growth into the future.

When you look at the life sciences sector, which takes in the biotechnology, medical devices and pharmaceutical industries and includes research organisations as well as companies, the picture is even more promising. Estimated revenue for the sector in 2008-09 was just short of \$5 billion, while employment overall was just under 20,000. These figures represent a 58 per cent increase in revenue and a 27 per cent increase in employment over the 2007 figures. That is impressive growth. While the GFC has understandably limited the sector's ability to raise capital, the revenue and jobs figures are indeed encouraging. The figures show that Queensland is well on the way to becoming a biotechnology leader in the Asia-Pacific.

The report enables both the government and industry to assess the industry's progress against its own growth projections as set out in the *Queensland biotechnology strategic plan 2005-2015: biotechnology—setting new horizons*. Under that plan, it is envisaged that by 2025 Queensland biotechnology companies will employ more than 16,000 people, generate about \$4 billion in annual revenues and have a market capitalisation of \$20 billion. *Queensland life science industry report 2010* shows that we are well on the road to reaching that target, investing in the industries of the future to create the jobs of the future.

Wivenhoe Dam, Water Quality Monitoring System

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.00 am): I rise to inform the House about cutting-edge technology that the Bligh government is using in South-East Queensland to effectively manage one of our most precious resources: water. CSIRO and Seqwater have joined forces to pilot the next generation of water quality monitoring systems, utilising Sentinel sensors and a smart robot to monitor Wivenhoe Dam and its catchment. It is a mammoth feat. Our biggest dam in South-East Queensland is now monitored by Australia's largest integrated intelligent wireless sensor network.

Approximately 120 nodes, along with a solar-powered catamaran, are monitoring environmental conditions on Lake Wivenhoe and in the surrounding catchment across an area the size of the city of Brisbane. Of the 120 nodes, 45 are floating and measure water temperature at various depths, while another 70 are land based and collect stock movement and weather data spread across the catchment. The CSIRO autonomous solar-powered catamaran travels between the floating nodes gathering data and performing maintenance. Dubbed iSnet, for integrated sensor network, CSIRO's technology provides the ability to collect data with a level of speed and detail not seen before, a technology that paves the way for the next generation of water quality monitoring systems.

With this technology, Seqwater is now able to cost-effectively integrate different measures such as water quality, event flows and weather conditions, even the movement of cattle on the shore. In other words, this system provides an ability to monitor any variable which may affect the quality of raw water available for drinking water treatment, which in turn affects treatment processes required and therefore cost. Importantly, it acts as an early warning system for potential water quality events allowing water authorities to take mitigating actions to reduce the impact.

It is also worthy of note that it is the first time such a system has been used to monitor greenhouse gas emissions, which is something many businesses, including water authorities, are now being asked to report on. The success of this project will now see this monitoring system rolled out across another dam and one of the South-East Queensland Water Grid's water treatment plant facilities. The capacity to monitor events in real time, such as high rainfall, droughts or contaminants entering the waterway, provides a new dimension to the safe, secure and sustainable water supply that our state-of-the-art water grid provides for Queensland now and into the future.

Kindergartens

Hon. GJ WILSON (Ferry Grove—ALP) (Minister for Education and Training) (10.01 am): The Bligh Labor government is dedicated to giving every young Queenslander a flying start. It is a Bligh Labor government that has introduced a prep year, is spending \$10 million a day on school infrastructure, has introduced reading volunteers and free parent reading programs and has promised up to \$320 million to deliver up to 240 kindergarten services throughout Queensland.

How does the Liberal National Party respond to the Labor government providing kindy services for every Queenslander? By spreading misleading information. The member for Moggill has been running a scare campaigning peddling his furrphies. Let me address claims from his *Education Matters* newsletter—or should we say 'Education Mutterings'? Furrphy: kindergartens will lose 10 to 40 per cent of their funding. Fact: funding is guaranteed, with extra funding provided to services in disadvantaged or remote areas. Furrphy: three-year-olds will no longer receive subsidies. Fact: the current funding model was always targeted at four-year-olds but also provided to three-year-olds to fill the remaining vacancies in the kindergarten. Furrphy: C&K have already advised their affiliates that they will need to increase their fees. Fact: existing funding is guaranteed, indexed for future years. Many services will get more funding. Fees are set independently by kindergartens. C&K advises that in their kindies no fee increases are expected in 2011 as a result of the new funding scheme. Furrphy: government admits that funding to community kindergartens will decrease. Fact: the Bligh government is investing up to \$320 million in new kindergarten services. Furrphy: community kindergartens face significant threat of closure. Fact: existing funding is guaranteed, indexed for future years. Many services will get more funding.

The member has even printed a table showing daily fees for kindergarten programs based on family income level. The problem is that kindy services do not have a fee structure based upon parent income. The member for Moggill is so out of his depth that he has confused kindergarten services with child care which has different funding arrangements. The Liberal National Party does not care about education. It simply stands for uneducated, unskilled and unemployed Queenslanders.

Fixed Speed Cameras

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.03 am): An analysis undertaken by the Queensland Police Service has demonstrated that fixed speed cameras are a powerful motivator in changing driver behaviour and encouraging motorists to slow down. The analysis compares the latest rate of detection of vehicles travelling above the speed limit at eight of the nine fixed speed camera sites across South-East Queensland against when the sites first became operational. The statistics show there has been a 50 to 80 per cent reduction in the rate of speed detections at the sites. Rates are measured as detections per 1,000 vehicles.

For example, on the Bruce Highway at Burpengary the rate of detection per 1,000 vehicles in January 2008 was 8.26. It is now down to 1.05 which is an 87 per cent reduction. At Main Street, Kangaroo Point the rate of detection in January 2008 was 7.59; it is now down to 2.02, a 73 per cent reduction. On the Pacific Motorway at Tarragindi the rate of detection in March 2008 was 3.30; it is now down to 0.34, an 89 per cent reduction. On the Gold Coast Highway at Broadbeach the rate of detection in June 2009 was 4.86; it is now down to 2.10, a 56 per cent reduction. On the Warrego Highway at Redwood the rate of detection in September 2009 was 0.67; it is now down to 0.22, a 67 per cent reduction. On the Gold Coast Highway, Southport, the rate of detection in October 2009 was 14.15; it is now down to 2.28, an 83 per cent reduction. On the Warrego Highway at Muirlea the rate of detection in January 2010 was 0.68; it is now down to 0.54, a 20 per cent reduction. On the Sunshine Motorway at Mooloolaba the rate of detection in March 2010 was 1.10; it is now down to 0.5, a 54 per cent reduction.

These statistics clearly show that motorists are changing their driving behaviours and are slowing down, which is exactly what fixed cameras are designed to do. Speed contributes to around 25 per cent of road fatalities each year. If we are going to end the carnage on our roads we need to break the culture of speeding that some Queenslanders subscribe to. Queensland police have an 'anywhere, anytime' speed enforcement policy with police using fixed speed cameras and covert and visible mobile speed detection cameras on major roads and suburban streets alike. The government and police will maintain the intensity of speed and other traffic offence enforcement to further motivate Queenslanders to do the right thing and help save more lives on Queensland roads.

Fitzgibbon Chase

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.06 am): Earlier this month the first residents moved into the Fitzgibbon Chase housing estate on Brisbane's north side, an exciting affordable housing estate created by the Bligh government's Urban Land Development Authority. Three families have moved in so far, just 14 months since the construction started. They are the first of up to 3,000 residents expected to call Fitzgibbon Chase home by 2014. This urban development area is already proving to be a success story for affordable housing and sustainable living, where all dwellings have a minimum six-star energy rating. The development even received EnviroDevelopment accreditation through the Urban Development Institute of Australia, recognising Fitzgibbon Chase's innovative use of open green space, energy efficient housing design, advanced waste minimisation and recycling strategies and extensive ecological management plans for the future. In addition to this, the federal Labor government is also helping us work towards a greener future.

Recently the Minister for Climate Change, Energy Efficiency and Water, Senator Penny Wong, visited the site with member for Petrie and keen Fitzgibbon Chase supporter Yvette D'Ath, and announced a massive \$7.13 million investment for water recycling at Fitzgibbon Chase. This grant will be invested in two major projects to provide the residential development with approximately 133 million litres of new water supplies and supply 84 per cent of the development's non-drinking water needs. This is the way of the future. This is the water smart, sustainable, green and affordable vision Labor has for Queensland and the Gillard government has for Australia. In fact, of the dwellings being constructed in Fitzgibbon, 66 per cent will be sold at or below the median house price for Brisbane. This will help young people into the housing market. It will allow more key workers, like nurses and tradespeople, to live closer to their workplaces in our city, easily accessing quality public transport at the neighbouring Carseldine station. This is what vibrant, sustainable and smart cities are all about.

The Bligh government said that it would deliver affordable housing for the people of Queensland and, along with the Gillard government, that is what we are doing. Frighteningly, Tony Abbott does not believe in affordable housing. He does not even see a role for the federal government in city planning. He is not interested in delivering the services cities need to be vibrant, affordable and liveable.

In his personal manifesto *Battlelines*, Mr Abbott describes public transport in Australia as 'a hideous drain on the public purse'. He states—

There just aren't enough people wanting to go from a particular place to a particular destination at a particular time to justify any vehicle larger than a car and cars need roads.

How lovely life would be if we all lived on the north shores of Sydney. However, Mr Abbott, we do not. Tony Abbott has eyes only for Sydney, but when I look at broader Sydney I see a mess. Unfortunately, Mr Abbott cannot look beyond his North Shore lifestyle and appreciate the real issues affecting Australians. He is a real risk that Queenslanders just cannot afford.

Cougar Energy, Environmental Evaluation

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (10.10 am): Our government is serious about ensuring mining operations in Queensland are safe and that the environment and regional communities are protected. That is why with regard to events at Cougar Energy's underground coal gasification site outside Kingaroy we make no apologies for taking strong action, and for putting the safety of the community and the environment first.

Under the environmental evaluation order imposed on the company last month, Cougar has been required to investigate the source, cause and extent of groundwater contamination resulting from its operations and to provide a report on this investigation to government. The Department of Environment and Resource Management has now received a formal environmental evaluation report from Cougar Energy under the Environmental Protection Act. The department now has 20 business days to consider the report and determine what further actions may be required.

The report will also be referred to the independent scientific expert panel engaged by the government to assess the completeness of the evaluation. The scientific panel has been appointed to assess and report on the technical, environmental and social impacts of the underground coal gasification industry. Put simply, in order to protect the surrounding landholders and the environment, if the scientific panel is not satisfied with this new technology, our government will not allow the pilot projects to continue.

Cougar Energy's operations remain suspended while this assessment is undertaken. The investigations undertaken by Cougar Energy for the environmental evaluation are separate from the formal investigation being undertaken by the department to determine whether the company has breached strict environmental protection legislation, and relevant offences could attract penalties, or fines, of up to \$2 million.

The conditions of the company's environmental authority for operations were clear: no contamination of groundwater was allowed and, indeed, it had to ensure groundwater was properly protected. If there is any evidence that this company has failed to meet its legislative requirements, we will not hesitate to take action against it.

Community Justice Groups, Funding

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.12 am): The Bligh government is committed to ensuring that all Queenslanders have a fair and accessible justice system. In keeping with that commitment, I am pleased to advise the House today that the government will boost funding for Indigenous community justice groups in 2010-11 to more than \$4 million.

Community justice groups play a crucial role in helping to reduce the number of Aboriginal and Torres Strait Islander people who have contact with the criminal justice system and, particularly, the disproportionately high rates of Indigenous imprisonment. These groups strive to respond to justice issues in Aboriginal and Torres Strait Islander communities, providing invaluable support to Indigenous victims, witnesses and defendants at all stages of the legal process. They also provide support directly to the courts, making submissions on cultural issues to magistrates and judges when sentencing offenders.

The Bligh government is determined to ensure that people in Queensland's Indigenous communities have access to not only safe communities but also a culturally appropriate justice process. Queensland's community justice groups work closely with Murri Courts, the remote justices of the peace program and the Queensland Indigenous Alcohol Diversion Program. They also encourage diversionary and early intervention processes through their networks with government and non-government agencies.

Community justice group members are respected elders, traditional owners and people of 'good standing' within local communities, and we thank them for their contributions. During 2009-10, they helped provide assistance and support to more than 43,000 people across our state.

This financial year, the government has increased total funding by \$150,000 to \$4.04 million, with the money to be distributed to 52 community justice groups across Queensland. These groups cover the length and breadth of our state, from Logan to the Torres Strait islands, our major regional communities and out west to places such as Normanton, Mount Isa, Cunnamulla and St George.

The increased allocation of funding for 2010-11 to these groups is evidence of this government's commitment to reducing the number of Indigenous people who have contact with the criminal justice system. It is part of our determination to ensure that people in Queensland's Indigenous communities have access to a fair justice system.

Gateway Upgrade Project; Queensport Rocks Park

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.14 am): With all six southbound lanes of the new Sir Leo Hielscher Bridge now open to traffic, work crews are focused on a major revamp of the northbound lanes. By the end of the year, we will have six lanes southbound and six lanes northbound delivered six months ahead of schedule. They are part of Australia's largest road and bridge project and it is about slashing travel times and easing congestion for thousands of busy motorists who use the bridge every day.

Every extra lane means an extra 14,000 vehicles an hour can cross the river. When all the gateway works are completed by mid next year, motorists will save up to 20 minutes on a trip from Nudgee in the north to the Pacific Motorway in the south. For motorists, it means less time spent in traffic and more time to go about their business.

The opening of all six southbound lanes on the new Sir Leo bridge earlier this week is a milestone in the Bligh government's \$2.5 billion upgrade of the gateway corridor. And the good news is not just for motorists. Today I can announce that the completion of all 12 lanes will coincide with the opening of a new park, Queensport Rocks Park, underneath the bridges on the southern banks of the Brisbane River. It means more green space for the community and it will link up with the \$36 million pedestrian and cycle path on the new bridge. It is about being healthy and being active and, best of all, it is free.

Surat Basin Future Directions Forum

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.16 am): On Tuesday, state and local government officers, the Surat Basin community and industry representatives met in Dalby to discuss key issues around planning for the region's growth. This meeting was a significant step forward in the Surat Basin Future Directions strategy announced by the Premier in March. The Surat Basin strategy is designed to manage growth and ensure the boom region continues to be a place where families can move and make their home. It is part of \$27.9 million in funding designed to manage growth in boom areas of Queensland.

Tuesday's forum was attended by local government leaders such as Mayor Robert Loughnan, Ray Brown and around 60 members of the community. Forum attendees were updated on 10 initiatives under the statement and participated in workshops to develop initiatives and give voice to their views on opportunities and challenges facing the region.

While energy resources will drive development in the Surat, the government is working with the community to ensure growth is balanced and sustainable. Information provided by participants will help address issues such as planning and population settlement, infrastructure, economic and workforce development, housing affordability, land access and strategic cropping land.

The Bligh government has long recognised the important role that our regional economies play in contributing to our prosperity. Indeed, it was the strength of our regional industries, such as mining and agriculture, that pulled Queensland and the nation through the recent global recession. We know we need to get the balance right between these two important industries, which is why we are engaging with local government, industry and the community to plan for future growth.

A draft regional planning framework and settlement pattern plan will be released later this year that will help balance economic, social and environmental interests within the region. The bottom line is that the Bligh government, in partnership with the local community, industry and government, wants the Surat Basin to develop in a balanced and sustainable way.

Ministerial Indigenous Round Table

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.18 am): I am pleased to announce the next Ministerial Indigenous Round Table will be held on 9 and 10 November on Palm Island. Mayor Alf Lacey is excited that his community is hosting this high level meeting, which will build on our discussions about local government financial sustainability, sport and recreation opportunities, as well as progressing other significant issues facing Indigenous councils. Mayor Lacey said—

This is really important for Indigenous Councils to engage with State Government and Cabinet Ministers.

Conferences of this magnitude give the ministers and the mayors an in-depth opportunity to discuss the issues that they are facing. Holding the meeting in an Indigenous community also gives the mayors the opportunity to look at all the good things that are being done by the host local government.

There is indeed a lot to see on Palm. For example, there is the new emergency services complex, refurbished retail store, progress being made on establishing a new business precinct and new housing developments. I am committed to continuing our collaborative and positive partnership with Aboriginal and Torres Strait Islander mayors to achieve meaningful outcomes for Indigenous communities and help close the gap.

The Ministerial Indigenous Round Table in Bamaga on 12 May was the first to be hosted by a mainland Indigenous community since the historic Indigenous Partnership Agreement meetings in Yarrabah and Atherton back in 2007. I had the opportunity during estimates to highlight just how successful the Bamaga round table was. It gave the Northern Area Peninsula Regional Council an opportunity to showcase council infrastructure and services and the tremendous progress that has been made since amalgamation. The mayors were particularly interested to hear of the council's proposal to develop a 'community farm' which would provide traditional fruit and vegetables to locals and may in time supply other communities in the far Far North.

In Bamaga, the mayors requested assistance from the department with training for staff and also for their councils in best practice financial management. I am pleased to say that on Wednesday next week the mayors of the Indigenous communities will be gathering in Yarrabah for their first financial management masterclass. I would like to congratulate all of the mayors on their ongoing commitment and hard work. They are making headway in taking their councils forward and improving their communities for generations to come.

Taxi Strategic Plan

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.20 am): The taxi industry forms a critical part of the public transport network, moving 90 million people a year. Right now, a strong labour supply means that it is experiencing the shortest waiting times for years, but concerns have still been raised about the quality of customer service and about drivers' ability to make a living. These are concerns which government is listening to and on which we have already been shown to act.

So far a number of changes have been made. New standards making it tougher to become a taxidriver were introduced last year and a taxi compliance unit has been established to conduct regular compliance operations. Since 25 September last year, there have been 104 taxi compliance operations, intercepting 4,466 taxis.

Later this year a new national requirement for drivers to complete an approved course taught by a registered training organisation will come into force, as will new national English standards. But this industry is an incredibly complex one with many players contributing and, in this tight financial economic environment, tight margins for some of those players.

That is why for the next stage of reforms I recently released a comprehensive draft Queensland Taxi Strategic Plan 2010-2015. The draft plan covers critical issues like the nature of the bailment agreement between drivers and owners and the nature of government's regulatory role. Consultation was extended last month to allow the community to also consider the Workplace Rights Ombudsman's recent report.

I am pleased to report a high level of interest, with 22 representations coming from industry and the public, though it is a notable disappointment that the very vocal Cab Drivers Association of Queensland did not formally contribute. Nonetheless, the formal submissions received are now being considered in detail by government.

In the meantime, I am pleased to announce further changes today. Firstly, the Taxi Industry Advisory Committee, which includes driver, owner and Taxi Council representation, will be expanded to include representation from the new taxi operators group. And I am pleased to announce that, following the success thus far of taxi compliance operations, funding of more than \$750,000 each year has been allocated within my agency to provide transport inspectors for the taxi compliance unit. Four officers will be allocated to taxi compliance activities in South-East Queensland and two will work across the regions.

Government will consider the Taxi Strategic Plan and the Ombudsman's report in coming months, and I look forward to advising the House of further initiatives as they are rolled out.

Cruise Down Under Conference

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (10.23 am): I am pleased to announce that from next Wednesday, 25 August, the 2010 Cruise Down Under Conference will sail into Brisbane. The 14th annual Cruise Down Under Conference is being sponsored by Tourism Queensland, Portside Wharf and Brisbane Marketing and will bring together about 100 delegates from across the Asia-Pacific region.

The Cruise Down Under Conference is the premier cruise shipping conference for tourism and cruise officials to come together to discuss the state of the industry, trends, international port comparisons and the sustainability of the industry. The theme of this year's conference is 'Rise to the Challenge'. Keynote speakers include top international and domestic cruise executives, such as Bruce Krumrine, Vice-President of Shore Operations for Princess Cruises; and Craig Milan, Senior Vice-President of Land Operations for Royal Caribbean Cruises and also President of Royal Celebrity Tours. Attendees will gain insights into the challenges for the industry following the global financial crisis and the continuous growth of cruise shipping in Australia and Queensland in particular.

Tourism Queensland has increased its focus on the cruise industry in recent months, as it has been experiencing continued growth in recent years. Between 2008 and 2009, Queensland's cruise shipping industry generated more than \$203 million in related expenditure—an increase of more than \$52 million on the previous year—and also supported more than 1,000 full-time jobs for Queenslanders. Furthermore, the total number of passengers onboard cruise ships that docked in Queensland ports during the same year amounted to almost 248,000—an increase of more than 78,000 compared with 2007-08.

Cruise shipping has been identified as a priority development opportunity for Queensland, and supporting the industry's growth is a key action under the Bligh government's Tourism Action Plan to 2012. It is great news that Brisbane is hosting the conference, but it is even better that this particular sector of tourism is growing. This shows the benefits of having a plan—the Bligh Government's Tourism Action Plan to 2012—and delivering on that plan to protect jobs and help steer the tourism industry through both the good times and the bad.

Bridge to Brisbane

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.25 am): Thousands of Queenslanders will take part in the *Sunday Mail* and Suncorp Bridge to Brisbane next Sunday, 29 August. It is an iconic event—one in which the Premier has regularly competed, as well as other of my cabinet colleagues including the Deputy Premier. The Bligh government is proud to be part of the event as it fits in well with our Toward Q2: Tomorrow's Queensland aim to make Queenslanders Australia's healthiest people.

In financial terms, our support includes a \$50,000 sponsorship of this year's fun run. This investment is definitely worthwhile on many levels as the annual fun run is now the biggest community sporting event in Queensland and has raised more than \$3 million for various charities in its 13-year history. And money raised from this year's event will go to Autism Queensland—a worthy cause.

Only 4,500 people participated in the Bridge to Brisbane in its first year in 1997, but this year we anticipate more than 50,000 entrants to complete the five-kilometre and 10-kilometre course. The Department of Communities, through Sport and Recreation Services, coordinates a whole-of-government Find Your 30 team. Last year, we had more than 1,200 participants which was the second largest team entry in the fun run. This year, I want our team to be the largest team, and I encourage our public servants to take part in the Bridge to Brisbane, as I encourage everybody to take part.

In order to make it easier, government departments are encouraged to subsidise 50 per cent of the entry fee for staff who join the Find Your 30 team. As an extra bonus, all members of the government team will be given our new Find Your 30 T-shirt—and I happen to have an example of it here.

The Bridge to Brisbane is an exciting challenge to people of all ages, with an emphasis on the community and getting active. We all know playing sport and getting active is one of the best ways to improve our quality of life, both physically and socially. I would like to thank the *Sunday Mail* and Suncorp for their support of this iconic fun run. The sponsorship of the Bridge to Brisbane fun run and our support for government employees competing in the run are just further examples of the Bligh government record of providing more funding for sport and recreation services than any other state or territory in the country.

Queensland Youth Forum

Hon. KL STRUTHERS (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (10.28 am): The Bligh government knows that young people have a lot to say and a lot to offer. We are calling on young people to nominate for the Queensland Youth Forum to be held from 26 September to 30 September. The exciting new program called 'Own it, Change it' will bring 40 Queenslanders aged 16 to 25 together in the one place where they can have their say and contribute their ideas for our state.

The forum will include a range of guest speakers and workshop presenters showing young people how they can make a difference to life in Queensland. This is the latest in a number of initiatives being run by the Bligh government as we engage with youth across Queensland. I have been out talking to young people and finding out what is on their minds. At our community cabinet in the Far North in June, I met with young people at the Innisfail community centre and they asked me about Youth Parliament and following that they came down for the Indigenous Youth Parliament event in July.

Other youth engagement activities funded by the Bligh government include: the Regional Youth Engagement Roadshow in Warwick, Goondiwindi, St George, Cunnamulla, Charleville, Roma, Chinchilla, Oakey and Millmerran; the Ingham Regional Youth Engagement Summit; the Speak Up Forum on the Sunshine Coast; the Indigenous Youth Forum in Rockhampton; the Fusion Youth Summit in Redcliffe; National Youth Week; and many more activities. Today, I can also announce that I have asked the Office for Youth to hold a youth engagement activity at every community cabinet we hold in

Queensland. We have had 132 community cabinets since 1998, with 25 under the Bligh government. We have covered almost every corner of the state. This stands in stark contrast to the approach of Tony Abbott who wants to cut the federal community cabinet process. He wants to cut the opportunity for young people, all people, to have a say.

PUBLIC ACCOUNTS AND PUBLIC WORKS COMMITTEE

Report

Mr WENDT (Ipswich West—ALP) (10.29 am): I lay upon the table of the House the Public Accounts and Public Works Committee annual report for 2009-10. This report outlines the activities of the committee during the year. I would like to take this opportunity to thank all those who have assisted the committee with its work program during the year, in particular our research team of Debbie Jeffrey, Helen Bogiatzis and Marilyn Freeman. I would also like to thank the other members of the committee for their continued input and support. I commend the report to the House.

Tabled paper: Public Accounts and Public Works Committee: Annual Report 2009-10 [\[2785\]](#).

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mrs MILLER (Bundamba—ALP) (10.30 am): I table the Scrutiny of Legislation Committee's report No. 42, *Review of part 7 of the Statutory Instruments Act*. The report concludes a review by the committees of the 52nd and 53rd parliaments of sunseting, the statutory framework for the staged automatic expiry of subordinate legislation. It was the first review since the enactment of part 7 in 1994. Parliamentary review of subordinate legislation was an essential reason for that enactment and also a key focus of the committee's review. Subordinate legislation is made when parliament delegates a law-making power to the executive, so through part 7 requirements for review and expiry every 10 years, the Legislative Assembly is sure that delegated legislation will be subjected to its scrutiny at regular intervals.

The five recommendations made in the report aim to improve the process by which subordinate legislation is reviewed, remade and then examined by the parliament. They aim to ensure that people are informed about subordinate legislation and its likely effect upon their rights and liberties. Finally, the recommendations are directed to ensuring also that the stated purposes of part 7 are being met—that is, reduction in the regulatory burden on the people of Queensland, that subordinate legislation is relevant to our economic, social and general wellbeing, and that it is of the highest standard. I commend the report to the House.

Tabled paper: Scrutiny of Legislation Committee: Report No. 42—Review of Part 7 of the Statutory Instruments Act—Final Report [\[2786\]](#).

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE

Parliamentary Crime and Misconduct Commissioner Report

Mr HOOLIHAN (Keppel—ALP) (10.31 am): I lay upon the table of the House the report of the Parliamentary Crime and Misconduct Commissioner, Mr Gary Long SC, on the seventh inspection of the CMC's records regarding surveillance device warrants. The inspection covers the period 16 December 2009 to 30 April 2010 and was conducted pursuant to section 362 of the Police Powers and Responsibilities Act 2000. Full details of the Parliamentary Commissioner's inspection and findings are set out in his report.

Tabled paper: Report, dated June 2010, by the Parliamentary Crime and Misconduct Commissioner titled 'Report on the results of the inspection of the records of the Crime and Misconduct Commission pursuant to section 362 of the Police Powers and Responsibilities Act 2000' [\[2787\]](#).

Crime and Misconduct Commission Publications

Mr HOOLIHAN (Keppel—ALP) (10.31 am): I also lay upon the table of the House a letter from the CMC chairperson, Hon. Martin Moynihan AO, QC, dated 29 July 2010, attaching the CMC's report for the year to 30 June 2010 on compliance requirements for assumed identities under section 314(1) of the Police Powers and Responsibilities Act 2000.

Tabled paper: Letter, dated 29 July 2010, from Martin Moynihan AO QC, Chairperson, Crime and Misconduct Commission, to Mr P Hoolihan MP, Chairman, Parliamentary Crime and Misconduct Committee, enclosing report titled 'Annual Report to the Chairperson Parliamentary Crime and Misconduct Committee for the period 1 July 2009 to 30 June 2010—Reporting requirements under the Police Powers and Responsibilities Act 2000 (PPRA) for assumed identities' [\[2788\]](#).

Further, I lay upon the table of the House a letter from Hon. Moynihan, dated 4 August 2010, attaching the CMC's annual compliance reports for the year to 30 June 2010 in respect of surveillance device warrants under section 358(1) of the Police Powers and Responsibilities Act 2000.

Tabled paper: Letter, dated 4 August 2010, from Martin Moynihan AO QC, Chairperson, Crime and Misconduct Commission, to Mr P. Hoolihan MP, Chairman, Parliamentary Crime and Misconduct Committee, and attachment titled 'Annual report to the Parliamentary Crime and Misconduct Committee for the period 1 July 2009 to 30 June 2010—Reporting requirements under the Police Powers and Responsibilities Act 2000 (PPRA) for surveillance devices' [2789].

Finally, I lay upon the table of the House a letter dated 4 August 2010 from Hon. Moynihan on behalf of the Controlled Operations Committee of the CMC attaching a schedule of controlled operations applications for the year to 30 June 2010 under section 138(2) of the Crime and Misconduct Act 2001.

Tabled paper: Letter, dated 4 August 2010, from Martin Moynihan AO QC, Chairperson, Crime and Misconduct Commission, to Mr P. Hoolihan MP, Chairman, Parliamentary Crime and Misconduct Committee, and attachment titled 'Schedule of controlled operations application for the period 1 July 2009 to 30 June 2010 Crime and Misconduct Act 2001 section 138(2)' [2790].

NOTICE OF MOTION

Emergency Services

Mr MESSENGER (Burnett—Ind) (10.33 am): I give notice that I shall move—

That this House notes:

- Queensland Emergency Services deserve a stand-alone minister.
- Queensland rural fire fighters, when compared with every other Australian State, are one of the worst resourced.
- This government has failed to properly support our rural fire brigade volunteers.

And calls on the Premier to support the payment of all operational expenses, including fuel and maintenance for all rural fire fighting appliances by this government.

SPEAKER'S STATEMENT

Visitors to Public Gallery

Mr SPEAKER: In the House today, we will be visited by Tallebudgera State School in the electorate of Currumbin, Bethany Lutheran Primary School in the electorate of Ipswich and MacGregor State High School in the electorate of Sunnybank. Honourable members, we will be joined at about 11 o'clock by a special delegation from PetroChina, Shell and Arrow. I will interrupt question time at some point so the whole House can acknowledge them. There is a signing apparently later today. Question time will end at 11.35 am.

QUESTIONS WITHOUT NOTICE

Police Service; Crime and Misconduct Commission

Mr LANGBROEK (10.35 am): My first question without notice is to the Premier. I refer to this morning's court outcome that prevents the Police Commissioner personally taking disciplinary action against two police officers because of the apprehended bias caused by the public statements made by the chair of the CMC, Martin Moynihan. Will the Premier reveal how much Queensland's taxpayers have forked out for these two Labor government appointments to fight it out in court?

Ms BLIGH: I thank the Leader of the Opposition for the question. I have to say that I find it an extraordinary question. For the benefit of the House, let me advise that Justice Lyons has this morning brought down a judgement in a matter that was the subject of an application brought by the Queensland Police Union and that matter was heard by Justice Lyons. As I said, the application was not brought by the CMC, it was not brought by the Queensland Police Commissioner, it was not brought by the Queensland government; it was brought by the Queensland Police Union. They are entitled to do that. It is their right. They took the view that they wanted to represent their members in that way. There is nothing untoward or unreasonable in the actions of the Police Union. Similarly, it is not unusual, given the application involved matters involving both the CMC and the Police Commissioner, that both would have been involved in the court hearings. That is what happens in a democracy.

I find it astonishing that the Leader of the Opposition would ask a question framed in the way that he has that in some way implies that these matters should not be ever contemplated by a court, that unions have no right to take those matters on behalf of their members into a court if that is what they have a view about and, similarly, that if an application is before a court and it involves two citizens they

have no right to be involved in the court hearing. It is simply astonishing—well, in any other parliament it would be astonishing, but there is nothing astonishing about the Liberal National Party getting stuck into the CMC—

Mr Fraser: The old separation of powers gets you again.

Ms BLIGH: Getting stuck into the separation of powers.

Ms Nolan: Read the book.

Ms BLIGH: Yes. Mr Speaker, I can only refer those opposite to the learned tome that you brought to our attention earlier this week, *The Ayes Have It*. From 1957 to 1989, what we had was a government led by the National Party of Queensland, acquiesced to by the Liberal Party, that systematically undermined the separation of powers, that abused executive government. The minute those opposite got in for that short period of time, what did they do? They used millions of taxpayers' dollars to undermine and get rid of what was then the CJC, the watchdog set up as a result of the Fitzgerald inquiry.

Those opposite have learned nothing from history. Nothing better demonstrates that they are still unfit for government than the question just asked by the Leader of the Opposition. Who wrote that question? Could it have been his chief of staff? Could it have been the Police Union's organiser who is now running the LNP? I remember when journalists like the member for Indooroopilly used to get out and talk about that kind of corruption, and now he is part of it. They are not fit for government.

(Time expired)

Police Service; Crime and Misconduct Commission

Mr LANGBROEK: My second question without notice is also to the Premier. Does the Premier finally accept that there is a crisis of public confidence in the ability of the heads of these two very important pillars of government to work together? Does the Premier accept that it would be in the best interests of Queensland for one or both to stand aside, or is she happy for this farce to continue?

Government members interjected.

Mr SPEAKER: Order! Those on my right will cease interjecting. I call the honourable the Premier.

Ms BLIGH: I think for the benefit of those opposite it might be useful for me to explain in the simplest of terms that the role of the CMC is to act as an independent watchdog on the operation of the public sector in Queensland, with particular reference to the operation of the Queensland Police Service. In my view, we should expect to occasionally see some tension between these two organisations. There should never be such a cosy relationship between the Police Service and the watchdog that there is no such thing as a disagreement.

Once again, the very first chance the LNP gets to undermine the CMC it is in the House suggesting that we should get rid of the head of the CMC. Those opposite have learned nothing from history. As I said in answer to the first question, if anything proves that they have learned nothing from history, learned nothing from their own political tragedies over the last 30 years and proves them less fit for government, it is this series of questions.

I would also say to the House that it is, of course, ultimately a matter for the committee, but in our system of government and in the Queensland democratic framework we have an oversight committee of the CMC. That oversight committee—again, established under the framework recommended by Tony Fitzgerald—is a bipartisan parliamentary committee that oversees the operations of the CMC. If that committee were of the view that there were any issues raised in the judgement issued by Justice Lyons that warranted its consideration then of course that is entirely a matter for it. I would suggest that it should in fact have a look at the judgement and make its own conclusions about whether or not it should consider it.

This government stands for an independent Crime and Misconduct Commission. This government stands for an independent operational Police Service. This government understands and will defend the separation of powers. This government will not abuse executive power and direct the Police Commissioner. We will not abuse executive power and sack the CMC head. We will not use taxpayer funds to nobble the CMC. We will not be pouring millions of taxpayers' dollars into prosecuting a political campaign. We will not be signing secret MOUs with the Police Union. We will not be doing any of the things that we can rely on the LNP doing. When the Liberals used to stand up to them there were some checks and balances, but now there are none.

(Time expired)

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order. I call the member for Brisbane Central.

Airport Roundabout

Ms GRACE: My question without notice is to the Premier. Can the Premier update the House on work to improve travel times on what has long been regarded as one of Queensland's most congested intersections—the old airport roundabout?

Ms BLIGH: I thank the member for Brisbane Central for the question. She would know, as many of her constituents would know, that the airport roundabout has for a number of years been the traffic bottleneck that everyone loved to hate. Our government applied itself to this congestion problem. We applied ourselves—

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting. I call the honourable the Premier.

Ms BLIGH: We applied ourselves to this congestion problem. We put new investment into it. With a determined focus, we have systematically improved it.

The first improvement took place in 2008, when traffic lights were installed. Next up was the \$2½ billion Gateway Upgrade Project, which opened in December last year. What has that done? It has taken 40 per cent of the traffic off that bottleneck. But there is very good news for those commuters who use the airport or who work in that area.

Within 48 hours the final piece of the jigsaw will be in place. The airport flyover that people have been watching take shape over that roundabout will have the last segment put in place probably on Saturday but sometime within the next 48 hours. Some 435 of the 436 bridge segments are now in place. Each one weighs a massive 52 tonnes. This weekend each one will be in place. What does that mean for motorists? The first cars will be on the airport flyover in October this year. When was it scheduled? November next year. That is 13 months early.

Mr Nicholls: You stopped the project.

Ms BLIGH: We would think that the member for Clayfield would be happy.

Honourable members interjected.

Mr SPEAKER: Order! There is too much crossfire. I want to hear the Premier.

Mr Lucas interjected.

Mr SPEAKER: Order! Deputy Premier, I want to hear the Premier. I call the honourable the Premier.

Ms BLIGH: This government will be delivering this traffic solution, this congestion-busting solution, 13 months early and on budget. Is it on a National Highway? Yes, it is. How much federal money was put into this? How much did John Howard put into the project? None. This government is delivering. We are delivering infrastructure as part of our job-creating program. We are delivering on budget. We are delivering not just on time but 13 months early.

We will see the full project open in the first half of next year, but the first cars will be on this flyover in October. It will remove the last piece of the problem at the airport roundabout. The next part will then be the fast diamond. All of that will mean that the airport roundabout and the traffic going to and from and through the airport will no longer be any problem for the traffic network of South-East Queensland. Unlike those opposite, who we would think would applaud it because it affects their constituents, I congratulate the workers on this project.

(Time expired)

Labor Party, Allegation of Assault

Mr SPRINGBORG: My question without notice is to the Minister for Police. I refer to revelations by community leader and victim of crime Mr Cyril Vains, who has revealed that the hierarchy of the Labor Party pressured him not to press charges against Labor candidate for Dawson Mike Brunner for alleged assault. Does the minister know which members of the Labor Party hierarchy were involved in attempting to pervert the course of justice? If not—

Ms Bligh: He should have made a complaint to the CMC but they want to get rid of it.

Mr SPEAKER: Order! I want to hear the question from the Deputy Leader of the Opposition.

Mr Nicholls: Are you taking any action as the president of the Labor Party?

Ms Bligh: Where's the evidence?

Mr SPRINGBORG: Maybe even consult the chairman of the CMC before you actually approve the Police Commissioner.

Honourable members interjected.

Mr SPEAKER: Order! Both sides will come to order!

Honourable members interjected.

Mr SPEAKER: Order! Both sides will come to order! I would ask the honourable the Deputy Leader of the Opposition to start his question again

Mr SPRINGBORG: I refer to revelations by community leader and victim of crime Mr Cyril Vains, who has revealed that the hierarchy of the Labor Party pressured him not to press charges against Labor candidate for Dawson Mike Brunner for alleged assault. Does the minister know which members of the Labor Party hierarchy were involved in attempting to pervert the course of justice? If not, has the president of the Labor Party, Anna Bligh, helped police identify the culprits?

Mr ROBERTS: Mr Speaker—

Honourable members interjected.

Mr SPEAKER: Order! Just resume your seat and I will wait for the House to come to order. I call the honourable the Minister for Police.

Mr ROBERTS: The answer to the question is that if anyone has any information which needs to be referred to the Police Service in relation to allegations of seeking to pervert the course of justice then they should refer them to the police. This matter has been widely publicised in the media. I think we have all read the stories and all seen the media coverage of it. If anyone has a complaint to make—and I am not aware that a complaint has been made at this particular time—whether it be the people involved in the alleged incident or the member with the allegations he has made, then they need to refer it to the police. I am not aware of any such evidence or information in that regard. I suggest to the member that if he has that information he should refer it directly to the Police Service.

Bligh Labor Government

Mr KILBURN: My question without notice is to the Premier. Could the Premier outline for the House what the Labor government is doing to build the Queensland of tomorrow?

Ms BLIGH: Our government is firmly focused on the future of Queensland in terms of creating a strong economy, creating a greener Queensland, a smarter Queensland, a Queensland where Queenslanders are healthy, and a fair society—and in every one of those areas we are realising our ambitions and our vision for this state. We are continuing on with our building program and, as I and the Treasurer have outlined all week, it is delivering jobs and it is delivering some of the strongest jobs growth in the country. I outlined this morning the airport upgrade as well as progress on Airport Link. All of these are clear examples of a government planning for growth and a government with its eye firmly fixed on the future. Our commitments do not just rest here in South-East Queensland. In places such as Cairns, Townsville, Mackay, Rockhampton, out west, Mount Isa and Toowoomba we are building new hospitals, we are building new schools and we are investing in roads in order to take each and every one of those communities forward.

As we counter the effects of population growth and as we plan for a growing state, we understand that much of that will be done much more effectively if we can do it in partnership with a federal government that is interested in nation building. Many of the projects that we talk about in this parliament on a regular basis are projects that would have happened much more quickly, would have happened on time and would have happened when the population needed them if there had been a speck of interest from the Howard government over 12 years in nation building or working in partnership.

The differences that confront the electorate this Saturday could not be more stark. We either have a government in Canberra interested, as the Labor government is, in nation building and in investing in infrastructure; or we have Tony Abbott, who will cut infrastructure programs. We either have a team that has a strong plan for the economy, as Julia Gillard does, with a plan to bring the federal budget to surplus; or we have Tony Abbott—no plan except to cut. When it comes to health we either have more nurses and better hospitals here in Queensland with the federal government funding those hospitals in partnership with us, or we have health cuts. In education we either see a government investing in our schools and investing in trade training centres, or we have Tony Abbott and cuts. In jobs we either have more jobs and fair workplaces, or we have Tony Abbott and Work Choices. In broadband we either have a fast broadband to drive a modern economy, or we have the same old LNP slow lane. In the environment we either have more renewable energy and investments in solar, or someone who thinks that climate change does not exist. Tony Abbott will take Queensland backwards, and we cannot let that happen.

(Time expired)

Economy

Mr NICHOLLS: My question is to the Premier. Last night another report containing criticism of the government's handling of the Queensland economy was released, and I cannot help but notice that it was not mentioned in ministerial statements. The Sensis business index of small and medium enterprises reports that 68 per cent of SMEs now support the federal coalition over federal Labor, an

increase over the 2007 election result. Premier, what does it say about this government's economic policies when Queensland's small businesses are overwhelmingly turning away from this dud Labor state government?

Ms BLIGH: They just cannot help themselves. They are serial complainers about Queensland. They are serial knockers of our state. The LNP is now actively—

Honourable members interjected.

Mr SPEAKER: Order! Stop the clock. I will wait for the crossfire from both sides to end so I can hear the Premier.

Ms BLIGH: Thank you, Mr Speaker. As I said, the LNP has now begun an active daily campaign against Queensland. I am very happy to talk about the report that the honourable member mentioned, and let me tell the House what it says. Firstly, it shows that business confidence for small and medium enterprises in Queensland has grown since May. It is up by six points. What has happened to SME business confidence in Queensland in the three months since May? It has grown by six points! What does it say about small business support for the Queensland government? It says that it has improved during the last quarter, so it has got better. What does it say about business confidence for SMEs? Not only has it grown in the last quarter but it is equal to the general increase in business confidence across the nation.

So I am very happy to talk about this. Those opposite took the report with all that positive news about business confidence in Queensland and they waded and they trawled and they found one little problem and so they thought it was worth a question in here today. We on this side of the House are proud Queenslanders. We believe that what is happening in this state is better than any other state of Australia. We would rather live here and work here than any other part of the country. Those opposite believe that there is some other place that they would rather be. Perhaps they would rather live in Western Australia, which they believe is a business paradise. Of course, Western Australia has much higher payroll tax than we do here. What do those opposite say about SMEs over there? Those opposite want us to match the achievements of Victoria, which cannot hold a candle to our business incentives.

We will always be a champion for this state. When it comes to confidence, we will be proud Queenslanders. Those opposite can knock and they can try to drag it down, but it does them no credit. What this economy needs is people who will champion it and people who have the guts and the strength to stand up and make the decisions, and that is our side of the House. Every day we get up and talk about jobs, and what has happened? We are creating jobs faster than any other state. We get up and talk about growing our economy, and what have we got? An economy growing faster than the national rate. We stand up for Queensland. Those opposite knock it!

(Time expired)

Interruption.

DISTINGUISHED VISITORS

Mr SPEAKER: As I said to the House before, I would interrupt question time to acknowledge in the public gallery today the Consul-General of China, Mr Ren Gong-Ping, and also representatives from PetroChina, Shell and Arrow who are in the House as our guests this morning for a signing ceremony later today regarding the joint acquisition of the Australian resources company Arrow Energy. I ask all honourable members to welcome them in the traditional way.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Resumed.

Caboolture, GP Superclinic

Mrs SULLIVAN: My question without notice is to the Deputy Premier and Minister for Health. Can the minister please advise the House how the Gillard government's commitment to deliver a GP superclinic in Caboolture will benefit the local community?

Mr SPEAKER: I thought that needed a reworking, honourable member for Pumicestone, did it not?

Mr LUCAS: I thank the honourable member for her question, and I just make this observation at the commencement: I congratulate her and her husband, Jon, the federal member for Longman, for celebrating their 30th wedding anniversary yesterday. In fact, 30 years is two life sentences! But congratulations to both of you for that, and partnership is an important aspect of it.

An honourable member interjected.

Mr LUCAS: That is true; opposition leaders barely last 15 months in the Queensland coalition!

Queensland has the shortest elective surgery waiting lists in Australia and our emergency department performance is third in Australia. We want it to be first, not third. The Gillard and Bligh governments recognise that investment in areas like health and education is crucial. In fact, members will note the improvements in categories 1, 2 and 3 and emergency wait times in the recent quarterly report. Our Health budget grew this year by 10.5 per cent to \$9.99 billion against population growth of 2.6 per cent. But it is not just about investing in acute hospital care. Most people's medical involvement relates to GPs. GPs are the front line of medical services for people, and that is why the Gillard government recognises the need to invest in primary care and has committed \$355.2 million nationally to build and upgrade GP superclinics.

They are a key element in a strong primary health care system. They will provide a greater focus on health promotion and illness prevention and better coordination between privately provided GPs and allied health services. They will be at the cutting edge of e-health, electronic records and telehealth. I notice that the northside division of general practice was also awarded money from the federal government. They do a great job in that they are one of the first in the electronic health rollout and, again, they are in the member's area. I note that the honourable member has been absolutely at the forefront for advocating in relation to the proposed Caboolture GP superclinic, as is her husband. I am delighted to say that, in the spirit of partnership that she has exemplified with her husband over the years, the Queensland government is more than happy to put up the land at our site that is available for the GP superclinic should those advocating for that proposal see it appropriate to locate the superclinic there. I thank the member for her advocacy. That just shows the results that she has achieved.

The Gillard government is committed to establishing 11 GP superclinics in Queensland at Brisbane's southside, Bundaberg, Cairns, Gladstone, Ipswich, Mount Isa, Redcliffe, Strathpine, Townsville, the Gold Coast and Wynnum. That is something that they will be talking about at the Wynnum IGA—that they will be getting access to a GP superclinic locally. They will be talking about that down there. In fact, I might duck down there on Saturday morning to have a bit of a chat with them about that myself.

One of the problems that we have in this country is a national shortage of GP training places. The Gillard government is addressing that as well and we are working with them. This is also about improving the viability of general practice.

Water Prices

Mr ELMES: My question without notice is to the Minister for Natural Resources, Mines and Energy. The minister is surely aware that community groups are suffering under Labor's water charging policies. I table a water bill from the Noosa Rugby League Club which last year was required to pay only \$762.70. I now table with that the latest water bill from the Labor Party created Unitywater, which requires the club to pay \$6,030.50.

Tabled paper: Copies of correspondence and invoices for water charges for the Noosa District Rugby League Football Club Inc [2791].

Does the minister support this eightfold increase in water charges for a local sporting club and many others, or will he intervene to stop Labor's water rip-off?

Mr ROBERTSON: As the member knows quite well, Unitywater is a creation of councils, not of this state government—

Opposition members interjected.

Mr SPEAKER: The question has been asked. I have not heard a member attacked. What I am hearing is a minister attempting to answer the question.

Mr ROBERTSON: As the member would also be aware, at the time of the initial reforms all local governments in South-East Queensland were compensated to the tune of \$2 billion for the assets that were transferred from councils to state government to form part of the South East Queensland Water Grid. In addition, \$7 billion has been invested by the state government in establishing the water grid throughout South-East Queensland. That is reflected in the bulk water price, about which we have heard a bit over the past week.

In terms of the bills that South-East Queensland residents have been receiving from the council owned water entities, on average around about 25 per cent of that bill is made up of the state government's bulk water price. Seventy-five per cent of that bill is in relation to council water and sewerage charges. If a council owned entity such as Unitywater has decided that it will implement additional charges—in this case on sporting and community groups—then I would suggest in the first instance, as the *Sunshine Coast Daily* is reporting today, that that matter be taken up with local governments.

I understand that Mayor Abbot, in accepting his responsibilities as one of the shareholders of Unitywater, is giving some consideration to putting in place subsidies to assist those groups in relation to the decision that the council owned water entity has made in levying community groups and sporting organisations in the member's part of South-East Queensland. But I reiterate that, on average, 25 per cent—

Mr Horan interjected.

Mr ROBERTSON: As I said—and I will help the poor member for Toowoomba South one more time and I will speak a bit slowly for him—around about 25 per cent of the bills that South-East Queensland residents are paying represents the state government's water charge. On average, 75 per cent of those charges are local government derived charges. If any member has a problem with how those council owned water entities are performing, they should take it up with their local councils, because it is these council owned water entities that were insisted upon by the local government mayors during the process of water reform in South-East Queensland. We gave councils what it was that they wanted.

Small Business

Mr WENDT: My question is to the Treasurer and Minister for Employment and Economic Development. Can the Treasurer update the House on government initiatives designed to support small business and employment throughout Queensland?

Mr FRASER: I thank the member for Ipswich West for his question and for his interest in the benefits to small and medium enterprises in this state. His working life has involved supporting small and medium enterprises and I know that he has a great appreciation of the task that the small and medium enterprises in his electorate undertake.

Of course, what do we do as a state? We keep the lowest payroll tax rate in the nation. What have we done in recent times? We have increased the rebate for employers of apprentices and trainees to build the skills for the future. We introduced a new program, Jobs Assist, to support businesses through the worst of the global financial crisis. To date, that program has assisted some 1,777 small and medium enterprises here in Queensland that together employ some 43,000 people. That is what this government has been doing—putting the policies in action to support businesses to support jobs.

Of course we have already seen the latest attempt by those opposite this morning to talk down the Queensland economy by focusing on the negative elements contained in any report that they can get their hands on. That follows hot on the heels of their efforts yesterday to utilise data on the ASIC website to allege that there was a bigger problem in Queensland than in other states in relation to companies moving into external administration. It took some time to try to verify their figures from the table that they used in the parliament because—would you believe it—was the table from the ASIC website? No, it was not. Of course, they had to go and make it up. Why did they have to make it up? They had to selectively pick June and go back to June last year. If they had talked about what happened over the month, they would have had to talk about a six per cent decline and that did not suit their negative agenda.

Against the 200 companies that they were talking about, did they mention what had happened in exactly the same month in June? How many new companies were registered in Queensland? There were 2,508—that was in July. Did they mention that in fact in June the figure was a high of 4,023? No. I table that for the benefit of the House, because what they have been at again is doctoring data to try to campaign against the Queensland economy.

Tabled paper: Extract, downloaded 19 August 2010, from 2010 company registration statistics from the Australian Securities and Investments Commission [\[2792\]](#).

Tabled paper: Extract, downloaded 19 August 2010, from 2010 insolvency statistics from the Australian Securities and Investments Commission [\[2793\]](#).

I do not know what it is in the opposition office which means that they have to doctor things. It is a serial part of the position description, it seems. They like to airbrush the photos, they like to put the vaseline on the lens to try to smoke it up so that they can get the glamour shots in the DJ's catalogue to try to pretend that they have a real man running the opposition. But of course they are always there advocating for cuts—advocating for cutting jobs. They want to cheer for Tony Abbott and his cuts on Saturday. They want to make sure that the jobs in the Queensland economy are cut. They want to make sure that services are cut. They want to make sure that the economy is brought to its knees. That is the campaign that they are pursuing. They have been exposed as campaigning against the interests of Queensland and they should hang their heads in shame.

(Time expired)

Water Prices

Mr DICKSON: My question is to the Minister for Natural Resources, Mines and Energy and Minister for Trade. Will the minister intervene to end the gratuitous buck-passing between the state government's Labor mate and chairman of Unitywater, Jim Soorley, and the local council to ensure that Sunshine Coast residents get fairer water bills instead of the massive increases caused by this inept long-term Labor government?

Mr ROBERTSON: Following on from the previous question, I think it is useful to quote from the article in today's *Sunshine Coast Daily* that probably is the reason for the member's question about the alleged spat between the chair of Unitywater, the former Brisbane Lord Mayor, Jim Soorley, and local councillors. It is useful from a point of history. The article states—

Chairman Jim Soorley hit out at Councillor Russell Green's call for groups not to pay their bills, accusing him of 'shooting off' his mouth.

Mr Soorley said Unitywater was a business based on full-cost pricing.

He is absolutely right. It continues—

He said both the Coast and Moreton councils had agreed in February that if there were to be discounts or rebates on bills then the council, not Unitywater, would dish them out, just as Brisbane had done 15 years ago.

There we have the true history of what is going on. I note the interjection by the member for Warrego as I sat down after answering the previous question as to whether Unitywater should provide these rebates. Here we have the history of this matter—that is, the Moreton and Sunshine Coast councils, the two shareholders in Unitywater, agreeing that it was the responsibility of those councils to provide rebates to their affected residents. Let us look at the performance of Mayor Sutherland in terms of what he is doing for his constituents. He has actually been offering rebates to his constituents to provide a level of assistance during the early days of these water entities.

As the Premier said, who appointed Jim Soorley to this position? Well, it would have been the shareholding councils who actually made that appointment. The article further states—

When asked whether Unitywater should have informed community groups about this, Mr Soorley said it was a council responsibility, not Unitywater's job.

Mayor Bob Abbot said the council was looking into concessions for community groups but this had not been agreed upon.

He then went on to say that he was not sure how long it would take to reach a resolution or if this would be before the 30 September payment deadline. He then goes on to say that consideration is being given to providing assistance and concessions—quite appropriately so.

The only people who do not get the new arrangements for how water prices are determined for South-East Queensland seem to be those in the LNP. There is no surprise there, because it is just pure politics that they are playing rather than doing the hard yards of true reform to set up a sustainable water supply system in South-East Queensland. I table a copy of the article.

Tabled paper: Article, dated 19 August 2010, from the *Sunshine Coast Daily* titled 'We're not a charity on water: Soorley' [[2794](#)].

National Broadband Network

Ms JARRATT: My question is to the Minister for Public Works and Information and Communication Technology. By my reckoning, most of the towns that will miss out on optical fibre under Tony Abbott's privatisation of the NBN are in LNP and Independent electorates. Could the minister confirm if that is the case and what effect it would have?

Mr SCHWARTEN: How perceptive is the member for Whitsunday? That is exactly the case. My research tells me that 75 per cent of the places on the list that I tabled yesterday are in fact in LNP or Independent electorates. When those members voted last night they voted with the full knowledge that their electorates are going to miss out on a 21st century, futuristic piece of economic infrastructure. They do not like it, of course.

Let us have a look at what I guess is a reality program, because the reality is that if Labor does not get up on Saturday there will not be an NBN. That is the bottom line. Who will be the biggest losers? The first biggest loser is the member for Hinchinbrook. There are 20 places in his electorate that will miss out: Bingil Bay, Balgal Beach, Bushland Beach, Cardwell, El Arish—

Mr Cripps: You don't even know where they are!

Mr SCHWARTEN: I have been to every one of them, actually. My wife comes from there. I suggest that the honourable member go to them and tell the people. I have been to one every one of these places. The list also includes Halifax, Ingham, Johnstone South, Macknade, Mission Beach, Mission Beach South, Mourilyan, Saunders Beach, Silkwood, Taylors Beach, Tully and Wangan. I have been to every one of those places. I am happy to go with the honourable member to any of those places so he can explain to those people why he thinks it is a great idea that they miss out on broadband.

Who is the next biggest loser? The next biggest loser is my good old mate the member for Mirani. Places that will miss out are Armstrong Beach, Bakers Creek, Bouldercombe just outside Rocky—of course I am happy to go out there with him—Dysart, Glenden, Grasstree Beach, Half Tide Beach, Marian, Middlemount, Mirani, Mount Morgan, Sarina and Sarina Beach. Is the member going to go to each one of those places and tell them that they are not getting it?

The third biggest loser—and such a loser in so many ways—is the Independent member for Burnett. Places in that electorate that will miss out are Agnes Water, Apple Tree Creek, Bargara, Burnett Heads, Childers, Coral Cove, Elliott Heads, Innes Park, Moore Park, 1770, Sloping Hummock and Woodgate.

Mr Messenger: You wouldn't know what we had there. You couldn't run a chook raffle!

Mr SCHWARTEN: Listen to him bellow like the bull that he is. I have had a bit of a look at these electorates. There is Callide, Condamine, Dalrymple, Gregory, Gympie, Hinchinbrook, Lockyer, Mirani, Southern Downs, Warrego and, of course, the grassy knoll of Burnett. They are all National Party or Independent seats. It just gives evidence of the fact that the LNP—the seaside, saltwater LNP from the Gold Coast—is in control of them all even more than it ever was before. You have been sold a dud.

Labor Government, Sponsorship

Ms SIMPSON: My question is to the Minister for Transport. I table a glossy brochure advertising Royal India on the Maharajas' Express tour in November this year, a brochure that carries sponsorship logos for the Queensland government and claims the tour will recreate the grandeur of India's former princes. Given the number of Queensland Rail workers who are uncertain about their job security, will the minister explain to them why the Labor government is sponsoring grand rail tours throughout India on the five-star, no-expense-spared Maharajas' Express?

Tabled paper: Brochure titled 'Royal India on the Maharajas' Express' [2795].

Ms NOLAN: I note the member's comment about job security for Queensland Rail and QRNational workers. It is probably worth noting that QRNational workers have just voted on their EB going forward and they voted for it at a rate of 92 per cent. I think that tells us something about just how QRNational workers feel about their prospects going forward. In a number of job categories the workforce voted for the EB put on the table by the government, after negotiations with their unions, at a rate of 100 per cent. Why did these people vote in such overwhelming rates for the new EB? They voted for it so positively because the EB put forward includes a three-year job guarantee—better than most members of the workforce have. It gives them a guarantee of continued work going forward. Not only that, these workers know that in QRNational they are part of a strong Australian company that has its prospects tied to the future of our mining industry, an industry in which enormous growth is projected over the next 20 years. These people voted strongly in favour because they have a jobs guarantee and they have it in an industry with very strong prospects going forward.

I think the premise of the member for Maroochydore's question, that there is tremendous nervousness about job prospects going forward, is fundamentally flawed. Jobs are growing in this organisation, with job ads appearing in the paper all the time for both QRNational and Queensland Rail for new train drivers, new train crew, new people to work at stations and new transit officers in TransLink. Once again, what we see is the LNP putting an incredibly negative proposition forward about this company's prospects, just as it has been putting forward all morning an incredibly negative proposition about Queensland's economy going forward. We live in a strong state and this will be a strong economy that forms part of it.

Road Infrastructure

Mr SHINE: My question is to the Minister for Main Roads. Given the importance of a safe and secure road network for rural and remote communities, is the minister aware of options for how this can be achieved?

Mr WALLACE: I thank the member for Toowoomba North for his question. He is a fine advocate for roads in regional Queensland. He hosted the summit regarding the Warrego Highway that was held a couple of weeks ago. We had the mayors there from Toowoomba West. I say congratulations to him.

Yesterday at people's question time I was asked about the Warrego and Bruce highways, two federally funded roads. Only federal Labor has come to the party with much needed funds for our national highways. It doubled road funding to Queensland in its first term—\$2.6 billion for the Bruce Highway alone in its first term with more to come from the Gillard Labor government after Saturday. Compare that to the tories: \$880 million from the Howard government in its last five years. Labor, \$2.6 billion in one term; tories, \$880 million in its last five years. A re-elected Gillard government will commit another \$305 million for the Bruce Highway, that vital link for motorists from Cairns to Brisbane.

Make no mistake, Tony Abbott and the coalition have a secret infrastructure hit list that will take Australia backwards. Their own costings document shows they plan to slash at least \$400 million from the Nation Building Program. What will they axe? Major upgrades on the Bruce Highway. What will they axe? Roadworks on the Warrego Highway and roadworks on the Pacific Motorway. We will be on the road to ruin again. Worse still, hundreds of jobs will be gone. These roads suffered for 11 long years under the Howard government. I said to the people in question time yesterday that the Warrego Highway does keep me awake at night.

The member for Mudgeeraba thought those comments were worthy of a tweet. By her own comments, the member for Mudgeeraba seems to think the M1 in which we are investing \$910 million is more important than the Warrego Highway. What do the members for Lockyer, Toowoomba South, Warrego and Condamine think about that? It beggars belief that the member can tweet away about roads that were neglected for years by a party of which she is a member. I say to the member: tweet 'Fanny Adams' next time because that is what these major roads will get from the conservatives. She can lump the M1 in there, too.

The member for Condamine quite rightly said in this House in June that the Warrego Highway retains the title of the worst highway in Queensland. Their mob neglected these roads. Talk about the road to ruin: \$400 million cut by Tony Abbott from that infrastructure fund. It took a Labor government to get things done in Queensland, a Labor government to commit funds to fix these roads, to right the wrongs of the past. Today I can announce \$800,000 from us for planning on the Warrego Highway. Tweet that, member for Mudgeeraba!

State Land, Lease Costs

Mr SEENEY: My question without notice is to the Premier. I refer to the recent—

An honourable member interjected.

Mr SPEAKER: Let it go. Let's get on to the next question.

Mr SEENEY: I refer to the recent 400 per cent increase in lease costs for state land and the Premier's claim that the state was entitled to receive a fair return for this leased land. I table an invoice for \$407 for the annual lease payment on a tiny piece of land that the department itself values at \$110. I ask the Premier: is an annual rent of \$407 a fair return on an asset worth \$110?

Tabled paper: Copy of a notice of valuation for state land rental purposes issued by the Department of Environment and Resource Management [\[2796\]](#).

Ms BLIGH: I thank the honourable member for the question. I think this member, along with many others in the House, will know what an extensive landholding the Queensland government holds on behalf of the people of Queensland. In fact, I understand we are the third largest landholder in the world after the governments of Russia and China. It is important in that context—

Honourable members interjected.

Mr SPEAKER: Stop the clock. We will wait for both sides to come to order. I want to hear the Premier. The question has been directed to the Premier. I want to hear her answer.

Ms BLIGH: It is important in that context that we ensure that the legitimate interests of all Queenslanders on whose behalf we hold this land are protected by a fair return. This has been the subject of extensive consultation with all of the peak bodies who represent landholders. Their minimum rent has not risen since 1995. So I do not think we can be accused of rushing this. After 15 years of rents staying at the same level we have put in place a new regime.

I would say to the member opposite and to others that if they believe that there are examples where there has been an unintended and unfair result, I would encourage them to bring them to the attention of the minister.

Water Prices

Mrs MILLER: My question is to the Minister for Natural Resources, Mines and Energy and Minister for Trade. Would the minister explain to the House how urban water supply has changed in South-East Queensland?

Mr ROBERTSON: As we have seen over the last little while, we have implemented significant changes to how urban water prices have been determined, particularly with respect to the Sunshine Coast. In terms of the proportion of bulk water charges that would appear on those new bills coming from Unitywater, I have previously mentioned that, on average, the bulk water cost makes up around 25 per cent. Actually, on the Sunshine Coast it makes up 22 per cent of the total water supply and sewerage bill. In terms of the average increase, around \$35 of the increase on the Sunshine Coast does not come from bulk water or retail water; it comes from sewerage connection costs. Quite frankly, that increase is the responsibility of local governments, despite the letter appearing in today's Coolum

newspaper from the member for Maroochydore trying to shoot home responsibility for that to state government. Once again, she has been caught out misleading her constituents just as the member for Callide was in relation to the land rental increases, and he has just asked a question relating to that.

The member for Condamine is a recidivist when it comes to misleading his constituents about matters of importance. He got caught out on LNP policy. Here he gets caught out again when he says in *Ray's Round* that the increases in land rentals occurred with no prior warning from the state government whatsoever. No prior warning? A regulatory impact statement was released in 2008 and a regulation was introduced into this parliament in February this year, yet he complains that questions were not asked at estimates? He had better ask the shadow spokesman for natural resources. He was caught sleeping at the wheel. He had three occasions to protest and make his views known about those land rental increases and at no stage did he take those opportunities. He got caught out again.

Child Safety Services

Mr MESSENGER: My question without notice is to the Minister for Child Safety. I refer the minister to my notice of motion yesterday and the visit to this place by a mother who has had her child taken away from her for the last 10 months. Will the minister give this place an undertaking that any future legal action against her is not politically motivated payback for publicly embarrassing the minister, the government and its child safety department?

Mr SPEAKER: I want to get advice on this. There is a question on notice on the *Notice Paper* on this issue and there is a notice of motion which I said yesterday would not be affected by the anticipation rule. Could I have a copy of the question? Is that possible?

Mr MESSENGER: Yes, I can give you a copy but it is in electronic format right now.

Mr SPEAKER: That is fine. Can you bring it down? I just want to have a look at it.

Mr MESSENGER: Sure.

Speaker's Ruling, Question Out of Order

Mr SPEAKER: I am ruling the question out of order. It is hypothetical.

Paid Parental Leave

Ms van LITSENBURG: My question is to the Attorney-General and Minister for Industrial Relations. Could the minister outline to the House the impact of paid parental leave schemes on Queensland families?

Mr DICK: I thank the honourable member for the question. The Labor government in Queensland has a strong history of supporting parental leave. A decade ago the Queensland government introduced six weeks paid maternity leave at full pay. We doubled that scheme to 12 weeks leave in 2005 and increased it to 14 weeks leave in 2008. At a federal level the Labor Party is committed to a fully funded, fully costed, paid parental leave scheme providing a workable and sustainable solution for working families in Australia—taxable payments at the federal minimum wage for a maximum of 18 weeks. Benefits to families under that scheme will be significant. As I say, it is fully costed, affordable and will help Australian families.

In contrast, we have the shambles of Tony Abbott's paid parental leave policy. It is such a shambles that even his own MPs are willing to background the media saying, 'It's too much. It'd be watered down, and many MPs don't support it in its current form.' How is it funded? By a 1.5 per cent tax. The Liberal National Party, the high-taxing alternative government of this nation, will put a 1.5 per cent tax on big business. What will happen? The cost of food, the cost of groceries and the cost of petrol will all go up to pay for this scheme, passing the costs on to working families in Australia. That is how they are going to fund it. They have not got a dollar figure on it. They do not know when they are coming back into surplus. Even when asked yesterday Tony Abbott did not know the size of the Australian economy. He thought it was \$250 billion; it is actually \$1.3 trillion. That is the man who wants to lead the nation.

They have form. When it comes to shambles we just have to look at what they have done in this House this morning—the shambles represented at the very top by the Leader of the Opposition in a shabby and disgraceful attack on the Crime and Misconduct Commission and the Police Service. They have form. They asked today how much was spent on legal proceedings in a matter before the Supreme Court. We know what they spent in the Supreme Court—\$500,000 in 1997 to prop up their biased Connolly-Ryan royal commission into the CJC. They have form. The moment they get into government their grubby little hands go on the Fitzgerald architecture to unstitch what delivers good government in this state.

The most damning indictment of all is that the members for Warrego, Gregory, Mirani, Maroochydore and our friend the member for Southern Downs—a third of the shadow cabinet; one is the shadow minister for police and one is the shadow Attorney-General—were all on the government benches back in 1997. They all sat here in 1997 and sought to dismantle the CMC. The Liberals were described in *The History of the Queensland Parliament* as invertebrates. The Liberals were described as invertebrates in the 1980s and they are invertebrates today. What about the people at Clayfield and Hamilton, Indooroopilly and Taringa, Moggill and Kenmore? What do they think about this disgraceful attack on Fitzgerald? The community will judge them.

(Time expired)

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order. Those on my left will cease interjecting.

Victoria Point State High School, Computers

Mr DOWLING: My question is to the Minister for Education. Can the minister advise why after 12 months the Victoria Point State High School in my electorate that purchased computers back in early 2009 still does not have them installed and they are still not ready for use in the classroom?

Mr SPEAKER: Minister, you probably have one minute.

Mr WILSON: I thank the honourable member for the question. The member will appreciate that I do not know the detail of every high school in Queensland out of 200 or 300 high schools that are getting computers. But I can tell the member that the rollout of computers for teachers in Queensland schools was finished about six months ago—well ahead of its target. And I can tell the member that the rollout of computers for students in Queensland is on track. I can also tell the member that Tony Abbott is going to rip computers off the desks of students in Queensland. Tony Abbott is going to rip those computers out of every school in Queensland if he happens to become Prime Minister of this country. That is what he thinks of students in this state. He wants students in this state to be uneducated, unskilled and unemployed, because he does not understand that the future is built on broadband internet and computers for teachers and students. Thanks for the question.

(Time expired)

Mr SPEAKER: The time for question time has ended.

MINISTERIAL STATEMENT

Further Answer to Question; Labor Government, Sponsorship

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (11.36 am), by leave: I rise to set the record straight in relation to assertions made by the member for Maroochydore in relation to a rail tour of India. The Queensland government logo on this leaflet was in fact authorised by the Queensland Museum, a statutory authority in my portfolio.

This is in fact a fundraiser for the railway workshops at Ipswich. The way this works is that members are invited to book on this tour. Any member who does so will ensure that the museum gets a commission from each and every member who books. No taxpayer funds are involved in any way with this promotion. I would have thought that the railway workshops museum at Ipswich should see bipartisan support. They certainly have the support of this government.

GEOHERMAL ENERGY BILL

Second Reading

Resumed from 18 August (see p. 2712), on motion of Mr Robertson—

That the bill be now read a second time.

Mr MESSENGER (Burnett—Ind) (11.37 am), continuing: I was halfway through my speech on the Geothermal Energy Bill yesterday and I was saying that one of the key provisions of this bill is reducing people's carbon footprint. My reasoning is that we do not really need to reduce our carbon footprint to stop the world's climate from changing. It has been changing for many hundreds of thousands of years. Even if we humoured the people who worship carbon and went with their argument for a minute that man-made carbon was responsible for heating up the world, Australia only produces about one per cent of the man-made carbon emitted into the atmosphere.

If every Queenslander and every Australian could shed themselves of every vestige of carbon-producing technology, if we went and lived in caves wearing animal skins, burnt candles and reduced our greenhouse gas output to only the methane and carbon that came out of our bodies, we would not stop the climate from changing one degree. The last time that an elite group of people were able to influence the majority of their people with a deceitful mistruth the size of the Labor and Greens version of climate change was in South America when the elite ruling group convinced the masses that they could keep the sun coming up by feeding virgins into the volcanoes.

Telling people that they can stop climate change by making them pay a new tax, an ETS, is almost too stupid for words. You may as well take a backpack full of \$100 bills down to the Bargara beach at low tide and as the tide turns and starts rising tear up those \$100 bills and fling them at the ocean saying, 'Please don't come in.' How can paying more money in taxes, hidden in increased electricity, fuel and food charges, to federal politicians stop the climate from changing? How can killing off Australian manufacturing jobs by raising operating costs and giving away our natural advantage over other countries, which will never have an ETS, stop climate change?

If you look at the 6 August edition of *The Economist*, the world's most respected magazine, you will find that an ETS style of scheme in America is dead—it is dead in the water, it is dead in the rest of the world. Under the sub-headline 'The Democrats abandon their efforts to limit emissions through legislation', the writer of the article said—

Yet the energy bill unveiled by the Democratic majority in the Senate on July 27th does nothing of the sort. Harry Reid, the majority leader, having earlier abandoned as hopeless an effort to limit America's emissions of greenhouse gases through a "cap-and-trade" scheme, is proposing nothing more substantial than subsidies for home insulation—

Maybe Harry should have a bit of a chat to some of the families who lost loved ones in those home insulation fires—

and trucks that run on natural gas.

...

Mr Obama has said he will fight on for a weightier bill. But the prospects do not look good. Mr Reid complained that inveterate Republican opposition had prevented the Senate from taking up the cap-and-trade scheme passed by the House of Representatives last year. That is true: Even Republican senators who had supported the idea in the past, such as John McCain and Lindsey Graham, had pointedly backed away from it in recent months.

Most Republicans dismiss cap and trade as a job-killing stealth tax. They point out, rightly—

and I will repeat that—

They point out, rightly, that any measure that puts a price on carbon would raise energy bills—something they view as madness when the economy is so weak.

To every intellectual lemming that jumps and parrots the New Age mantra, 'I've got to reduce my carbon footprint. I'm going to stop the world from heating up,' I ask you this: what if something else is changing the climate? What if something else is changing the climate, other than the poisonous gas CO₂? By the way, every scientist will tell you that CO₂ is a plant food and only makes up 375 parts out of a million in the greenhouse gas layer, while water—good-old H₂O—makes up 98 per cent of the greenhouse gas layer, but you never hear those sorts of scientific facts raised when the whole issue of climate change is being discussed.

When talking about climate change, I always like to go to the well-known sceptic, Tim Flannery—of course, he is not a sceptic; I am saying that tongue in cheek. He wrote this very widely read and credible book called *The Weather Makers*. So if it is not CO₂ that is causing climate change, what else could be causing it? On page 41, Tim Flannery talks about a man called Milutin Milankovich. He wrote—

Milutin Milankovich had spent most of his career practising as a civil engineer in the Austro-Hungarian Empire. Born in what is now Serbia, in 1909 he abandoned his construction work to take up an academic appointment in Belgrade.

He was a very smart man. I will cut to the chase. Tim Flannery wrote—

Milankovich identified three principal cycles that drive Earth's climate variability.

I will say that again for the members here—

Milankovich identified three principal cycles that drive Earth's climate variability. The longest of the cycles concerns the planet's orbit around the Sun. Surprisingly perhaps, Earth's orbit does not describe a perfect circle but an ellipse whose shape changes on a 100,000-year cycle known as Earth's eccentricity. When Earth's orbit is strongly elliptical, the planet is carried both closer to and further away from the Sun, meaning that the intensity of the Sun's rays reaching the Earth varies considerably through the year.

How about that? What a radical idea. The closer we go to the sun the warmer we get. That is absolutely astounding! Flannery continued—

At present the orbit is not very elliptical, and there is only a 6 per cent difference between January and July in the radiation reaching Earth. At times when Earth's orbit is at its most eccentric, however, that difference is 20 to 30 per cent. This is the only cycle that changes the total amount of the Sun's energy reaching Earth, so its influence is considerable.

The second cycle takes 42,000 years to run its course, and it concerns the tilt of Earth on its axis. This varies from 21.8 to 24.4 degrees, and it determines where the most radiation will fall. At the moment the Earth's axial tilt is in the middle of its range. The third and shortest cycle, which runs its course every 22,000 years, concerns the wobble of Earth on its axis. During the course of this cycle, Earth's axis shifts from pointing to the Pole Star to pointing at Vega. This affects the intensity of the seasons. When Vega marks true north, winters can be bitterly cold and summers scorchingly hot.

He continued—

Even at their most extreme, Milankovich's cycles bring an annual variation in the total amount of sunlight reaching Earth of less than one tenth of 1 per cent. Yet that seemingly trivial difference can cause Earth's temperature to rise or fall by a whopping 5oC.

Here we have Milankovich, an academic, saying that the earth is driven by three principal cycles—a 100,000-year cycle, a 42,000-year cycle and a 22,000-year cycle. Milankovich does not even talk about the intensity of the sun from the sun's perspective, the sun spots activities. So there are many, many variables that drive our climate. They are pinning our hope on the fact that it is carbon—which makes up 375 parts out of a million in the atmosphere—that is actually changing our climate and making it get warmer.

The other mistruth that is always spread when we talk about climate change is that it is getting hotter and drier. Wrong. Once again, Flannery debunked that myth in his book. For every one degree in temperature that the world heats up, we actually increase our rainfall by one per cent. It is to do with physics and the hydrological cycle and speeding it up. How many times have I sat here in this chamber and listened to the likes of the former Premier saying, 'It's getting hotter and drier'? No, that is not correct, that is a mistruth. It actually gets wetter in the world as it heats up; it is just not consistent in time and place.

Are our schoolchildren being taught about Milankovich cycles while they are being scared half to death about man-made carbon? No. Are they being taught that 98 per cent of greenhouse gases are water vapour? No. Are they being taught that in previous ages the average world temperature was up to five degrees hotter than it is now? No. Are they being taught that plants thrive when you double the amount of carbon—like they do in greenhouses, where they actually quadruple the amount of carbon, up to 1,200 parts per million? No. Our children are being misled in our schools. They are being indoctrinated with a New Age religion and this fixation on man-made carbon. It has to stop. There has to be a balance.

Food security must always come before energy security. Queensland farmers on prime agricultural land and farming families' property rights must always come before the rights of miners—certainly the rights of miners who are carrying out experimental mining techniques which pose a significant threat to the quality of underground water on prime agricultural land. This legislation was an opportunity for LNP members to take a stand for their constituents and they have caved in to big business interests. On 10 August, a news report on the ABC said—

Traces of benzene and toluene were found in monitoring bores near Cougar Energy's underground coal gasification (UCG) plant at Kingaroy last month.

The story continued—

The Kingaroy Concerned Residents Group says it is encouraged by new tests showing very low levels of chemicals in the bores near the plant.

Group chairman Gary Tessman—

a good National Party name—

says the chemicals should not have leached into water supplies in the first place.

"If they'd done the pilot program, multiply those contaminants by a factor of five- or 10,000 compared to the amount of coal that was actually burnt," he said.

"It really concerns us the fact that they did detect contaminants with such a small amount of coal."

I wonder how the Kingaroy Concerned Residents Group will feel today when the LNP votes for this legislation knowing, as the minister says, that this will allow coal seam gas production activities in surrounding areas to continue whilst allowing for the trial of underground coal gasification technology. Just as the water near Kingaroy, Chinchilla and Dalby is under threat of contamination, so is this legislation. The precautionary principle must apply. If we are to ever allow the underground coal gasification trial to continue, it should not be until we have at least heard from the scientific panel which is due to report back to the state government by mid to late next year. For that reason, I will be opposing the legislation.

The final reason I will be opposing this legislation is that I made a promise to a former National Party member and now LNP member from Kingaroy who rang me and made some observations after attending the public meetings and listening to public discussions. He said, 'Labor and the LNP have sold us out. Dolly Pratt is the only member of parliament who is prepared to stick up for us. Please will you support her?' I rang the member for Nanango after that phone call and told her about it and pledged my support to her and her constituents. Today, by voting against this bill along with her and the other Independents who choose to vote against it I will be backing up my words with action. I oppose this bill.

Mr McLINDON (Beaudesert—Ind) (11.50 am): I wish to make a brief contribution to the Geothermal Energy Bill 2010. I commend the government on the investment it is making in Queensland's renewable energy sector. It is an innovative and visionary approach which ought to be embraced on a greater scale in Queensland into the future. It will be able to provide a large portion of Queensland's energy.

We all have a duty to be responsible stewards of the environment. The establishment of a geothermal industry in Queensland demonstrates that we are serious about implementing innovative reform in the energy sector. The biggest advantage, of course, is the fact that geothermal energy is largely carbon emission free and produces greater baseload energy than any other source of renewable energy. It is amusing that the climate change debate rages on. In this House there are probably 89 different positions on it. In 10 years time we will probably find out that every single one of us was wrong. I think it is important to realise, though, that we must always respect the environment so we can pass it on to future generations.

This will also undoubtedly provide jobs and jobs growth in rural and regional Queensland. This will be another welcome addition to these surrounding communities. I note also the \$15 million allocation towards a Queensland geothermal energy centre of excellence and a further \$5 million towards the Coastal Geothermal Energy Initiative, which is to be used to identify the areas of high heat flow to existing electricity transmission lines along the Queensland coast.

The bill will also regulate large scale geothermal energy production and other activities with regard to geothermal energy production within the framework of existing legislation such as the Environmental Protection Act 1994 and the Sustainable Planning Act 2009. Of notable concern, however, is a statement made by the minister in his second reading speech. The minister stated—

The Bill also clarifies that coal seam gas (CSG) proponents may undertake agreed low impact surface activities, that do not invoke a resource right, in underground coal gasification (UCG) pilot areas. This will allow CSG production activities in surrounding areas to continue whilst allowing for the trial of UCG technology.

This is of particular concern given the brevity of the mention of the underground coal gasification pilot areas and the significant impacts the pilot areas have on the operation of our farming and agricultural sectors and the potentially damaging effects they have on our critical water supplies due to the explosions used to access the resources.

I attended the protest against underground coal gasification with many members of this parliament, particularly the members for Nanango and Nicklin. The member for Nicklin also spoke. At the coalface these people are hurting. I cannot in good conscience support the bill in its entirety today because I believe there are two very distinct issues that need to be highlighted and dissected separately to ensure that those who are impacted upon most have been given the airtime they justly deserve in terms of these very significant issues. Whilst I am a keen supporter of geothermal energy, the bill enshrines a far greater issue with respect to underground coal gasification, which I believe needs to be debated separately.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Before I call the member for Everton, I would like to acknowledge in the gallery students and teachers from Tallebudgera State School.

Mr WATT (Everton—ALP) (11.54 am): Climate change is certainly a massive challenge for the world as a whole but also for us in Queensland. As with the rest of the industrialised world, Queensland's wealth has been built on burning fossil fuels. This is a particular issue in Queensland as many of our key industries use large amounts of emission-generating electricity. In fact, Australia's emissions per capita are among the highest of all industrialised countries, and Queensland emissions per capita are the highest in Australia. In the absence of significant new initiatives, Queensland's greenhouse gas emissions are expected to grow by approximately 45 per cent by 2050. This must change. If we do not cut our emissions, we jeopardise not only our economic future but also our natural environment and our very lives.

We are already seeing the impacts of climate change in Queensland—coral bleaching, more frequent very hot days, longer droughts. In his landmark climate change review, Professor Ross Garnaut predicted even more damaging impacts from climate change unless we reduce emissions such as coastal flooding, loss of the Great Barrier Reef and Wet Tropics rainforests, tropical disease spreading south and even more severe droughts.

Queensland has a lot to lose from climate change. But, if we are smart, we have a lot to gain from some of the changes that will occur as the world grapples with the greenhouse challenge, especially in the development of new, cleaner energy sources. This bill represents another example of the Bligh government stepping up to the mark and positioning Queensland to take advantage of the opportunities that this challenge presents.

Under Labor, Queensland state governments have a strong record in reducing emissions and investing in cleaner and renewable energy sources. The land-clearing laws that we introduced single-handedly delivered Australia's emissions reduction commitment in the Kyoto protocol. The 13% Gas Scheme, which we introduced in 2005, required electricity retailers and large electricity users to buy 13 per cent of electricity from gas fired power stations. We have since increased that requirement to 18 per cent. It is well known that natural gas is a much cleaner fuel than coal when it comes to emissions. The reason we pursued that gas scheme was to increase the take-up of gas fired power.

We have also invested \$300 million to complement an industry investment of \$600 million towards the development of technology to capture carbon from coal fired power stations and store it below the ground. More recently, the Bligh government has introduced the Do the Bright Thing program to encourage Queenslanders to take up solar power in their homes.

We are also leading the way with some of the world's emerging energy sources. This bill facilitates their development. Geothermal energy is derived from drawing on the earth's heat below the surface. While still in an embryonic stage in Queensland, this form of energy can potentially provide electricity on a mass scale that is almost free of carbon dioxide emissions. Respected scientist, environmentalist and former Australian of the Year Professor Tim Flannery has said that the single deposit in Central Australia of hot rocks has enough embedded energy in it to run the entire Australian economy for a century. That is a massive opportunity that Queensland should be part of.

This bill facilitates the safe production of geothermal energy by setting up a regime to grant permits to explore for geothermal energy resources and to grant leases to allow for large scale production of geothermal energy. It also sets out a framework for regulating access to land to explore and exploit geothermal energy. It is obviously important to balance the rights of players in the geothermal energy industry and those holding the land on which geothermal resources may sit. This bill manages that balance.

Recent incidents involving underground coal gasification demonstrate that we do need to take a cautious approach to new energy technologies. The bill ensures that we manage the environmental impacts of geothermal activities by ensuring companies obtain the relevant environmental and water authorities before exploration or production activities commence.

Under the Bligh government's Renewable Energy Plan we aim to have 250 megawatts of geothermal energy by 2020. This bill is another important step toward achieving this goal and, in turn, will assist Queensland reduce its emissions intensity. I commend the bill to the House.

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (11.58 am), in reply: First of all, I seek leave to table a range of amendments and the explanatory notes.

Leave granted.

Tabled paper: Explanatory notes to Hon. Robertson's amendments to the Geothermal Energy Bill [\[2797\]](#).

I begin by thanking all members who participated in this debate and in particular thank the opposition spokesperson, the member for Callide, for his and his party's support for this legislation. It is not usual that I would be so praiseworthy of the member for Callide, but on this occasion I do not hesitate to publicly acknowledge his very thoughtful contribution in relation to a number of matters to do with this bill—in the first instance for his support for geothermal legislation which is the basis of this bill but in particular for his comments in relation to the amendments which I have just tabled and the challenges that we share as both a government and an opposition in ensuring that the opportunities of a new industry, that is the coal seam gas to LNG industry, are realised in a way that strikes the appropriate balance between the need for us to grow a new industry whilst also ensuring that existing enterprises, in this case farms, have their rights recognised and protected. Most members who have spoken in this debate concentrated their comments in relation to that particular matter.

Whilst there has been some criticism about the timeliness of some of the provisions that we are including in this bill in relation to recognising landholders' rights, I would like to think that nevertheless it demonstrates the bona fides of this government that we are cognisant of the concerns that exist in some parts of the state, particularly in the Surat Basin. That was very much on show at the community cabinet that we held at Roma just a number of weeks ago. We held that community cabinet at Roma quite deliberately to allow expression to be given to those concerns that individual ministers—myself included and colleagues such as the Minister for Primary Industries, the Treasurer and Minister for Employment and the Minister for Infrastructure—had been hearing individually during our travels throughout the state. It was also instructive to invite the senior representatives of the coal seam gas companies—Santos, Origin, BG, Arrow et cetera—to also witness firsthand the concerns that landholders had been expressing in order to make them understand that they, too, have responsibilities to ensure that their communications with the community are robust, accurate and meet the needs of individual landholders.

It is also acknowledged that the concerns that landholders have been expressing do vary based on where their landholdings are located. There is quite a separation of differences between those in the western part of the Surat and those on the eastern part of the basin, largely in my view as a result of people in the western part of the basin having had a history of interaction with petroleum and gas companies in that they are not complete strangers as to what is going on. They also tend—and I am speaking in general here—to be involved in the grazing industry where there is probably a heightened level of flexibility that can be applied to how they interact with gas companies in maintaining their productive capacity. That is distinct from those on the eastern part of the basin who tend to be more involved in agricultural activities for which that flexibility does not apply. That underscores in my view a

point I have made to industry now on a number of occasions in that industry needs to be sensitive to that fact. We are not dealing here with people who are engaged in minor enterprises. We are dealing here with people—astute businesspeople—who have invested literally millions of dollars into their properties and in enhancing the productive capacity of their properties. Expecting those people to have to simply roll over at the arrival of a petroleum and gas company that wants to put a drill in the middle of their laser-levelled fields which are irrigated through a pivot system or underground system is simply unrealistic and unfair.

I and my colleagues such as the Minister for Primary Industries make no bones about our personal support for people in rural Queensland and the enterprises and industries they engage in. They are an important part of our economy, and historically so and will continue to be so into the future. I and my colleague the Minister for Primary Industries both have a view about this nation's need to ensure food security, just as we have a need to ensure our future energy security. I also have a view that I do not think that the two are mutually exclusive in that, if we think long and hard enough, cooperative co-existence can in fact occur. However, that will not occur in the absence of good information, good communication and respecting each other's rights to get on with their respective businesses. I know the member for Callide shares this view.

There is a lot to be said and a lot to be gained from seeing the coal seam gas industry grow. This represents a real opportunity—the first opportunity in many decades—to see many rural communities revitalised, to see children return to the places of their birth because for the first time they have the opportunities for new, well-paying jobs and a career path that allows them to re-establish themselves in those rural communities and raise a family in those communities. These opportunities should be recognised and certainly not lost.

I would like to think that the passing of this legislation today sends a very important signal out to these communities that we—both government and opposition—are listening to them and that we are dedicated to finding solutions to these problems. I do not think for one moment that this will be the last time that I will be standing in this place talking about this issue or that the member for Callide will be making a contribution on what we must do to address issues as they arise. However, I would say one thing in response to some members' contributions about the timeliness of this legislation. I think it is more accurate to say that, whilst it has taken some time to get to this position, what it represents is the significant investment of time over now a number of years in consultation with groups such as AgForce, QFF, the industry itself and other stakeholders. That investment of time in listening and consulting has actually ended up with a legislative product that I think does herald, without spinning it too hard, and hopefully does represent a new beginning in confidence that government is committed to getting the balance right—that is, we are not just flag wavers for the industry and we also accept our responsibilities across a range of portfolios to ensure equitable, fair outcomes, at the heart of which is good communication and interaction between government and landholders, between government and industry, and between industry and landholders.

That is why the passing of this legislation comes just a week out from the commencement of a number of regional forums that I and other ministerial colleagues and members of the opposition will be attending so that we can utilise those gatherings to impart not just the provisions of this legislation but a range of other decisions that government has made over the last number of months that go to the very heart of the concerns that landholders have been expressing. I once again thank the member for Callide for his support and commend the bill to the House.

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

AYES, 79—Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Elmes, Emerson, Farmer, Finn, Flegg, Fraser, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, Male, Malone, McArdle, Menkens, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Powell, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wettenhall, Wilson. Tellers: Horan, Pitt

NOES, 5—McLindon, Pratt, Wellington. Tellers: Foley, Messenger

Resolved in the affirmative.

Bill read a second time.

Consideration in Detail

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr WELLINGTON (12.11 pm): I take members to clause 3(3), which states—

- (3) Other purposes of this Act are to—
- (a) ensure the following for the carrying out of the activities—
 - (i) minimisation of conflict with other land uses—

and then it goes down to clause (3)(a)(iv) and talks about responsible land and resource management.

I put it to the minister that I believe that there could be a better way to manage this issue, because we have significant mineral, oil and gas resources throughout the whole of our wonderful state—under our waterways and under our land. There are some parts of Queensland and our waterways that the government and previous governments have said are no-go areas. We have legislated that through a whole series of acts. Would it not be easier to legislate, to minimise this conflict—I understand that this clause is trying to minimise the conflict with other land users—to say very clearly, not just to Australia but also to the world, that, whilst we recognise that there may be future resources in parts of Queensland that are on or in freehold land and that there are future resources in parts of Queensland where there might be and there currently are a range of potential mining leases, we believe that to proceed with trying to access those areas for mining will lead to conflict. Perhaps a better way is to pass legislation in parliament a bit like the legislation that sets out our national parks and our marine parks and say that some of these areas, whilst they are on private property, are intended for the purpose of primary production.

Unfortunately, even in our shops in Queensland—on the Sunshine Coast or in Brisbane or wherever—we see that so many products are manufactured in China. I think anyone who says that the food that is produced in China is healthier and better than the food that is produced in Australia has simply lost the plot. We should stand strongly—as a government, as an opposition, as Independents and as a member on the crossbenches as the Queensland Party—and say to Queenslanders, Australians and the world that we are going to guarantee the protection of parts of Queensland because of the uniqueness of the land—not because of who owns it but because of the uniqueness of the land, which is good agricultural land. It needs to be protected for that purpose and for that purpose only. We need to send a very clear message to the large mining companies that want to come and make money out of Queensland and say, ‘This is not negotiable. You can go to other parts of Queensland, other parts of Australia and other parts of the world but certain parts of Queensland are intended to be protected for the sole purpose of agricultural production.’

We protect parts of Queensland by way of gazetting national parks and we prohibit or permit a range of activities in them. Similarly with our marine parks, there is a whole range of activities that we permit and others that we prohibit. So I am asking the minister in relation to this clause to please consider my proposal that we need to send a very clear message that parts of Queensland are intended to be used for primary production and primary production only.

I believe that if the minister were to adopt this proposal it would cause a significant change to the conflict that we are aware is happening in Queensland and that we have all heard about during the debate on this bill. I urge the minister to consider a better way of minimising the conflict by considering legislating—by an act of parliament, not just adopting codes or other methods—to say that certain parts of Queensland are to be used for primary production purposes and primary production purposes only.

Mr ROBERTSON: I thank the member for his contribution. There are a couple of points that I would make. In relation to seeking protection of land for primary production, I am assuming that he is concentrating on agriculture and not all forms of primary production which would include grazing. If that were the case, given the extent of the grazing industry in this state, the whole state would have to be excluded from any future mining.

The debate that is being had in parts of rural and regional Queensland I think it is fair to say pertains principally to agricultural land. That is why the LNP has come out with its policy. In the very near future we will finalise our new provisions with respect to the protection of what we call strategic cropping land to ensure that the best of the best is protected. There are community groups on the Eastern Downs, around Haystack Road, the Jimbour Plains and Felton. The heart of those community groups is comprised of farmers who are literally operating on some of the best soils anywhere in the world. There is a recognition that that is a finite resource. It is also recognised that in terms of mining that land cannot be rehabilitated. Once it is gone it is gone. There is no way to restore those blacksoil plain communities back to their original condition and for farming to resume once mining has gone on. That is why we have been consulting widely in finalising a strategic cropping land policy.

That draft was released earlier this year. Very shortly a new draft will be released for the final round of consultation and hopefully we will finalise that position by the end of this year. That will require some legislative amendments. That will basically mean that there will be some parts of the state identified where mining will not be allowed to co-exist—I should say particularly open-cut mining. However, it also recognises, and it is relevant to the geothermal bill, that in terms of, for example, geothermal developments, it may co-exist quite successfully with agriculture because the geothermal energy is being extracted from in some cases kilometres under the ground. In terms of surface disturbance, there is very little impact. It can in fact be located in a way, as I mentioned in my summation, that does not disturb primary production and can be safely done.

We are giving consideration to the principle of permanent alienation—that is, that there are parts of the state where the quality of agricultural land is at such a level that to permanently alienate it is not in the state's interest for the very reason the member mentioned. We have a very proud history of agricultural production in this state. As members from both sides of the House have noted on a regular

basis, Queensland has some of the best primary producers in the world. We do not want to lose that. There are issues to do with food security. There are issues to do with our trade balance with the rest of the world. We are a net exporter of food to the world. It is quality agriculture. We do not want to lose that. That is why finalising the strategic cropping lands policy will go a long way to assuring the member that we take those matters very seriously.

To apply that to all land under primary production is impractical and, I think we would find, not in the interests of landholders themselves, many of whom actually live very successfully alongside the resources industry and benefit from it. I think we would want to be very careful not to go down the path of cutting off those opportunities to sustain primary production through a monetary arrangement with a resource company, as the footprint on that land would be measured in years, not in generations. I do not believe that it would be in the state's interests to cast our net that wide.

Mr WELLINGTON: Thank you for that clarification. It was not our intention to include all primary production land; it was intended to include the good quality agricultural land. From my perspective on the Sunshine Coast, I have been at numerous meetings where there have been significant technical debates about what actually meets the definition of good quality agricultural land. The minister talks about this planning policy. Is it the government's intention to have a draft bill debated in this chamber before the next state election, something similar to the legislative forces, such as the South East Queensland Regional Plan? I know the regional plan is scheduled to be reviewed every five to seven years, but will there be something with some legislative teeth that for change to happen it has to be via debate on the floor of parliament and not simply an application coming to the minister for variation depending on the circumstances of the application? Can the minister give a commitment that that policy will be finetuned into a bill for debate prior to the next state election with the intent that that policy direction could only be changed by a debate on the floor of the parliament?

Mr ROBERTSON: I need to be a little bit careful because we are still in the consultation phase, as I mentioned. The next iteration of our strategic cropping land policy will be released shortly. It will contain the end result of a significant amount of work by my department to actually map where good soil for the purposes of cropping is located. It sounds simple, but it is not. It actually requires quite fine scale mapping of where our best agricultural soil resources are located. It is not something that has needed to be undertaken before in such a detailed and technical way. Many members of this House would know in terms of their own backyards or their own electorates where good cropping land is located, but it actually has not been mapped until now.

The proposal that I will be putting forward is that our policy will contain maps at a regional scale that can be used for the identification of the location of that land and, therefore, for the purposes of new tenements across the spectrum of resources. That map will be a point of reference to determine whether the location of that tenement enlivens the strategic cropping land's policy or not. Again, a pathway will be set out as to the assessment of whether the development application will permanently alienate that strategic cropping land and that application may end up being refused.

One of the things that I have asked to be put out there for the next round of consultation is that, once those maps are produced, they do have, in effect, a level of oversight by this parliament and that, if it was to change in the future to either add to it or to subtract from it, it would actually be subject to an amendment that would have to come to this parliament for analysis similar to what we do with respect to national parks. That is one of the things that we will be putting out there for the next round of consultation. So rather than giving the member a definitive answer at this point, I would rather give him an indication of our thoughts at this point and allow that next round of consultation to go through its necessary machinations.

Mr WELLINGTON: The reason for that issue is that I am very concerned that the land needs to be protected because of—

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Nicklin—

Mr WELLINGTON: I am responding to the clause.

Mr DEPUTY SPEAKER: Your time has expired.

Mr WELLINGTON: Do I not have three?

Mr DEPUTY SPEAKER: No.

Mrs PRATT: I wish to speak about preserving the land. We all agree on one thing: that prime agricultural land needs to be protected. The minister has said it all along and I know that the member for Callide has always stated that. The LNP member for Condamine attended a recent meeting in Kingaroy and he stated that the LNP had a policy to protect agricultural land. However, at this point that protection does not exist. There is no protection of our prime quality land. We all recognise that our produce—what we eat here domestically and what we send overseas—is of the best quality across-the-board, and I do not think anybody in this House would disagree with that.

In relation to the trial in the Kingaroy region, three days of burn contamination occurred. I have said before that, regardless of whether it is one part per billion or 100 parts per billion, it is still contamination of a sort. The current quality of our produce that is sold will not be maintained into the future if these types of contamination events occur on any scale, big or small. We have to remember that what happened at Kingaroy was a pilot program. Imagine if it had gone on for the full length of the trial—years. It could have been a total disaster.

One of the things that came out of that very small three-day burn was the amount of angst and concern in the community and the fact that people within a two-kilometre radius could not sell their stock. It was stated at that meeting—and the minister may recall it because it went straight around our community like wildfire that night—that the water is within Australian drinkable standards; the water is okay to drink; go ahead and drink the water but don't sell your cattle until tissue and blood samples have been taken. The people of that community were very concerned about that. It did impact on livelihoods.

When we consider that UCG proponents themselves say that contamination does occur and that the scientists involved with UCG say to keep it away from communities, water sources and underground water and from good, arable land, surely that speaks to this House of the seriousness of pursuing this type of technology in and around communities. I would ask the minister to reconsider putting in place that protection for these areas and keeping UCG programs and other like infrastructure away from communities, watercourses and good, arable land.

Mr ROBERTSON: I refer the member to the statement made this morning by my colleague the Minister for Climate Change and Sustainability with regard to the next stage of the assessment of Cougar Energy's underground coal gasification production. As the member is aware, it is that minister's principal responsibility to determine whether that company will have its environmental authority resumed. Obviously, I have a number of responsibilities also. However, principally, the issue of whether an environmental authority will be provided to Cougar to allow it to recommence its trial is a matter that rests with my colleague the Minister for Climate Change and Sustainability.

I can assure the member and the people of Kingaroy that a very thorough assessment of what happened in the first instance that caused Cougar to be shut down and an assessment of what it intends to do going forward in terms of assurances that such a thing may not happen again is being taken very seriously by this government.

Mrs PRATT: I appreciate that and I am well aware of that. I think the community is very appreciative that the government is taking it very seriously. The point I was trying to make is not just about the Kingaroy community but about all communities throughout Queensland and the world for that matter. I want to ensure that those communities are protected and that when a mining company wants to set up in a particular area it can go ahead without confrontation. I am asking that the government recognise and acknowledge that scientific experts say that mining should not occur in areas of good arable land, where there are water sources and where there is population. Surely there can be some sort of exclusion zone put around towns. We do preserve our marine areas. We do preserve our forests. Surely we can protect our communities so that there is no mining underneath houses et cetera.

Ms Struthers: Did you vote against some of the marine zones?

Mrs PRATT: I want to preserve our marine zones. Of course I do. I also want to see our houses preserved and our communities preserved. If the minister can consider that people's houses and communities have the same value as marine areas and forestry areas, I think the community would be more than happy.

Clause 3, as read, agreed to.

Clauses 4 to 8, as read, agreed to.

Clause 9—

Mr ROBERTSON (12.41 pm): I move the following amendment—

1 Clause 9 (Act does not affect other rights or remedies)

Page 45, line 7, after 'sections 201'—

insert—

‘, 353A’.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 to 30, as read, agreed to.

Clause 31—

Mr WELLINGTON (12.42 pm): I am happy with clauses 31 and 32. The next one I wish to speak to is clause 33.

Clause 31, as read, agreed to.

Clause 32, as read, agreed to.

Clause 33—

Mr WELLINGTON (12.42 pm): Clause 33 refers to the minister's powers to decide restricted areas for geothermal tenure. It starts with the words, 'The minister may declare,' and it goes on. Throughout the bill there are a lot of references to the 'minister'. I know that in other legislation often there are senior departmental staff who have delegated authority to act on behalf of the minister. Can the minister please clarify: is it the case that the minister is the person who will be making these decisions or is it the case that departmental officers will have delegated authority to represent the minister and make decisions on a whole range of matters that are covered throughout this bill and in the amendments?

Mr ROBERTSON: The answer is yes. It is done under my hand or under the hand of the minister of the day and is subsequently published in the *Government Gazette*. So there is a level of transparency to that.

Mr WELLINGTON: Minister, is there some code of conduct, some policy, some guidelines? Can you clarify how many senior departmental staff may be acting as your delegate? What are their positions of appointment in the department? What role do they play? When they act as your delegate, do you get to see their proposed recommendation? What level of review do you have of their decisions?

Mr ROBERTSON: The delegated authorities that occur in terms of the ministerial powers under this act are delegations that allow for officers to conduct the day-to-day responsibilities of managing tenures and the resources of this state. However, in terms of any issuing of exploration permits, mining development leases, petroleum and gas tenures, whilst there have been Public Service officers engaged in managing that and analysing the proposals, all of those matters come to me at the end of the day with a recommendation for my official signing. A lot of that actually goes to Governor in Council for final endorsement by the Governor of this state. So there is a very high level of oversight by the Minister for Mines and Energy of the day for how tenures are managed and how decisions are taken on how resources are extracted in this state—I suspect, based on my own experience in other portfolios, more so than any other department across the public sector. In other words, yes, I drown in paperwork.

Clause 33, as read, agreed to.

Clauses 34 and 35, as read, agreed to.

Clause 36—

Mr WELLINGTON (12.46 pm): This also related to the issue of the minister having certain powers. The minister has now clarified what his role in making decisions is and what the involvement of departmental staff is. I thank him for that clarification.

Clause 36, as read, agreed to.

Clauses 37 to 40, as read, agreed to.

Clause 41—

Mr WELLINGTON (12.46 pm): No. I am happy with that.

Clause 41, as read, agreed to.

Clause 42, as read, agreed to.

Clause 43—

Mr WELLINGTON (12.47 pm): On a point of clarification, the next one that I wish to speak to is clause 472.

Mr DEPUTY SPEAKER (Mr Hoolihan): I also have clause 425, member for Nicklin.

Mr WELLINGTON: No. It is on page 373, clause 472, in relation to compensation and negotiated access.

Clause 43, as read, agreed to.

Clauses 44 to 424—

Mr ROBERTSON (12.48 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr ROBERTSON: I move the following amendments—

2 After clause 127

Page 104, after line 6—

insert—

'127A Obligation to consult with particular owners and occupiers

'(1) A geothermal tenure holder must consult or use reasonable endeavours to consult with each owner and occupier of private or public land on which authorised activities for the tenure are proposed to be carried out or are being carried out.

- (2) The consultation must be about—
- (a) access; and
 - (b) the carrying out of authorised activities for the geothermal tenure (including, for example, crossing access land for the tenure) to the extent they relate to the owners and occupiers; and
 - (c) the geothermal tenure holder's compensation liability to the owners or occupiers.'.
- 3 Clause 211 (Required contents of entry notice)**
Page 152, after line 3—
insert—
- '(aa) the geothermal tenure; and'.
- 4 Clause 211 (Required contents of entry notice)**
Page 152, line 9—
omit, insert—
- '(a) generally—
- (i) for a geothermal permit—6 months; or
 - (ii) for a geothermal lease—1 year; or'.
- 5 Clause 246 (General liability to compensate)**
Page 173, lines 6 to 15—
omit, insert—
- '**compensatable effect** means all or any of the following—
- (a) all or any of the following relating to the eligible claimant's land—
 - (i) deprivation of possession of its surface;
 - (ii) diminution of its value;
 - (iii) diminution of the use made or that may be made of the land or any improvement on it;
 - (iv) severance of any part of the land from other parts of the land or from other land that the eligible claimant owns;
 - (v) any cost, damage or loss arising from the carrying out of activities under the geothermal tenure on the land;
 - (b) accounting, legal or valuation costs the claimant necessarily and reasonably incurs to negotiate or prepare a conduct and compensation agreement, other than the costs of a person facilitating an ADR;
Examples of negotiation—
an ADR or conference
 - (c) consequential damages the eligible claimant incurs because of a matter mentioned in paragraph (a) or (b).'
- 6 Clause 250 (Negotiations)**
Page 176, lines 27 to 29—
omit, insert—
- '(a) must be at least for the period provided for under section 250A (the **minimum negotiation period**); but'.
- 7 After clause 250**
Page 177, after line 5—
insert—
- '250A Provision for the minimum negotiation period**
- '(1) Generally, the minimum negotiation period is 20 business days from the giving of the negotiation notice (the **usual period**).
 - '(2) Either party may, within the usual period, ask the other to agree to a longer minimum negotiation period because of stated reasonable or unforeseen circumstances.
 - '(3) If the other party so agrees, the longer minimum negotiation period is the minimum negotiation period.'
- 8 Clause 252 (Parties may seek mediation)**
Page 177, lines 17 to 27—
omit, insert—
- '252 Parties may seek conference or independent ADR**
- '(1) This section applies if, at the end of the minimum negotiation period, the parties have not entered into a conduct and compensation agreement or deferral agreement.
 - '(2) Either party may by a notice (an **election notice**)—
 - (a) to the other party and an authorised officer—ask for an authorised officer to call a conference to negotiate a conduct and compensation agreement; or
 - (b) to the other party—call upon them to agree to an alternative dispute resolution process (an **ADR**) to negotiate a conduct and compensation agreement.
 - '(3) If the notice calls for an ADR, it must—
 - (a) identify the ADR; and

- (b) state that the party giving the notice agrees to bear the costs of the person who will facilitate the ADR (the **facilitator**).

'(4) An ADR may be a process of any kind including, for example, conciliation or mediation.

'(5) However, the facilitator must be independent of either party.

'252A Conduct of conference or ADR

'(1) This section applies if an election notice is given.

'(2) If a conference was requested—

- (a) the authorised officer must take all reasonable steps to ensure the conference is finished within 20 business days after the notice is given (the **usual period**); and

- (b) chapter 7, part 1 applies for the conference.

'(3) If an ADR was called for, the parties must use reasonable endeavours to finish it within 20 business days after the giving of the notice (also the **usual period**).

'(4) Either party may, within the usual period, ask the other to agree to a longer period to finish the conference or ADR because of stated reasonable or unforeseen circumstances.

'(5) If the parties agree to the longer period, that period applies instead of the usual period.

'(6) If an ADR was called for, section 309 applies to the ADR as if a reference in the section to a conference were a reference to an ADR.

Editor's note—

section 309 (What happens if a party does not attend).

9 Clause 253 (Deciding compensation through Land Court if mediation not called or after unsuccessful mediation)

Page 178, lines 3 to 16—

omit, insert—

'253 Land Court may decide if negotiation process unsuccessful

'(1) This section applies if an election notice is given and—

- (a) a party asked an authorised officer to call a conference and the authorised officer does not finish it within the period required under section 252A (the **required period**); or

- (b) a party called for an ADR and the person facilitating the ADR does not finish it within the period required under section 252A (also the **required period**).

'(2) This section also applies if an election notice is given and—

- (a) only 1 party attended the conference requested or ADR called for; or

- (b) both parties attended the conference or ADR and, at the end of the required period, there is no conduct and compensation agreement between the parties.'

10 Clause 253 (Deciding compensation through Land Court if mediation not called or after unsuccessful mediation)

Page 178, line 31 and page 179, lines 1 to 3—

omit, insert—

'**eligible party** means a party who attended the conference or ADR.'

11 After clause 255

Page 180, after line 7—

insert—

'Subdivision 5A Additional Land Court jurisdiction for compensation and related matters

'255A What sdiv 5A is about

'(1) This subdivision provides for additional matters for which the Land Court has jurisdiction.

'(2) The jurisdiction is subject to subdivisions 1 to 5.

'255B Additional jurisdiction

'(1) This section applies to a geothermal tenure holder and an eligible claimant (the **parties**) if any of the following apply—

- (a) the geothermal tenure holder has carried out a preliminary activity;

- (b) the parties can not reach agreement about a conduct and compensation agreement;

- (c) there is a conduct and compensation agreement or deferral agreement between the parties.

'(2) The Land Court may do all or any of the following—

- (a) assess all or part of the relevant geothermal tenure holder's compensation liability to another party;

- (b) decide a matter related to the compensation liability;

- (c) declare whether or not a proposed authorised activity for the relevant geothermal tenure would, if carried out, interfere with the carrying out of lawful activities by the eligible claimant;

- (d) make any order it considers necessary or desirable for a matter mentioned in paragraph (a), (b) or (c).

Example—

The Land Court declares that a particular proposed authorised activity interferes with the carrying out of lawful activities by the eligible claimant. It may also order that a stated modification of, or reduction in, the activity would remove the interference.

'255C Jurisdiction to impose or vary conditions

- '(1) In deciding a matter mentioned in section 255B(2), the Land Court may—
- (a) impose any condition it considers appropriate for the exercise of the parties' rights; or
 - (b) vary any existing condition under an agreement between the parties.
- '(2) The variation may be made on any ground the Land Court considers appropriate.
- '(3) The imposed or varied condition is taken to be—
- (a) if there is an agreement between the parties—a condition of the agreement; or
 - (b) if there is no agreement between the parties—an agreement between the parties.
- '(4) In this section—
- agreement** means a conduct and compensation agreement.
- condition** means a condition of or for a conduct and compensation agreement.'

12 Chapter 7, heading (Mediation, enforcement, offences and proceedings)

Page 208, line 19, 'Mediation'—
omit, insert—
'Conferences'.

13 Chapter 7, part 1 (Mediation with eligible claimants or owners and occupiers)

Page 208, lines 21 to 25, page 209, lines 1 to 31, page 210, lines 1 to 25 and page 211, lines 1 to 9—
omit, insert—

'Part 1 Conferences with eligible claimants or owners and occupiers**'Division 1 Preliminary****'306 Application of pt 1**

- '(1) This part applies if an authorised officer is given an election notice by a geothermal tenure holder or an eligible claimant asking for a conference.
- '(2) This part also applies if—
- (a) an owner or occupier of land who is concerned about any of the following gives an authorised officer notice of the concerns—
 - (i) that someone claiming to act under a geothermal tenure, or to have entered land on the tenure holder's instructions—
 - (A) is not authorised to be on the land; or
 - (B) is not complying with a provision of this Act or a condition of the geothermal tenure;
 - (ii) activities being, or proposed to be, carried out on the land apparently under a geothermal tenure (including when the activities are being, or are to be, carried out);
 - (iii) the conduct on the land of someone apparently acting under a geothermal tenure; or
 - (b) a geothermal tenure holder who is concerned about something relevant to the tenure involving the holder and the owner or occupier of land gives an authorised officer notice of the concerns; or
 - (c) for another reason, an authorised officer considers it desirable to call a conference to discuss concerns about a geothermal tenure.

'Division 2 Calling conference and attendance**'307 Calling conference**

- '(1) If this part applies because of the giving of an election notice, the authorised officer must, by notice, ask the geothermal tenure holder and the eligible claimant (the **parties**) to attend a conference by the authorised officer about negotiating a conduct and compensation agreement.
- '(2) If this part applies under section 306(2), the authorised officer may, by notice, ask the geothermal tenure holder and the owner or occupier or other person with an interest in the concerns (also the **parties**) to attend a conference by the authorised officer about the concerns.
- '(3) The notice must state when and where the conference will be held and what is to be discussed at the conference.

'308 Who may attend conference

- '(1) Apart from the authorised officer, anyone given notice of the conference may attend and take part in the conference.
- '(2) Also, with the authorised officer's approval, someone else may be present to help a person attending the conference.
- '(3) However, a party can not be represented by a lawyer unless the parties agree and the authorised officer is satisfied there is no disadvantage to a party.

'309 What happens if a party does not attend

- '(1) This section applies if a party given notice of the conference does not attend.
- '(2) The authorised officer may hold the conference even though someone given notice of it does not attend.

Note—

If the conference was called because of an election notice and only 1 party attends, the Land Court may decide the issue of compensation. See section 253.

- '(3) A party who attended the conference may apply to the Land Court for an order requiring the party who did not attend to pay the attending party's reasonable costs of attending.
- '(4) The Land Court must not order the party who did not attend to pay costs if it is satisfied the party had a reasonable excuse for not attending.
- '(5) If the Land Court makes the order, it must decide the amount of the costs.

'Division 3 Conduct of conference

'310 Authorised officer's role

- '(1) In conducting the conference, the authorised officer must endeavour to help those attending to reach an early and inexpensive settlement of the subject of the conference.
- '(2) Subject to section 252A, the authorised officer is to decide how the conference is to be conducted.

'311 Statements made at conference

'Nothing said by a person at the conference is admissible in evidence in a proceeding without the person's consent.

'312 Agreement made at conference

- '(1) If, at the conference, the parties negotiate an agreement about the concerns the subject of the conference, the agreement must be written and signed by or for the parties.
- '(2) The agreement—
 - (a) may, if appropriate, be a conduct and compensation agreement or an amendment of an existing conduct and compensation agreement between the parties; and
 - (b) has the same effect as any other compromise.'

14 After clause 353—

Page 234, after line 2—

insert—

'353A Limitation of owner's or occupier's tortious liability for authorised activities

- '(1) This section applies to an owner or occupier of land in the area of a geothermal tenure if—
 - (a) someone else carries out an authorised activity for a geothermal tenure on the land; or
 - (b) someone else carries out an activity on the land and, in doing so, purports to be carrying out an authorised activity for a geothermal tenure.
- '(2) The owner or occupier is not civilly liable to anyone else for a claim based in tort for damages relating to the carrying out of the activity.
- '(3) However, subsection (2) does not apply to the extent the owner or occupier, or someone else authorised by the owner or occupier, caused, or contributed to, the harm the subject of the claim.
- '(4) This section applies—
 - (a) despite any other Act or law; and
 - (b) even though this Act or the geothermal tenure prevents or restricts the carrying out of the activity as an authorised activity for the tenure.
- '(5) Subject to subsection (2), in this section, the terms *claim*, *damages* and *harm* have the same meaning that they have under the *Civil Liability Act 2003*.'

15 After clause 413

Page 262, after line 22—

insert—

'413A Amendment of s 249 (Later applicant must obtain consent or views of earlier applicant if same land affected)

Section 249(3) to (7)—

omit, insert—

- '(3) The written consent may be lodged with the mining registrar before—
 - (a) if the earlier application is decided by the grant of the permit, licence or lease applied for—20 business days after the permit, licence or lease is granted; or
 - (b) otherwise—the earlier application is decided.
- '(4) The later applicant must, within the request period, give the earlier applicant a written request seeking the earlier applicant's views if—
 - (a) the earlier application is for a mining tenement mentioned in subsection (1)(a); and
 - (b) the lease applied for in the later application is—
 - (i) over land covered by the earlier application; and
 - (ii) for different minerals to those covered by the earlier application.
- '(5) The written request must—
 - (a) state that the earlier applicant may, within the response period, lodge written views on the later application with the mining registrar; and
 - (b) include a copy of the later application, other than any part of the application detailing the later applicant's financial and technical resources.
- '(6) A later applicant to whom subsection (4) applies must lodge with the mining registrar notice of the day the later applicant complied with the obligation under subsection (4).

- (7) An earlier applicant given a written request under subsection (4) may, within the response period, lodge the earlier applicant's written views with the mining registrar.
- (8) The mining registrar must not deal with the later application until—
- (a) for a later application to which subsection (2) applies—the earlier applicant's consent is lodged with the mining registrar; or
 - (b) for a later application to which subsection (4) applies—
 - (i) the earlier applicant's views are lodged with the mining registrar; or
 - (ii) the end of the response period; or
 - (c) for any other later application—the day the earlier application is finally decided.
- (9) In this section—
- request period** means a period of 10 business days starting on the day the later application is lodged.
- response period** means a period of 20 business days starting on the day the earlier applicant is given a notice under subsection (4).

16 Clause 416 (Replacement of pt 19, div 12)

Page 267, line 25—

omit, insert—

'1968.

'774A Application of amended s 249

- (1) This section applies if, immediately before the commencement, section 249 applied in relation to an application mentioned in section 249(1).
- (2) Section 249 as in force immediately after the commencement applies in relation to the application.
- (3) For the purpose of subsection (2), the request period under section 249 is the period of 10 business days starting on the commencement.
- (4) In this section—

commencement means the commencement of this section.'

Mr SEENEY: I support the amendments moved by the minister, but I think it is appropriate that I make a short comment in regard to the amount of consultation that has been involved in preparing not just the body of the bill itself but the amendments. I mentioned in my contribution on the second reading the committee that was involved in the initial task, if you like, of coming up with suitable changes to the land access provisions. The representatives on that committee I think put a lot of time and a lot of effort into coming up with an appropriate response to a problem that has been well outlined by a range of members on all sides in this debate.

The amendments that have been moved en bloc by the minister are changes that have been made in recent times since that committee reported, and that too I know has been in response to ongoing consultation. Some of the amendments involve changes which are only minor but seek to clarify beyond any doubt the intention of the legislation. In that respect, I welcome the amendments. I think the level of consultation that has been involved, the level of input that has been involved by the stakeholders, is a model that we would all do well to recognise.

Amendments agreed to.

Clauses 44 to 424, as amended, agreed to.

Clause 425—

Mr WELLINGTON (12.51 pm): This section deals with the additional provisions in relation to overlapping of mineral pilot tenures. We have seen in here a specific recognition of a number of mining leases. I refer members to clause 363B(1)(a), where it specifically says—

This part applies to land (overlapping mineral (f) land) in the area of—

- (a) mineral development licence 309, 374 or 385 (a mineral (f) pilot tenure); or
- (b) any mineral (f) production tenure ...

These are three of the pilot trial areas that are certainly causing a lot of concern and anxiety in the community. During the last sitting of parliament, we saw many husbands, wives and children travel down to Brisbane from their respective communities to say how worried and concerned they are about some of these pilot trial programs. We are asking the government to not proceed with these until we get the science. Clearly, the science is not there at the moment to justify it. We have all these great plans to make a lot of money but I think we are being a little bit anticipatory. I do not believe the science is there to justify proceeding with these projects at the moment.

I am asking the government to consider withdrawing these parts of the bill because quite clearly there is a lot of concern in our community about the dangers to the land, the watercourse, the Great Artesian Basin. I really believe we need to be consistent about protecting our environment. I note the Minister for Sustainability made a ministerial statement in the House this morning which was very timely because it was made on the very day we are debating this very significant piece of legislation.

I am asking the government to consider withdrawing these parts of the bill because the reality is that the community that is directly affected is very concerned and we, the Independents, the members of the crossbenches, certainly want to reflect that concern in the debate in this chamber. People are saying at the moment that there is effectively no difference between the government and the opposition. I suppose when it comes to the federal election we often hear the comment, 'There's no difference between the major parties.' What we are seeing here is that there is no major difference between the major parties.

Some of the people affected by that area are saying, 'No-one's listening,' and they are asking us to try to bring their voice to this chamber because, unfortunately, they believe they are not being consulted—notwithstanding the extensive consultation the minister referred to in his second reading speech and notwithstanding the extensive consultation the shadow minister and his colleagues have referred to in their contributions on this bill over the last couple of days. So I would ask the minister to comment on our request for this part to be withdrawn from the bill until the science is there—that is all we are asking. We are asking for that moratorium.

Mr MESSENGER: I would like to back up the comments from the member for Nicklin. He has made some very good points in his argument. The first point that springs to mind is that, if there was so much effective consultation, why are people barricading and blockading, why are people marching in the streets? Obviously, they are desperate people to want to risk breaking the law. Why are they blockading roads and stopping people and workers going through to these pilot sites? Why are they travelling to Brisbane, taking time off, devoting their time to coming here and begging politicians to listen? Obviously, the consultation process is not as good as we are led to believe by both the LNP and the ALP.

The member for Nicklin also made a good point when he talked about delaying this until we have the science settled. I understand that a scientific panel is now in place—I hope the minister can address this—and the media is reporting that it is due to report back to the state government mid to late next year. Is that timetable still being kept? Will that scientific panel report back in that time frame? Perhaps there may be a chance of that scientific panel reporting back earlier.

I hope the minister can clarify whether clause 425 is the clause he was referring to in his second reading speech when he said—

The Bill also clarifies that coal seam gas (CSG) proponents may undertake agreed low impact surface activities, that do not invoke a resource right, in underground coal gasification (UCG) pilot areas. This will allow CSG production activities in surrounding areas to continue whilst allowing for the trial of UCG.

I assume that this is the clause the minister referred to in that part of his speech. Could the minister also clarify a few more things in relation to his speech? Is there a limit to the number of proponents of coal seam gasification? How does a particular company qualify and meet the government standards to be a proponent under this? The minister has mentioned pilot areas—and I know we have three pilot areas now—but can the minister please clarify how an area becomes designated as a pilot area? How does it qualify? What consultation goes on with communities in areas that are going to be deemed pilot areas under this provision?

I also take the member for Nicklin's point about food security. I was at a meeting of Childers fruit and vegetable growers and I had a look at the latest magazine. From memory, we import close to \$1 billion worth of fruit and close to \$900 million worth of vegetables into Australia. Those fruit and vegetables are grown in God knows what sorts of conditions. The overseas producers certainly would not have to meet the stringent standards that Australian farmers, Queensland farmers, have to meet here. You only have to go to a Queensland farm to understand exactly the amount of red tape they have to battle to produce the good quality fruit and vegetables they do. They are not operating on a level playing field. The playing field is far from level. If coal seam gas companies are able to go ahead and be approved for operation under this particular provision, it once again would not help our farmers who are battling all sorts of red tape to produce good quality food on the land that we are blessed with. If this goes ahead, we could be poisoning the water underneath that good soil that we are blessed with.

Mr ROBERTSON: I thank both members for their questions. In relation to the request, I will not be agreeing to that principally for the very reason that was outlined by the member for Nicklin. We have in place—and have had for some time now—a high level scientific committee. It was tasked with assessing the science and safety and sustainability of the three underground coal gasification pilots. If the government was to take any action in relation to closing down the industry it would be based on the advice of that committee.

I think it is also important to recognise that each of the three trials employs different types of technologies. There is an element of public interest in the fact that the purpose of trials is to prove up different concepts with regard to how we would produce energy through the burning of coal underground. It could well be—and I am certainly not pre-empting the outcome of any analysis or any determination by my colleague the Minister for Climate Change and Sustainability—that one technology cannot be supported by the scientific committee and therefore may not be allowed to proceed. But it may well be that the other technologies being applied do not have the same problems, can be done safely and sustainably and can continue on through this trial period.

Those decisions will be based on the advice of the scientific committee, as they should be, because that provides a level of certainty and transparency for all proponents of new technologies that we have a responsibility to assess. That is, after all, how we progress as a civilisation. Every day there are new technologies that at some stage have to be taken out of the lab and taken to that next stage to be proved up or not. Had we not embraced that technological pathway then we would not be driving cars today.

At some stage we actually have got to get it out of the garage and take it for a drive. But we do so under the best known conditions that we can apply based on our knowledge at that point in time. That is how human development, human endeavour progresses. So we should never lose our entrepreneurial and innovative skills just because we do not know to the nth degree what the consequences are. We do have a responsibility to apply current knowledge to the maximum possible extent to determine the safety and sustainability of a new technology. That is exactly what we are doing with these three trial sites.

Sitting suspended from 1.03 pm to 2.30 pm.

Mr MESSENGER: In speaking to clause 425, the minister was making the point before lunch that we should embrace new technology and we should not be scared of it. We have to take the car out of the garage, I think was the analogy he used. I am all for embracing new technology. But in this case, if we were to use the same analogy as the minister, if we are going to take the car out of the garage and drive it around for a while we should not drive it in the schoolyard while the children are out playing. This is the potential of this technology.

If we are going to have underground coal gasification let us have it in areas that are not prime agricultural land and where it will not risk the livelihoods of farming families. Let us have the trials elsewhere. That is the crux of the argument for the people of Kingaroy and the Darling Downs. It is also relevant to the people of Burnett. There is much good prime agricultural land in the Burnett. We probably could not get much better than the red soils of Childers and Isis right through to The Hummock. It is a volcanic area so perhaps we might have companies looking for geothermal rocks around the area.

What our farmers want is security of tenure. Certainly my farming families would not like to face the prospect of a mining company being able to conduct a trial of underground coal gasification on their property and potentially ruining and poisoning their underground water.

The minister has not answered the questions that I posed to him in relation to clause 425. He said the bill also clarifies that coal seam gas, CSG, proponents may undertake agreed low impact surface activities. What are the limits in terms of the number of proponents? How many proponents are we talking about? Which companies are the proponents? How do they qualify to be a proponent? Can it be anyone who says, 'We're a mining company and we are going to have a crack at this new technology?'

We are not Luddites. We understand that technology is a must. From my perspective, I am happy to limit my carbon footprint to save money and not be wasteful but I certainly do not believe that by turning off the light I can stop the world's climate from changing. This new technology that we are talking about here—the hot rocks technology and the coal seam gas technology—is important for Queensland. It is important in the sense that we have to maintain our energy security. Energy security will be very important to the world in the coming years and even perhaps in the coming weeks.

We have heard in the media that we have a madman in Iran who is to start up his nuclear power station on Saturday, I think it is. Should other countries in the world try to stop that madman from attaining a nuclear weapon we could then be faced with the prospect of escalating conflict in the Middle East and also face a threat to our energy supplies to Australia. We have to have a future for our children where we maintain and open new supplies of energy. This clause puts the property rights of farming families second best. For prime agricultural land it must be the No. 1 priority.

Mr ROBERTSON: The surface activities that are referred to are activities associated with exploration not production. It has been held as a relevant provision for many decades now. It has been supported by parties on both sides that it is in the state's interest that we have knowledge about the resources that the state holds on behalf of the people of Queensland. As a result, exploration that proves up a resource is held to be in the state's and the public's interest which is why activities such as this should be allowed to occur.

It is quite a separate thing to talk about production. In that regard, a range of far more detailed provisions are in place to govern how the extraction or the use of that resource actually takes place. They are quite separate activities and have quite separate licensing regimes. That has been the case for many, many decades in this state.

Mr SEENEY: Clause 425 that we are discussing now, as I read it, deals with the provisions relating to the overlapping tenements that exist. The underground coal gasification industry operates under the Mineral Resources Act and the coal seam gas tenement which overlays that particular title operates under the Petroleum and Gas (Production and Safety) Act.

Can the minister confirm for me that this particular clause simply provides a resolution, if you like, to the issues or the anticipated issues of conflict that revolve around that overlapping tenure situation? I do not read anything in here that authorises the continuation or otherwise of the underground coal gasification trials—what is referred to as mineral (f) in the mineral resources legislation.

We dealt with that here in the parliament quite some time ago. As I recall, the government's policy is to approve three trial projects—one operated by Cougar Energy at Kingaroy, which has received some consideration today, another one operated by Carbon Energy and the third one operated by Link Energy. Those three trial projects have a finite life. There is an expert committee that will report, as I recall, at the end of 2012.

I know that there has been a loss of confidence in the underground coal gasification industry, especially since the unfortunate incident at Kingaroy. I would say that many of the concerns that have been expressed by the member for Nanango about the operation of that trial in such a closely settled area have validity. I do not disagree with many of the things she said. However, I do not see in this clause any provision to deal with that particular issue. As I understand it, the government will consider the continuation or otherwise of the UCG industry at the completion of the trial and when the expert committee reports. Part of that report of course will be an explanation of what happened with the trial at Kingaroy that has been the subject of discussion.

It is a very legitimate decision that will have to be taken by the people of Queensland through its elected representatives as to whether or not we proceed with that industry, but that is not a decision that I can see that we are taking today. There is nothing in this clause that I can see that relates to that decision. We will need to take that decision and we will all need to have a position, and the LNP will certainly have a position on that particular issue when that decision needs to be made. That is not today. At the moment the trials are happening. The one at Kingaroy has been suspended, and rightfully so. I have said publicly that I support absolutely the actions that the government took in suspending that particular trial. However, I do not see—and I am seeking confirmation from the minister—that we are considering in the consideration of this clause whether or not we support a moratorium or whether or not we support the industry. The way I read this clause, even if some move to strike it out of this bill were successful, it would do neither of those things. It would not mean a cessation of the continuing trials and nor would it mean a moratorium. In fact, as I understand the government's position—and once again I seek confirmation from the minister—there is currently a moratorium on any further development until these trials are completed. So there is currently that moratorium. There are only two operating trials now and neither of the operations that are part of those trials would be affected by deleting this clause from the bill.

All deleting this clause from the bill would do is take away the resolution of that overlapping tenure issue. As I read the clause, it allows coal seam gas companies that hold the overlapping tenure to do minor work only and it allows for a dispute resolution so there is not some sort of gang warfare about who is going to do what and who is going to interfere with whose operations on a particular piece of land. I have certainly been lobbied about the issue of a moratorium on any further development of underground coal gasification. I believe there is currently that moratorium. The issue of these two trials continuing has been addressed by the minister and I support the position that he put in respect of the remaining two trials continuing. However, I cannot see anything in this particular clause that relates to that decision that we will have to make further down the track.

Mr ROBERTSON: Once again I am in agreement with the member for Callide. He has put the position quite accurately across a number of issues that he mentioned. Given the level of public interest in relation to this matter, I have been loath to try to confine the debate within the parameters as quite correctly suggested by the member for Callide lest there be suggestions that proper parliamentary scrutiny of what has occurred recently in Kingaroy has not occurred. Under normal circumstances however, as I said, the description and the parameters set by the member for Callide are quite correct and in fact dividing on this clause, even if it were to succeed, would not achieve the outcome that is being sought by the member for Nicklin and others in this place.

Mr WELLINGTON: I take members to the second reading speech and, with respect, disagree. In the minister's own words he said—

The Bill also clarifies that coal seam gas ... proponents may undertake agreed low impact surface activities, that do not invoke a resource right, in underground coal gasification ... pilot areas. This will allow CSG—

coal seam gas—

production activities in surrounding areas to continue whilst allowing for the trial of UCG technology.

This very clause that we are debating in this bill of some 539 pages is the only place in this whole bill where those three pilot trial sites are identified, and they are identified in this very clause as mineral development licence No. 309, mineral development licence No. 374 and mineral development licence No. 385. They are specifically mentioned. I challenge the comments made by the shadow minister. Quite frankly, the community is very concerned and very angry, and what we the Independents are trying to do is to focus everyone's attention on these guinea pig communities. The reality is that these three communities are the guinea pig communities in Queensland where these underground coal gasification projects are the trials. They are the guinea pig communities. They are the experiments.

Minister, how many departmental officers are working around the clock monitoring what these three entities are doing—that is, Linc Energy, Cougar Energy and Carbon Energy? Quite frankly, private enterprise will take short cuts. I know that there is a scientific panel, but look at what happened in America with BP where it wanted to take short cuts. We only need to look at the devastation that that has caused—devastation. We cannot rely solely on what private-enterprise developers want to do because, quite frankly, I do not have confidence in them and people around the world are losing confidence in big industry—the mining industry, the oil industry and the gas industry—because they know that big business is about focusing on profits. We share the concerns that people on the Darling Downs and in Kingaroy have, and that is why we the Independents and members of the Queensland Party are trying to focus attention on it. I ask the minister to clarify how many independent and impartial government employees are monitoring what these private operators are doing.

Mr SEENEY: I only seek to respond because the member for Nicklin referred to me. Some of the things that the member for Nicklin said are a legitimate part of a debate that we have to have some time in the future. It is not the debate today, unfortunately. I would actually like to have that debate. I am looking forward to it. I have a personal view that the underground coal gasification industry is going to have an enormous difficulty regaining public confidence. I believe it is almost impossible for that confidence to be regained for the operation of the industry in a closely settled area. So I do not disagree with a whole lot of things that the member for Nicklin said or what I heard the member for Nanango say earlier in this debate.

The only point that I was making that I was seeking clarification from the minister on, and that he subsequently clarified, was that that issue is not dealt with in this particular clause. It is not dealt with in the clause. The quote that the member for Nicklin used when he referred to the contribution that I made actually says that. The quote that the member for Nicklin used from the minister's speech says that this clause allows for minor coal seam gas activities on the overlapping title. That is what it does. It does not affect the underground coal gasification title—that is, mineral (f) title under the Mineral Resources Act. I know I am doing the minister's job, but the underground coal gasification companies operate under the Mineral Resources Act under the mineral (f) provisions.

I am as concerned as the member for Nicklin and the member for Nanango about the underground coal gasification issue. I have looked at it in my role in some detail, and I have looked at it very carefully and I have considered all of those issues. I have heard a lot of people with a lot of different views, and they are legitimate views. However, they are not part of this debate. The only point that I was making that the member for Nicklin took me to task on was that if he was successful in striking out this clause he would not achieve what it is that he wants to achieve and what other people want to achieve in relation to changing the position regarding the underground coal gasification industry, because this clause does not affect the operations of the underground coal gasification industry. I address my comments to the minister and I seek clarification of the position as I understand it to be true, because it is important that we clearly understand that we are not going to be making a decision about whether or not we are going to be supporting a moratorium on underground coal gasification. If we were making that decision, then it would be a very different debate. This clause is simply about the overlapping tenures that have the potential to cause a conflict between companies, which is in nobody's interests.

Mr ROBERTSON: Can I confirm that the member for Callide has done quite an adequate job in explaining exactly that position—not as good an explanation as I would have given, nevertheless a very adequate explanation. I will let it rest there.

Mrs PRATT: It is really nice to see both members on the same side in this particular argument. I would like clarification. The minister in his second reading speech said—

Coal seam gas ... proponents may undertake agreed low impact surface activities.

I read that and I understand that. But in the very next sentence the minister's second reading speech says—

This will allow CSG production activities.

To me, there is a total difference between exploration and production. So I would like some clarification there. When I look at my particular area, I know how many boreholes, drill holes and everything else landholders in my area have to put up with. There is not one, there are not two, it might not be three or four; it might be 10 or 15 in some cases or even a lot more. I am not talking about big properties here. So if a CSG company or another mining company comes and says, 'We also want to drill,' is there any protection for the people? Is there a limit on the number of drill holes and boreholes? These holes affect stock because they break their legs in them. I can refer to one particular place at Kingaroy today where the borehole blew out. Whereas it was once a little borehole, it is now quite an extensive borehole. So there are great impacts on the landholders in this case and it does infringe on their rights.

I know the minister was talking about companies infringing on each other, but what about infringing on the day-to-day activities of landholders? Most of these little properties are companies as well and so they should be included in that process. So could the minister give me some clarification in terms of the number of drill holes and boreholes? Is there a limit that companies can go to on properties? Can the minister tell me if it was a mistake when he said in his second reading speech 'allow

CSG production activities in surrounding areas to continue'? To me, exploration and production are two different things. The minister has also not answered the staffing question asked by the member for Nicklin, either. So could the minister clarify that.

Mr ROBERTSON: Can we just go through this one more time. To reiterate what the member for Callide said, these provisions are in relation to the three trials that have been allowed for by this government. These provisions seek to clarify the existence of overlapping tenures that allow these trials to go ahead. This should not in any way be seen as a backdoor way to expand the trials beyond the three that have been authorised by the government and which are the subject of quite an extensive policy known as the Underground Coal Gasification Policy, which was released in February last year.

These provisions recognise that on the day that those trials were permitted to go ahead there may have been in existence overlapping tenures, particularly coal seam gas tenures, and that those coal seam gas tenures had reached the production stage.

Mr Seeney: But there's none in Kingaroy.

Mr ROBERTSON: But there are none in Kingaroy. The member is becoming quite helpful, actually. So with the two on the Downs and Chinchilla—Kogan Creek—there would have been in place existing coal seam gas tenures and production from those tenures, but we determined to allow these trials to go ahead and that those existing production tenures should not stop the trial of underground coal gasification in those parts, because they were dealing with different coal seams and the two productions could co-exist.

There were—and there traditionally have been in the many years that I have been in charge of this portfolio—tensions between different companies seeking to access resources for different purposes. All this clause does is clarify the existence of those overlapping tenures and how they can be resolved in relation to the three particular tenures but, more so, it does not apply to Kingaroy because there was no existing coal seam gas production underway. I guess that is the end of the story.

In relation to the resources that have been put in place, I would suggest that, rather than me trying to answer that question, the member for Nicklin seeks a briefing from my colleague the Minister for Climate Change and Sustainability in relation to what officers and what responsibilities each of those officers have under the Environmental Protection Act, which governs these trials. With my agency in the mines and energy area, there are petroleum and gas inspectors who have responsibilities as well. But I suspect the member's interest lies mainly with those officers who hold authorisations under the Environmental Protection Act, which is why I suggest the member give Kate Jones a call. I know that she would be more than happy to provide a detailed briefing in relation to how these particular matters are monitored.

Mrs PRATT: In the past the minister has acknowledged how difficult it is trying to judge who to ask the questions to—the minister or the Minister for Climate Change and Sustainability. He acknowledged that during the estimates hearing and he has acknowledged that since in the House. It seems ridiculous that we have to keep dividing issues like that. I would just like to clarify something. I am not specifically talking about Kingaroy with this particular clause; I am talking about all—all—areas in the state. We have the two industry bodies that the minister is talking about—mining company A and mining company B. There is a third company involved and that is the people whose land the activity is on. I think the whole thing should be between those three and with equal rights given to the man on the land so that he has some say on the number of boreholes and the number of test drills. I seek to clarify that. This relates to all properties, not just to Kingaroy.

Mr ROBERTSON: That is why the member for Nanango should take some time to consider the extensive amendments that have been tabled in relation to this bill, which enhance the rights of landholders and the responsibilities of companies to engage in true consultation on a range of issues, including access and production rights. I think the member will find that, as has been acknowledged by AgForce in today's *Queensland Country Life*, with the amendments attached to this bill we have a much better case than perhaps was the case in the past in recognising exactly the kind of issues that the member is talking about.

Mrs PRATT: And I recognise that, too.

Division: Question put—That clause 425 as read be agreed to.

AYES, 73—Attwood, Bates, Bleijie, Choi, Crandon, Cripps, Croft, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnstone, Jones, Kiernan, Langbroek, Lawlor, Lucas, Male, Malone, McArdle, Menkens, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Neill, Palaszczuk, Powell, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wilson. Tellers: Keech, Pitt.

NOES, 6—Cunningham, Foley, Pratt, Wellington. Tellers: McLindon, Messenger

Resolved in the affirmative.

Clause 425, as read, agreed to.

Debate, on motion of Mr Robertson, adjourned.

MINISTERIAL STATEMENT

Reappointment of Police Commissioner

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (3.07 pm), by leave: I rise to update the House on the reappointment of Bob Atkinson as the state's Police Commissioner. I was to make this statement this morning. However, given the release of the judgement of Justice Lyons, I held the matter over to allow time to analyse the findings. The CMC chair was advised yesterday that this statement was to be made.

As honourable members would be aware, Commissioner Atkinson's current contract expires on 31 October this year. The commissioner's current contract was for a period of three years with the option to extend for up to a further two years by mutual agreement. Earlier this year the Premier and I announced the government's intention to seek to reappoint the commissioner on a new three-year contract. At the request of the commissioner, the government has now decided to exercise the option of a two-year extension allowed for in the existing contract.

Yesterday I received correspondence from the CMC chair acknowledging that such an extension does not require his formal agreement and also noting that it is in the public interest that the appointment is resolved. The chair also acknowledged that the terms and conditions of the commissioner's appointment have been the subject of lengthy and constructive dialogue between us.

The government believes that Commissioner Bob Atkinson can provide the strong and stable leadership required to lead the Queensland Police Service over the next two years. As Commissioner Atkinson has indicated that he would not seek a new contract beyond this two-year extension, the government will begin the process of recruiting a new police commissioner in late 2011. This will provide ample time for the position to be advertised nationally and internationally, the selection process to be completed and a transition to the new commissioner before Mr Atkinson's contract expires in October 2012.

Like the CMC, the government looks to the Police Commissioner to take strong, decisive action in the performance of his role to promote high standards of integrity and conduct within the service. I look forward to working with the commissioner over the next two years to achieve this objective and thank the CMC chair and commissioners for their constructive contribution to resolving this matter.

GEOTHERMAL ENERGY BILL

Consideration in Detail

Resumed from p 2804.

Clauses 426 to 453—

Mr ROBERTSON (3.09 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr ROBERTSON: I move the following amendments—

17 Clause 430 (Omission of s 85 (Obligation to consult with particular owners and occupiers))

Page 283, lines 16 to 19—

omit, insert—

'430 Amendment of s 9 (Act does not affect other rights or remedies)

Section 9(1), after 'sections 269'—

insert—

‘, 338A’.

'430A Replacement of s 85 (Obligation to consult with particular owners and occupiers)

Section 85—

omit, insert—

'85 Obligation to consult with particular owners and occupiers

'(1) A GHG permit holder must consult or use reasonable endeavours to consult with each owner and occupier of private or public land on which authorised activities for the permit are proposed to be carried out or are being carried out.

'(2) The consultation must be about—

(a) access; and

(b) the carrying out of authorised activities for the GHG permit (including, for example, crossing access land for the permit) to the extent they relate to the owners and occupiers; and

(c) the GHG permit holder's compensation liability to the owners or occupiers.'.

18 Clause 431 (Omission of s 166 (Obligation to consult with particular owners and occupiers))

Page 284, lines 1 to 4—

*omit, insert—***'431 Replacement of s 166 (Obligation to consult with particular owners and occupiers)**

Section 166—

*omit, insert—***'166 Obligation to consult with particular owners and occupiers**

'(1) A GHG lease holder must consult or use reasonable endeavours to consult with each owner and occupier of private or public land on which authorised activities for the lease are proposed to be carried out or are being carried out.

'(2) The consultation must be about—

- (a) access; and
- (b) the carrying out of authorised activities for the GHG lease (including, for example, crossing access land for the lease) to the extent they relate to the owners and occupiers; and
- (c) the GHG lease holder's compensation liability to the owners or occupiers.'.

19 Clause 432 (Replacement of ch 5, pt 7, divs 1 to 3)

Page 286, lines 7 to 10—

omit, insert—

- '(a) the GHG authority; and
- (b) the land access code; and
- (c) any code of practice made under this Act applying to authorised activities for the GHG authority; and
- (d) the relevant environmental authority documentation.'.

20 Clause 432 (Replacement of ch 5, pt 7, divs 1 to 3)

Page 286, line 12—

omit, insert—

- '(a) generally—
 - (i) for a GHG permit—6 months; or
 - (ii) for another GHG authority—1 year; or'.

21 Clause 435 (Replacement of ch 5, pt 10 (General compensation provisions))

Page 291, lines 21 to 24 and page 292, lines 1 to 6—

*omit, insert—***'compensatable effect** means all or any of the following—

- (a) all or any of the following relating to the eligible claimant's land—
 - (i) deprivation of possession of its surface;
 - (ii) diminution of its value;
 - (iii) diminution of the use made or that may be made of the land or any improvement on it;
 - (iv) severance of any part of the land from other parts of the land or from other land that the eligible claimant owns;
 - (v) any cost, damage or loss arising from the carrying out of activities under the GHG authority on the land;
- (b) accounting, legal or valuation costs the claimant necessarily and reasonably incurs to negotiate or prepare a conduct and compensation agreement, other than the costs of a person facilitating an ADR;

Examples of negotiation—

 - an ADR or conference
- (c) consequential damages the eligible claimant incurs because of a matter mentioned in paragraph (a) or (b).'

22 Clause 435 (Replacement of ch 5, pt 10 (General compensation provisions))

Page 295, lines 16 to 18—

omit, insert—

- '(a) must be at least for the period provided for under section 324A (the *minimum negotiation period*); but'.

23 Clause 435 (Replacement of ch 5, pt 10 (General compensation provisions))

Page 295, after line 24—

*insert—***'324A Provision for the minimum negotiation period**

- '(1) Generally, the minimum negotiation period is 20 business days from the giving of the negotiation notice (the *usual period*).

- '(2) Either party may, within the usual period, ask the other to agree to a longer minimum negotiation period because of stated reasonable or unforeseen circumstances.
- '(3) If the other party so agrees, the longer minimum negotiation period is the minimum negotiation period.'

24 Clause 435 (Replacement of ch 5, pt 10 (General compensation provisions))

Page 296, lines 8 to 18—

omit, insert—

'325A Parties may seek conference or independent ADR

- '(1) This section applies if, at the end of the minimum negotiation period, the parties have not entered into a conduct and compensation agreement or deferral agreement.
- '(2) Either party may by a notice (an **election notice**)—
- (a) to the other party and an authorised officer—ask for an authorised officer to call a conference to negotiate a conduct and compensation agreement; or
- (b) to the other party—call upon them to agree to an alternative dispute resolution process (an **ADR**) to negotiate a conduct and compensation agreement.
- '(3) If the notice calls for an ADR, it must—
- (a) identify the ADR; and
- (b) state that the party giving the notice agrees to bear the costs of the person who will facilitate the ADR.
- '(4) An ADR may be a process of any kind including, for example, arbitration, conciliation, mediation or negotiation.
- '(5) However, the facilitator must be independent of either party.

'325AB Conduct of conference or ADR

- '(1) This section applies if an election notice is given.
- '(2) If a conference was requested—
- (a) the authorised officer must take all reasonable steps to ensure the conference is finished within 20 business days after the notice is given (the **usual period**); and
- (b) chapter 6, part 1A applies for the conference.
- '(3) If an ADR was called for, the parties must use reasonable endeavours to finish it within 20 business days after the giving of the notice (also the **usual period**).
- '(4) Either party may, within the usual period, ask the other to agree to a longer period to finish the conference or ADR because of stated reasonable or unforeseen circumstances.
- '(5) If the parties agree to the longer period, that period applies instead of the usual period.
- '(6) If an ADR was called for, section 377D applies to the ADR as if a reference in the section to a conference were a reference to an ADR.

Editor's note—

section 377D (What happens if a party does not attend)'.

25 Clause 435 (Replacement of ch 5, pt 10 (General compensation provisions))

Page 296, lines 21 to 29 and page 297, lines 1 to 5—

omit, insert—

'325B Land court may decide if negotiation process unsuccessful

- '(1) This section applies if an election notice is given and—
- (a) a party asked an authorised officer to call a conference and the authorised officer does not finish it within the period required under section 325AB (the **required period**); or
- (b) a party called for an ADR and the person facilitating the ADR does not finish it within the period required under section 325AB (also the **required period**).
- '(2) This section also applies if an election notice is given and—
- (a) only 1 party attended the conference requested or ADR called for; or
- (b) both parties attended the conference or ADR and, at the end of the required period, there is no conduct and compensation agreement between the parties.'

26 Clause 435 (Replacement of ch 5, pt 10 (General compensation provisions))

Page 297, lines 20 to 23—

omit, insert—

'**eligible party** means a party who attended the conference or ADR.'

27 Clause 435 (Replacement of ch 5, pt 10 (General compensation provisions))

Page 298, after line 26—

insert—

'Subdivision 5A Additional Land Court jurisdiction for compensation and related matters

'325DA What sdiv 5A is about

- '(1) This subdivision provides for additional matters for which the Land Court has jurisdiction.
- '(2) The jurisdiction is subject to subdivisions 1 to 5.

‘325DB Additional jurisdiction

- ‘(1) This section applies to a GHG authority holder and an eligible claimant (the *parties*) if any of the following apply—
- (a) the GHG authority holder has carried out a preliminary activity;
 - (b) the parties can not reach agreement about a conduct and compensation agreement;
 - (c) there is a conduct and compensation agreement or deferral agreement between the parties.
- ‘(2) The Land Court may do all or any of the following—
- (a) assess all or part of the relevant GHG authority holder’s compensation liability to another party;
 - (b) decide a matter related to the compensation liability;
 - (c) declare whether or not a proposed authorised activity for the relevant GHG authority would, if carried out, interfere with the carrying out of lawful activities by the eligible claimant;
 - (d) make any order it considers necessary or desirable for a matter mentioned in paragraph (a), (b) or (c).

Example—

The Land Court declares that a particular proposed authorised activity interferes with the carrying out of lawful activities by the eligible claimant. It may also order that a stated modification of, or reduction in, the activity would remove the interference.

‘325DC Jurisdiction to impose or vary conditions

- ‘(1) In deciding a matter mentioned in section 325DB(2), the Land Court may—
- (a) impose any condition it considers appropriate for the exercise of the parties’ rights; or
 - (b) vary any existing condition under an agreement between the parties.
- ‘(2) The variation may be made on any ground the Land Court considers appropriate.
- ‘(3) The imposed or varied condition is taken to be—
- (a) if there is an agreement between the parties—a condition of the agreement; or
 - (b) if there is no agreement between the parties—an agreement between the parties.
- ‘(4) In this section—
- agreement** means a conduct and compensation agreement.
- condition** means a condition of or for a conduct and compensation agreement.’.

28 After clause 436—

Page 299, after line 25—

insert—

‘436A Insertion of new s 338A

Chapter 5, part 12—

insert—

‘338A Limitation of owner’s or occupier’s tortious liability for authorised activities

- ‘(1) This section applies to an owner or occupier of land in the area of a GHG authority if—
- (a) someone else carries out an authorised activity for a GHG authority holder on the land; or
 - (b) someone else carries out an activity on the land and, in doing so, purports to be carrying out an authorised activity for a GHG authority.
- ‘(2) The owner or occupier is not civilly liable to anyone else for a claim based in tort for damages relating to the carrying out of the activity.
- ‘(3) However, subsection (2) does not apply to the extent the owner or occupier, or someone else authorised by the owner or occupier, caused, or contributed to, the harm the subject of the claim.
- ‘(4) This section applies—
- (a) despite any other Act or law; and
 - (b) even though this Act or the GHG authority prevents or restricts the carrying out of the activity as an authorised activity for the authority.
- ‘(5) Subject to subsection (2), in this section, the terms *claim*, *damages* and *harm* have the same meaning that they have under the *Civil Liability Act 2003*.’.

29 Clause 437 (Replacement of ch 6, hdg (Enforcement, offences and proceedings))

Page 300, lines 1 to 27, page 301, lines 1 to 29 and page 302, lines 1 to 18—

omit, insert—

‘437 Replacement of ch 6 hdg (Enforcement, offences and proceedings)

Chapter 6, heading—

omit, insert—

‘Chapter 6 Conferences, investigations and enforcement**‘Part 1A Conferences with eligible claimants or owners and occupiers****‘Division 1 Preliminary****‘377A Application of pt 1A**

- ‘(1) This part applies if an authorised officer is given an election notice by a GHG authority holder or an eligible claimant asking for a conference.

- (2) This part also applies if—
- (a) an owner or occupier of land who is concerned about any of the following gives an authorised officer notice of the concerns—
 - (i) that someone claiming to act under a GHG authority, or to have entered land on the authority holder's instructions—
 - (A) is not authorised to be on the land; or
 - (B) is not complying with a provision of this Act or a condition of the GHG authority;
 - (ii) activities being, or proposed to be, carried out on the land apparently under a GHG authority (including when the activities are being, or are to be, carried out);
 - (iii) the conduct on the land of someone apparently acting under a GHG authority; or
 - (b) a GHG authority holder who is concerned about something relevant to the authority involving the holder and the owner or occupier of land gives an authorised officer notice of the concerns; or
 - (c) for another reason, an authorised officer considers it desirable to call a conference to discuss concerns about a GHG authority.

'Division 2 Calling conference and attendance

'377B Calling conference

- (1) If this part applies because of the giving of an election notice, the authorised officer must, by notice, ask the GHG authority holder and the eligible claimant (the *parties*) to attend a conference by the authorised officer about negotiating a conduct and compensation agreement.
- (2) If this part applies under section 377A(2), the authorised officer may, by notice, ask the GHG authority holder and the owner or occupier or other person with an interest in the concerns (also the *parties*) to attend a conference by the authorised officer about the concerns.
- (3) The notice must state when and where the conference will be held and what is to be discussed at the conference.

'377C Who may attend conference

- (1) Apart from the authorised officer, anyone given notice of the conference may attend and take part in the conference.
- (2) Also, with the authorised officer's approval, someone else may be present to help a person attending the conference.
- (3) However, a party can not be represented by a lawyer unless the parties agree and the authorised officer is satisfied there is no disadvantage to a party.

'377D What happens if a party does not attend

- (1) This section applies if a party given notice of the conference does not attend.
- (2) The authorised officer may hold the conference even though someone given notice of it does not attend.
- Note—*
If the conference was called because of an election notice and only 1 party attends, the Land Court may decide the issue of compensation. See section 325B.
- (3) A party who attended the conference may apply to the Land Court for an order requiring the party who did not attend to pay the attending party's reasonable costs of attending.
- (4) The Land Court must not order the party who did not attend to pay costs if it is satisfied the party had a reasonable excuse for not attending.
- (5) If the Land Court makes the order, it must decide the amount of the costs.

'Division 3 Conduct of conference

'377E Authorised officer's role

- (1) In conducting the conference, the authorised officer must endeavour to help those attending to reach an early and inexpensive settlement of the subject of the conference.
- (2) Subject to section 325AB, the authorised officer is to decide how the conference is to be conducted.

'377F Statements made at conference

'Nothing said by a person at the conference is admissible in evidence in a proceeding without the person's consent.'

'377G Agreement made at conference

- (1) If, at the conference, the parties negotiate an agreement about the concerns the subject of the conference, the agreement must be written and signed by or for the parties.
- (2) The agreement—
- (a) may, if appropriate, be a conduct and compensation agreement or an amendment of an existing conduct and compensation agreement between the parties; and
 - (b) has the same effect as any other compromise.'

30 Clause 439 (Amendment of sch 2 (Dictionary))

Page 304, after line 13—

insert—

'**ADR** see section 325A(2)(b).'

31 Clause 439 (Amendment of sch 2 (Dictionary))

Page 305, after line 5—

insert—

'election notice see section 325A(2).'

32 Clause 439 (Amendment of sch 2 (Dictionary))

Page 305, line 16, after 'who'—

insert—', under an Act, or, for freehold land, a lease registered under the *Land Title Act 1994*.'**33 Clause 439 (Amendment of sch 2 (Dictionary))**

Page 306, line 1, after 'business'—

insert—

'or land use'.

34 Clause 439 (Amendment of sch 2 (Dictionary))

Page 306, lines 7 to 10—

omit, insert—

- geophysical surveying not involving site preparation
- aerial, electrical or environmental surveying'.

35 Clause 451 (Insertion of new pt 10, divs 1A and 1B)

Page 313, lines 23 to 28, page 314, lines 1 to 29, page 315, lines 1 to 25 and page 316, lines 1 to 9—

*omit, insert—***'Division 1B Conferences with eligible claimants or owners and occupiers****'Subdivision 1 Preliminary****'335F Application of div 1B**

- '(1) This division applies if a relevant officer is given an election notice by a mining tenement holder or an eligible claimant asking for a conference.
- '(2) This division also applies if—
- (a) an owner or occupier of land who is concerned about any of the following gives a relevant officer notice of the concerns—
 - (i) that someone claiming to act under a mining tenement, or to have entered land on the tenement holder's instructions—
 - (A) is not authorised to be on the land; or
 - (B) is not complying with a provision of this Act or a condition of the mining tenement;
 - (ii) activities being, or proposed to be, carried out on the land apparently under a mining tenement (including when the activities are being, or are to be, carried out);
 - (iii) the conduct on the land of someone apparently acting under a mining tenement; or
 - (b) a mining tenement holder who is concerned about something relevant to the tenement involving the holder and the owner or occupier of land gives a relevant officer notice of the concerns; or
 - (c) for another reason, a relevant officer considers it desirable to call a conference to discuss concerns about a mining tenement.

'Subdivision 2 Calling conference and attendance**'335G Calling conference**

- '(1) If this division applies because of the giving of an election notice, the relevant officer must, by notice, ask the mining tenement holder and the eligible claimant (the *parties*) to attend a conference by the relevant officer about negotiating a conduct and compensation agreement.
- '(2) If this division applies under section 335F(2), the relevant officer may, by notice, ask the mining tenement holder and the owner or occupier or other person with an interest in the concerns (also the *parties*) to attend a conference by the relevant officer about the concerns.
- '(3) The notice must state when and where the conference will be held and what is to be discussed at the conference.

'335H Who may attend conference

- '(1) Apart from the relevant officer, anyone given notice of the conference may attend and take part in the conference.
- '(2) Also, with the relevant officer's approval, someone else may be present to help a person attending the conference.
- '(3) However, a party can not be represented by a lawyer unless the parties agree and the relevant officer is satisfied there is no disadvantage to a party.

'335I What happens if a party does not attend

- '(1) This section applies if a party given notice of the conference does not attend.
- '(2) The relevant officer may hold the conference even though someone given notice of it does not attend.

Note—

If the conference was called because of an election notice and only 1 party attends, the Land Court may decide the issue of compensation. See schedule 1, section 20.

- '(3) A party who attended the conference may apply to the Land Court for an order requiring the party who did not attend to pay the attending party's reasonable costs of attending.
- '(4) The Land Court must not order the party who did not attend to pay costs if it is satisfied the party had a reasonable excuse for not attending.
- '(5) If the Land Court makes the order, it must decide the amount of the costs.

'Subdivision 3 Conduct of conference

'335J Relevant officer's role

- '(1) In conducting the conference, the relevant officer must endeavour to help those attending to reach an early and inexpensive settlement of the subject of the conference.
- '(2) Subject to schedule 1, section 19A, the relevant officer is to decide how the conference is to be conducted.

'335K Statements made at conference

'Nothing said by a person at the conference is admissible in evidence in a proceeding without the person's consent.

'335L Agreement made at conference

- '(1) If, at the conference, the parties negotiate an agreement about the concerns the subject of the conference, the agreement must be written and signed by or for the parties.
- '(2) The agreement—
 - (a) may, if appropriate, be a conduct and compensation agreement or an amendment of an existing conduct and compensation agreement between the parties; and
 - (b) has the same effect as any other compromise.'.

Amendments agreed to.

Clauses 426 to 453, as amended, agreed to.

Clause 454—

Mr ROBERTSON (3.10 pm): I move the following amendments—

36 Clause 454 (Insertion of new pt 19, div 13, sdiv 2)

Page 318, after line 16—
insert—

'777A Existing agreements about compensation

- '(1) This section applies if immediately before the commencement of this section an agreement was in force between—
 - (a) an exploration permit holder and an owner about the owner's entitlement under former section 145; or
 - (b) a mineral development licence holder and an owner about the owner's entitlement under former section 191.
- '(2) On the commencement, the agreement becomes a conduct and compensation agreement under schedule 1.'

37 Clause 454 (Insertion of new pt 19, div 13, sdiv 2)

Page 319, after line 7—
insert—

'778A Additional exemption to conduct and compensation agreement requirement

- '(1) This section applies for an exploration permit or mineral development licence holder if the holder has given a converted entry notice.
- '(2) During the term of the converted entry notice under former section 164 or 212, the conduct and compensation agreement requirement under schedule 1 does not apply to the holder.
- '(3) To remove any doubt, it is declared that subsection (2) does not apply for any renewal of the converted entry notice.
- '(4) In this section—
converted entry notice means a notice of entry that, under section 778(3), is taken to be an entry notice for schedule 1.'

Mr WELLINGTON: This clause refers to the proposed new section 777, headed 'Existing compensation decisions and proceedings continue'. It commences, 'If, before the commencement of this section, the Land Court had decided compensation,' and then it goes on. My question to the minister is: when does he anticipate this being law in Queensland? In a bill we debated earlier in the week the Minister for Fair Trading flagged that he anticipated the new laws would be promulgated by 1 October. I was wondering if you had any anticipated date when these new laws will be valid in Queensland?

Mr ROBERTSON: It would be our ambition to have this bill assented to by the Governor as soon as possible. There may be a transition period for some provisions of the Mineral Resources Act, but the majority of the provisions of this bill will be assented to at the pleasure of the Governor as soon as possible.

Mr WELLINGTON: Is it anticipated that this be done by Christmas? Is that the time frame, or you just do not know?

Mr ROBERTSON: Yes.

Amendments agreed to.

Clause 454, as amended, agreed to.

Clauses 455 to 471—

Mr ROBERTSON (3.13 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr ROBERTSON: I move the following amendments—

38 Clause 455 (Insertion of new sch 1)

Page 320, line 7, after 'business'—

insert—

'or land use'.

39 Clause 455 (Insertion of new sch 1)

Page 320, lines 14 to 17—

omit, insert—

- geophysical surveying not involving site preparation
- aerial, electrical or environmental surveying'.

40 Clause 455 (Insertion of new sch 1)

Page 321, after line 20—

insert—

'*ADR* see section 19(2)(b).'

41 Clause 455 (Insertion of new sch 1)

Page 321, after line 25—

insert—

'*election notice* see section 19(2).'

42 Clause 455 (Insertion of new sch 1)

Page 325, lines 10 to 13—

omit, insert—

- (a) the exploration tenement; and
- (b) the land access code; and
- (c) any code of practice made under this Act applying to authorised activities for the exploration tenement; and
- (d) the relevant environmental authority documentation.'

43 Clause 455 (Insertion of new sch 1)

Page 330, line 9, 'cost or loss'—

omit, insert—

'cost, damage or loss'.

44 Clause 455 (Insertion of new sch 1)

Page 333, lines 25 to 27—

omit, insert—

'(a) must be at least for the period provided for under section 17A (the *minimum negotiation period*); but'.

45 Clause 455 (Insertion of new sch 1)

Page 334, after line 3—

insert—

'17A Provision for the minimum negotiation period

- '(1) Generally, the minimum negotiation period is 20 business days from the giving of the negotiation notice (the *usual period*).
- '(2) Either party may, within the usual period, ask the other to agree to a longer minimum negotiation period because of stated reasonable or unforeseen circumstances.
- '(3) If the other party so agrees, the longer minimum negotiation period is the minimum negotiation period.'

46 Clause 455 (Insertion of new sch 1)

Page 334, lines 15 to 25—

*omit, insert—***'19 Parties may seek conference or independent ADR**

- '(1) This section applies if, at the end of the minimum negotiation period, the parties have not entered into a conduct and compensation agreement or deferral agreement.
- '(2) Either party may by a notice (an **election notice**)—
- (a) to the other party and a relevant officer—ask for a relevant officer to call a conference to negotiate a conduct and compensation agreement; or
 - (b) to the other party—call upon them to agree to an alternative dispute resolution process (an **ADR**) to negotiate a conduct and compensation agreement.
- '(3) If the notice calls for an ADR, it must—
- (a) identify the ADR; and
 - (b) state that the party giving the notice agrees to bear the costs of the person who will facilitate the ADR.
- '(4) An ADR may be a process of any kind including, for example, arbitration, conciliation, mediation or negotiation.
- '(5) However, the facilitator must be independent of either party.

'19A Conduct of conference or ADR

- '(1) This section applies if an election notice is given.
- '(2) If a conference was requested—
- (a) the relevant officer must take all reasonable steps to ensure the conference is finished within 20 business days after the notice is given (the **usual period**); and
 - (b) part 10, division 1B applies for the conference.
- '(3) If an ADR was called for, the parties must use reasonable endeavours to finish it within 20 business days after the giving of the notice (also the **usual period**).
- '(4) Either party may, within the usual period, ask the other to agree to a longer period to finish the conference or ADR because of stated reasonable or unforeseen circumstances.
- '(5) If the parties agree to the longer period, that period applies instead of the usual period.
- '(6) If an ADR was called for, section 335I applies to the ADR as if a reference in the section to a conference were a reference to an ADR.

Editor's note—

section 335I (What happens if a party does not attend).

47 Clause 455 (Insertion of new sch 1)

Page 335, lines 3 to 16—

*omit, insert—***'20 Land court may decide if negotiation process unsuccessful**

- '(1) This section applies if an election notice is given and—
- (a) a party asked a relevant officer to call a conference and the relevant officer does not finish it within the period required under section 19A (the **required period**); or
 - (b) a party called for an ADR and the person facilitating the ADR does not finish it within the period required under section 19A (also the **required period**).
- '(2) This section also applies if an election notice is given and—
- (a) only 1 party attended the conference requested or ADR called for; or
 - (b) both parties attended the conference or ADR and, at the end of the required period, there is no conduct and compensation agreement between the parties.'

48 Clause 455 (Insertion of new sch 1)

Page 335, line 31 and page 336, lines 1 to 3—

omit, insert—

'eligible party means a party who attended the conference or ADR.'

49 Clause 455 (Insertion of new sch 1)

Page 337, after line 7—

*insert—***'Part 6A Additional Land Court jurisdiction for compensation and related matters****'22A What pt 6A is about**

- '(1) This part provides for additional matters for which the Land Court has jurisdiction.
- '(2) The jurisdiction is subject to parts 2 to 6.

'22B Additional jurisdiction

- '(1) This section applies if—
- (a) an exploration tenement holder and an eligible claimant can not reach agreement about a conduct and compensation agreement; or

- (b) there is a conduct and compensation agreement or deferral agreement.
- '(2) The Land Court may assess all or part of the relevant exploration tenement holder's compensation liability to another party.
- '(3) In this section—
party means any of the following—
 (a) the relevant exploration tenement holder;
 (b) an eligible claimant mentioned in subsection (1)(a);
 (c) an eligible claimant who is a party to an agreement mentioned in subsection (1)(b).
- '22C Jurisdiction to impose or vary conditions**
- '(1) In deciding a matter mentioned in section 22B(2), the Land Court may—
 (a) impose any condition it considers appropriate for the exercise of the parties' rights; or
 (b) vary any existing condition under an agreement between the parties.
- '(2) The variation may be made on any ground the Land Court considers appropriate.
- '(3) The imposed or varied condition is taken to be—
 (a) if there is an agreement between the parties—a condition of the agreement; or
 (b) if there is no agreement between the parties—an agreement between the parties.
- '(4) In this section—
agreement means a conduct and compensation agreement.
condition means a condition of or for a conduct and compensation agreement.'
- 50 Clause 456 (Amendment and renumbering of schedule (Dictionary))**
 Page 337, after line 24—
insert—
 'ADR, for schedule 1, see schedule 1, section 19(2)(b).'
- 51 Clause 456 (Amendment and renumbering of schedule (Dictionary))**
 Page 338, after line 7—
insert—
 'election notice, for schedule 1, see schedule 1, section 19(2).'
- 52 Clause 456 (Amendment and renumbering of schedule (Dictionary))**
 Page 338, line 28, after 'who'—
insert—
 ', under an Act, or, for freehold land, a lease registered under the *Land Title Act 1994*,
- 53 Clause 458 (Amendment of s 2 (Definitions))**
 Page 340, after line 10—
insert—
 'ADR see section 79VA(2)(b).'
- 54 Clause 458 (Amendment of s 2 (Definitions))**
 Page 341, after line 3—
insert—
 'election notice see section 79VA(2).'
- 55 Clause 458 (Amendment of s 2 (Definitions))**
 Page 341, line 14, after 'who'—
insert—
 ', under an Act, or, for freehold land, a lease registered under the *Land Title Act 1994*,
- 56 Clause 458 (Amendment of s 2 (Definitions))**
 Page 341, line 28, after 'business'—
insert—
 'or land use'.
- 57 Clause 458 (Amendment of s 2 (Definitions))**
 Page 342, lines 5 to 8—
omit, insert—
 • geophysical surveying not involving site preparation
 • aerial, electrical or environmental surveying'.

58 Clause 459 (Omission of s 74V (Obligation to consult with particular owners and occupiers))

Page 344, lines 1 to 4—

*omit, insert—***'459 Replacement of s 74V (Obligation to consult with particular owners and occupiers)**

Section 74V—

*omit, insert—***'74V Obligation to consult with particular owners and occupiers**

'(1) The holder must consult or use reasonable endeavours to consult with each owner and occupier of private or public land on which authorised activities for the tenure are proposed to be carried out or are being carried out.

'(2) The consultation must be about—

- (a) access; and
- (b) the carrying out of authorised activities for the tenure (including, for example, crossing access land for the tenure) to the extent they relate to the owners and occupiers; and
- (c) the holder's compensation liability to the owners or occupiers.'

59 After clause 460—

Page 344, after line 14—

*insert—***'460A Insertion of new s 75EA**

Part 6B—

*insert—***'75EA Limitation of owner's or occupier's tortious liability for authorised activities**

'(1) This section applies to an owner or occupier of land in the area of a 1923 Act petroleum tenure if—

- (a) someone else carries out an authorised activity for a 1923 Act petroleum tenure on the land; or
- (b) someone else carries out an activity on the land and, in doing so, purports to be carrying out an authorised activity for a 1923 Act petroleum tenure.

'(2) The owner or occupier is not civilly liable to anyone else for a claim based in tort for damages relating to the carrying out of the activity.

'(3) However, subsection (2) does not apply to the extent the owner or occupier, or someone else authorised by the owner or occupier, caused, or contributed to, the harm the subject of the claim.

'(4) This section applies—

- (a) despite any other Act or law; and
- (b) even though this Act or the 1923 Act petroleum tenure prevents or restricts the carrying out of the activity as an authorised activity for the tenure.

'(5) Subject to subsection (2), in this section, the terms *claim*, *damages* and *harm* have the same meaning that they have under the *Civil Liability Act 2003*.'

60 Clause 461 (Replacement of pt 6H, divs 1 to 3)

Page 346, lines 19 to 23—

omit, insert—

- '(a) the 1923 Act petroleum tenure; and
- (b) the land access code; and
- (c) any code of practice made under this Act applying to authorised activities for the 1923 Act petroleum tenure; and
- (d) the relevant environmental authority documentation.'

61 Clause 461 (Replacement of pt 6H, divs 1 to 3)

Page 346, line 25—

omit, insert—

- '(a) generally—
 - (i) for an authority to prospect—6 months; or
 - (ii) for a lease—1 year; or'

62 Clause 463 (Replacement of part 6K (General compensation provisions))

Page 351, lines 18 to 23—

*omit, insert—***'Division 1 Compensation other than for notifiable road uses and make good obligation****'Subdivision 1 Preliminary****'79P Application of div 1**

'This division does not apply for—

- (a) a public land authority in relation to a notifiable road use; or
- (b) an effect that is, or is required to be, addressed in a make good agreement or a decision under part 6CA, division 6.'

63 Clause 463 (Replacement of part 6K (General compensation provisions))

Page 352, lines 13 to 23—

*omit, insert—***'compensatable effect** means all or any of the following—

- (a) all or any of the following relating to the eligible claimant's land—
 - (i) deprivation of possession of its surface;
 - (ii) diminution of its value;
 - (iii) diminution of the use made or that may be made of the land or any improvement on it;
 - (iv) severance of any part of the land from other parts of the land or from other land that the eligible claimant owns;
 - (v) any cost, damage or loss arising from the carrying out of activities under the 1923 Act petroleum tenure on the land;
- (b) accounting, legal or valuation costs the claimant necessarily and reasonably incurs to negotiate or prepare a conduct and compensation agreement, other than the costs of a person facilitating an ADR;
 - Examples of negotiation—*
 - an ADR or conference
- (c) consequential damages the eligible claimant incurs because of a matter mentioned in paragraph (a) or (b).'

64 Clause 463 (Replacement of part 6K (General compensation provisions))

Page 356, lines 12 to 14—

omit, insert—'(a) must be at least for the period provided for under section 79UA (the **minimum negotiation period**); but'.**65 Clause 463 (Replacement of part 6K (General compensation provisions))**

Page 356, after line 20—

*insert—***'79UA Provision for the minimum negotiation period**

- '(1) Generally, the minimum negotiation period is 20 business days from the giving of the negotiation notice (the **usual period**).
- '(2) Either party may, within the usual period, ask the other to agree to a longer minimum negotiation period because of stated reasonable or unforeseen circumstances.
- '(3) If the other party so agrees, the longer minimum negotiation period is the minimum negotiation period.'

66 Clause 463 (Replacement of part 6K (General compensation provisions))

Page 357, lines 3 to 13—

*omit, insert—***'79VA Parties may seek conference or independent ADR**

- '(1) This section applies if, at the end of the minimum negotiation period, the parties have not entered into a conduct and compensation agreement or deferral agreement.
- '(2) Either party may by a notice (an **election notice**)—
 - (a) to the other party and an authorised officer—ask for an authorised officer to call a conference to negotiate a conduct and compensation agreement; or
 - (b) to the other party—call upon them to agree to an alternative dispute resolution process (an **ADR**) to negotiate a conduct and compensation agreement.
- '(3) If the notice calls for an ADR, it must—
 - (a) identify the ADR; and
 - (b) state that the party giving the notice agrees to bear the costs of the person who will facilitate the ADR.
- '(4) An ADR may be a process of any kind including, for example, arbitration, conciliation, mediation or negotiation.
- '(5) However, the facilitator must be independent of either party.

'79VAB Conduct of conference or ADR

- '(1) This section applies if an election notice is given.
- '(2) If a conference was requested—
 - (a) the authorised officer must take all reasonable steps to ensure the conference is finished within 20 business days after the notice is given (the **usual period**); and
 - (b) part 6R applies for the conference.
- '(3) If an ADR was called for, the parties must use reasonable endeavours to finish it within 20 business days after the giving of the notice (also the **usual period**).

- '(4) Either party may, within the usual period, ask the other to agree to a longer period to finish the conference or ADR because of stated reasonable or unforeseen circumstances.
- '(5) If the parties agree to the longer period, that period applies instead of the usual period.
- '(6) If an ADR was called for, section 103D applies to the ADR as if a reference in the section to a conference were a reference to an ADR.

Editor's note—

section 103D (What happens if a party does not attend)'.

67 Clause 463 (Replacement of part 6K (General compensation provisions))

Page 357, lines 16 to 29—

omit, insert—

'79VB Land court may decide if negotiation process unsuccessful

- '(1) This section applies if an election notice is given and—
 - (a) a party asked an authorised officer to call a conference and the authorised officer does not finish it within the period required under section 79VAB (the **required period**); or
 - (b) a party called for an ADR and the person facilitating the ADR does not finish it within the period required under section 79VAB (also the **required period**).
- '(2) This section also applies if an election notice is given and—
 - (a) only 1 party attended the conference requested or ADR called for; or
 - (b) both parties attended the conference or ADR and, at the end of the required period, there is no conduct and compensation agreement between the parties.'

68 Clause 463 (Replacement of part 6K (General compensation provisions))

Page 358, lines 15 to 18—

omit, insert—

'**eligible party** means a party who attended the conference or ADR.'

69 Clause 463 (Replacement of part 6K (General compensation provisions))

Page 359, after line 21—

insert—

'Subdivision 5A Additional Land Court jurisdiction for compensation and related matters

'79VDA What sdv 5A is about

- '(1) This subdivision provides for additional matters for which the Land Court has jurisdiction.
- '(2) The jurisdiction is subject to subdivisions 1 to 5.

'79VDB Additional jurisdiction

- '(1) This section applies to a 1923 Act petroleum tenure holder and an eligible claimant (the **parties**) if any of the following apply—
 - (a) the 1923 Act petroleum tenure holder has carried out a preliminary activity;
 - (b) the parties can not reach agreement about a conduct and compensation agreement;
 - (c) there is a conduct and compensation agreement or deferral agreement between the parties.
- '(2) The Land Court may do all or any of the following—
 - (a) assess all or part of the relevant 1923 Act petroleum tenure holder's compensation liability to another party;
 - (b) decide a matter related to the compensation liability;
 - (c) declare whether or not a proposed authorised activity for the relevant 1923 Act petroleum tenure would, if carried out, interfere with the carrying out of lawful activities by the eligible claimant;
 - (d) make any order it considers necessary or desirable for a matter mentioned in paragraph (a), (b) or (c).

Example—

The Land Court declares that a particular proposed authorised activity interferes with the carrying out of lawful activities by the eligible claimant. It may also order that a stated modification of, or reduction in, the activity would remove the interference.

'79VDC Jurisdiction to impose or vary conditions

- '(1) In deciding a matter mentioned in section 79VDB(2), the Land Court may—
 - (a) impose any condition it considers appropriate for the exercise of the parties' rights; or
 - (b) vary any existing condition under an agreement between the parties.
- '(2) The variation may be made on any ground the Land Court considers appropriate.
- '(3) The imposed or varied condition is taken to be—
 - (a) if there is an agreement between the parties—a condition of the agreement; or
 - (b) if there is no agreement between the parties—an agreement between the parties.
- '(4) In this section—

agreement means a conduct and compensation agreement.

condition means a condition of or for a conduct and compensation agreement.'

70 After clause 463

Page 360, after line 7—

insert—

‘463A Replacement of s 88 (Conduct of operations on land)

Section 88—

omit, insert—

‘88 Duty to avoid interference in carrying out authorised activities

‘A person who carries out an authorised activity for a 1923 Act petroleum tenure must carry out the activity in a way that does not unreasonably interfere with anyone else carrying out a lawful activity.

Maximum penalty—500 penalty units.’.

71 Clause 464 (Insertion of new pt 6R)

Page 360, lines 8 to 27, page 361, lines 1 to 27 and page 362, lines 1 to 26—

omit, insert—

‘464 Insertion of new pt 6R

After part 6Q—

insert—

‘Part 6R Conferences with eligible claimants or owners and occupiers**‘Division 1 Preliminary****‘103A Application of pt 6R**

- ‘(1) This part applies if an authorised officer is given an election notice by a 1923 Act petroleum tenure holder or an eligible claimant asking for a conference.
- ‘(2) This part also applies if—
- (a) an owner or occupier of land who is concerned about any of the following gives an authorised officer notice of the concerns—
 - (i) that someone claiming to act under a 1923 Act petroleum tenure, or to have entered land on the tenure holder’s instructions—
 - (A) is not authorised to be on the land; or
 - (B) is not complying with a provision of this Act or a condition of the 1923 Act petroleum tenure;
 - (ii) activities being, or proposed to be, carried out on the land apparently under a 1923 Act petroleum tenure (including when the activities are being, or are to be, carried out);
 - (iii) the conduct on the land of someone apparently acting under a 1923 Act petroleum tenure; or
 - (b) a 1923 Act petroleum tenure holder who is concerned about something relevant to the tenure involving the holder and the owner or occupier of land gives an authorised officer notice of the concerns; or
 - (c) for another reason, an authorised officer considers it desirable to call a conference to discuss concerns about a 1923 Act petroleum tenure.

‘Division 2 Calling conference and attendance**‘103B Calling conference**

- ‘(1) If this part applies because of the giving of an election notice, the authorised officer must, by notice, ask the 1923 Act petroleum tenure holder and the eligible claimant (the **parties**) to attend a conference by the authorised officer about negotiating a conduct and compensation agreement.
- ‘(2) If this part applies under section 103A(2), the authorised officer may, by notice, ask the 1923 Act petroleum tenure holder and the owner or occupier or other person with an interest in the concerns (also the **parties**) to attend a conference by the authorised officer about the concerns.
- ‘(3) The notice must state when and where the conference will be held and what is to be discussed at the conference.

‘103C Who may attend conference

- ‘(1) Apart from the authorised officer, anyone given notice of the conference may attend and take part in the conference.
- ‘(2) Also, with the authorised officer’s approval, someone else may be present to help a person attending the conference.
- ‘(3) However, a party can not be represented by a lawyer unless the parties agree and the authorised officer is satisfied there is no disadvantage to a party.

‘103D What happens if a party does not attend

- ‘(1) This section applies if a party given notice of the conference does not attend.
- ‘(2) The authorised officer may hold the conference even though someone given notice of it does not attend.

Note—

If the conference was called because of an election notice and only 1 party attends, the Land Court may decide the issue of compensation. See section 79VB.

- '(3) A party who attended the conference may apply to the Land Court for an order requiring the party who did not attend to pay the attending party's reasonable costs of attending.
- '(4) The Land Court must not order the party who did not attend to pay costs if it is satisfied the party had a reasonable excuse for not attending.
- '(5) If the Land Court makes the order, it must decide the amount of the costs.

'Division 3 Conduct of conference

'103E Authorised officer's role

- '(1) In conducting the conference, the authorised officer must endeavour to help those attending to reach an early and inexpensive settlement of the subject of the conference.
- '(2) Subject to section 79VAB, the authorised officer is to decide how the conference is to be conducted.

'103F Statements made at conference

'Nothing said by a person at the conference is admissible in evidence in a proceeding without the person's consent.

'103G Agreement made at conference

- '(1) If, at the conference, the parties negotiate an agreement about the concerns the subject of the conference, the agreement must be written and signed by or for the parties.
- '(2) The agreement—
 - (a) may, if appropriate, be a conduct and compensation agreement or an amendment of an existing conduct and compensation agreement between the parties; and
 - (b) has the same effect as any other compromise.'.

72 After clause 466

Page 364, after line 15—

insert—

'466A Amendment of s 7 (Act does not affect other rights or remedies)

Section 7(1), after 'sections 294'—

insert—

',' 563A'.'. .

73 Clause 468 (Omission of s 74 (Obligation to consult with particular owners and occupiers))

Page 365, lines 12 to 15—

omit, insert—

'468 Replacement of s 74 (Obligation to consult with particular owners and occupiers)

Section 74—

omit, insert—

'74 Obligation to consult with particular owners and occupiers

- '(1) An authority to prospect holder must consult or use reasonable endeavours to consult with each owner and occupier of private or public land on which authorised activities for the authority are proposed to be carried out or are being carried out.
- '(2) The consultation must be about—
 - (a) access; and
 - (b) the carrying out of authorised activities for the authority to prospect (including, for example, crossing access land for the authority) to the extent they relate to the owners and occupiers; and
 - (c) the authority to prospect holder's compensation liability to the owners or occupiers.'.

74 Clause 469 (Omission of s 153 (Obligation to consult with particular owners and occupiers))

Page 365, lines 16 to 19—

omit, insert—

'469 Replacement of s 153 (Obligation to consult with particular owners and occupiers)

Section 153—

omit, insert—

'153 Obligation to consult with particular owners and occupiers

- '(1) A petroleum lease holder must consult or use reasonable endeavours to consult with each owner and occupier of private or public land on which authorised activities for the lease are proposed to be carried out or are being carried out.
- '(2) The consultation must be about—
 - (a) access; and
 - (b) the carrying out of authorised activities for the petroleum lease (including, for example, crossing access land for the lease) to the extent they relate to the owners and occupiers; and
 - (c) the petroleum lease holder's compensation liability to the owners or occupiers.'.

75 Clause 470 (Replacement of ch 5, pt 2, divs 1 to 2A)

Page 367, lines 28 to 30 and page 368, line 1—

omit, insert—

- '(a) the petroleum authority; and
- (b) the land access code; and
- (c) any code of practice made under this Act applying to authorised activities for the petroleum authority; and
- (d) the relevant environmental authority documentation.'

76 Clause 470 (Replacement of ch 5, pt 2, divs 1 to 2A)

Page 368, line 3—

omit, insert—

- '(a) generally—
 - (i) for an authority to prospect—6 months; or
 - (ii) for another petroleum authority—1 year; or'.

77 Clause 470 (Replacement of ch 5, pt 2, divs 1 to 2A)

Page 371, lines 12 to 16—

omit, insert—

- '(b) the holder has a right to enter the land to carry out the activity and the right—
 - (i) exists other than under this Act; and
 - (ii) is not under an easement;'

Amendments agreed to.

Clauses 455 to 471, as amended, agreed to.

Clause 472—

Mr ROBERTSON (3.13 pm): I move the following amendments—**78 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))**

Page 373, lines 3 to 8—

*omit, insert—***'Division 1 Compensation other than for notifiable road uses and make good obligation****'Subdivision 1 Preliminary****'531 Application of div 1**

'This division does not apply for—

- (a) a public land authority in relation to a notifiable road use; or
- (b) an effect that is, or is required to be, addressed in a make good agreement or a decision under chapter 2, part 9, division 6.'

79 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))

Page 373, lines 21 to 24 and page 374, lines 1 to 6—

omit, insert—'**compensatable effect** means all or any of the following—

- (a) all or any of the following relating to the eligible claimant's land—
 - (i) deprivation of possession of its surface;
 - (ii) diminution of its value;
 - (iii) diminution of the use made or that may be made of the land or any improvement on it;
 - (iv) severance of any part of the land from other parts of the land or from other land that the eligible claimant owns;
 - (v) any cost, damage or loss arising from the carrying out of activities under the petroleum authority on the land;
- (b) accounting, legal or valuation costs the claimant necessarily and reasonably incurs to negotiate or prepare a conduct and compensation agreement, other than the costs of a person facilitating an ADR;
 - Examples of negotiation—*
 - an ADR or conference
- (c) consequential damages the eligible claimant incurs because of a matter mentioned in paragraph (a) or (b).'

80 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))

Page 374, after line 30—

insert—

- '(4) If the petroleum authority is a pipeline licence or petroleum facility licence, a compensation agreement about the holder's compensation liability may be included in an easement relating to the licence.'

81 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))

Page 377, lines 16 to 18—

omit, insert—'(a) must be at least for the period provided for under section 536A (the *minimum negotiation period*); but'.**82 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))**

Page 377, after line 24—

*insert—***'536A Provision for the minimum negotiation period**'(1) Generally, the minimum negotiation period is 20 business days from the giving of the negotiation notice (the *usual period*).

'(2) Either party may, within the usual period, ask the other to agree to a longer minimum negotiation period because of stated reasonable or unforeseen circumstances.

'(3) If the other party so agrees, the longer minimum negotiation period is the minimum negotiation period.'

83 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))

Page 378, lines 8 to 18—

*omit, insert—***'537A Parties may seek conference or independent ADR**

'(1) This section applies if, at the end of the minimum negotiation period, the parties have not entered into a conduct and compensation agreement or deferral agreement.

'(2) Either party may by a notice (an *election notice*)—

(a) to the other party and an authorised officer—ask for an authorised officer to call a conference to negotiate a conduct and compensation agreement; or

(b) to the other party—call upon them to agree to an alternative dispute resolution process (an *ADR*) to negotiate a conduct and compensation agreement.

'(3) If the notice calls for an ADR, it must—

(a) identify the ADR; and

(b) state that the party giving the notice agrees to bear the costs of the person who will facilitate the ADR.

'(4) An ADR may be a process of any kind including, for example, arbitration, conciliation, mediation or negotiation.

'(5) However, the facilitator must be independent of either party.

'537AB Conduct of conference or ADR

'(1) This section applies if an election notice is given.

'(2) If a conference was requested—

(a) the authorised officer must take all reasonable steps to ensure the conference is finished within 20 business days after the notice is given (the *usual period*); and

(b) chapter 10, part 1AA applies for the conference.

'(3) If an ADR was called for, the parties must use reasonable endeavours to finish it within 20 business days after the giving of the notice (also the *usual period*).

'(4) Either party may, within the usual period, ask the other to agree to a longer period to finish the conference or ADR because of stated reasonable or unforeseen circumstances.

'(5) If the parties agree to the longer period, that period applies instead of the usual period.

'(6) If an ADR was called for, section 734E applies to the ADR as if a reference in the section to a conference were a reference to an ADR.

*Editor's note—*section 734E (What happens if a party does not attend)'.
'**84 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))**

Page 378, lines 21 to 29 and page 379, lines 1 to 5—

*omit, insert—***'537B Land court may decide if negotiation process unsuccessful**

'(1) This section applies if an election notice is given and—

(a) a party asked an authorised officer to call a conference and the authorised officer does not finish it within the period required under section 537AB (the *required period*); or(b) a party called for an ADR and the person facilitating the ADR does not finish it within the period required under section 537AB (also the *required period*).

'(2) This section also applies if an election notice is given and—

(a) only 1 party attended the conference requested or ADR called for; or

(b) both parties attended the conference or ADR and, at the end of the required period, there is no conduct and compensation agreement between the parties.'

85 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))

Page 379, lines 20 to 23—

omit, insert—'*eligible party* means a party who attended the conference or ADR.'

86 Clause 472 (Replacement of ch 5, pt 5 (General compensation provisions))

Page 380, after line 26—

*insert—***‘Subdivision 5A Additional Land Court jurisdiction for compensation and related matters****‘537DA What sdiv 5A is about**

- ‘(1) This subdivision provides for additional matters for which the Land Court has jurisdiction.
- ‘(2) The jurisdiction is subject to subdivisions 1 to 5.

‘537DB Additional jurisdiction

- ‘(1) This section applies to a petroleum authority holder and an eligible claimant (the **parties**) if any of the following apply—
 - (a) the petroleum authority holder has carried out a preliminary activity;
 - (b) the parties can not reach agreement about a conduct and compensation agreement;
 - (c) there is a conduct and compensation agreement or deferral agreement between the parties.
- ‘(2) The Land Court may do all or any of the following—
 - (a) assess all or part of the relevant petroleum authority holder’s compensation liability to another party;
 - (b) decide a matter related to the compensation liability;
 - (c) declare whether or not a proposed authorised activity for the relevant petroleum authority would, if carried out, interfere with the carrying out of lawful activities by the eligible claimant;
 - (d) make any order it considers necessary or desirable for a matter mentioned in paragraph (a), (b) or (c).

Example—

The Land Court declares that a particular proposed authorised activity interferes with the carrying out of lawful activities by the eligible claimant. It may also order that a stated modification of, or reduction in, the activity would remove the interference.

‘537DC Jurisdiction to impose or vary conditions

- ‘(1) In deciding a matter mentioned in section 537DB(2), the Land Court may—
 - (a) impose any condition it considers appropriate for the exercise of the parties’ rights; or
 - (b) vary any existing condition under an agreement between the parties.
- ‘(2) The variation may be made on any ground the Land Court considers appropriate.
- ‘(3) The imposed or varied condition is taken to be—
 - (a) if there is an agreement between the parties—a condition of the agreement; or
 - (b) if there is no agreement between the parties—an agreement between the parties.
- ‘(4) In this section—

agreement means a conduct and compensation agreement.**condition** means a condition of or for a conduct and compensation agreement.’

Mr WELLINGTON: I rise to speak in relation to amendment No. 79, which relates to the existing clause 532. I understand that in the original clause 532 (1) there was an additional sentence which read ‘consequential damages the eligible claimant incurs because of the authorised activities of the authority’. Is the minister with me? At the end of that clause 532(1) and before the start of subclause (2) I understand that originally there was an additional sentence which read ‘and consequential damages the eligible claimant incurs because of the authorised activities of the authority’. I am seeking clarification from the minister as to whether it is intended that his amendment No. 79 extends as far as or goes further than the words that were in the original draft. If it was the case that they do not, there is a concern that the deletion of that sentence may send a message to the courts, if it comes before them for interpretation, that the government is looking at lessening the possible consequential damages that could be claimed.

Mr ROBERTSON: The member is wondering where it is now provided for. It is now provided for in amendment No. 79(c). That is where he will find the words that he is seeking. It reads ‘consequential damages the eligible claimant incurs because of a matter mentioned in paragraphs (a) or (b)’.

Amendments agreed to.

Clause 472, as amended, agreed to.

Clauses 473 to 571—

Mr ROBERTSON (3.16 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr ROBERTSON: I move the following amendments—

87 After clause 473—

Page 381, after line 25—

insert—

'473A Insertion of new s 563A

Chapter 5, part 8, division 3—

insert—

'563A Limitation of owner's or occupier's tortious liability for authorised activities

'(1) This section applies to an owner or occupier of land in the area of a petroleum authority if—

- (a) someone else carries out an authorised activity for a petroleum authority on the land; or
- (b) someone else carries out an activity on the land and, in doing so, purports to be carrying out an authorised activity for a petroleum authority.

'(2) The owner or occupier is not civilly liable to anyone else for a claim based in tort for damages relating to the carrying out of the activity.

'(3) However, subsection (2) does not apply to the extent the owner or occupier, or someone else authorised by the owner or occupier, caused, or contributed to, the harm the subject of the claim.

'(4) This section applies—

- (a) despite any other Act or law; and
- (b) even though this Act or the petroleum authority prevents or restricts the carrying out of the activity as an authorised activity for the authority.

'(5) Subject to subsection (2), in this section, the terms *claim*, *damages* and *harm* have the same meaning that they have under the *Civil Liability Act 2003*.

88 Clause 474 (Replacement of ch 10, hdg (Investigations and enforcement))

Page 382, lines 1 to 28, page 383, lines 1 to 30 and page 384, lines 1 to 18—

omit, insert—

'474 Replacement of ch 10, hdg (Investigations and enforcement)

Chapter 10, heading—

omit, insert—

'Chapter 10 Conferences, investigations and enforcement

'Part 1AA Conferences with eligible claimants or owners and occupiers

'Division 1 Preliminary

'734B Application of pt 1AA

'(1) This part applies if an authorised officer is given an election notice by a petroleum authority holder or an eligible claimant asking for a conference.

'(2) This part also applies if—

- (a) an owner or occupier of land who is concerned about any of the following gives an authorised officer notice of the concerns—
 - (i) that someone claiming to act under a petroleum authority, or to have entered land on the authority holder's instructions—
 - (A) is not authorised to be on the land; or
 - (B) is not complying with a provision of this Act or a condition of the petroleum authority;
 - (ii) activities being, or proposed to be, carried out on the land apparently under a petroleum authority (including when the activities are being, or are to be, carried out);
 - (iii) the conduct on the land of someone apparently acting under a petroleum authority; or
- (b) a petroleum authority holder who is concerned about something relevant to the authority involving the holder and the owner or occupier of land gives an authorised officer notice of the concerns; or
- (c) for another reason, an authorised officer considers it desirable to call a conference to discuss concerns about a petroleum authority.

'Division 2 Calling conference and attendance

'734C Calling conference

'(1) If this part applies because of the giving of an election notice, the authorised officer must, by notice, ask the petroleum authority holder and the eligible claimant (the *parties*) to attend a conference by the authorised officer about negotiating a conduct and compensation agreement.

'(2) If this part applies under section 734B(2), the authorised officer may, by notice, ask the petroleum authority holder and the owner or occupier or other person with an interest in the concerns (also the *parties*) to attend a conference by the authorised officer about the concerns.

'(3) The notice must state when and where the conference will be held and what is to be discussed at the conference.

'734D Who may attend conference

'(1) Apart from the authorised officer, anyone given notice of the conference may attend and take part in the conference.

- '(2) Also, with the authorised officer's approval, someone else may be present to help a person attending the conference.
- '(3) However, a party can not be represented by a lawyer unless the parties agree and the authorised officer is satisfied there is no disadvantage to a party.

'734E What happens if a party does not attend

- '(1) This section applies if a party given notice of the conference does not attend.
- '(2) The authorised officer may hold the conference even though someone given notice of it does not attend.

Note—

If the conference was called because of an election notice and only 1 party attends, the Land Court may decide the issue of compensation. See section 537B.

- '(3) A party who attended the conference may apply to the Land Court for an order requiring the party who did not attend to pay the attending party's reasonable costs of attending.
- '(4) The Land Court must not order the party who did not attend to pay costs if it is satisfied the party had a reasonable excuse for not attending.
- '(5) If the Land Court makes the order, it must decide the amount of the costs.

'Division 3 Conduct of conference

'734F Authorised officer's role

- '(1) In conducting the conference, the authorised officer must endeavour to help those attending to reach an early and inexpensive settlement of the subject of the conference.
- '(2) Subject to section 537AB, the authorised officer is to decide how the conference is to be conducted.

'734G Statements made at conference

'Nothing said by a person at the conference is admissible in evidence in a proceeding without the person's consent.

'734H Agreement made at conference

- '(1) If, at the conference, the parties negotiate an agreement about the concerns the subject of the conference, the agreement must be written and signed by or for the parties.
- '(2) The agreement—
- (a) may, if appropriate, be a conduct and compensation agreement or an amendment of an existing conduct and compensation agreement between the parties; and
 - (b) has the same effect as any other compromise.'

89 Clause 477 (Insertion of new ch 15, pt 10, div 2)

Page 386, line 5, 'part 3'—

omit, insert—

'part 5'.

90 Clause 478 (Amendment of sch 2 (Dictionary))

Page 387, after line 2—

insert—

'**ADR** see section 537A(2)(b).'

91 Clause 478 (Amendment of sch 2 (Dictionary))

Page 387, after line 24—

insert—

'**election notice** see section 537A(2).'

92 Clause 478 (Amendment of sch 2 (Dictionary))

Page 388, line 17, after 'business'—

insert—

'or land use'.

93 Clause 478 (Amendment of sch 2 (Dictionary))

Page 388, lines 23 to 26—

omit, insert—

- geophysical surveying not involving site preparation
- aerial, electrical or environmental surveying'.

94 Clause 478 (Amendment of sch 2 (Dictionary))

Page 390, line 21, after 'person'—

insert—

' , under an Act, or, for freehold land, a lease registered under the *Land Title Act 1994*.'

95 Clause 510 (Amendment of s 249 (Later applicant must obtain consent or views of earlier applicant if same land affected))

Page 406, lines 4 to 16—

omit, insert—

'Section 249(1)(a), 'geothermal exploration permit,'—

omit.

Amendments agreed to.

Clauses 473 to 571, as amended, agreed to.

Schedules 1 to 3—

Mr ROBERTSON (3.17 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr ROBERTSON: I move the following amendments—

96 Schedule 2 (Minor and consequential amendments of Acts)

Page 497, line 16—

omit, insert—

' 'section 335F(2)(a)'. '

97 Schedule 2 (Minor and consequential amendments of Acts)

Page 498, line 9—

omit, insert—

' 'section 335F(2)(a)'. '

98 Schedule 3 (Dictionary)

Page 524, after line 7—

insert—

'**ADR** see section 252(2)(b)'. '

99 Schedule 3 (Dictionary)

Page 526, after line 15—

insert—

'**election notice** see section 252(2)'. '

100 Schedule 3 (Dictionary)

Page 530, line 13, after 'who'—

insert—

', under an Act, or, for freehold land, a lease registered under the *Land Title Act 1994*,'.

101 Schedule 3 (Dictionary)

Page 533, line 30, after 'business'—

insert—

'or land use'.

102 Schedule 3 (Dictionary)

Page 534, lines 4 to 7—

omit, insert—

- '• geophysical surveying not involving site preparation
- aerial, electrical or environmental surveying'.

Amendments agreed to.

Schedules 1 to 3, as amended, agreed to.

Third Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (3.18 pm): I move—

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

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (3.18 pm): I move—

That the long title of the bill be agreed to.

Mr WELLINGTON (Nicklin—Ind) (3.18 pm): I take the minister to the long title and to some of the acts that are proposed to be amended and I am seeking clarification as to why. They include the Wild Rivers Act 2005, the Aboriginal and Torres Strait Islander Land Act 1991, the Coastal Protection and Management Act 1995 and the Environmental Protection Act 1994. Because these acts are being amended is it anticipated that there will be more exploration in these sensitive areas?

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (3.18 pm): Not as a result of the amendments that have been put forward today.

Mr Seeney interjected.

Mr ROBERTSON: I thank my friend the member for Callide for his assistance. We have moved on. The simple fact is that mentioning those acts does not in itself call up additional exploration than would otherwise occur. The simple fact is that there are specific provisions in those acts that are relevant to the various provisions of geothermal. If, in fact, geothermal resources were found in those parts of the state—a Torres Strait island or what have you—that would be a matter for investigation. Obviously, very stringent environmental protections would occur in those particularly sensitive parts of Queensland before any production tenure would be allowed to be given the go-ahead.

Mr WELLINGTON (Nicklin—Ind) (3.20 pm): In response to an earlier question I asked, the minister indicated that I was to take the matter up with his colleague the Minister for Sustainability. Is it anticipated that at some stage in the future there will be a bringing together of both departments and staff so that questions I and others may think directly relate to your portfolio actually do because the staff who will be monitoring these activities will be part of your department? Is it anticipated that there will be any reviews of the structure of the various departments?

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (3.20 pm): No. The purpose of keeping the responsibilities of officers under the Environmental Protection Act separate is that they work with a level of independence that has been recognised now for many, many years. In fact, there is often quite open discourse between inspectors under the acts that I govern and inspectors under the act that the Minister for Climate Change and Sustainability oversees. What we need to do is ensure a level of transparency and independence between the acts because the interests of environmental sustainability are serviced by that.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

DISASTER MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 8 June (see p. 1860), on motion of Mr Roberts—

That the bill be now read a second time.

Mr MALONE (Mirani—LNP) (3.21 pm): I rise to speak to the Disaster Management and Other Legislation Amendment Bill 2010. Let me say from the outset that the legislation is good legislation and the opposition will be supporting it. It is non-controversial and I believe that it is heading in the right direction.

Before I address the bill directly, I would like to take this opportunity, as I am sure many others in the parliament will do today, to acknowledge the spirit and the hard work of emergency services workers and the volunteers who freely give of their time to step in and face what can sometimes be very dangerous situations—often when their own property or family have been directly affected by an emergency. I can recollect quite clearly the floods in Mackay. Rain started falling very early in the morning and by eight o'clock almost 30 inches of rain had fallen. Many volunteers were called out in circumstances in which their own homes were flooded. For example, the local controller, Justin Englert's, small business was flooded as well, yet he was out there supporting people who were in a far worse situation than himself.

Not only do we owe it to Queenslanders but we also owe it to emergency services workers and the tens of thousands of volunteers to make sure that the system they are operating in is as robust as possible. All the amendments to the Disaster Management Act 2003 and the Public Safety Preservation Act 1986 are sensible and, importantly, the amendments largely keep intact the tried and tested features and structure of Queensland's disaster management system.

The bill strengthens the existing disaster management legislation by adopting recommendations of a review of disaster management legislation and policy in Queensland that was completed in August 2009. The independent review's overall conclusion was that the current disaster management arrangements that were based on local disaster management capability, supported by district capability and, in turn, supported by state capability, were sound.

This bill is extremely important as Queenslanders should rightly expect that disaster management arrangements are always subject to review and constantly being improved so that they reflect best practice. The independent review of disaster management legislation and policy identified a number of flaws that will need to be addressed through non-legislative means. Two of the more damning flaws identified include that Queensland's disaster management information and communication systems were not sufficiently integrated or compatible and that the state's disaster management plans and planning initiatives need significant enhancement to ensure that they are comprehensive, interlinked and up to date.

In the last few years there has been a series of natural disasters that have highlighted both the amazingly hard work of emergency services workers and volunteers and some of the flaws identified by the independent review. We can think back to Cyclone Larry, that tremendous cyclone that hit Innisfail. Another disaster, as I mentioned earlier, was the floods in Mackay, and in the last year five years we have had a number of incidents up and down the coast of Queensland and even on the coast closer to Brisbane in respect of the oil spill.

Overall, a lot of people work very hard and, as I said, put their lives at risk. One example during the floods in Mackay—I think it was February 2009—comes to mind. While the floodwaters were lapping at the ABC studio and the crew was asked to evacuate, they continued putting out warnings across Mackay and the region to enable people to get out of their homes and know where high ground was. I commend the ABC in that respect and of course everybody else who was involved.

I turn to the objectives of the bill and the fine detail of the bill. The objectives of the bill can be grouped under six headings: clarification of the objectives of the disaster management system; clarification of the roles of the state and local governments in relation to the SES; reallocation of roles and the creation of new roles in disaster management groups; amending the processes and requirements for declaring a disaster situation; establishment of temporary disaster districts; and creation of the new roles of state disaster coordinator, state recovery coordinator and local disaster coordinator.

The existing State Disaster Management Plan is based on accepted disaster management principles. However, in 2009 an independent review recommended that these principles should be strengthened if they were to spell out the objects of the act and how the objects are primarily achieved. Clause 4 of the bill amends the act by including a set of guiding principles by which the act should be administered. These principles include that disaster management should be planned across four phases—namely, prevention, preparedness, response and recovery. Other principles spelt out that local governments are the cornerstone of disaster management and that all events must be managed in accordance with a strategic policy framework, the State Disaster Management Plan and a set of disaster management guidelines. As I understand it, in practice, disaster management in this state already follows those principles. However, it is good to see that these will now be included in the act. I think that is very sensible.

Clause 38 of the bill allows for the chief executive officer of the Department of Community Safety to enter into a memorandum of understanding with local governments regarding the involvement and responsibilities of Emergency Management Queensland and the State Emergency Service. The independent review found that there was some confusion and differing expectations about the state and local governments' role with the State Emergency Service and recommended a memorandum of understanding. I hope that the memoranda of understanding that end up being developed represent genuine collaborative arrangements and maintain a significant role for local government.

Disasters do not always conveniently occur within a single disaster district—for instance, the recent oil spill impacted on six different districts. Clause 16 of the bill sensibly introduces some flexibility into the act allowing a temporary disaster district to be declared with a temporary disaster group being made responsible for the management of the disaster. Hopefully, this amendment will lead to better integrated and coordinated responses during future disaster events. I am also pleased to see that the bill will introduce flexibility by allowing verbal declarations of disasters when time is of the essence.

Some of the most significant changes being proposed by the bill involve a modification of roles and functions within the disaster management structure to address inconsistencies identified by the independent review. The greatest change is to involve an increased operational role for the Queensland Police Service. This was a recommendation of the independent review that found that, after looking at other Australian jurisdictions, the Police Service is best placed with the experience, competence and capability to assume command and control of disaster events at the state level.

The bill seeks to establish some consistency of roles and responsibilities at the local, district and state level. Presently, at local and district levels there are local disaster coordinators and district disaster coordinators responsible for directing, coordinating and controlling responses to disaster events. Surprisingly, the act does not make it clear that any particular individual is to be appointed as a state coordinator. The independent review found that Queensland was the only Australian jurisdiction where the legislation did not make it clear that a particular person will be appointed as a state coordinator.

Clause 10 of the bill proposes to rectify this by allowing for the chair of the State Disaster Management Group to appoint a state disaster coordinator after consultation with the Commissioner of Police. As I understand it, the individual appointed will be a senior member of the Police Service, as is usual in other Australian states and territories. A role of the state disaster coordinator will be to give strategic direction to the district disaster coordinators.

Other changes in the bill will see the State Disaster Management Group being chaired by the director-general of the Department of the Premier and Cabinet and have as members the director-general of the Department of Community Safety and the Queensland Police Service and an officer from Emergency Management Queensland. I wholeheartedly welcome the inclusion, for the first time, of a representative from the Local Government Association of Queensland, as it should help strengthen alliances with other levels of disaster management. To ensure consistency with the district disaster management group, the role of executive officer to the State Disaster Management Group will be performed by a senior officer of the Queensland Police Service.

The bill formalises the role of district disaster coordinators, who will be senior police officers, as the chairs of the district disaster management groups. The chairs of district groups must notify the chair of the State Disaster Management Group as to the activation of a district disaster management group. The bill will see district disaster management groups be comprised of a deputy chair, an executive officer from the Police Service, a member from Emergency Management Queensland, as well as members of the local government appointed by the Department of Community Safety.

At the local disaster management group level, the chair will be a mayor or a councillor experienced and trained in disaster management, which is an improvement on the existing inconsistent arrangement. The chair of local disaster management groups will be required to notify district disaster coordinators of the local disaster management group's activation in time of disaster.

I hope the new arrangement proposed by the bill that I have just briefly outlined will sufficiently preserve the tried and tested practice of local action with request for support that is escalated to district level and then on to state level if necessary. I understand that the government has been conducting information sessions on the new arrangements that the bill proposes and I understand they have been well received. The opposition is not aware of any significant concerns of entities and individuals affected by the new arrangements. On that basis, the opposition is happy to support the changes, but obviously we will be watching closely how it works in practice during the forthcoming storm season. I hope the new arrangements will ensure more efficient and effective disaster management responses.

I would like to finish with some comments regarding the findings of the 2009 independent review of disaster management legislation and policy. The review identified a number of flaws in existing policy that will need to be addressed through non-legislative means. Two of the more damning issues identified by the review include that the state's disaster management information and communications system was not sufficiently integrated or compatible and that the state's disaster management plan and planning initiatives needed significant enhancement to ensure they are comprehensive, interlinking and up to date. It does not matter how good the legislative framework we have in place is if there are evident deficiencies in communication systems and planning. I urge the government to address these deficiencies and act on these recommendations in a timely manner.

As I said from the outset, the LNP supports the legislation and we look forward to its implementation, along with the implementation of all the other policy related recommendations in the 2009 independent review of disaster management legislation and policy. It is incumbent on all of us to be aware of the work that goes on behind the scenes in disaster management, and I guess we all are. During the time that I have been the shadow minister, I have been amazed at the dedication and professionalism of the people involved. It is very important that we maintain that very strong link to our volunteers to ensure that no matter what happens they are supported in their role.

I have said many times before—and I will always maintain this—that there should be bipartisan support and respect for those people who go out and support others in our community, particularly in time of need. I for one know what happens to families who are involved in cyclones or floods, particularly when the power is out, the telephones are not working, there is no water, the refrigerators do not work. They go back to living like they are in a Third World country very quickly. People can become very panicky in those situations. Even if they do not have any major damage to their houses or their properties, they can still be distressed. We have very professional people and volunteers going out in all types of weather to support their communities, even though their own property may be affected. With those few words, I support the legislation.

Ms BATES (Mudgeeraba—LNP) (3.37 pm): I rise today to contribute to the Disaster Management and Other Legislation Amendment Bill 2010. The objectives of the bill are to amend the Disaster Management Act 2003 and the Public Safety Preservation Act 1986 for particular purposes. The Department of Community Safety commissioned an independent review of the disaster management arrangements in Queensland to analyse the practice of disaster management and determine whether any policy or legislative changes were required.

The independent report made a number of recommendations for policy and legislation changes to disaster management including: clarification of the roles of the state and local governments in relation to the State Emergency Service; reallocation of roles and the creation of new roles in disaster management groups; amending the processes and requirements for declaring a disaster situation; establishment of temporary disaster districts; and the creation of the new roles of state disaster coordinator and state recovery coordinator. The act also establishes three levels of disaster management: state, district and local. Each level has a group with members and certain powers and functions under the act. The bill also creates a new role of local disaster coordinator.

As the electorate of Mudgeeraba is primarily in the hinterland, the role of our Rural Fire Service is particularly paramount. These local volunteers and the men and women who support them save lives on a daily basis and should be recognised as the local heroes that they are. The Rural Fire Service is spread across 93 per cent of Queensland and has approximately 1,500 rural fire brigades made up of approximately 34,000 volunteers. The purpose of the rural fire brigades is to operate in areas not covered by the Queensland Fire and Rescue Service's urban, or town, service. Members of these brigades train and work together to protect our family, friends and homes. Members of these brigades come from all walks of life, and it is a great way to get to know people and to build networks within our own communities.

Members of the Rural Fire Service provide a range of services to help Queensland communities remain safe. These brigades respond to the outbreak of fires within their local area and in surrounding areas in support of other rural fire brigades and emergency service workers. The brigades, in conjunction with rural operations staff, undertake a range of planning and preparation activities throughout the year to ensure communities are well prepared for the fire season.

One of these activities is hazard-reduction burns. These reduction burns use fire to reduce excess vegetation and minimise the potential for bushfires to get out of control. Rural fire brigade members deliver a wide range of community education programs. The local knowledge held by members of the brigades, along with their knowledge of fire behaviour and prevention, ensure that communities get information and education specific to any disaster circumstance.

Rural Fire Service volunteers are often sent on deployment to assist other states during fire disasters—as Queensland firefighters were during the Victorian disaster. Members are also called upon to assist other emergency service agencies. The Rural Fire Service has a strong tradition of supporting and protecting communities while at the same time offering a range of opportunities to its members.

I would like to take this opportunity to thank the many volunteers in my electorate, particularly the following: Danny Church from the Mudgeeraba Rural Fire Service and his team; Lloyd Mills from the Gilston-Advancetown Rural Fire Service and his team; Ray Cavanaugh, John Crauford, Bruce Morris and the crew from Springbrook Rural Fire Service; Peter and Jim Yaun from Numinbah Valley; Dave Farrer from Bonogin; and Les Winchester from Clagiraba. I would also like to thank Mark Richardson, who coordinates the South-East region and all the volunteers who make up this service in my area.

The electorate of Mudgeeraba contains some very difficult terrains including Springbrook Mountain, Clagiraba, Lower Beechmont, Numinbah Valley and the Bonogin Valley. These areas are at risk each year from bushfires, flooding and other disasters such as the landslip that happened in Springbrook 18 months ago. Many of the volunteers in these areas take on numerous tasks, with most belonging to at least two emergency services. For instance, Springbrook sees the same dedicated locals belonging to the Rural Fire Service, the first responder ambulance service and the SES.

There remain grave concerns by rural fire groups that Black Saturday in Victoria could be re-enacted in the Gold Coast Hinterland, particularly in Springbrook and the Bonogin Valley. In an article on 18 August 2009 Christine Kellett states that Queensland's bush firefighters say it is only a matter of time before areas like the Gold Coast Hinterland are visited by a disaster on the scale of Victoria's Black Saturday. She stated—

Rural Fire Brigades Association Queensland CEO Dick Irwin said pressure to cut back hazard reduction burning by the environmental lobby coupled with a funding shortfall forcing bush volunteers to pay for their own fire trucks was increasing the threat of bushfire deaths here.

The warning comes as the Queensland Government vows to learn the lessons of the Black Saturday tragedy, which killed 173 people in the country's worst fire disaster.

Mr Irwin said a "creeping resistance" to controlled burn-offs to reduce dry leaf litter and other flammable vegetation was a problem in semi-rural urban areas, where landowners, community and green groups cited environmental concerns and amenity issues.

The same resistance was a factor in the Victorian fires, he said.

People are moving to Queensland from down south and they don't want controlled burn offs happening here because they think it is (environmentally) destructive. But it is that fuel load that provides the intensity of bushfires.

The (Gold Coast) hinterland is a perfect example. It's high, sloping country. QFRS appliances (fire trucks) can't get up to some parts because it is so steep.

A few years ago we had (firefighters) going around saying things like 'we can't protect this property' because the landowners just didn't want to manage fuel load.

It's a beautiful place to live, but it comes with a responsibility.

This warning should be driven home to those environmental groups in the hinterland, particularly those in Springbrook, who insist that the situation which arose on Black Saturday could not be repeated in the hinterland. Interestingly, not one of the nay-sayers with regard to cold reduction burns is a member of any emergency service in their local area and many have not lived in the area long enough to remember the devastation that a bushfire can cause in areas such as Springbrook, Numinbah Valley and Bonogin Valley.

These volunteers care about their communities and are not paid for the great work that they do. They are involved in all aspects of disaster and emergency activity including prevention, preparation, response and recovery measures that will help protect the community when disaster strikes. The protection of life and property and the alleviation of suffering and hardship caused by disaster are the fundamental responsibilities of the three levels of government—federal, state and local—working hand in hand with the community.

I would like to thank those members of the Carrara and Springbrook SES who are on call 24 hours per day as volunteers. I would also like to congratulate the Gold Coast City Council on its disaster preparedness and the community consultation undertaken by Councillor Ted Shepherd in this regard.

I also note that in extreme disasters the police have an overarching responsibility and that it is they who direct evacuations. I urge all residents in the hinterland area to be fire ready and not to ignore the concerns of those in their own community who will be putting their lives on the line for them in the event of a major catastrophe or disaster.

Another potential disaster waiting to happen on the Gold Coast is a multiple fatality on the M1. As the Minister for Police and Emergency Services and the Minister for Main Roads are well aware, it is our emergency services workers who have to use hydraulic rescue tools such as the jaws of life to rescue trapped motorists when such a disaster occurs. It is obvious from this morning that at least one minister does not care about the safety of Gold Coasters. If he did, he would not have uttered his insensitive, petulant comments during question time. He opted to take a cheap shot at motorists who travel the third most dangerous stretch of road in Queensland whilst, at the same time, belittling the contribution of our emergency services and volunteer rescue groups instead of supporting them in their rescue efforts. The Liberal National Party wholeheartedly supports our emergency services volunteers and their role in disaster management and the government's legislation.

Mr POWELL (Glass House—LNP) (3.45 pm): I rise to speak in the debate on the Disaster Management and Other Legislation Amendment Bill 2010. The legislation seeks to achieve a number of outcomes. It will enshrine the accepted principles of disaster management in legislation. It will clarify, through an ability to enter into agreement with local government, the respective roles of state and local governments in the support of SES units. It will allow the chief executive of the Department of Community Safety to create new SES units.

As advised by the independent review of the disaster management arrangements in Queensland, this bill also revises existing positions and creates new positions with regard to the three levels of disaster management—specifically the roles of the state disaster coordinator, the state recovery coordinator and the local disaster coordinator. The legislation also makes amendments to the processes for declaring a disaster situation and for responding to disasters by establishing temporary disaster districts.

All of these changes appear sensible and will hopefully allow local disaster management groups on the coast and in Glass House to better respond to incidents in the area. We have our fair share. Whether it is flash flooding after torrential downpours, landslides on the Peachester or Blackall ranges or fires in the Conondale and Bellthorpe state forests, we in Glass House rely heavily on our SES volunteers.

The minister mentioned in his second reading speech—and it is reiterated in the explanatory notes—that the bill will also reflect current practice by confirming that it is the chief executive of the Department of Community Safety who has responsibility for the safe and efficient function of the SES. It is the chief executive of DCS who also ensures local controllers of SES units carry out their functions.

As speakers before me have and as the minister himself previously acknowledged, there were two outstanding members of my local SES units in Glass House who recently hung up their orange suits. Firstly, there was Graham Cheal. When one meets Graham one will meet a humble, unassuming man. What one will not realise is that he has been the backbone of the Glasshouse Mountains SES unit for the past three decades and the man who has been at the forefront of mountain rescues on the coast for more than four decades.

Under Graham's leadership, a role he has held since 1983, the unit has become the pacesetter in on-mountain vertical rescue operations. His SES group has also actively supported the Queensland Cancer Council fundraising campaign for the past 23 years. His community-mindedness and quiet confidence on the mountains has seen Graham and his unit duly recognised on a number of occasions.

Graham is the recipient of the National Medal, a group bravery citation and the Emergency Service Medal. In receiving his ESM, Graham, true to style, humbly acknowledged his colleagues. He said—

I'm really honoured to receive the medal, but it's the group as a whole that really deserve it. Without the group, an individual is not much good. I've been involved in mountain rescue for 43 years now, but the guy who has been here the shortest period of time still gives 110%.

Graham will remain a bastion of the Glass House Mountains community but he will sorely be missed by the Glasshouse Mountains SES unit.

Secondly, we farewelled and lost the services of another SES stalwart in Lloyd Larney of Maleny. Lloyd is one of those guys who is in everything. He was an SES group leader, a scout leader, a deputy fire warden and the coordinator of the local Neighbourhood Watch, which he has run for 16 years. Again, rightly, he has been recognised for his community activities, receiving the National Medal with first and second clasps, a Centenary Medal in 2001 and Caloundra Citizen of the Year in 2004. But perhaps the culmination was the Medal of the Order of Australia, or OAM, last year.

When I was campaigning last year I knocked on the Larnneys' door a number of times. I had the pleasure of meeting Shirley, Lloyd's equally capable wife, but had trouble pinning Lloyd down. I now understand why. But I was not alone. When the media tried to contact him and congratulate him on his OAM, he was on duty at the Conondale motorbike ride. That is just Lloyd. If this legislation ensures that men like Graham and Lloyd are freed up to do what they do best—protecting our communities—then it has my support. If it also ensures that we have future generations of individuals of the calibre of Lloyd and Graham joining and remaining committed to the SES, then it is to be commended.

Mr KILBURN (Chatsworth—ALP) (3.49 pm): I rise to speak to the Disaster Management and Other Legislation Amendment Bill. I am pleased to see that this government is continuing its long history of improving the delivery of emergency services throughout Queensland. I also appreciate the support from the other side of the House given by the member for Mirani and recognise that for a long time he has had a genuine concern about emergency services workers and recognise his work as a rural volunteer.

Having said that, I was disappointed with the member for Mudgeeraba's speech and it goes without saying that it deserves a response. Those opposite say that they take a bipartisan approach, yet once again they use emergency services workers to take a cheap political shot. While a car accident is disastrous, it is not a disaster as referred to in this bill relating to disaster management. Scoring cheap political points in terms of firefighters attending car accidents on the Pacific Highway is extremely disappointing, and the member should think twice before she does those sorts of things. She also attacks green groups in terms of burn-offs and makes statements that are not based on knowledge that there will be fires here equivalent to the Black Saturday fires in Victoria. Once again, this is unnecessary scaremongering when this bill is about something else entirely. Queensland has a very good system of burning off to limit the fire load. I note that the member for Glass House is shaking his head, because I am sure that he has an in-depth knowledge about fire loads!

The fact of the matter is that there is no evidence—members cannot point to any example—that shows that Queensland will have fires equivalent to the Black Saturday fires or Ash Wednesday fires in Victoria because Queensland has a different climate, a different fire load, different vegetation and entirely different weather. Queensland has its storms during the summer and the humidity systems here are not the same as they are in Victoria. I can tell those members that had they been in Sydney during the bushfires like I was—fighting them, not sitting in Glass House or Mudgeeraba—it is a totally different environment to what we have here. It is unreasonable and unrealistic to make statements in this House scaring people into thinking that Queensland will experience fires like the Black Saturday fires when it is not true. It is not true. They should not be making those statements and they should not be using rescue workers on the Pacific Highway or anywhere else cutting people out of vehicles to score cheap political points. It is not right and they should stop doing it.

The review identified some areas where there could be improvement in the delivery of emergency management. As someone involved in the entire response during Cyclone Larry with the Cardwell shire council, I can say that the emergency service workers on the ground, as was said by the member for Mirani, always have done and always will do the fantastic and professional job that they are dedicated to. One thing that we have seen a vast improvement in over time throughout not only Queensland but also the rest of the country is the overriding structures that help and support those on-the-ground emergency services workers. When I first joined the Queensland Fire and Rescue Service at the end of a long period of National Party rule there were 81 different fire services. With those 81 different fire services came different training, different uniforms, different trucks, different fittings, different radios et cetera. The same thing can be said for just about every other emergency service in Queensland.

Over the years there has been a dedicated commitment to Queensland having a state-wide response—we now have the Queensland Fire and Rescue Service—and putting in place the necessary structures so that there is a state-wide response, and it is not only throughout Queensland. For example, the fire and ambulance services in Queensland have the United Nations accredited urban search and rescue team which, with 24 hours notice, can be anywhere in the world responding to a disaster. That coordinated state approach is important. People might say that that disjointed approach was the case in the past, but I raise the issue because—and the member for Mirani can feel free to correct me—at the last election it was still the policy of the LNP to take the fire service backwards by once again implementing its obsession with local boards.

It was the local board system of 81 different fire services in Queensland that led us to the position we were in many years ago where we could not possibly have had a coordinated state-wide response from our emergency services because there were emergency services boards in individual areas running fire stations—that is, boards of National Party members and canefarmers running the fire brigades in each individual town. I have nothing against canefarmers. I am sure they are very good at running canefarms. However, they are not particularly good at running fire brigades. If it is still LNP policy to drag us back 20 years into the past and go back to the days of having people with no idea trying to run fire services because it suits its ideological bent, I ask the member for Mirani to reconsider his party's position. The world has moved on. Emergency response has moved on. The level of accountability and what people expect has moved on, and I urge the LNP to move on and get with the program and give up on this idea of moving us backwards to boards running fire brigades, because it is bad policy.

Under the current arrangements, events are managed as far as possible at a local level. I fully support the idea of councils being on the State Disaster Management Group. That is a great improvement. In emergency responses to disasters, councils have a huge workload, and I have seen it firsthand. I am glad that over the last couple of years in particular the government has supported councils to build up their resilience by training their staff. The Queensland Fire and Rescue Service is a nation leader in the implementation of AIIIMS, the Australasian Interservice Incident Management System. The QFRS has been training not only council workers but also staff of Queensland Rail, Queensland Ambulance Service, Queensland Parks and Wildlife Service and senior members of rescue crews at mines around Queensland and Australia so that when emergency services turn up to a disaster they are all working to the same incident management system which is recognised throughout the country. That is a great step forward and it is good to see that that is continuing. I am sure that part of the process will be to ensure that councils keep working towards that goal.

The creation of the position of state disaster coordinator in the Disaster Management Act will take away any potential for confusion about the various roles and responsibilities at a state level and it is up to the chairperson of the State Disaster Management Group to decide whether a state disaster coordinator should be appointed to manage disaster operations on behalf of the state group. Before the chairman appoints a person to that role, they must consult with the Police Commissioner and the state disaster coordinator will then be responsible for coordinating the response aspect of the disaster. That is a real step forward. The state coordinator will need to report regularly to the state group about disaster operations, enabling the group to maintain oversight of how the response to the disaster is conducted. Ordinarily, that role will be carried out by a senior police officer.

I have raised one concern with the minister in that regard—that is, up to this point the police services throughout Australia are the only group that do not use the AIIIMS incident management system. It is used by everyone else. I had a concern that if we are going to appoint a senior police officer to that role they should be across the AIIIMS incident management system. Since that time I have been informed that at a meeting of commissioners of police in Victoria the police have decided that they will start using the AIIIMS incident management system as part of their management. That is also a step forward. A state recovery coordinator will also be appointed. As we saw with Cyclone Larry—and I am sure members have experience of this when a disaster strikes their area—it is not only the disaster itself but the ongoing problems afterwards that need to be resolved. In many cases that work does not need to be done by front-line emergency services workers. It is a great step forward to appoint a state recovery coordinator to allow that person to look after the recovery effort long after the initial incident has occurred.

Over the years there have been a lot of changes in emergency services and from my perspective all of them have been positive. I think this is another positive step. I commend the idea of engaging local government further in the disaster response system. I commend the minister for introducing the bill.

Mr PITT (Mulgrave—ALP) (3.59 pm): I rise to speak in support of the Disaster Management and Other Legislation Amendment Bill 2010, introduced into this House by the Hon. Neil Roberts, Minister for Police, Corrective Services and Emergency Services. They say that the only things you can be certain of are death and taxes. But if there is one other thing you can count on, it is that the State Emergency Service will be at the front line when an emergency or disaster occurs. The SES plays a vital role in helping the community in times of need. The energy and commitment of our volunteer SES members is remarkable.

For example, the Innisfail SES unit has more than 35 active members who contribute on average more than 1,100 hours to their community each year in activities such as storm and flood responses, search and rescue operations, road traffic crashes, community education or assisting other emergency service agencies. I would like to publicly acknowledge the role that all SES volunteers play in keeping Queenslanders safe. I would also like to acknowledge in particular the leadership in Far North Queensland of Emergency Management Queensland Regional Director, Wayne Coutts.

The SES is supported in a variety of ways. Both the state government and the relevant local government contribute to supporting local SES units through providing equipment, facilities, advice and other backing. State and local governments collaborate closely to ensure that each SES unit is appropriately supported in order to perform its functions.

A good example of that is the \$100,000 state government grant for the repair and refurbishment of a facility at Edmonton. In April this year, I gave an undertaking to work with local controller, Marilyn George, and the Edmonton group of the SES to address asbestos concerns at their headquarters. The Queensland government is working in partnership with the Cairns Regional Council, which is contributing \$105,000 towards this project. The council continues to provide ongoing support towards SES operations within the area. Works at Edmonton will include the removal of asbestos flooring as well as extensive drainage works and the upgrade of a kitchen area and ablution facilities. This joint project will ensure that our emergency services in the area have a suitable facility to operate from and will allow the continued delivery of high-quality services to our community. It is cooperation like this between levels of government that is fundamental to the ongoing viability of the SES. It is important that we continue to work together to make sure that our local community is best protected in the event of extreme weather conditions.

The bill before the House contains an amendment to the Disaster Management Act 2003 allowing the chief executive of the Department of Community Safety to enter into agreements with each local government with respect to the SES unit in the relevant local government area. These agreements will spell out each party's responsibilities in terms of supporting the SES unit. Whilst the content of the SES support agreement will be negotiated between Emergency Management Queensland and the local government, it may deal with issues such as equipment, facilities, training, exercises and, as is the case with the Edmonton SES, workplace health and safety.

While the support from levels of government is vital to the continuing operation of SES units, the SES also receives significant support directly from the community through donations as well as through fundraising activities. Many SES units conduct fundraising activities to supplement the funding they receive from other sources. I know that at the moment Michael Thurston and his crew at the Gordonvale SES are raising money by conducting sausage sizzles and lucky number boards to fund a new pull-up marquee that can be taken to incidents. This bill contains amendments to the Disaster Management Act 2003 to make it clear that SES units are authorised to conduct these fundraising activities. In addition, the bill makes it clear that the SES units can conduct other activities designed to lift the profile of the SES, including helping out at community events like shows.

An ever important part of the function of many SES units is helping out in other areas of the state when a disaster or other significant event occurs. As we know, local resources are often stretched to breaking point when dealing with an event of significant magnitude. It is important that personnel from other areas of the state can be deployed to assist when demand for SES assistance exceeds local capability. The amendments to the act require the chief executive of the Department of Community Safety, when determining the functions of an SES unit, to consider the needs of communities in areas of the state when required to conduct disaster operations. Any decision on the functions of an SES unit must be made only after consultation with the local government. Finally, the amendments contained in the bill provide that the chief executive of the Department of Community Safety is responsible for ensuring the safe and efficient performance of the functions of the SES.

I have mentioned previously the work that the Bligh government is doing to improve SES buildings. But while a headquarters is absolutely vital to an SES unit, it is the people who are the SES lifeblood. They sacrifice their own time and dedicate their lives to giving back to the community—volunteers like 84 year-old Evelyn Davies at the Babinda SES, who has been a member for more than 30 years and who this year was honoured with an Order of Australia medal. While no longer going on rescue missions—and Evelyn has seen her fair share during her time in the SES—Evelyn is still making a contribution by making sure that her fellow volunteers have a nice meal to come back to. It should be noted that when Mrs Davies heard she was getting the award her first reaction was to get 'really cranky'. At first it was because she thought someone was pulling her leg, but in reality it was because volunteers do not do these things for the accolades; they do it for their community because they want to give something back.

The health and safety of SES volunteers is of paramount importance to the Queensland government. Our volunteers often perform tasks under intense pressure and in conditions that can be dangerous. Swift-water rescue teams are essential in the Far North and this work is undertaken by our men and women in the SES in partnership with officers from the Queensland Fire and Rescue Service,

the Police Service and the Queensland Ambulance Service. It is vital that we do everything we can to ensure that our SES volunteers—and all of our emergency services personnel—are safe when they are out helping others in the community. These amendments make it clear that the Queensland government takes its duty of care towards the State Emergency Service very seriously.

Mrs SCOTT (Woodridge—ALP) (4.05 pm): In recent times serious disasters seem to have become an ever-increasing fact of life. At the moment we are viewing with almost disbelief and horror what is unfolding in Pakistan—a disaster of unprecedented magnitude. I have heard the statistics of over 20 million people affected by the loss of their homes, their possessions and being displaced, with many having lost touch with family members. Over six million children are affected and the outbreak of serious disease is almost inevitable. This country will need support far into the future from the worldwide community.

When viewed worldwide, so many countries have very poor provision for dealing with disasters. I will never forget the lack of action following Hurricane Katrina, which broke the levy bank and inundated New Orleans. I remember thinking that, surely, the United States would have an army of disaster management people and thousands of emergency workers and volunteers to quickly come to the rescue to those mostly impoverished people. But for many, no-one came and it seems to me it was because of a lack of clear guidelines of responsibility, a lack of coordination and cooperation between the various levels of government and possibly, sadly, a lack of will. This bill is designed to ensure that our line of responsibility is clear and it is to the credit of our governments in Australia at all three levels that when disaster strikes we have a plan and key leaders know exactly what their role is and where their responsibilities lie.

Unfortunately, with the tragic wildfires in Victoria, the magnitude and ferocity of the fires overwhelmed emergency workers and disaster management and subsequent reports have highlighted inadequacies in communication and leadership and have criticised what has been the usual recommendation of either to leave early or stay and defend your property. My family was still living in Victoria during Ash Wednesday and wild out-of-control fires are frightening monsters to deal with, leaving death and heartache in their aftermath with the resulting scars affecting the victims for years to come. Although we have seen some dreadful tragedies in this country, I would like to say how blessed we are to live in Australia, and particularly in Queensland, where we have seen a quick and effective response to disasters such as the recent floods that inundated so much of our state for a considerable time and, of course, tropical cyclones, which so often cause massive destruction, particularly in the north of our state.

While most of our disasters may be caused by the fierce forces of nature, such as fire, flood and tropical cyclones, the oil spill off our coast presented a very different type of response and recovery. I know that for those who are victims of a disaster the response can sometimes seem slow, but every disaster is different and our first response agents, often our Police Service, state emergency services and others, swing into action very quickly.

This bill further refines the pathways of responsibility and confirms the local government as lead agency. The partnership between Logan City Council and our SES is evident with Ken Neller working for both authorities as disaster management program coordinator and local controller of Logan SES. Issues of importance with all disaster management are prevention, preparation, response and recovery. It must be remembered that certain disasters may leave communities devastated and requiring ongoing support and rebuilding of communities for months or even years.

An independent review of the Disaster Management Act found that our state is well served and that local government should remain the lead agency. The bill clarifies the roles and responsibilities of individuals and groups, with primary responsibility and coordination remaining with the Queensland Police Service. When major disaster strikes our state the State Disaster Management Group takes control, chaired by the director-general of the Department of the Premier and Cabinet in conjunction with the chief executives of the Department of Community Safety and the Queensland Police Service, as well as the Local Government Association, which is a new inclusion. Two new positions have now been created when major disaster strikes, that of state disaster coordinator and, if required, a state recovery coordinator.

With our superbly trained and highly skilled SES volunteers, and all other emergency services on the ground at a local level who respond so quickly along with our Queensland Police Service, any disaster is able to be responded to quickly and efficiently. With the Police Service often first on the scene they will have the ability to declare an emergency situation, thus enabling a rapid response pending an official declaration. While the response and recovery following disasters in Queensland has been handled well, there is always a need to refine and review how efficient our operations are. This bill will enhance our disaster management system and ensure that all individuals, groups, organisations and government officers have a clear line of responsibility and will be able to very efficiently swing into action whenever required and at whatever level of response is necessary. This legislation is of vital importance and I thank the minister and those who have been involved in the preparation of this bill. I commend the bill to the House.

Dr DOUGLAS (Gaven—LNP) (4.12 pm): Queensland is uniquely located in the tropics and subtropics with two vast bodies of water to our immediate east and north and a massive internal land mass that is sparsely populated, flat, arid and prone to drought. The length of cycles of flood and drought appear to have changed, the ocean temperature in parts is high and our solar activity is greater. We live in a greater global village where time is money and our resources are greatly in demand. Beyond our shores, population pressure, xenophobia, war and lack of access to credit have driven the mass exodus of refugees, some to our shores, created famines killing millions and blocked most attempts at major disease control. In some ways most of these have affected us in some little way.

I, too, remain very concerned that as a nation we are seen to be oblivious to the tragedies unfolding almost daily in Pakistan. That was mentioned here earlier by the member for Woodridge. It is a Commonwealth country. There are 20 million people who are homeless with no clean water, food, nor, it appears, hope. We must, as individuals, a state and a nation, do something for those who are helpless. Such is the nature of disasters.

The minister stated the incidents of the 2009-10 year in his second reading speech and he is correct. It was a tough year for Queenslanders. Flooding from cyclones was extreme. Many of these events in South-West Queensland made people's lives a misery. Even the member for Warrego was flooded in Roma. It is our great oil and gas hub town in South-West Queensland. Fortunately the expected swine flu epidemic did not eventuate but, as usual with the swings and roundabouts in these things, the collapse of global airline travel may have saved us all from this scourge.

The minister correctly stated that disaster management unites all levels of government and all political philosophies as one. Local government is indeed the key to the success of any response to whatever disaster confronts our population. Some disasters are so overwhelming that local councils themselves are paralysed and they need urgent assistance. Any formal plan must be driven by practical measures that build on known information, history and resources, both existing and planned for. I acknowledge that this bill is in response to the independent review of the legislation of policy. That review appears to have been loosely summarised by the minister as maintenance of the status quo with some minor adjustments. It contained six major themes: one, integration and enhancement of communication systems; two, the modification of roles and functions within disaster management structures; three, modification to command and control roles; four, governance and continuous improvement of the disaster management system; five, the enhancement of disaster recovery arrangements; six, clarification of arrangements with local government for the SES—which has been mentioned extensively today and I will say something on that.

The police, the LGAQ, 21 local governments and all the government agencies supported the bill. This was a great first step. It sensibly includes the requirement for disaster management planning to occur across all four phases of disaster management—that being prevention, preparation, response and recovery. Before moving on to the changes I would like to discuss the issue of proactive disaster declaration which is included in this bill. This issue has far greater relevance as a result of the report issued by the review of the Yarra Valley fire by the 2009 Victorian Bushfires Royal Commission. However, I am not talking about bushfires, I am talking about the declaration issues. The commissioner said there had been a substantial policy failure and that the existing policy should have been abandoned. He was not just referring to the 'stay or go' policy.

The evidence revealed a sense of bewilderment, a lamentable lack of responsibility and leadership from the most senior personnel involved in the response to the unfolding disaster. These were the critical things mentioned by all three commissioners. It goes without saying that the declaration of disaster is probably the most critical step in any process. When there is delay, as occurred in the Hurricane Katrina disaster in Louisiana when the city of New Orleans was flooded when the Mississippi breached the levees, there is a terrible loss of life and property and what is described as magnified catastrophe. In that case it is generally agreed that the delay in evacuation was driven not only by the public not wanting to leave their homes but by the inability to evacuate, the unavailability of resources, the lack of knowledge of residents themselves and actually not knowing who they were and where they were, and also by political imperatives about who was in charge and who should do what.

In this bill the explanatory notes have correctly identified that the common objective is to minimise loss of life and property. What this implies is that the disaster management plan can be implemented without the declaration of disaster. Correctly, the minister must approve the declaration of a district and the Premier can also make this decision. I remain concerned that issues that arose in Victoria and Louisiana suggest that politicians do not always follow advice when faced with consistently alternating information and a process from senior people in such situations to distil information to levels that may decrease the need for action and a decision. I will go into that in greater detail further on.

Understandably, these types of situations are complex, cause anxiety and, on reflection, include new, unknown-at-the-time facts which emerge that change the situation as time goes along. In times of crisis one can only make decisions on the basis of known information reported by credible people. Insight, a clear mind and impartiality are critical. With respect, political decisions are based around what

is possible, built on a strong background of self-interest. Politicians do not always make good decisions. It may be that we are moving in the right direction for a proactive declaration, but nothing will change human behaviour if certain safeguards are not built in.

In Victoria it could be said that a critical series of decisions were not made in the bushfire crisis because a senior officer located in the city had another commitment rather than another agenda. It may also have been that the state Premier delayed the disaster declaration to prevent panic in the population and also maybe felt that their plan was sound. What the public had not been told is that reasonable tree clearing, thinning of substantial forest, had not occurred to appease green voters. The decision was defended by claiming that the trees were in the greater Melbourne water supply catchment. Honourable members, old trees rated more highly than the safety of the public. Recommendations 56 to 62 of the bushfire commission rectify this and insist on a minimum five per cent burn as prevention work, with particular emphasis on clearance of roads in response to those who suffered loss of life on roads, including removal of both regrowth and debris.

In retrospect, we see that in extreme situations, which we know will occur, sometimes those at the very top have never faced such a crisis and become somewhat paralysed by the events as they unfold. Even with the best of advice they can hesitate. It is a tremendous saying in life that 'he who hesitates risks all', or some say 'he who hesitates is lost', such are the ingredients of unfolding disaster. It is human to try to bet against a tragedy and hope for the best. The smart person always calculates the downside risk. Four hundred years of insurance tells us a lot about our own disaster history and management.

As I say, while the disaster management plan can be implemented without the declaration of disaster, it often works better if there is a declaration of disaster. It is the hope of the LNP that this government—Labor to its core—in introducing this bill will always put the interests and the safety of the public ahead of every other factor in the disaster and it is anticipated it is for everyone.

The most recent local example at its most salient is the disaster of the *Shen Neng 1* when it drove hard into the Douglas Shoal at Gladstone. This incident actually occurred at 5 am on 3 April this year. The ship was 15 nautical miles outside the shipping lane, taking a short cut to China. It is no secret that there was a 24-hour delay in declaring the disaster, despite the fact that it was known that this ship was out of the zone and was in the Great Barrier Reef Marine Park. What followed was quite interesting. All sorts of politicians, from federal to local, wanted a flying start. At least eight federal Labor politicians overflowed the site in everything from fixed-wing aircraft to helicopters for a photo opportunity. Nothing other than concern alone was implemented by them. I am unclear how many state politicians did, too. I have actually been trying to research that. Beyond voyeurism, I am not really sure what they were attempting to achieve. They certainly did not contribute anything to disaster recovery, but they demonstrated what not to do in a crisis.

Mr Shine: They would have been criticised if they didn't.

Dr DOUGLAS: There is a pattern here with the state Labor Party and disaster management. I will go on to the *Pacific Adventurer*, and the member for Toowoomba North would like this. There is nothing like getting into the detail of these things. In that case there was a two-day delay with the disaster being declared in areas of Moreton Bay, Bribie Island, Sunshine Coast and east Moreton Island. In fact, the government had known that this ship had lost 31 containers and was leaking oil and may have lost at least 30 tonnes—it was subsequently discovered that it was 271 tonnes—but did not make the declaration of the disaster until 13 March 2009. In fact, this incident occurred at 3.15 am on 11 March; it was early on a Saturday morning. I would like to raise a number of issues from the independent report by TMS Consulting that followed.

The existence of oil in the water was known and it was reported by the ship to the Brisbane harbour master at 5 am on 11 March 2009. That was 1½ hours—1¼ hours possibly—after the *Pacific Adventurer* had said that it lost its 31 containers and the ship's master had said that he had lost at least eight tonnes of oil. He declared that they contained ammonium nitrate and he reported it at seven nautical miles east of Cape Moreton. It was thought to be a small spill of 30 tonnes, but it was later said to be 271.

The disaster declaration was made under the new national oil spill arrangements. It was noted that the oil was not apparent because the specific gravity of the oil held it below the surface. It was not recognised that the oil was in the water because people could not see it. So then nothing was done until the oil started washing up on the beach. Therefore, much of the delay seems to have occurred because people did not understand that bunker oil from ships actually sits below the water surface. In other words, the spill had been correctly reported, but the action did not occur until it washed up on Sunshine Coast beaches. Politicians waited until the public started seeing the oil and then they acted. Yet the harbour master had known the extent of the problem 60 hours earlier. He correctly informed people, but it was not until the 13th that something was done.

I say to the honourable members of Queensland that we have a history of what to do and what not to do in these tragedies. In fact, it is nothing like, as was mentioned here today, the release of the book *The Ayes Have It*. We learn a lot by looking back at our history but we live our lives going forward. I think it was the Hon. Keith De Lacy, former Treasurer and member of the Labor Party, who made that statement. It is a wonderful statement.

People might forget that the *Oceanic Grandeur* spilt 11,000 tonnes of bunker oil in Torres Strait in 1970. The *Pax Phoenix* at Holbourne Island in 2001 spilt at least one tonne and possibly as much as a hundred tonnes. The *Global Peace* at Gladstone spilt 25 tonnes in 2006. So we have a history of it. We need a state coordinator in place to direct, which this bill provides, but we do not need politicians indulging in photo opportunities when they need to take action.

Recommendation 3 in chapter 10 of the TMS *Pacific Adventurer* independent review stated—

The SICC (DTMR disaster management representative) should alert all relevant 'disaster management' stakeholders in the event of an oil spill incident (irrespective of size) to ensure early notification and timely activation of disaster management support if required.

I table that. I have the full report, but I will table the section that is relevant.

Tabled paper: Extract of report, dated December 2009, titled 'Pacific Adventurer oil spill: Independent review of responsiveness of the Disaster Management System support', cover page and page 29 [2798].

In fact, I have gone back and looked at all the other reports of all the other situations and they are all the same. They say the same things. I can see the Deputy Speaker smiling because, as a former fire officer, he would know that history tells him these things. The report said that confusion had reigned early and it continued. Oil spills are usually somewhat different. The oil was not obvious because you could not see it on the water surface. It is also saying that politicians hesitate to declare a disaster, but a disaster management plan must never be delayed. When delay occurs, tragedy strikes and life and property are at risk. Whilst it should not delay the disaster management plan, delaying the declaration of a disaster narrows the options of all levels of government and agencies to appropriately respond.

While causing much heartbreak and damage in our community, major disasters can also provide impetus for the State Emergency Service. Like all honourable members, we have some wonderful volunteers on the coast. Philip Wilsallen told me that there is a strong interest in membership after a disaster when the volunteers are portrayed in the media as heroes. There was a strong surge in interest after a major storm hit the Gold Coast last year. However, at times it is difficult to maintain the momentum.

We have six SES units on the coast: Carrara, Coolangatta, Pimpama, Runaway Bay, Southport and Springbrook. The member for Albert is in the House and I think the member for Mudgeeraba was here previously. Between us we share a lot of these members. We are very fortunate to have 500 volunteers in this highly trained unit performing many hours of dedicated voluntary work. While much of their work includes assistance after floods and rain and hailstorms, they also assist in conducting searches for missing people. These volunteers play a large role in most of the events that take place on the Gold Coast, year after year—everything from schoolies, Indy, the Kokoda Walk and the Gold Coast Marathon to Anzac Day—working in conjunction with our fire and ambulance services. Most of these dedicated volunteers work a full-time job or are studying or doing other types of jobs. They are to be credited for the amazing amount of work they do.

Philip Wilsallen, who is a logistics officer and is one of the most experienced of emergency workers, having given 40 years in the New South Wales Rural Fire Service and in the SES, works as a funeral director on the Gold Coast. He gives up amazing amounts of time, as these people do, on induction nights, teaching between five and 20 people and trying to retain about half of those people. Some people do it part time and they often use it as a stepping stone into our defence services and other emergency services including the Police Service. We have many members who have done such a thing on the Gold Coast.

We also have volunteers in St John Ambulance who often go between the agencies—they can start in one and then move to another. St John Ambulance has divisions at Mermaid Beach, Southport and Beenleigh, and a cadets group at Southport with about 25 volunteers aged between eight and 20. These volunteers do an amazing job and they participate in all of the things that the others participate in. Interestingly, they were at the Australian v Jamaica netball competition last week and were kept very busy.

Such is their dedication to the community that being a member is often a burden on their finances. They form part of the Gold Coast disaster management group. They would dearly love a few extra things, one of them being a four-wheel drive vehicle, which is certainly needed in the hinterland of the Gold Coast. They are hoping that their application to the Jupiters Casino Community Benefit Fund for a vehicle for the central division based at Mermaid Beach is successful. The acting director, Sue Hutchinson, has given years of service and is certainly hoping that that will be rewarded.

Similarly, we have a new fire station at Nerang which has made our lives a lot better and people a lot safer. I want to thank Mrs Gloria Jones for spending many years petitioning the government to take action to deliver that. I would also like to thank the minister for getting this fire station delivered. It has been a huge effort. I know that it has been a collaborative task, and I thank him dearly.

Earlier this year in February the western part of my electorate received a number of successive torrential downpours. I had great help from the minister's department and I would like to thank him. We had a lot of rain and a lot of people's homes and businesses were inundated. We have had some successive problems following that rain—a lot of livestock was killed, fences destroyed and people's livelihoods destroyed. Our local nurseries lost thousands and thousands of dollars worth of infrastructure. We could not have got things back on track without our emergency services. It certainly was the worst flooding we have seen in 100 years on the Gold Coast.

This is a process, as I say, that needs to be refined. Local residents need to know what assistance the government can provide in disaster situations such as floods and that without that assistance they would never get by. This bill has a chain of command and a structure that the LNP supports. As has been mentioned by the member for Mirani, local government plans will no doubt mirror these plans, and common sense should dictate that they function as one. Rather than asking for heaven to help us, we should be following the line that 'God helps those who help themselves'.

Mr McLINDON (Beaudesert—Ind) (4.31 pm): I rise to make a brief contribution to the Disaster Management and Other Legislation Amendment Bill 2010. This bill is a result of an independent review of the disaster management arrangements within Queensland and seeks to identify efficiencies in response mechanisms and disaster response success. I commend the government for instigating this review to ensure that Queensland has the best systems in place at all times and that, as technology and differing methods evolve, so too do the operations of government. It is also good to see the relevant state agencies and the Local Government Association of Queensland endorse and commend this bill before the House today.

The minister quite rightly points out that local governments are more often than not the first port of call in responding to disasters and need to collaborate efficiently with the resources available from both the state and federal governments. It makes good sense that the bill better defines the roles and responsibilities of the State Emergency Service in relation to the partnership between state and local governments, and it is refreshing to see this department genuinely working in parallel with Queensland local governments.

I am aware that the Logan City Council and the Scenic Rim Regional Council have sound disaster management plans in place, and I would like to acknowledge the good work undertaken by the mayors, councillors and council officers to ensure that residents in these regions have a framework in place for all levels of government to respond. I was a councillor in Logan City Council at the time a comprehensive review was done of disaster management plans, which was conducted by the CEO Chris Rose, and I commend the efforts of all of the council officers who undertook that review to make sure that the framework was up to scratch and that it evolved with the technology and the response mechanisms that were in place at the time.

I note the two new positions created—namely, the state disaster coordinator and the state recovery coordinator—which will no doubt be activated when situations deem it necessary. I welcome these additions to the response framework.

I also pay tribute to all of the SES volunteers, rural fire brigades and service men and women across the state—in particular, in the electorate of Beaudesert—who dedicate enormous amounts of their personal time into training and being on standby in the event of unexpected disasters. There was one particular event that I remember in Logan City some years back—the oil spill at Loganholme. No doubt the member for Springwood is well aware of the efforts that the SES headquarters on Winnetts Road, Daisy Hill, made over two or three days to fix that up. In an increasingly self-centred society, it is always great to see that the goodwill of so many is still prevalent today in those voluntary organisations.

I assumed that it was a given that police officers were able to declare an emergency situation in relation to natural hazards, but obviously this was not reflective in the Public Safety Preservation Act 1986, which is also being amended. On a final note, it is also good to see people such as the member for Chatsworth, who has served on the front line in numerous disasters, be elected to the parliament, the people's House, so that they can see what good legislation can do on the front line in such circumstances. Without further ado, I commend the bill to the House.

Mrs MENKENS (Burdekin—LNP) (4.34 pm): I am pleased to make a short contribution to the Disaster Management and Other Legislation Amendment Bill. I support the approach of the shadow minister for emergency services and northern development and his comments about the bill. Of course we are supporting this bill because it is a crucial piece of legislation.

Nothing tests the resolve of a community or its members more than feeling the brunt of a significant disaster. Queensland is no stranger, sadly, to natural disasters, and it has felt their wrath along its coast and inland over the years. Working towards the best legislation to ensure appropriate action is carried out quickly, effectively and seamlessly for the wellbeing of the community is paramount.

I would like to take this opportunity to acknowledge all the magnificent work that our volunteers do in the emergency services and, more importantly, all of the staff right across the emergency services area. It is a very special area. It is an area that requires a lot of skill. It requires a lot of compassion—often working in very dangerous situations. These are special people. As I say, I salute them and acknowledge their efforts.

It is noted within this bill that meaningful consultation from the department, the Queensland Police Service and the Local Government Association of Queensland has taken place with 21 local governments from across the state. All of them expressed their support for the proposed legislative amendments. All government agencies were then consulted and all who responded supported the bill. That is important because, when it comes to disaster management, much of this does come back to our local government areas.

There are six objectives of the bill. One of these relates to the roles of the state and local governments in relation to the SES. To reflect this collaborative arrangement, the bill includes a provision allowing the chief executive of the department to enter into an agreement with local government about the parties' respective responsibilities in relation to the State Emergency Service unit in the local government area. The chief executive will also be responsible for ensuring the SES safely and efficiently carries out its functions and that the local controller of an SES performs the controller's functions.

Another objective relates to the process and requirements for declaring a disaster situation. The review has recommended allowance be made for declarations to be made proactively and to allow verbal declarations. The bill contains amendments to allow a proactive declaration where it is reasonably likely to be necessary to exercise the powers available to district disaster coordinators upon the declaration of a disaster. The bill contains amendments that allow disasters to be declared verbally if it is necessary for a district disaster coordinator or declared disaster office to exercise the powers available once a disaster has been declared. A verbal disaster declaration must be recorded in the approved form as soon as practicable after the verbal declaration is made.

One other objective that I would mention is the establishment of temporary disaster districts. The review identified the need for disaster districts to have flexible boundaries, and this would allow disasters crossing two or more disaster districts to be managed by a single disaster group. I certainly noticed that with floods that occurred not this year but in a previous year. The flooding affected two areas and one area coordinator was not aware of the impact on the other area. I can see a lot of common sense in this objective.

Amendments contained within this bill will allow the chairperson of the State Disaster Management Group to create, in consultation with the commissioner of the Police Service, temporary disaster districts where it is likely that a disaster will encompass two or more disaster districts. This temporary disaster group would be responsible for managing that disaster. The flexibility is to be welcomed and endorsed. As we know, disaster events do not know any boundaries and liaison between districts can sometimes create unnecessary gaps. This is certainly a sensible arrangement.

As with many areas on the North Queensland coast, the area that I represent, the Burdekin electorate, has fallen victim to numerous cyclones and flooding events but the community spirit is always alive and well in times of adversity. I would certainly like to commend the Burdekin Shire Council for its coordination via the Burdekin Local Disaster Management Group. The make-up and membership of this group ensures good planning and coverage of the many elements in its scope. This group has received commendations from the State Emergency Service for its structure and its proactive approach to disasters or potential disasters.

The Burdekin River is a saviour with regard to its bountiful water supply, but in certain conditions it turns into a foe as the catchments of the Burdekin, the Bowen, the Bogie and the Haughton rivers become waterlogged. Flooding right across our delta area is an all-too-common event. This is particularly so for the people in the township of Giru, where the Haughton River regularly breaks its bank in times of flood. It is not uncommon for three-quarters of the houses in Giru to be underwater two or three times a year. In fact, in one year there were nine floods which put Giru underwater. It was only by the ninth flood that news of this started to reach other areas in the state.

State Emergency Service members in Giru and the surrounds really are to be applauded for the tireless work they do to assist others. It is only a small group of half a dozen or so volunteers. As soon as the flood alerts go out and the flood warnings start to come in, they are out in the middle of the night or at three in the morning, knocking on doors and alerting people that a flood is coming. Often their own homes are affected by the flood and may be in danger as well but they work all the way through. The selfless giving of the members of the State Emergency Service knows no bounds, and the communities are so much the better for it.

I attend meetings of the Burdekin Local Disaster Management Group as an observer, and I want to comment on how well the coordination works between the Townsville emergency service team and the local volunteers within the Burdekin. This year the Burdekin hosted the Disaster Management for Local Government Conference in early June. Fifty-two of the conference delegates took the opportunity on the first day to take part in the 'hot flood spot' of the Burdekin, which of course is the Giru township. I believe Minister Roberts attended that particular conference.

Mr Roberts: I did.

Mrs MENKENS: The Burdekin Mayor, Mrs Lyn McLaughlin, said—

Many hadn't been in a flood situation and were able to see our flood mitigation works on the Haughton River, as well as the Canter trucks used by our local SES. Hosting the conference has provided a great opportunity for us to showcase our shire.

The theme of that conference is one to take note of—'Disasters just happen, building community resilience doesn't'. The most important thing within our communities is building that resilience. It really is very important. These volunteers give so freely of their time and undertake training to handle a wide variety of disasters and emergency operations, particularly the SES members. This training provides them with the appropriate skills and knowledge to enable them to perform their operational tasks and functions in a safe and effective manner.

There is a need to learn from real-life or scenario exercises and resolve to fill any gaps that are identified. I was made aware of a recent large scale exercise that was based around a flooding scenario. One of the gaps identified that needed improvement was in relation to the evacuation of the elderly and infirm primarily from aged-care homes and hospitals. These people have no self-evacuation capabilities and are totally reliant on others for their wellbeing. In this scenario, there was an advantage that could have been better utilised.

As we are aware in flood events, via modelling, there is often a window of opportunity to arrange for evacuations. This exercise highlighted that, when advice was given to evacuate these facilities, there proved to be a limited ability to complete these evacuations in a timely manner. Another critical gap identified was the establishment of an appropriate evacuation point and the logistics of having appropriate bedding and facilities transferred to that site. This exercise highlighted those deficiencies. It was certainly a very good exercise because mechanisms can now be put in place to ensure this is resolved before a real-life situation arises.

The other wonderful volunteers I would like to mention are those many volunteers across our rural fire brigades. These people play a very big role across my area. The Nome and Cungulla area, which is just south of Townsville, is a rural residential area that is under the control of the rural fire brigades. It is often in a very vulnerable situation because it is on the coast, there is a lot of fire type material around and it is also surrounded by a lot of mountains. Those good people are out and about monitoring the situation and working very hard on it. I certainly applaud and acknowledge their efforts and their very professional approach.

Another serious issue that occurred last year in the electorate was in the Collinsville area. This area needs a lot more time put into it because of this ongoing problem. The coal trains go through the bush areas and a lot of fires were set off during the dry period last year. During a couple of months, the Bowen River rural fire brigade attended close to 40 fire call-outs. These people are property owners themselves, it was the end of the year, they were very busy, it was a dry season and they were fairly stressed themselves, yet they spent a huge amount of time attending to these fires. When driving from Collinsville to Mount Coolon, which is about 150 or 180 kilometres away, you could see that nearly all of the country was burnt out as a result of the sparks coming from the trains at different locations and setting off these fires.

As I said, this is an ongoing problem that is very concerning. I know that QR and the SES acknowledge the efforts of those people, but this will get worse with the expansion in the mining industry. We are seeing new large coal rail lines being constructed. I certainly have a real concern about this. There are properties currently being surveyed to determine where the new rail lines will go through, and the people who own those properties are very concerned about fires being started from those trains.

As I said in my introduction, this bill needs to be supportive of the stakeholders when people are about to or have faced the worst of natural disasters. I hope these amendments will assist to provide that support.

Ms NELSON-CARR (Mundingburra—ALP) (4.49 pm): I am very pleased to rise to speak in support of the Disaster Management and Other Legislation Amendment Bill. Our system of disaster management in Queensland is predicated first and foremost on local response capability. We have been hearing about that this afternoon. The member for Burdekin has outlined parts of my speech. I think that the local response is very important if we are going to be able to manage disasters. We certainly get our fair share of them in North Queensland.

In looking back over the history of the North Queensland region, I point out that in Townsville we had a scare in March with Cyclone Ului. In 2000 we had Cyclone Tessi. That rain was so heavy it caused massive landslides down Castle Hill. It destroyed two homes and required the evacuation of about another 50 homes.

We had Cyclone Sid in 1998. That was the cyclone that absolutely demolished the Strand. Peter Beattie was the Premier at the time. He came up to Townsville and walked along what was once the Strand and decided that emergency funding relief would apply to Townsville. With the Strand as it is now we have never looked back. Cyclone Sid was one of those devastating natural events that required a dedicated, coordinated effort on the part of emergency services.

Nobody can forget Cyclone Althea in 1971. People actually died and the damage was enormous. I think something like 90 per cent of homes on Magnetic Island alone were damaged or destroyed.

What the system does make clear is that local response, primarily led by local government, is at the heart of effective disaster management. That is not to say, though, that there is no need for other levels within the disaster management team to contribute to ensuring the effectiveness of operations at the local level. The Queensland government does play a very significant role in establishing, maintaining and continually improving our disaster management system.

This bill seeks to incorporate a new guiding principle into the Disaster Management Act 2003, that is, that district and state disaster management groups should provide appropriate resources and support to help local governments carry out disaster operations. If we take Townsville as an example we know where all the black spots and high ground and low ground are in our town. We have a very close relationship with our volunteer groups—our SES group and the coastguard. As we heard the member for Burdekin say, that relationship exists also with rural fire brigades. Our local radio stations are fantastic in assisting with disaster operations. All of those are vital to ensure that the local response to any disaster is coordinated.

The bill also clarifies the roles of the two arms of the Queensland government that are at the centre of disaster management in this state. The Queensland Police Service has traditionally provided the coordination of the response to disasters at a district level. The bill does not seek to change the Police Service's role at a district level. Police officers will continue to fill the role of district disaster coordinator and will be appointed by the Police Commissioner.

In addition, the new role of state disaster coordinator will ordinarily be filled by a serving police officer. This operational role builds on the strength of the Queensland Police Service in responding to incidents that threaten the safety and wellbeing of our communities, like the cyclones I have just been speaking about. While the operational role remains with the Queensland Police Service, the expert strategic and advisory role of Emergency Management Queensland is enhanced by the changes to the Disaster Management Act 2003.

The bill before the House provides that the chief executive of the Department of Community Safety will be responsible for reviewing and assessing the effectiveness of disaster management arrangements across the state, including the disaster management planning at a district and local level. The Department of Community Safety will carry out this role through its expertise and experience in disaster management with Emergency Management Queensland. More importantly, EMQ will play a vital role in providing advice and support to local governments in relation to disaster management and disaster operations. It is important that local governments are supported by expert advice and assistance across all four phases of disaster management, including prevention, preparedness, response and recovery.

This bill will provide much assistance in clarifying the roles of the various participants in the disaster management system. By providing for a local government response, appropriately supported at district and state level, it ensures that our communities will be better able to cope with the effects of a disaster. I commend the bill to the House.

Ms STONE (Springwood—ALP) (4.54 pm): The Disaster Management and Other Legislation Amendment Bill will amend the Disaster Management Act 2003 to implement recommendations from an independent review finalised in 2009 and other amendments identified by the Department of Community Safety and the Queensland Police Service. The Disaster Management Act establishes management groups for state, district and local government areas. This bill amends part 5 of the Disaster Management Act 2003 to clearly articulate the responsibilities of the Department of Community Safety and local government in relation to the SES.

When we think of disaster management we think of the SES, police officers, fire and rescue officers, ambulance officers, medical officers, hospitals and people with a community spirit of helping those in need. People are the Department of Community Safety's greatest asset.

The Logan SES, which was established in 1975, today boasts 160 active members. Mr Ken Neller is the disaster management program leader and the local controller for the Logan City State Emergency Service. Logan SES is regularly called upon to assist with the aftermath of natural disasters, to provide support to other regions and to conduct a variety of tasks within the community. SES

volunteers give up precious time to help out our local community. Without financial reward and often in risky situations, these brave men and women are our first defence against disasters and are usually among the first on hand during search operations.

SES volunteers go the extra mile. Last weekend the Police Service requested assistance in the search for a missing person. Some 50 Logan SES members took part, putting in 460 hours of their time. The Logan SES unit responds to storm damage, flood operations, land search and rescue operations, emergency welfare as well as supporting other emergency response agencies and local government organisations.

In the last 12 months Logan SES has had 7,573 member training hours, 2,881 hours of administration and 2,897 operational hours. They are truly remarkable people. Logan unit members assisted the Police Service with 11 searches. That could have been for either a missing person or for forensic reasons. They have assisted 231 residents with leaking roofs or drainage issues. Eight members were deployed to Charleville to assist with flood clean-up earlier in the year.

Currently, the act provides that local governments are responsible for providing disaster response capability in their area. Local government rely on the SES units to help provide a disaster response capability. Both local government and the Department of Community Safety accept that they have the responsibility to provide management and support services to the SES.

I was extremely pleased on Monday night to hand over to Logan East SES a 5.9 metre prototype flood boat built by Britton Marine with twin 60 horsepower Mercury outboard motors. It is valued at \$87,065. It comes with the entire package of outboard motors, boat trailer and safety equipment. I know that all the members were very appreciative to get this flood boat. They were very impressed. They were excited when they learnt about the safety equipment that they were going to have. The easier access in and out of the boat was certainly something that they all wanted to show me. They were all proud to have this as part of their fleet now. This handover demonstrates the government's commitment to supporting our SES volunteers.

The other area where the Logan SES has been active is in the area of education and public awareness activities. This is an issue that SES members from around the state have raised with me in the past. They always hold the view that there is more to be done in this area. The other issue that SES members from around the state have raised with me in the past is fundraising. I have heard numbers of ideas for fundraising from members. In nearly every conversation I have had it has always been about raising public awareness of the service more than the dollar value of fundraising. That is because they are so proud of their service and what they do, and so they should be.

This bill has an amendment to insert an additional functions list that will provide what members have been asking for with regard to public awareness and fundraising activities. I take this opportunity to advise the House that in February this year Logan SES volunteers joined with Queensland Fire and Rescue Service personnel to raise money for the Leukaemia Foundation through the Shave for a Cure promotion. They raised over \$21,000. Congratulations: that was an absolutely terrific effort. I note that it will not be their last effort when it comes to raising funds for such good causes. SES volunteers are certainly very special people. I thank them for what they do, and I support this bill that will improve disaster management in this state.

Debate, on motion of Ms Stone, adjourned.

SPECIAL ADJOURNMENT

Hon. NS ROBERTS (Nudgee—ALP) (Acting Leader of the House) (4.59 pm): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 31 August 2010.

Question put—That the motion be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. NS ROBERTS (Nudgee—ALP) (Acting Leader of the House) (4.59 pm): I move—

That the House do now adjourn.

Small Business

Ms DAVIS (Aspley—LNP) (4.59 pm): Small business is central to so many aspects of our state. It is the engine of employment, with more than half of Queensland's private sector workers employed in small business. Small business is the heart of our suburbs and towns, providing a cohesive social and economic power that keeps communities running. The passion of small businesses is what makes them the cornerstone of our economy and community. From the local corner store to the specialty shop, the

service provider to the hardware store, every business has a valued place in the make-up of our community and contributes to our way of life. By necessity, small business owners and operators learn to innovate to make their businesses what the consumer demands and what the community needs. One of the world's best-known businessmen, Richard Branson, puts it like this—

A business has to be involving, it has to be fun, and it has to exercise your creative instincts.

In a small business you have to excel at a lot of things to succeed. Small business owners and their key employees are masters of dozens of disciplines and perform their intricate balancing act like pros, and small businesses know that their livelihood is based on their customers. As a small business owner, I know firsthand that the best reward is a customer's repeat business or their word-of-mouth referrals to other potential customers. But it is even more humbling when a customer nominates you for an excellence award.

Since 1994 Quest Community Newspapers has played a pivotal role in supporting small business across the greater Brisbane region through the annual Business Achiever Awards. The awards allow local communities the opportunity to recognise and reward their local businesses. I was delighted to be present at this year's event to support local businesses. We had a strong showing in each category, featuring at least one business from the Aspley electorate. Those nominated included Eden Gardens, Planet Power, Sleepy's, Warburton Butchers, Atrium Natural Health and Beauty Spa, Carseldine Realty, A Head of Time, Howards Storage World, Zupps, Iseppi & Co., Smith and Stanton Solicitors, Coronis Realty, City Coast Limousines, and Teaching for Excellence. Two businesses in the electorate attained the highest honour by being announced as category winners. Aspley Early Learning Centre No. 2 was declared the winner for tuition, training and children's services. Congratulations to the team! In fitness and in sport, Curves Aspley was announced as the category winner.

In all of the acceptance speeches across all categories, there was a recurring theme. Not only were thanks given to the customers for their support and nomination, but the owners and managers paid great tribute to their staff and their contribution to the success of the business. As Lee Iacocca said—

In the end, all business operations can be reduced to three words: people, product and profits. Unless you've got a good team, you can't do much with the other two.

Congratulations again to all of the winners and to those nominated. Thanks also to all of the local businesses in the Aspley electorate that contribute so much to our local economy.

Mundingburra State School, Panasonic Kid Witness News Contest

Ms NELSON-CARR (Mundingburra—ALP) (5.02 pm): I want to congratulate the year 7 class from Mundingburra State School whose teacher is Erick Blechen. This class won first place in the 2010 Panasonic Kid Witness News—KWN—global contest in Tokyo. The Minister for Education actually mentioned this achievement briefly in a ministerial statement, but I want to elaborate because Mundingburra State School is one of those great schools. My children went there and I have had a lot to do with it. Erick Blechen is very well known as a teacher of excellence at Mundingburra State School in that he is able to get the attention, enthusiasm and commitment from his students to prepare the most amazing things, and this is just one of them. It won the Creative Concept Award and the Grand Prix KWN global award, and the school also received a giant sized package from Panasonic.

I have had a look at the five-minute rap and movie by the students where they call for action on climate change. There were 630 other entrants that came from both private and public primary schools from 24 different countries, and this is the very first time that Australia has won this event. Mundingburra State School has been involved since 2004 under the very apt direction of Mr Blechen. Mundingburra successfully went through four major events for the prize. Firstly, it had the domestic judging—that is, selecting a national regional winner in each country region. It then went to the global preliminary judging—that is, selecting 12 semifinalists out of all of the national regional winners. It then went to the global final judging—that is, selecting six finalists and the Grand Prix winner. After that it was the awards ceremony, and they attended the ceremony with five other finalists in Tokyo, Japan. So young students from Mundingburra State School travelled to Sydney then Singapore and Japan to take part in the judging.

The *Global Warming Rap* is so impressive and the year 7 students did such a wonderful job in the production, research, writing, directing, costumes, animation, special effects and some very wonderful acting penguins. The short film will feature as part of the audiovisual resources DVD which will be accompanying Cengage Learning Australia's literacy series for primary school students—it will be used to engage students to illustrate the different topics—30,000 of which will be printed for distribution across Australia. Panasonic should also be congratulated on this initiative. Mundingburra State School received \$11,000 of equipment for the library and electronic whiteboard for the class. It is an outstanding achievement putting not only Mundingburra State School on the map but Education Queensland on the world map. Mundingburra State School has been there since 1884. It is a tremendous and a great state school. Congratulations, Mr Blechen!

Federal Election

Mr RICKUSS (Lockyer—LNP) (5.05 pm): I rise to say a few words because, like everyone else in this House, I am quite excited about the forthcoming Tony Abbott victory on the weekend. I am sure that everyone will be pleased to know that we will have someone who can actually manage the economy back in control of Australia. That will be great for Australia and great for Queensland as well. I want to take a few minutes to thank some people in the new federal electorate of Wright, which most of the state electorate of Lockyer falls into, and hopefully it will go the way of the conservatives on the weekend. I want to thank some local LNP members who have put their heart and soul into winning this new federal seat and for helping Tony Abbott into government in the federal sphere.

I refer to people like Lin and Melinda Brimblecombe and Tina and Alan Fry, who have worked extremely hard. These are local Forest Hill people who not only work for me on my campaigns but also are willing to help out with federal campaigns. They work extremely hard. I refer to people like Mansel, Tom and family. They also work extremely hard around the electorate and go to all of the functions in order to help. This is what makes political democracy so great in Queensland and in Australia. I refer also to people like Dolores Stock, Ed and Margaret Cole and their family and Alan Stock. It just goes on and on and on. Fred Scott is not a party member but he always helps on elections, whether they be state, federal or local. I refer also to people like Ray Hawley, Edwina and Gary Stark and Anna McWhinney.

These are the sorts of people who make our democracy in Australia great. They give it strength. Not only that, these are good conservative people who understand the importance of financial management and making sure that programs that are put in place actually work and are not wasteful and totally over the top, unlike those we have seen from this federal government! It has been a disgrace the way money has been wasted. My friend the member for Toowoomba North is always in this House harping on about the fact that a Toowoomba range crossing is needed.

Mr Wendt: The Blacksoil interchange.

Mr RICKUSS: Yes, I refer to projects like the Blacksoil interchange that my friend from Ipswich West mentions and which I am sure will get funded. It should have been funded in the last three years, but unfortunately it was let down because Shayne Neumann dropped the ball on that one. It is good to see that he is finally starting to pick up the ball on some of these issues. It is a shame that he let something like that go for so long.

I am sure that my good friend here from Moggill wants some improvements to the roadways and motorways in his electorate. The only way he will get that is through federal funding, because this state government seems to be ignoring the electorate of Moggill, as I am sure my friend from Moggill will agree. It is absolutely atrocious.

As I stated last night, my colleague from Waterford has let all of the people of Eagleby, Beenleigh, Loganlea and Logan down, and he continues to let them down!

(Time expired)

Mount Ommaney Shopping Centre

Mrs ATTWOOD (Mount Ommaney—ALP) (5.09 pm): Recently, I was privileged to be asked to officially open the final stage of the development of the Mount Ommaney shopping centre, firstly, in my role as state member for Mount Ommaney and, secondly, as a fellow tenant in the centre since September last year, having to move from unsatisfactory conditions at another centre in the area. I want to congratulate Bryan Hayes, the managing director of AMP Capital Shopping Centres, on having the foresight to plan and implement the construction of one of Brisbane's iconic shopping experiences. This expanded centre serves as a lasting legacy to those men and women who established the initial centre over 30 years ago. I remember the time when the Mount Ommaney centre changed its name from the Centenary Shopping Centre. The centre has grown from around 15 stores to over 170 today, providing a wide range of goods and services to people in the western suburbs.

In Australia we are lucky enough to have the freedom to express ourselves and live life in our own very different ways. Most of us have not been divided by war or been driven from our ancestral homelands. We are free to associate with whom we choose, have different beliefs and criticise the use of excessive power and authority. In Queensland's multicultural society here in the western suburbs we see the embodiment of that freedom. This is also true of our shopping experiences. We can shop when and where we like and this shopping centre has grown because consumers see the broad range of goods, the great value that is offered by retailers at the centre and also the ease of access, friendly atmosphere and, significantly, the support given by centre management and the retailers to our community. Queenslanders come from many different cultural backgrounds and the range of quality outlets and products available at the shopping centre reflects that. From the food court to the fashion stores, from the health and beauty retailers to the major tenants and all the stores in between, the Mount Ommaney shopping centre provides both enjoyment and employment for hundreds of shoppers and workers every day, particularly those local employees.

When I talk of the generous support given by centre management and the retailers to my local community, I immediately think of the longstanding support to the Centenary mall walkers and the Heart Foundation to improve residents' health, the availability of justice of the peace services, the revegetation and Clean Up Australia Day activities, business owners like Price Attack supporting the Mount Ommaney Special School, the recent formation of the Avant Garde Women's Business Group, the centre helping the CREATE Foundation, ShopMobility, education expos, the free entertainment for children during the school holidays and the list goes on and on.

Businesses at the shopping centre know that community support is reciprocated: if they support us, shoppers will support them. I think this is one reason the centre's businesses have not suffered as much as others during the recent financial crisis. Now more than 30 years since the centre first opened, I believe that the Mount Ommaney shopping centre is passionate about my community, is committed to reducing the environmental impact of its activities and fosters a sense of mutual belonging and support. The centre seeks to exist in harmony with its neighbourhood.

Moggill Electorate, Ambulance Station; Prentice, Ms J

Dr FLEGG (Moggill—LNP) (5.12 pm): Ever since my first election to this place, I have expressed my concern for the safety of the constituents of Moggill, particularly in relation to ambulance response times, where the government's published figures show that there is only one chance in four of receiving an ambulance in a code 1 emergency in any of the suburbs west of Kenmore. This is a theme that has concerned me for many years. In response to my concern the government was good enough to initiate a first responder program, which has been a very busy program, particularly in the Moggill-Bellbowrie area. That has shown the desperate need for a new ambulance station in the area.

I am pleased to say that the government has now indicated that a new ambulance station will be built, but I have some concerns about that. Firstly, it has long struck me the reluctance of the state government to consult local members when the local member is a member of the opposition in relation to state government services in the area. That does not apply to the Brisbane City Council, where opposition members are frequently consulted about development and council issues in the area, but that willingness to consult does not extend to the state government.

So we saw the sale of an emergency services site in Moggill—the most densely populated suburb west of Kenmore—and without any local consultation, not just with me or with Councillor Margaret de Wit or with anyone else, the purchase of a site on the corner of Pinjarra Road and Vyner Street. There are some significant questions as to why you would put an ambulance station in a sparsely populated acreage area rather than in a populated area.

I have sought information and asked for a meeting with the minister, which my local Councillor Margaret de Wit would join me for. We have put in freedom of information requests for the rationale behind siting the ambulance station in this area and there does not appear to have been any community consultation. I see that an amount of \$300,000 has been allocated to commence the ambulance station, but it is a \$2.5 million project. So there are still a lot of questions to be answered about how and when that project will be completed. I look forward to the minister agreeing to meet me so that we can act in the best interests of getting the best outcome for emergency services for the people in these suburbs who have long suffered from poor ambulance coverage.

While I have a few seconds left, I would like to express my best wishes to our federal candidate, Jane Prentice. We look forward to having a federal candidate representing the local area who will work hard with us to represent the constituents in our area. Good luck on Saturday, Jane.

Prenzlau Rural Fire Station

Mr WENDT (Ipswich West—ALP) (5.15 pm): Last Sunday, I had the great pleasure to conduct the official opening of the Prenzlau rural fire station in my electorate. This new station will provide a huge boost to community safety in the region, because it will play an important role in keeping local residents safe and secure this coming bushfire season. I should point out that the new station, valued at \$150,000, is a significant investment in fire safety for the region and will be crewed by the 57 members of the local Prenzlau and Lowood regions. The station replaces a single old colorbond shed, which did not allow for training for personnel in the building, while the vehicles were parked indoors. In addition, the cramped conditions meant that any mechanical or operational repairs or modifications which had to be carried out necessarily meant that this had to occur out in the open on the dirt.

With that in mind, this new station features a separate office area, a large training room, storage space and amenities—which include a modern shower and toilet—and, best of all, the room to house the brigade's three medium-sized vehicles inside. To add to that, there is now a large concrete apron in front of the shed that could park up to a dozen vehicles in comfort. In addition, this new station provides brigade members with a central location in which to hold meetings and undertake training. It also provides increased capacity to store and maintain the crew's equipment in a safe, clean and secure environment.

I also think that it is worthwhile mentioning that in the 106 square kilometres covered by the station, the population is around 570 people. If you are any good at your maths—as I am sure you are, Mr Deputy Speaker—you would be able to identify that this equates to about 10 per cent of the local residents. That means that one in 10 of the residents are part of the brigade, which I think is an outstanding achievement and I am not sure if that membership is matched anywhere else in Queensland.

I should not forget that on the day I also had the pleasure to meet and congratulate Roger Dennis from the brigade, who was awarded a National Medal to reward his 30 years of service with the auxiliary and Rural Fire Service. I found from talking to Roger and his very proud family that he had been a member of the Lowood auxiliary brigade until he reached the age of 65 and then he joined the Lowood rural fire brigade until that brigade amalgamated with the Prenzlau rural fire brigade at the end of last year. None of us in this House should ever underestimate what the National Medal recognises. It not only acknowledges that the officer has achieved long service but, just as importantly, it recognises the efforts of staff who dedicate themselves to protecting life and property in their community at what sometimes can be considered considerable risk to their own safety. In view of that, I would like to commend Roger, who is a great community hero, and I want to thank him for all his service to local residents over the past 30 years. With that in mind, I think it is also fair to say that Roger has seen his fair share of fighting fires and, in his words, the firefighting capabilities of the brigade have improved markedly.

Gold Coast Rail Line

Mr CRANDON (Coomera—LNP) (5.18 pm): These were the words that we heard just two days ago from the member for Waterford in a matters of public interest debate—

When it comes to supporting the Gold Coast rail line, the LNP will not stand up for it; they will only stand against government investment in public transport.

I am absolutely gobsmacked by those words. I have to say that the irony is that I have asked the member for Waterford to support me on the Gold Coast rail line in the many times that I have spoken in this House and in the many times that I have written to the minister on behalf of constituents and asked questions on notice. I have been looking for support and what have I had? I have had absolute silence.

The member for Waterford erred in his estimation that the LNP has not stood up. I stand here today to say yet again that I certainly have stood up for the people of the Gold Coast line and he has not. TransLink regrets any discomfort my constituent may have experienced on her regular journey and are currently working on ways to reduce the overcrowding she has described. That statement is in yet another letter from the minister telling a constituent they are trying to fix the problems on the Gold Coast line. We know that is not true. We know that the minister will not spend a dollar on another train in peak hours on that line. Let me quickly go through a response from my constituent—

A little while ago I emailed you with comments on transport available between Ormeau and the city. Like yourself I was disappointed by the response. The suggestion that I could possibly use the park and ride at Eight Mile Plains was another stupid suggestion and really only highlighted the fact that there isn't anything closer to me that I can utilise. I did so. After dropping my daughter off at school I then proceeded to the area at Eight Mile Plains some half an hour's drive away. What happened? No parking available. I parked a kilometre away from the station and then knowing full well that I had to walk back to my car at 7 o'clock at night in the dark on my own. Not happy and not looking forward to my walk this evening. I will enjoy my walk, however, to the ballot box this weekend. Kind regards, Angela.

School Business Managers Association of Queensland, Biannual Conference

Ms JOHNSTONE (Townsville—ALP) (5.21 pm): Last Wednesday I had the pleasure in opening the 2010 School Business Managers Association of Queensland biannual conference in Townsville. This conference is an important professional development and networking opportunity for the 210 delegates who attended from all over Queensland and interstate. Business managers are an important part of the leadership and commercial decision-making teams in our schools. I want to put on the record my appreciation for their contribution to our school communities and can I especially thank Mrs Sharon Abbott, who is the president of the Queensland association, for bringing the conference to Townsville this time.

Of course, these things never happen by chance and most of the organising for this event was done locally in Townsville by Narelle Searston from Townsville State High, Eva Foster from Heatley Secondary College and Jan Tyrrell from the district office. Thank you, women, for all your hard work and dedication to our schools in Townsville.

Last Wednesday I attended Hermit Park State School. This time I visited with Senator Jan McLucas to attend the opening of their beautiful new library, arts hall and undercover area—BER money very well spent. Principal Clayton Carnes and the school P&C, led by president Helen Bates-Wilson, have worked closely with EQ and Paynter Dixon to deliver these buildings that are ideally suited to this school's needs. The original school was built in 1924 and the library has been constructed in keeping

with the original heritage design. The new building has even been recognised as an EQ showcase building. Featuring window hoods and stained glass casement windows, it looks so authentic that the *WIN* news crew commented on what a great renovation it was.

Last Thursday night I attended the Townsville Central State School P&C meeting. I met with a committed group of school parents, including president Bruce Walker, who are also seeing their BER project coming to fruition. Townsville Central are constructing an amphitheatre as part of their build. Can I put on the record the obvious partnership that exists between this parent group and the school. It was clear that this school community works as a very cohesive unit and this flows on to their students who are benefiting from this. There were two highlights for me from the meeting. The first highlight was that this school takes bullying very seriously and that the parents were particularly proud of the peer support program. The second highlight was that the school advised that their after school hours program is the first after school hours program to become an official Reef Guardian.

Finally, can I give a plug to the Pimlico State High chamber strings group, which recently won the Fanfare Erica Brindley Memorial Award 2010. This is the first time the award has gone to North Queensland. Pimlico is renowned as one of the best high schools in Townsville across all academic areas, but its music program is a particular standout and is equal to none. Congratulations to Pimlico High.

Gladstone Base Hospital

Mrs CUNNINGHAM (Gladstone—Ind) (5.24 pm): I rise in the chamber today to raise again the health issues in my electorate of Gladstone. I believe that earlier this month the operating theatre at the Gladstone Base Hospital was closed altogether to any surgery because there was no surgeon and no anaesthetist. There are quite a number of locums who operate out of the hospital. While we are very thankful for them, they are an expensive alternative to permanent staff. One of the suggestions that was put to me by a member of my community was that Gladstone needs to be able to actively and directly recruit for positions such as senior medical officer, surgeon, SMO with anaesthetics and also some of the other positions that are vacant at the hospital.

At the moment there is a huge influence from Rockhampton. It was put to me that Rockhampton was actively reducing services out of Gladstone and redirecting as much as possible up to Rocky. The problem is that we have people who have capabilities. We have a number of doctors who have experience in theatre. They are not able to continue on with their skills and we will lose them unless they have the opportunity to use those skills in our theatre with the appropriate support. When they leave I will be told, no doubt, that it is too difficult to get doctors to come to Gladstone. Of course it will be. It is a self-fulfilling prophecy. Unless we allow them to use their skills they will go where they can use those skills.

There is a petition out in my community at the moment with a huge amount of community support for the reintroduction of an intensive care unit at Gladstone. Around 15 or 17 years ago there was an intensive care unit. It has been downgraded to a high dependency unit. One gentleman in my electorate, Barry, who had to have a colonoscopy, was told that he had to go to Rocky. Barry has dug in and does not want to. The department told the health minister's office, who passed it on to me, that the reason Barry could not have the operation in Gladstone was that there was no ICU. If that is what is preventing doctors who are working out of Gladstone from using their full suite of skills—that we do not have that support—then it is imperative that that be reintroduced in Gladstone. We are a growing community. Only this morning the Premier spoke about the LNG industry and the population increase, the skills need and the work need that that will bring with it. To get those employees we need an operating hospital, not an outpost that sends the majority of cases off somewhere else. We have great staff. They do a brilliant job. They work under trying circumstances. They need consideration. They need enhanced skills. Gladstone needs to be able to choose its own staff.

Smart Moves Program

Ms FARMER (Bulimba—ALP) (5.27 pm): The Bligh Labor government is committed to the Toward Q2 target of making Queenslanders Australia's healthiest people. A key way to achieve this is to encourage Queenslanders to be physically active for 30 minutes a day most days of the week. This is hard for a lot of us adults, but we know that if we encourage our children to be physically active from an early age, they are more likely to continue those habits into adulthood. That is why the government's Smart Moves program, which asks schools to increase the curriculum time students are physically active and to improve the quality of that activity, is so important.

I am pleased to tell the House that there is a school in the Bulimba electorate that has picked up this challenge and run a mile with it, and taken a whole lot of other schools along. That school is Balmoral State High School. Last Friday I had the great pleasure of attending the Smart Moves sports expo, which was hosted by Balmoral High. The expo is the brainchild of the acting deputy principal, Brad Foster. Brad set up the event three years ago, inviting year 4 students from local primary schools to

attend the beautiful and expansive grounds of the school for a day to take part in a range of activities provided by local sporting organisations. The event has grown each year. This year it was organised, with Brad's support, by Cherry van Ryt, the Gateway Learning Community schools coordinator. There were 324 students from eight primary schools who came along to the expo with their teachers. They were from Bulimba, Morningside, Norman Park, Seven Hills, Cannon Hill, Murarrie, Carina and Mayfield. There were 12 local sporting organisations: the AFL, ARL, Jets Basketball, Mayfield Netball Club, Brisbane Hockey, Carina Bowls Club, Carina Leagues Triathlon Club, Southside Eagles Soccer, Queensland Cricket, Queensland Softball, Robertson Gymnastics and Brisbane Touch Football.

The benefits of this experience were immeasurable. The students were exposed, in a non-competitive environment, to sports they would never have the opportunity or confidence to try. They were made to feel that being active is fun and that it is okay to have a go. The teachers, aside from taking great pleasure in seeing their students enjoying themselves so much, gained professional development in how to enhance Smart Moves experiences in their own schools and the sporting organisations had the opportunity to promote their activities to an enormous new target audience.

But the event did not stop there. In typical Balmoral High fashion, the school used the event to provide as many opportunities for their students as possible. The year 10 physical education students were brought in to assist and learn from the sporting coaches. With the help of acting head of senior schooling, Ann Christensen, the years 11 and 12 hospitality students prepared morning tea and lunch and served the teachers and coaches with great charm and professionalism.

Balmoral High is a pretty amazing school. Its teachers are enthusiastic and committed. Its students are excited about learning. It is an active participant in our local community and I know, under the leadership of new the principal, Alison Crane, it will grow in leaps and bounds over the coming years. I congratulate Brad, Cherry and Ann in particular, and all the students, on the wonderful experience they provided to so many people and I congratulate all of the local primary schools on their enthusiastic participation.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 5.29 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson