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THURSDAY, 16 SEPTEMBER 2010

The Legislative Assembly met at 9.30 am.

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

SPEAKER'S STATEMENTS

National Week of Deaf People

Mr SPEAKER: Honourable members, during our next sitting week, the parliament will welcome members of the Queensland deaf community as part of the National Week of Deaf People. This annual event at the parliament will see the proceedings of parliament interpreted into Auslan sign language by interpreters from Deaf Services Queensland from 9.30 am to 11.30 am on Wednesday, 6 October. At the conclusion of question time on that Wednesday, I will then host a morning tea on the level 3 colonnade for the visiting members of the deaf community. I invite all honourable members to join me at this event.

Tabled Documents

Mr SPEAKER: Honourable members, once a document has been tabled it cannot be altered or otherwise interfered with unless the House otherwise orders. On occasions, members, seeking to protect the identity or private details of constituents or others who provide them information, seek to delete the information by using black text and black out names, addresses or other identifying features. There is absolutely no difficulty in this from a procedural perspective. However, members who wish to protect the identity of constituents or others need to be very careful to ensure that their efforts to redact information are actually effective. Oftentimes simply using a black text to black out an identifying feature is insufficient to ensure that the original words cannot be viewed in a copy or electronic version.

PETITIONS

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

Kin Kin State School, Trent Shaw

Mr Gibson, from 99 petitioners, requesting the House to retain Trent Shaw as the principal of the Kin Kin State School [[2979](#)].

May Downs Road, Upgrade

Mr Malone, from 458 petitioners, requesting the House to order that the remaining 38 km of gravelled May Downs Road be bitumen sealed and that the level of the bridge be raised as a matter of priority in the 2010-11 budget [[2980](#)].

The Clerk presented the following e-petition, sponsored by the honourable member indicated—

Palm Cove, Public Housing

Mrs Menkens, from 226 petitioners, requesting the House to halt the current housing proposal for Palm Cove and relocate the project to an area of demonstrated need, which also has appropriate infrastructure for the target population [[2981](#)].

Petitions received.

TABLED PAPERS

The following ministerial papers were tabled by the Clerk—

Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships (Ms Boyle)—

[2982](#) Response from the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships (Ms Boyle) to a paper petition (1378-10) presented by Mr Messenger from 603 petitioners, requesting the House to cooperate with all levels of government to establish a water park for the Burnett coast and Bundaberg region, similar to facilities at Hervey Bay, Townsville and Cairns, which will provide recreation and educational opportunities for local families and visitors.

Premier and Minister for the Arts (Ms Bligh)—

[2983](#) Letter, dated 14 September 2010, from the Premier and Minister for the Arts (Ms Bligh) to the Clerk of the Parliament enclosing a copy of correspondence from the Commonwealth Parliament's Joint Standing Committee on Treaties regarding proposed international treaty actions tabled in both Houses of the Federal Parliament on 21, 22 and 24 June 2010 and the Treaties and National Interest Analyses for the proposed treaty actions.

MINISTERIAL STATEMENTS

Mount Isa and Cloncurry, Community Cabinet

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.34 am): I am very pleased today to announce that the 29th community cabinet that I will chair as Premier will be held in Mount Isa and Cloncurry on 31 October.

Mr Schwarten: On the hottest day of the year.

Ms BLIGH: The community cabinet will take place on Sunday, 31 October and Monday, 1 November and, as usual, no issue will be too big or too small to have your voice heard. Members will enthusiastically travel to Mount Isa, led by the Minister for Public Works and Information and Communication Technology. Members will no doubt remember that my first community cabinet as Premier was held in Mount Isa and Cloncurry on 4 and 5 November 2007, when 94 formal deputations were taken. Previous to that, community cabinet had visited Mount Isa in October 1998, when 106 people took the opportunity to make formal deputations.

I think we can all agree that there are few places as quintessentially Queensland as Mount Isa and Cloncurry, and where better to listen to the issues affecting real Queenslanders. When I was last there for community cabinet I set our government the challenge and the task of working to find long-term energy solutions in the north-west of our state. Shortly afterwards, the government joined with the Queensland Resources Council in funding the independent Sims review to determine how to best address the north-west region's transmission needs. That review found that it would be best for government to encourage private entities to develop options to deliver the region's future power needs. Since then we have supported CopperString and Leighton Contractors in conducting a feasibility study for the proposed CopperString project. The draft terms of reference for the proposed 700-kilometre powerline from Woodstock, south of Townsville, to Mount Isa has now been approved and are available for public consultation.

As members know, only yesterday I signed on behalf of the state of Queensland a memorandum of cooperation with the Papua New Guinea government, Origin Energy and PNG Energy Developments to begin the investigations into the development of the Purari hydro resource at Wabo in the Gulf Province of PNG. This project could generate up to 1,800 megawatts of renewable baseload electricity, travelling via undersea cable to Weipa and potentially plug directly into Townsville as early as 2020. These two projects together could solve the north-west of our state's energy needs for a generation. The CopperString powerline would transfer the green power to the mineral rich north-west minerals province and connect future mining projects to the national electricity grid.

The north-west minerals province around Mount Isa is one of the most significant base and precious metal mining provinces in the world, with production in 2007-08 valued at \$7.5 billion and with much more potential if we can only provide the power to exploit it. There is much more work to be done, but we have made significant progress on this issue, and I look forward to reporting back when we are in Mount Isa.

In contemplating a visit to Mount Isa, I would like to pay tribute to the local member, Betty Kiernan. Betty has been a tireless advocate for her vast constituency, and I can imagine no better champion for this part of Queensland. Betty, who represents an electorate that is bigger than the size of France, knows the value of listening, and that is why she has been such an enthusiastic respondent to our 'Walk a day in my shoes' program. To date, I understand that Betty has signed up to be a carer, a waitress, a truck driver and a radio host. I think that shows something of the diversity and energy that Betty dedicates to her role as member for Mount Isa. I encourage locals to have their voice heard and to make their formal deputation requests before 20 October.

'Walk a day in my shoes' Program

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.37 am): Our 'Walk a day in my shoes' program is about ensuring the government better understands the challenges and rewards that Queenslanders experience each day at their workplaces. Our government is focused on working with Queenslanders to meet the challenges they face in their working lives. As members know, I have already worked my first shift under the 'Walk a day in my shoes' program as a 'wardie' at PA Hospital on Thursday, 9 September. I am very pleased to say that my ministers have responded enthusiastically to the program and each of them has now selected their jobs for their first outing under the project.

I am pleased to outline this morning the first shifts of each of my 17 ministers under the 'Walk a day in my shoes' project. The Minister for Health and Deputy Premier, Paul Lucas, will work as an occupational service officer in food services at Prince Charles Hospital on 20 September. Treasurer Andrew Fraser will work as a labourer at the site of the Gold Coast University Hospital on 20 September.

The Minister for Public Works and Information and Communication Technology, Robert Schwarten, will work as a short order cook at Cassidy's restaurant and a hotel housekeeper at The Edge hotel in Rockhampton on 24 September. We think he will look good in a maid's uniform.

The Minister for Primary Industries, Fisheries and Rural and Regional Queensland, Tim Mulherin, will work as a meat processor at Thomas Borthwick & Sons meat exporting and packaging services in Mackay on 12 October. The Minister for Natural Resources, Mines and Energy and Minister for Trade, Stephen Robertson, will take the role of shop assistant and storeman at Bunnings Warehouse at Underwood on 20 September. The Minister for Education and Training, Geoff Wilson, will find himself waiting tables at the Arana Leagues Club on 17 September.

The Minister for Police, Corrective Services and Emergency Services, Neil Roberts, will step up as a patient transport officer with the Queensland Ambulance Service on 20 September. The Minister for Main Roads, Craig Wallace, will get some real main roads experience as a road worker on the Douglas Arterial Road—a great Queensland government project—on 20 September. The Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships, Desley Boyle, will work as an Indigenous liaison officer at the Lotus Glen Correctional Centre on 20 September. The Minister for Infrastructure and Planning, Stirling Hinchliffe, will be a process worker for the day at Weston Baked Foods Top Taste on 19 September. The Minister for Transport, Rachel Nolan, will work as a meat processor at the Churchill Abattoir in Ipswich on 20 September.

The Minister for Climate Change and Sustainability, Kate Jones, will get her hands dirty as a farmhand at Julian Creighton's farm near Boonah on 21 September. It will be Kate Jones who will be chipping out that scotch thistle on behalf of the team. The Minister for Tourism and Fair Trading, Peter Lawlor, has already done a stint at Seaway Jetty and Kiosk on The Spit, where he tells me he spent a considerable amount of time swabbing the deck.

The Minister for Child Safety and Minister for Sport, Phil Reeves, will work as a teacher aide at Mansfield State School. The Minister for Community Services and Housing and Minister for Women, Karen Struthers, will shadow a nurse at the Spiritus aged-care facility. The Minister for Disability Services and Multicultural Affairs, Annastacia Palaszczuk, will shadow a teacher at Western Suburbs Special School. Last but not least, Attorney-General and Minister for Industrial Relations, Cameron Dick, will work in a small business, the Greenslopes newsagency, on 20 September.

Each and every one of the remaining 51 MPs in my team have been encouraged to participate in the program. I am very happy to report that they have reacted as enthusiastically as my ministers, and a number of suggestions so far include a carpenter, a farmhand and a barista. For my part, I have agreed that my next session in this program will be with a listener from Brisbane radio station 97.3FM. I look forward to announcing those details soon.

QFleet, Green Vehicles

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.42 am): On 11 June I raised in the House the proactive management of the ministerial car fleet and implications of QFleet's green vehicle policy. Positive fleet management is seeing real advances in reducing carbon emissions. The ministerial fleet—which includes all cars for ministers, parliamentary secretaries, their staff and the staff of the opposition—has seen an annualised carbon emission reduction of 24.6 per cent as at the end of June this year. That compares with a 16.9 per cent reduction at the end of March, and it is way ahead of the target we set ourselves of a 15 per cent reduction at the end of this year.

All vehicles in the MSB fleet now have a GVG rating, or a green vehicle rating, of 5.5 or higher. We continue to increase the number of hybrid and diesel engine vehicles, which now make up 62.5 per cent of the fleet. Going hand in hand with the reduction in carbon emissions of course is reduced fuel costs. Average fuel costs are now 16 per cent lower than 12 months ago, meaning an average monthly saving of taxpayer dollars on fuel of \$2,500.

I want to congratulate the Minister for Public Works for his leadership on this issue. I well remember when he and I sat down to set some targets and we both thought 15 per cent was a stretch target. We are now at 24 per cent before the end of that period. It is a great credit to his good management and that of his agency, and I congratulate the staff in that program.

Cairns Davis Cup

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.43 am): I am very pleased to inform the House that it looks like the Cairns Davis Cup is set to be a sell-out. Close to 9,000 people are expected to go through the gates over the three-day event which starts tomorrow. This is a major coup for Cairns. Not only will it bring thousands of tennis fans to North Queensland and boost the local economy with an expected \$4 million injection; it will also beam images of Cairns into the homes of hundreds of millions of TV viewers and tennis fans around the globe.

This will be the first international Davis Cup tie to be played at the new \$6.2 million Cairns Regional Tennis Centre which the sports minister will officially open later today. Cairns is the perfect backdrop to what will be a hard fought Davis Cup tie between Australia and Belgium. I am sure all members will join me in wishing our Australian players the very best of luck.

Queensland Healthcare Improvement Awards

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (9.45 am): Last night I attended the Queensland Healthcare Improvement Awards. I was pleased to be part of an event that recognised some of the very fine work that is being undertaken by the Queensland Health workforce. Despite their hard work and efforts constantly being torn down by the other side of the House, last night our more than 75,000 staff demonstrated that they are committed to excellence in clinical outcomes and improving patient care.

I have often said that the delivery of health services now and into the future is about working smarter. We have seen this with advances in telemedicine, regular reporting to identify where we can improve, and programs such as Deadly Ears, which is a nation-leading, early intervention program to identify and treat hearing problems in Indigenous children. I might add that Dr Chris Perry, a St Laurence's old boy, is a major participant in that program.

Our nation, and in particular Queenslanders, should be proud of the dedicated people who work within our public health system to deliver world-class health care free to every single person who needs it. What is more, beyond their dedication and beyond their clinical skills, many of our staff are world-class innovators. Across the nation, health care must innovate if we are to meet the challenges ahead of us.

Both sides of this House agree that the future is a challenge. We are faced with a growing and rapidly ageing population. The number of people aged between 65 and 84 over the next 40 years will double, and the number of people aged over 85 will quadruple. Spiralling chronic disease rates and rising community expectations are also pressures we will face. We cannot continue to just do the same thing in the same ways because that is how it has always been done. For example, we do not send X-rays through the post for a two-week turnaround when we have teleradiology and the X-ray can be uploaded and read in 20 minutes.

Queensland is the most decentralised state in Australia. We are the only state with more people living outside the capital city than within it. Sixty per cent of our population lives outside the capital, compared with 23 per cent in Victoria and Western Australia. Delivering health services across this enormous area—which is six times the size of Victoria—is a great challenge, but through innovation we are rising to this challenge. Our world-leading telehealth network—with more than 750 points right across the state—has allowed us to deliver high-quality care to more Queenslanders closer to home. For the first time in some cases, Queenslanders can receive care from our very best clinicians without leaving their home town.

We have allocated \$10 million for the ongoing expansion of this vital network. The federal government recognises the importance of this and has announced plans to significantly bolster this funding. It has committed an additional \$466.7 million for e-health initiatives. We plan to grasp this opportunity with both hands to secure our share of this funding to ensure that every Queenslanders can benefit from cutting-edge technology and the care of our very best clinicians no matter where they live.

There are many more examples of this type of innovation. I know this because every day I speak with clinicians who are changing the way our hospitals work to deliver better and faster health care to their patients. I know this because the list of nominees for last night's awards demonstrated just how innovative and committed Queensland Health staff are. Last night I presented an award to clinicians in Townsville who are making a real difference to one of our core priorities—that is, reducing outpatient waiting lists.

For innovation to make a real and lasting difference to the quality of care for all Queenslanders, it must be system-wide. This is a fact that the Auditor-General has acknowledged. I challenge our staff not just to innovate themselves but to adopt the innovation of the person at the next table, the next ward, the next hospital. The Auditor-General found that Queensland Health is undertaking some great initiatives but it must do more to share best practice, and that is what we are doing. The lessons of the winners' experience will now be shared with hospitals across the state. Last night's awards are a prime example of sharing best practice. Today I want to thank and acknowledge the everyday heroes in Queensland Health. Every single one of you makes a difference. Every single one of you is instrumental to continuing to deliver world-class health care to Queenslanders free. Unlike the other side of the House, we believe that health care is a right, not a privilege.

Population Growth

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.49 am): Australians are voting with their feet, with a new report again showing more people moving to Queensland over any other state in the country. We retained our mantle as the No. 1 destination for those on the move within Australia while also experiencing a massive baby boom.

Today I release a new demographic report, *Population growth highlights and trends*, which I table, compiled by the Office of Economic and Statistical Research, which shows Queensland has accounted for close to one-third of Australia's average annual population growth since 1990. The report shows that population growth overall has slowed. We recorded growth of 2.4 per cent compared to 2.8 per cent the year before. This compares to 1.8 per cent growth for the nation as a whole.

Tabled paper: Document, dated September 2010, by the Office of Economic and Statistical Research, Queensland Treasury, titled 'Population growth highlights and trends Queensland 2010' [2984].

As we all know only too well, Queensland has been a population magnet over the last two decades, attracting new residents from across our borders, from across the Tasman and, indeed, from around the world. We are attracting young people, many with young families, who are choosing Queensland as the ideal location to live, work and play.

The report records that we did see a slowing in the number of people coming from interstate in 2009, but our net gain of 13,519 people from other parts of Australia trounced the next closest state, Western Australia, which gained around 2,300 new residents from other parts of Australia. Those moving to Queensland mostly came from New South Wales and Victoria. About 70 per cent of those moving here from within Australia came from our two southern rivals. Just under 40 per cent of growth came from natural population increase as the number of births again reached a record high, while overseas migration now accounts for half of the population growth. There were 66,100 births registered in 2009, pipping the previous year's total of 65,200.

Queensland continues to have a bright future. Despite the relentless negative campaign waged by those opposite, who every morning search for a new angle of negativity, the facts show that Australians are voting with their feet and they are voting for Queensland. Our strong migrant population comes predominantly from across the Tasman. In fact, Queensland attracted nearly half, 45.9 per cent, of all the New Zealanders making the journey across the ditch to call Australia home. This population flow is buoyed by entrants to fill skilled vacancies and students, a huge, new market that has emerged in recent years.

Townsville continues to stand up as the capital of regional growth. The report shows that it had the highest number of new residents in regional Queensland. More than 5,000 extra people called Townsville home. Ipswich is the fastest growing local government region in Queensland, taking its average annual growth up by almost one-third to 7,714 people. It was the only regional council to grow by more than five per cent in the financial year 2008-09.

We know—and Queenslanders know—that population growth brings increased economic prosperity and opportunity but also significant infrastructure and service delivery challenges. That is why the Bligh government has embarked on our unprecedented infrastructure program. Again, our \$17 billion building program is in action. That is the program that those opposite want to reassess. This report should prompt them to reassess their policy of cutting the building program.

As this report shows, Queensland's light continues to burn bright. Our economy continues to attract people to the opportunities, to new industries like LNG, aviation, renewable energy and medical research. We are investing in the building program to build our future, to build our economic recovery, to deliver jobs and to invest in skills now. We are delivering jobs, not cuts, just like we said we would.

Mobile Phone Recycling Program; Allegations by Member for Mudgeeraba

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (9.52 am): As part of this government's green agenda, I am pleased to advise the House of the latest sustainability initiative of my department. Beginning in the Department of Public Works, we have started a mobile phone recycling program that could recycle up to 25,000 work and private mobile phones from the Queensland Public Service each year.

Ms Jones: Hear, hear!

Mr SCHWARTEN: I take the interjection from the minister who is responsible for sustainability.

Australians usually upgrade their mobile phones every 18 to 24 months. My kids seem to do it every three months. With an estimated 3.5 million phones sold nationally in the past 12 months, this means millions of phones nationally are thrown out each year. In Queensland, there are an estimated two million surplus mobile phones and our government wants to reduce long-term environmental risks from the dumping of these phones in landfill.

The trial program in Public Works fits in with this government's priority to create a safer, greener Queensland. Recycling mobile phones is the only sensible and sustainable alternative, especially when this problem will only get worse with the continued exponential growth in mobile phone use. Recycling companies collect mobile phones to refurbish them for resale, for spare parts and for the extraction of valuable metals and other materials. Recycling companies provide bins or paid mail satchels free of charge and may also pay a small amount to charity or not-for-profit organisations for phones collected.

The trial in the Department of Public Works includes prominent bins for public servants to deposit old phones and a widespread internal information campaign. I also believe that members of this House would be pleased to be involved in this program. To assist that, I have arranged for a mobile phone recycling bin to be placed in the foyer of the Parliament House Annexe. I ask members to use these bins if they wish to dispose of old phones and batteries.

If the trial recycling program is successful, there will be consultation with other public service departments to assess the opportunity for a whole-of-government program. This government will also call for tenders for services from a mobile phone recycling company. If anybody wants one of the satchels to place the old phones in please see me. If members are like me, I have four or five old mobile phones at home.

Yesterday the member for Mudgeeraba made a serious allegation about my misleading this parliament and the Department of Public Works being involved in a shabby cover-up. The answer I gave to question on notice No. 970 was supplied by the Department of Public Works. So there can be no doubt that the honourable member is suggesting corrupt behaviour by the Department of Public Works. It was for that reason that I requested that the Director-General of the Department of Public Works, Mal Grierson, attend at my office here to answer this accusation made by the member for Mudgeeraba. For the record, the honourable member did not front. She squibbed out of it.

I am advised by the Department of Public Works that the answer to question on notice No. 970 is accurate. As any decently informed member knows, this government is committed to recycling. However, there was no reflection of this in our prequalification system. To remedy this, an expression of interest advertisement appeared in the *Courier-Mail* on 16 March 2010. Yes, the Department of Environment and Resource Management is interested in this, as it should be. Indeed, it requested it, because it has a specific project. However, it is wrong to imply that demolition contractors are only registering to work on DERM projects, which was implied yesterday.

Prequalification means that those prequalified contractors can work on all government projects. This means that unspecified future projects are involved. We simply do not know, nor can we identify, what possible demolitions are going to occur in the future. We are not Nostradamus. I am advised that late yesterday afternoon Project Services—

Opposition members interjected.

Mr SCHWARTEN: You just sit here and cop this. You people come in here and traduce public servants, who have no right of reply in this place.

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

Mr SCHWARTEN: And it is about time you had some respect for the workers—

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

Mr SCHWARTEN: I will do that, Mr Speaker. It is high time that people of this parliament and the opposition understood and respected the valuable role that public servants play in this parliament. I will stand here and defend their behaviour when it is appropriate to do so.

I am advised that, late yesterday afternoon, Project Services was advised verbally that up to 11 out of a possible 19 projects could be identified by DERM for potential disposal and/or demolition in the Springbrook area. That is the extent—

Ms Bates: It is time you answered the question.

Mr SCHWARTEN: I will say it again. I am advised that as of yesterday, Project Services was advised that up to 11 out of a possible 19 properties could be identified by DERM. I point out to the honourable member that I answered the question on notice in March this year. I am now talking about two days ago, not six months ago. So 11 out of 19 properties could be identified by DERM for potential disposal and/or demolition in the Springbrook area. That is the extent of the information that I have.

The email tabled yesterday morning by the member for Mudgeeraba originated from the honourable minister's department. It did not come from the Department of Public Works as alleged by the member yesterday. She scribbled it out, but I could actually read through it. So there is a bit more dishonesty there.

A government member: A cover-up.

Mr SCHWARTEN: Yes. I have no idea what this has to do with the me or the Department of Public Works. It certainly does not point to any sort of cover-up or corrupt behaviour by the Department of Public Works.

There is no evidence that has been put before me to substantiate the claim made by the honourable member. I have thoroughly discussed this matter—

Ms Bates interjected.

Mr SCHWARTEN:—unlike the member opposite, who did not turn up yesterday. The honourable member stood up here in cowards castle under the protection of privilege and vilified public servants but did not have the guts to come downstairs and front that public servant and make that accusation to his face.

There is no evidence that has been put before me to substantiate the claim made by the honourable member. As I said, I have thoroughly discussed this matter with the director-general. As far as I can detect, there is nothing untoward here at all. It is simply a set of processes which are the normal preserve of the department being put in place.

Ms Bates: Why was his name on the ad in the *Courier-Mail* then—the same name?

Mr SCHWARTEN: Again we see the honourable member who lacked the courage interjecting in this parliament when she had the opportunity yesterday to face the most senior public servant—

Ms BATES: I rise to a point of order, Mr Speaker.

Mr SPEAKER: Resume your seat. I will hear the point of order.

Ms BATES: I find the minister and his comments offensive, and I ask him to withdraw them.

Mr SCHWARTEN: I withdraw, but let the evidence speak for itself. I can confirm that the Department of Public Works will be involved at Springbrook through Project Services but there is nothing unusual about that. That is what we do. I therefore call on the member to either retract her statement or table the evidence that she has that there was a shabby cover-up. I will be delighted if she does that.

Honourable members interjected.

Mr SPEAKER: Order! Both sides of the House will come to order.

Mr Dempsey interjected.

Mr SPEAKER: Order! The member for Bundaberg, I ask you to come to order.

Land Access Agreements

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.00 am): The Bligh government is committed to helping landholders get a fair go when negotiating contracts with mining and energy companies seeking access to their land for exploration and resource development activities. It is important that landholders understand their legal rights and responsibilities when negotiating binding land access contracts. It is equally important that landholders receive adequate compensation and have a say in how and when companies can access their property and how they must conduct activities to minimise impacts.

That is why today I am releasing template legal agreements to help landholders in compensation and land access negotiations. My department has prepared two template agreements to assist landholders. They are a standard conduct and compensation agreement and a standard deferral agreement.

The standard conduct and compensation agreement sets out important terms for inclusion in developing a contract with a resource company before it comes onto a landholder's property. It recommends general and specific provisions related to compensation arrangements. These include: access to the land by the company and the conduct of all staff or agents; who pays for the landholder's legal costs; processes for resolving disputes; and landholder obligations. The standard deferral agreement sets out terms for inclusion in a contract if the landholder chooses to hold off entering into a conduct and compensation agreement with the company until a later time.

These template agreements have been developed with input from legal advisers in the rural and resource industry sectors and across key state government agencies. They are designed to help both landholders and resource companies prepare legally binding agreements and guide negotiations about compensation and conduct related to exploration and development activities. Importantly, the agreements allow landholders the right to determine how, when and where activities on their land should take place.

I stress that landholders should always obtain independent legal advice to assist with negotiations, and particularly before they sign any document. This government's initiative aims to give landholders greater certainty about their rights related to land access and strike a fair balance between the rights and responsibilities of all parties.

The co-existence of the agriculture and mining sectors is fundamental to Queensland's future economic prosperity. I am confident that improved transparency, equity and communication will help foster and maintain good relations between all parties.

Surf Life Saving Queensland, Season Launch

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.03 am): I am pleased to inform the House today that the red and yellow army of volunteer lifesavers will return to the state's beaches from this weekend as Surf Life Saving Queensland kicks off its 2010-11 patrol season. Thousands of volunteer surf-lifesavers in the Gold Coast, Sunshine Coast, Wide Bay Capricorn and North Queensland regions will raise the red and yellow flags this Saturday and every weekend until 2 May 2011, when the season comes to a close.

Surf-lifesaving volunteers have a long and proud history of patrolling the state's beaches and working to minimise injuries and fatalities. In fact, SLSQ records show that more than 114,000 lives have been saved in the organisation's history, which is an impressive achievement. Tragically, however, nine beach related drownings were recorded in Queensland last patrol season, up from three the previous year. In light of these figures it is important that the public remembers basic beach safety messages like always swimming between the flags over the September school holidays as well as the rest of the season.

The government is committed to working with organisations like Surf Life Saving Queensland and the Royal Life Saving Society Queensland to ensure the safety of local, interstate and international visitors. To that end, over the 2009-10 financial year the Bligh government committed \$5.89 million in grants and assets to SLSQ, including funding for new beach patrols and equipment. Additionally, the government also donated a \$6 million specialist helicopter for air search and rescue operations.

This year, we further extended on these funding commitments with another \$5.89 million to the organisation, again funding more patrols and improving and maintaining equipment. Surf Life Saving Queensland and the Royal Life Saving Society play an important role in keeping our beaches safe for locals and tourists, and it is essential the state government continues to work in partnership with them. I commend the fine work our men and women in red and yellow do on our beaches every year and hope we can look forward to a safe and fatality free beach season.

Sir Leo Hielscher Bridges, Holden Commercial

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.05 am): A Queensland engineering icon is set to become a nationwide, household name. The new Sir Leo Hielscher Bridge is already at the centre of the \$2.5 billion Gateway corridor upgrade—24 kilometres of new road north and south of the Brisbane River, helping to six-lane an entire corridor all the way from Nudgee to Nerang.

In May, Google put the Sir Leo Hielscher Bridge on the world map. Google's street view car led the first charge over the new bridge collecting global vision to beam across the internet. A week later, at one of the biggest events Queensland has ever seen, 175,000 people pounded the tarmac 50 metres above the Brisbane River, making history.

Soon the Sir Leos will be in the spotlight once more. Holden will use the bridge to film a TV commercial for its newest model to the backdrop of Brisbane city and Moreton Bay. Traffic will carry on flowing because no changes or closures are required. Filming will be closely managed by transport and police escorts.

Built from 11,600 tonnes of steel, 445,000 cubic metres of concrete and 9,100 tonnes of asphalt, the new Sir Leo Hielscher Bridge was designed to last 300 years. It was pieced together by 6,000 workers. It will be a hero shot on a hero bridge at the centre of a massive project that is making a huge difference to people's lives. When the ad is aired mid-October, Australia's favourite car maker will beam Australia's largest road and bridge project into the lounges of homes nationwide.

The Gateway will become a household brand. That brand represents 15 minutes of savings for Queenslanders travelling across the Gateway and Logan motorway network. It represents the doubling of the capacity of this vital link used by hundreds of thousands of vehicles every day. It represents an extra 1,400 vehicles an hour for each of the six additional lanes crossing the river. For everyday Queenslanders it means less time wasted in traffic. It is about slashing travel times and tackling congestion across busy South-East Queensland. I look forward to seeing that Holden ad come mid-October highlighting a Queensland engineering icon.

Wild Dog Management Strategy

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.08 am): Over the next two months I encourage Queenslanders to put forward their views on the new Wild Dog Strategy 2010-2014 consultation draft. I table the consultation draft for the benefit of members.

Tabled paper: Document by the Department of Employment, Economic Development and Innovation titled 'Wild Dog Management Strategy 2010-15, consultation draft' [[2985](#)].

The new Wild Dog Management Strategy aims to give landholders, communities, local governments and state government agencies a plan of attack for managing the pest. Wild dogs are a class 2 pest, costing the grazing industry and regional economies as much as \$67 million every year through lost production. This new strategy will give direction on the bigger picture actions for managing the impacts of wild dogs. It promotes working together in an agreed manner on an agreed approach so we can get effective outcomes in managing wild dogs across properties, irrespective of land use by landowners, both public and private.

I have spoken recently about the many amazing outcomes communities achieve when people band together to develop wild dog committees and coordinate their control efforts. The efforts of the Paroo community provide an excellent example of the successes that can be achieved through a coordinated local wild dog advisory committee. Coordination is absolutely crucial to success. Wild dogs do not respect boundaries. They move across many properties and areas of local government, so everyone has to coordinate their efforts in combating this scourge. The strategy has a series of actions: zero tolerance of wild dogs inside the wild dog barrier fence; effective control of wild dogs elsewhere in the state; reduction of wild dog impacts in the coastal periurban and rural/residential management zones; ensuring the community is informed and committed to wild dog management and has access to the most current control methods and management techniques; and conservation of dingo population in Queensland.

The revised strategy is in response to recommendations from the 2008 Kenny report, an independent review of wild dog management in Queensland. The draft strategy was done in consultation with the Queensland Dog Offensive Group, commonly known as QDOG, which will oversee the implementation of the final strategy. I want to place on record my thanks to the chair of that committee, Mr Brent Finlay, and the other committee members for the work that they have contributed in the development of the draft strategy. I would encourage anyone with an interest in wild dogs to have their say on the strategy by going to the Biosecurity Queensland website. The consultation period is from 16 September through to 12 November.

End-of-Trip Facilities Initiative

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.11 am): The Bligh government has moved to help Queenslanders to incorporate more physical activity into their busy lives and revolutionise the way we look at commuting to work. Our proposed end-of-trip facility initiative could see secure bike racks, lockers and showers included in all new major office developments and significant additions to buildings such as shopping centres, hospitals and education facilities. Under the draft changes to the Queensland Development Code, commercial buildings greater than 2,000 square metres will be required to offer end-of-trip facilities for staff and clientele. Queenslanders are busier than they have ever been. We work hard and it is difficult to include exercise in our daily life. This initiative will make regular exercise more accessible. It will encourage people to make exercise part of their day-to-day routine.

This Bligh government initiative will not only encourage more Queenslanders to exercise and reduce the demand on Queensland's road network but also deliver on our Toward Q2 pledges to cut greenhouse gas emissions and reduce obesity. Many commuters are limited to one or two options—drive or take public transport. The Bligh government's draft end-of-trip facilities initiative will provide people with a healthier and greener choice. The addition of bike racks, lockers and showers in major new building developments will encourage people to get out of their cars and use alternative means of transport—like their legs, like shanks's pony. Simply put, this draft initiative can change people's lives.

Building tenants, owners and users will also experience significant benefits from the inclusion of end-of-trip facilities such as reduced demand on car parking and a healthier workforce. The proposed end-of-trip facilities are expected to be part of the Queensland Development Code's section 4.1 relating to sustainable buildings which has already resulted in five-star and six-star energy efficiency requirements for units, houses and major renovations. These draft amendments deliver on the Bligh government's cleaner, greener buildings initiative; *ClimateQ: toward a greener Queensland* commitment; the Toward Q2 targets to cut the state's carbon footprint by one-third by 2020; and the Toward Q2 healthy target to reduce obesity. The introduction of end-of-trip facilities was also discussed at the Bligh government's Growth Management Summit at the end of March. In planning for Queensland's bright future, this government said it would work hard to reduce obesity levels, greenhouse gas emissions and congestion, and that is what we are doing.

Petrie to Kippa-Ring Rail Line

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.13 am): The Bligh government is doing what no other government has been able to do. After decades of promises and planning, the Bligh government has worked with the Gillard government and the Moreton Bay Regional Council to make the Petrie to Kippa-Ring rail link a reality. This project is no longer a planning exercise. Our government is progressing the engineering design, mobilising the project team and today I can announce that from the

last week in October there will be workers on the ground carrying out survey work. Last week I discussed the rail link with the mayor of Moreton Bay and next week I will be meeting with the federal transport minister, and this project will be top of my agenda. This is a vital project. Moreton Bay is one of the fastest growing regions in the country, with the population set to increase by over 40 per cent in the next 20 years. More than half of the region's population currently leaves the area every day and 87 per cent use a private vehicle for their journey.

Preliminary modelling indicates that in 2016 when the Moreton Bay rail link opens it will be used for over 20,000 trips per day. This will take pressure off roads like Anzac Avenue, Gympie Road and the Bruce Highway, which means less traffic congestion and fewer carbon emissions. The Moreton Bay rail link will be attractive to commuters for one simple reason—it will be faster. An express train from Kippa-Ring to the Brisbane CBD is expected to take approximately 45 minutes compared to well over an hour by car in peak-hour traffic. We know this is a project the community has been looking forward to for some time and we want to work with the people of Moreton Bay to deliver the best project possible. In November we will begin community consultation with a series of open days along the corridor. We want to know the community's views on the project. Details of these sessions will be available in coming weeks. The project team will now continue its work to finalise the design of the project in readiness for a construction start date in 2012, with the first trains set to run in 2016.

One Chance at Childhood Program

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.15 am): The Bligh government is committed to a fairer and a safer Queensland and is focused on how to improve the lives of all Queenslanders. Unlike the members opposite, we are always looking at innovative ways to increase the number of front-line staff and ease their workloads. As members will recall, the Bligh government commenced rollout of the One Chance at Childhood program in March 2008 with the employment of additional staff to help child safety officers establish clear case planning goals for young children aged zero to four. The program is aimed at avoiding situations where young children drift from foster care to their parents and back into foster care. It is about ensuring children have stability in their living arrangements and relationships so that they can reach their physical, emotional, social and intellectual potential.

There has been a high demand for the program since its inception, with over 750 children across the state having already been referred to it. We are now moving the One Chance at Childhood program into its next phase. Dedicated positions for One Chance at Childhood officers will be created in Child Safety Service centres in our regions to deal with the high demand for the program and ensure services can be best delivered on the ground where they are most needed. This will better align the program with front-line Child Safety service delivery to make sure the program can be delivered in the most effective way.

The new phase of this program will have two elements. The first of these will see the existing 24 positions transitioned into Child Safety Services centres to work intensely with those most vulnerable children in care aged under four years. A regional coordinator will remain in each regional office to help the One Chance at Childhood staff with support and advice. The second element will see the extension of the program in early 2011 with the identification of an existing child safety officer in all remaining Child Safety Services centres to work with children aged under four and their siblings to secure the most appropriate permanency outcome.

This is on top of the 35 new positions announced as part of this year's state budget. I am also pleased to announce that these new positions and the One Chance at Childhood positions will be going into Child Safety Services regions which need them most. This is on top of the 10 positions which have been created due to the savings created by voluntary early redundancies for senior staff in central office in Brisbane. The department has allocated the positions according to need and workload, and that is why the department has allocated a total of 14 officers to the Far North Queensland region and 16 officers to the south-west region. This is just another example of how the Bligh government is delivering innovative ways to improve the case loads of our hardworking Child Safety workers.

Victims of Crime

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.18 am): The Bligh Labor government is and always has been committed to supporting the recovery of victims of crime. Last year, the Victims of Crime Assistance Bill 2009 was passed by the parliament. The legislation established a new victim support scheme to replace the more cumbersome criminal injury compensation scheme. The new scheme, titled Victim Assist Queensland, commenced on 1 December last year and has been something of a blessing for victims of violent crimes who need help and support. Victim Assist Queensland provides a one-stop shop for victims of crime to get access to financial assistance to pay for services such as medical, dental and counselling expenses.

An assessment of the service's first eight months of operation demonstrates how well it is working. A total of 334 applications were approved up to mid-August 2010 and almost \$2.2 million has been distributed to applicants to help them recover from their injuries and get on the road to recovery. As part of our ongoing commitment to helping victims of crime, the state government has now released a new booklet titled *A guide for victims of crime in Queensland* that makes it even easier to get quicker access to support and services. I table a copy of the booklet for the information of all honourable members.

Tabled paper: Document, dated August 2010, by the Department of Justice and Attorney-General titled 'A guide for victims of crime in Queensland' [2986].

The new booklet has been designed to help people affected by an act of violence and their loved ones recover more readily and start rebuilding their lives. The guide has been launched in Brisbane and will be further promoted among regional stakeholders through upcoming local launches in Cairns, Townsville, Rockhampton and Ipswich. This new guide contains information about people's rights as a victim of crime, going to court as a witness, applying for financial assistance and where to go for counselling and legal support. Its content and format was shaped by consultation with key stakeholders such as Protect All Children Today, Relationships Australia, the Living Well men's program, Women Working Alongside Women with Intellectual Disabilities, Bravehearts, the Director of Public Prosecutions and the Queensland Police Service. Stakeholder response regarding the guide has been extremely positive and I sincerely thank them for their help and contribution. The guide is available in hard copy at all public libraries across the state and also on the Victim Assist Queensland section of the department's website at www.justice.qld.gov.au. The production of this guide highlights the continued commitment by the Bligh government to providing accessible information and services to victims of crime.

Skilled Vacancies

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (10.21 am): Skilled vacancies are on the rise in Queensland and the Bligh government has a plan in place to fill them. The September 2010 vacancy report released by the Department of Education, Employment and Innovation shows that skilled vacancies have risen nationally by 0.1 per cent in September. That growth is even stronger in Queensland, which is ranked in second place, with growth of 2.5 per cent in the skilled vacancy index.

What does that mean? It means that the Queensland economy is moving from strength to strength and creating room for the employment of even more Queenslanders. The Bligh government is not sitting by idly. As skills need to grow, we have a plan and we are taking action under that plan. Our demand-led training structure relies upon industry information to tell us where and when skilled workers are needed. To help this work, we are delivering training reforms that allow employers and apprentices to choose how and when their training is delivered and by whom.

Skills Queensland is being established, led by Greg Kempton, CEO of Watpac Construction, and also in collaboration with key industry bodies to drive training and investment in skills reform. Our government is providing support to school based apprentices and trainees, and that support is evident. Queensland leads the nation with the number of school based apprentices and trainees, with 45 per cent of the nation's total. We have also commissioned internationally renowned consultant Peter Noonan to conduct a review of training delivery and training in Queensland. Mr Noonan has led such reforms internationally and across Australia and will consult and is consulting now with TAFE institutes, universities, the private training sector, unions and employer organisations to make training more flexible and responsive for the coming growth cycle.

Skills and workforce development are a shared responsibility. The Bligh government is working with employers and industry to assist them in creating a skilled workforce for the future. What we have on this side of the House is a clear plan and action happening for skills growth in Queensland. What we consistently get from those members opposite is the same old refrain, 'The dog ate my homework'. We could ask those opposite for a policy or even, heaven forbid, an idea, but it is always the same policy-free zone. Not only do they insist on a barren training policy, they also wanted to cut and shut down the Queensland training centres. I think I know where the real skills shortage lies.

Indigenous Environmental Health Infrastructure Program

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.24 am): The Bligh government is working in partnership with Queensland's Indigenous communities and building stronger communities. One of the programs that is already creating jobs and building infrastructure is the \$67 million Indigenous Environmental Health Infrastructure Program, which is funding priority capital works projects. This program is funding water supply upgrades, sewerage improvements, improved drainage infrastructure, roads and serviced land.

This work is being coordinated by the Remote Indigenous Land and Infrastructure Program Office and is helping underpin the excellent work that that office is doing in rolling out the massive housing program in Queensland's Indigenous communities.

Right now work is underway on projects in Mornington Island, Palm Island, Lockhart River, Kowanyama and the Torres Strait. Tenders for projects in Aurukun and Wujal Wujal have recently been completed, with projects due to get underway next May after the coming wet season. In Aurukun, \$11.25 million will help fund upgrades to water supply and waste management infrastructure as well as ensure that everything is in order for a 10-lot subdivision. In Wujal Wujal, \$1.8 million will go towards replacing the water main, upgrading the water treatment plant and creating a five-lot subdivision.

Tendering for projects in Doomadgee and Napranum is underway. In Doomadgee, \$8.7 million will fund improvements to the water supply, the waste network and build the infrastructure required for a 20-lot subdivision while in Napranum, \$5.8 million will support the replacement of a sewage pump station, a waste water treatment plant upgrade, a 10-lot subdivision and other projects.

Not only is this program building essential infrastructure, it is creating jobs. In fact, it will create more than 500 jobs during the design and construction phases of the program. This is big news for Queensland's Indigenous communities and an important step towards a stronger and better future.

Homelessness

Hon. KL STRUTHERS (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (10.26 am): This government is on a mission to building a fairer Queensland. We know that one out of three homeless people in Queensland is aged under 24. That is why this financial year we are spending \$22 million across the state on 70 specialist support accommodation services to help young people who are homeless or who are at risk of becoming homeless. We are also funding a range of other services, including the Logan Youth Foyer, which targets young homeless people at risk of disengaging from school or training.

Let me tell members about one of the success stories from this initiative. A young man was homeless, could not sustain employment, had large debts, confidence issues and a medical condition that was serious. Since being involved in the Logan Foyer and having supported accommodation, he has been a reliable tenant, paid his rent on time with no breaches, enrolled and completed a certificate II in business and gained full-time work. He has also reconnected with family and friends who provide vital support to him.

These success stories are common around the state. I am hopeful that many more people like this young man will be helped through services such as the Youth Housing and Reintegration Service. We are rolling them out in Townsville, Rockhampton, Inala, Toowoomba, Mount Isa and Hervey Bay. There is also a new supported accommodation service in Mackay and Brisbane for young people who show early signs of mental illness, pilot programs in Townsville and Brisbane to help young offenders stay out of trouble and 15 new services around the state to support young people with a disability leaving state care.

All of this investment comes on top of our record social housing building program that is giving more people, including young people, a safe and secure place to live and generating 3,500 jobs for builders this calendar year alone.

ORDER OF BUSINESS

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (10.28 am): I advise honourable members that the House can continue to meet past 6.30 pm this day. The House can break for dinner at 6.30 pm and resume its sitting at 7.30 pm. The order of business shall then be government business followed by a 30-minute adjournment debate.

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE

Report

Mr HOOLIHAN (Keppel—ALP) (10.28 am): I lay upon the table of the House the Parliamentary Crime and Misconduct Committee's annual report for 2009-10. As chairman of the committee I wish to acknowledge the valuable input made by the members of the committee and the work of the committee secretariat throughout the year. In particular, I would like to thank the committee's executive assistant, Ms Jenny North, who is taking maternity leave for 12 months from tomorrow, for her continued dedication and professional service to the committee. I commend the report to the House.

Tabled paper: Parliamentary Crime and Misconduct Committee: Report No. 83—Annual Report 2009-10 [2987].

LAW, JUSTICE AND SAFETY COMMITTEE

Report

Ms STONE (Springwood—ALP) (10.28 am): I lay upon the table of the House the 2009-10 annual report of the Law, Justice and Safety Committee. This report details the committee's activities in the reporting year. I express my appreciation for the hard work and dedication of all members and staff of the committee. I commend the report to the House.

Tabled paper: Law, Justice and Safety Committee: Report No. 77—Annual Report 2009-10 [2988].

NOTICE OF MOTION

Child Safety Services, Mistake

Mr MESSENGER (Burnett—Ind) (10.30 am): I give notice that I will move—

That this House notes—

1. Department of Child Safety officers falsely accused a 64-year-old man from Toowoomba of being a rapist and fathering his own grandchild;
2. child safety officers still refused to believe the Toowoomba grandfather even after he presented a certificate from the Police Service saying he did not have a criminal record and a DNA blood test showing he was not the father of his granddaughter;
3. the Minister for Child Safety only acknowledged the mistake and apologised after the *Australian* newspaper published a story;
4. there are many more examples of child safety officers in Queensland acting improperly and incompetently; and
5. this government uses threats of legal action against media organisations to prevent these mistakes by Child Safety appearing in the media.

And calls on the Premier to detail for the House the disciplinary proceedings that have been taken against the public servants responsible for the great harm they have caused; suspend them whilst a full audit is taken of the files under their management; advise this House if there has been similar misconduct against other innocent victims; advise the grandfather of his right to make a complaint of official misconduct to the Crime and Misconduct Commission and to the police; and support the establishment of a royal commission to uncover the injustice, maladministration and misconduct which is endemic in the Queensland Department of Child Safety.

Mr Schwarten: Sit down, you dope.

Mr SPEAKER: Order! The honourable minister, that is unparliamentary. I would ask that you withdraw it.

Mr SCHWARTEN: I withdraw it.

SPEAKER'S STATEMENT

School Group Tours

Mr SPEAKER: This morning we will be visited by parents, students and teachers from the Manly State School in the electorate of Lytton; the Miami State School in the electorate of Burleigh; and I hope in the public gallery for Logan members we have students from the Metropolitan South Institute of TAFE who will be learning all about parliament during this morning's session. Question time will end 11.31. It is now question time.

QUESTIONS WITHOUT NOTICE

Briefing Notes, Minister for Health

Mr LANGBROEK (10.31 am): My first question without notice is to the Minister for Health. Yesterday we learnt that Queensland Health kept a database that showed there were 458 briefing notes awaiting action by Labor's Minister for Health. Can the minister now confirm that he is so inept and unprofessional that in addition to yesterday's database Queensland Health has been forced to create yet another register of briefing notes that the minister has simply lost?

Mr LUCAS: I thank the honourable member for the question. It was interesting yesterday that he did not provide the document that he was referring to until he was essentially forced to do it later in question time in parliament. The Leader of the Opposition could have tabled that document immediately were he actually interested in seeking answers in relation to it. It is actually quite instructive when one has a look at some of the claims that were made yesterday. The member for Caloundra, for example, and other members of the opposition, claimed that their questions related to matters where no action was undertaken. Let us have look at them. The member for Bundaberg referred me to a ministerial

briefing note and he provided the number supplied to my office on such-and-such date regarding Bundaberg Hospital and breach of sterilisation of dental equipment. Can I explain why no action was taken in the matter? That was a funny one. Because on 24 November I actually met with the honourable member in relation to it. He obviously had forgotten that no action equates to me meeting with him.

Opposition members interjected.

Mr SPEAKER: Order!

Mr LUCAS: The honourable member might have forgotten that this was the subject of a media conference in Brisbane and a media conference in Bundaberg and a reference to the Health and Quality Complaints Commission. That is what the honourable member forgot. That is what the honourable member means by no action. In fact, what he has done is actually forgotten.

The member for Clayfield got up and spoke about no action taken in relation to a brief pointing out that median waiting times were affected when we had our policy of attacking the ultra long waits. Not only was that in the quarterly performance report, I actually made a specific point about it in my media conference and it was reported in the media. Obviously that is another one where no action was taken. That is the way the opposition have sought to define it.

We had the Leader of the Opposition claim that no action was taken in relation to a brief that related to a private organisation—it is in the media today, the *Brisbane times*—who forwarded by Australia Post registered mail, I think, two files amongst two of their operations—it was not even a government operation—but advising what happened in relation to that non-government operation.

The member for Southern Downs, that rocket scientist of rectitude and policy, got up there and spoke about efficiency dividends. Guess what? On page 91, budget paper No. 2, all the efficiency dividends are out there for everyone to see. I say to the opposition: if you are going to make allegations, you check your facts. You are a policy-free zone. It is actually about action. The facts are there to see.

Opposition members interjected.

Mr SPEAKER: The House will come to order.

Briefing Notes, Minister for Health

Mr LANGBROEK: I note that the health minister wants to answer yesterday's questions today. We want him to answer today's questions today. My second question without notice is to the Minister for Health. I refer the minister to briefing note No. BR045289, which the official records of Queensland Health show the minister has lost, supplied to his office on 27 April 2010 regarding his meeting with nurses on payroll issues, and I ask: can Labor's minister explain how he managed to lose such important information about the serious issue of health workers not getting paid under Labor?

Mr LUCAS: I invite the honourable member to table the document that suggests the argument that he is making.

Opposition members interjected.

Mr SPEAKER: Resume your seat. I will wait for the House to come to order.

Mr LUCAS: I invite the honourable member to provide the information to support the allegation that he makes to suggest that. I will say this about nurses' payroll meetings: I bet you I have had 20 times more of them than you have.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting.

Mr LUCAS: I constantly meet with our nurses and our other Queensland Health staff when it comes to payroll issues. Just a little while ago I was out at Prince Charles Hospital again meeting with a group of senior nurses when it comes to it. Can I indicate how briefs are closed off in any department—there are about 80,000—and about 400 items of correspondence and briefs that I receive each week in my department. It is a very, very busy department. Some are closed off in writing, some go to parliamentary secretaries, some go to staff depending on the meeting. Some relate to invitations to go to functions, some relate to invitations to book rooms. Some of those are closed off electronically.

I will say in terms of closing off things that I note with great interest a document headed 'Deadly emergency department blocks focus for LNP' under the name of Mark McArdle, shadow minister for health, dated 13 October 2009. What he does is talk about access block and ramping at Queensland public hospitals being the focus of an LNP discussion paper—

What they need is a really honest appraisal and informed opinions on what policy makers can do to reduce emergency department overcrowding in public hospitals.

Tabled paper: Media release, dated 13 October 2009, by the member for Caloundra titled 'Deadly Emergency department blocks—focus for LNP' [2989].

He encourages all doctors, nurses, allied health workers, ambulance officers and members of the community who have an interest to make a submission by 29 January 2010.

Where is the policy? Sunk with all hands off the coast. It is not seen there. There is no policy there. How dare you lecture anyone about policy when you are not capable of producing one single jot of it. I say this about payroll: I will not rest until it is rectified. I say this about payroll: I will continue to meet people. I say this about payroll: the fact that briefs are closed off electronically or by signature or however does not detract from the fact that we are constantly meeting our staff and constantly working with them. The Premier spoke with someone the other day about it when she was out doing her rounds at the Princess Alexandra Hospital. You are so process obsessed you cannot even get your policy out of a process that closed in January.

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

Mr LUCAS: You have no ability or right to lecture anyone on policy.

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

Emerging Industries

Mr O'BRIEN: My question without notice is to the Premier. Can the Premier outline to the House how emerging industries are now creating a bright future for Queensland and how government can contribute to the emergence of innovative industries?

Ms BLIGH: I thank the member for the question. The member for Cook, like all of the members of my team, understand that in our mission to modernise Queensland, to modernise the Queensland economy, we are driven by a passion to bring and encourage new industries to diversify that economy and to do that state-wide. That is why we are pursuing actively a new and emerging LNG industry. That is 18,000 jobs potentially in the pipeline. That is real economic development in regional Queensland in and around Central Queensland and Gladstone and in the south-west of our state.

That is why we are driving innovation in areas like aviation. There are now 16,500 Queenslanders who work in aviation and aerospace industries. We are working with the Ipswich City Council to develop out at Amberley an entire aerospace precinct that will see more and more of those industries relocate here, delivering high-tech, smart jobs. The renewable sector is another area where our government is driving our efforts to grow this sector. Whether it is in the solar area with our feed-in tariff and our hot water rebates, we are seeing growth in that sector which is unprecedented at any time in Queensland's history. These are all new jobs with new skills that will require people to come and be part of it and to upgrade those skills.

That is why we are also passionate about new projects like the possible hydroelectric project that I outlined to the House yesterday. I was very pleased to be joined yesterday by senior representatives of the Papua New Guinea government and Origin Energy to sign a memorandum of cooperation. That memorandum now gives us an opportunity to work with these companies to bring renewable baseload power to places like Far North Queensland, where the member for Cook knows there is considerable untapped potential for economic development that cannot proceed unless we can provide the energy to power it.

I note this morning from those opposite, and from those who represent the LNP federally, nothing but scepticism. I hear them saying that it is a fantasy and a dream. This is exactly what the member for Callide said about our 13 per cent gas policy in 2000, and now it is so successful we have lifted it to 15 per cent and have an entire gas industry. In fact, the member for Callide, as I recall, said about the gas policy that we had abandoned the coal industry. Has the coal industry fallen over since 2000? No. It has gone from strength to strength and we have a coal gas industry that would never have existed without our gas policy.

Hydroelectricity can be part of our future and we are going to use its transformational power. I remember when the Queensland National Party had big dreams for Queensland. We are the ones who have a big vision for this state and we intend to deliver it.

Briefing Notes, Minister for Health

Mr SEENEY: My question without notice is to the Minister for Health. I refer the minister to briefing note No. BR040711, which the official records of Queensland Health show the minister has lost and which was supplied to his office on 5 March 2009 advising him about high blood lead levels for the residents of Mount Isa. Can the minister explain how he managed to lose such important advice about the health of the children of Mount Isa?

Mr LUCAS: I thank the honourable member for the question. The opposition continue to mislead the House in relation to this. This is the opposition that in January this year closed their emergency department policy discussion input process and have obviously lost any of the submissions they received from anyone in relation to that. Not only that; there is no output in relation to the submissions. That is the example of the opposition.

I will not follow that example. For example, the Leader of the Opposition previously referred to briefing note No. BR045289. I am advised that that relates to a meeting with nurses and other unions in relation to payroll issues. Do you know what the action item required in relation to that brief was? That I meet with them. Do you know what I did, Mr Speaker? I met with them. That was the action item required. I will continue to meet with them and we will continue to work. Do you know what some of the other action items that were required were? To work with the Auditor-General to investigate the matters arising from it, to work to improve the current payroll system, to appoint a new management structure over the payroll system, to get continued improvement in how we pay them. All of that is being actioned and is happening. That is action.

Honourable members of the opposition again show that they do not understand the difference between the electronic closing off of a brief and whether one has to be signed off or not. They clearly do not understand any aspect—

Mr Springborg: The department says you lost it.

Mr LUCAS: You provide that. They do not understand any aspect of government administration. We know this when it comes to things such as an emergency department policy or indeed when it comes to any policies: they are a policy-free zone.

Mr Seeney: The question was about the kids in Mount Isa.

Mr LUCAS: What we know is that you have been doing nothing in health for the past 18 months. What we know is that the Living with Lead Alliance continues to meet. What we know is that we are continuing to take action in relation to lead issues. What we know is that we are continuing to monitor litigation in relation to Mount Isa issues. What we know is that the member for Mount Isa and I are working very closely in relation to those issues. Again, what the opposition thinks, like the days of Joh, is that you just sit back there and sign a bit of paper and let everybody else do everything. That is not the way I do things.

Local Government, Opposition Policy

Ms O'NEILL: My question is to the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships. Can the minister please inform the House of any LNP local government policies and their impact on Queensland's councils?

Ms BOYLE: I thank the honourable member for the question and I thank her in advance because she will be at the opening of one of the important capital works projects that has been completed, and that is the opening of the Murrumba Downs waste water treatment plant on Saturday. Thank heavens that project is completed, because local government is pretty nervous about a lot of other projects that the Bligh government is contributing to. It seems from the comments of the shadow Treasurer on the Madonna King program recently, when he said that he would be reassessing capital works projects, that projects like the Townsville waste water network, a \$66 million contribution, might not go ahead—maybe, too, the Moranbah sewage treatment plant; maybe, too, the Cannonvale sewage treatment plant.

We know they have another policy. They have not written it down yet. It is one that is spoken about—that is, the dealgamation policy, the CHAOS policy. They will not say which local governments. But I have to give them credit: they have loaded their local government policy on the LNP website. You can click on it right now and you can read the policy. It is a long paragraph. Let me read the first few words of that policy—they are very important words—

Lorem ipsum dolor sit amet, consectetur ...

I am pleased to let you know, Mr Speaker, that some good number of years ago it was at Wollongong High School I did Latin, and so I am in a position to translate this policy, which is written in Latin. This will be big news in the world of local government, because there are some important words in there. For example, there is the phrase 'libero vel tempus posuere'. That means 'time for a Bex and a lie down'. Then there is another phrase 'nisi consequat'. That means 'not according to reason', which clearly this policy is not. Then the most curious phrase that I have not quite worked out yet is 'in tristique leo enim'. 'In tristique leo' means 'a sad lion'. I was not aware that we had a problem with sad lions in local government, but then it occurs to me that the shadow minister is probably referring to himself. Are you, Mr Hobbs, the sad lion? Because you are going to be a sad lion with this policy in the world of local government. There is no doubt about that.

Briefing Notes, Minister for Health

Mrs STUCKEY: My question without notice is to the Deputy Premier and Minister for Health. I refer the minister to briefing note No. BR044012, which the minister has lost, supplied to his office on 5 January 2010 advising him of serious management deficiencies at The Park—Centre for Mental Health. Can the minister explain how he managed to lose such important information about management and safety concerns at a centre that has had many serious life-endangering incidents in recent times, including escapes and brutal assaults?

Mr LUCAS: I thank the honourable member for the question. Again, she makes a question on a false premise. Briefs are stored electronically in modern systems. I do not know what they were like in your system. Clearly, your briefs and your statements in relation to your emergency department policy, for which the consultation closed in January, are stored in an abacus, a Caxton counting machine, a comptometer or something like that.

I will tell you what action in relation to The Park that I have taken. Have you been to The Park? I have, because clearly the issues in relation to The Park, such as ongoing security, are a matter of some note. That is why I took the opportunity to go out there and visit that centre. That is why I got the opportunity to not only visit it extensively and have a presentation from the people who were there but to actually be shown the locking mechanisms by one of the guys who was doing that locking work and to be shown where, in the past, they have modified the outside fence to do things. That is taking action in relation to these issues.

I will just go back to some of the other issues raised. The Leader of the Opposition raised the issue about meeting with nurse representatives. I think that was briefing note No. BR045289. I understand that briefing note was dated the same day that I met them. I think that is taking action in relation to a matter. The briefing note that the member for Callide proudly sailed in here with about the Mount Isa lead is dated 5 March 2009, which is before the election when I was not even health minister. That is how much they have done their homework.

I will just say this again and again. My office receives about 400 briefs every week, whether they be with letters or other briefing materials. That is the nature of a health service and organisation that provides 50,000 occasions of customer service every day. Some of those briefs are for action in relation to ministers, others are in relation to parliamentary secretaries, others are for staff who may have meetings with people, others are to advise media advisers in relation to responses for media matters. Some of those matters are ones that are signed off, some of those matters are ones that are signed off electronically. We have an electronic system. The honourable members of the opposition would not have a clue, and it is very plain and clear for people to see.

We just saw an example where the LNP were lost in translation when it came to their policy. On this side of the House, we take action. You raise the issue of the nurses payroll, and what do we do? We do something about it. You raise the issue about The Park. What do we do? We do something about it. You raise the issue about Mount Isa lead. What do we do? We do something about it. You raise the issue of emergency departments and a policy in relation to it. That has been sitting there since January last year and you have done nothing.

(Time expired)

Mr SEENEY: I rise to a point of order, Mr Speaker. The Deputy Premier occupies an important position in this place and he continues to transgress the most basic rules of debate that you have insisted on from every other member. He has done it half a dozen times this morning. I think the Deputy Premier has the responsibility—

Mr Lucas interjected.

Mr SPEAKER: Order! There is a point of order.

Mr SEENEY:—even if he fails as minister, to set an example in this House.

Government members interjected.

Mr SPEAKER: Order! There is a convention that all comments be directed through the chair. I do repeatedly call upon all honourable members to do this. I say to the ministers as well this morning that it lowers the temperature and improves the conduct of the House if comments are directed through the chair.

Education and Training, Reforms

Mr MOORHEAD: My question is to the Minister for Education and Training. Can the minister please update the House on reforms to the Queensland education system?

Mr WILSON: I thank the honourable member for the question. Queensland is on the threshold of major reform in the education and training sector—across the early years, across kindergarten, across the schooling sector and across the TAFE and training areas. I was interested to see the Liberal National Party education and training policy on its website yesterday, and I read it. That is two minutes of my life I will not get back.

Mr Speaker, if you have a look at that website, it is all show and no substance. What do they want? They want more smaller schools. They do not say how many, how much it is going to cost or who is going to pay. They want more schools. They do not say how many, where they are going to go, how much they are going to cost or, heaven forbid, who is going to pay for them. They want more smaller classrooms. They do not say how many, where they are going to go, how we are going to get them, who is going to pay or how much they are going to cost.

At the same time, they oppose the \$320 million going into new kindergartens, which has been proposed and is being done by us now. At the same time, they are saying that they are going to review the building program—when in fact they are going to cut parts of the building program, if not all of it. At the same time that they are saying this, they want to cut and abolish our trade training centres. The ‘Look-at-me-Langbroek’ new education and training policy is all photos and no policy. It is all sound bite and no substance. It is all—

Opposition members interjected.

Mr WILSON: Mr Speaker!

Mr SPEAKER: Order! Those on my left will cease interjecting.

Mr WILSON: They do not like it when they are told the truth. Mr Speaker, you have a look at that website. It is all vanity and no vision. They spend all their time attacking teachers and state schools. That is what they spend their time doing in here and in the public arena. How hard have they been working? There are 17 lines in this new education policy—one line for every month since the last state election. They are moving on this new policy slower than the glacier in the South Island of New Zealand. They will leave parents, employers and young people in Queensland uneducated, unskilled and unemployed.

Briefing Notes, Minister for Health

Mr KNUTH: My question without notice is to the Deputy Premier and Minister for Health. I refer the minister to briefing note No. BR044426, which the minister has lost, supplied to his office on 8 February 2010 advising him that, in addition to community health issues resulting from flying foxes, an emergency helicopter flight was impeded from landing at Charters Towers because of a flying fox plague. Can the minister explain how he managed to lose such important information on how the safety of residents is being compromised by Labor’s refusal to act on flying foxes?

Mr LUCAS: Mr Speaker, again—

Opposition members interjected.

Mr SPEAKER: Order! The Deputy Premier had barely got a word out of his mouth. I ask those on my left to respect the fact that there has been a question asked.

Mr LUCAS: I again thank the honourable member for the question. The member asked a question on a false premise. There is no suggestion of that whatsoever, and if he wants to provide the information that suggests that is the case he is entitled to do so. It is not like the emergency department policy of the LNP that does not appear anywhere. You are more than welcome to table it if you have the policy, but you have not done so.

I say this in relation to flying foxes. We know what the honourable member wants to do in relation to them. He thinks the mechanism and the method is to get out to those colonies of hundreds of thousands, if not millions, of flying foxes and deal with them by shooting them all. Of course, none of them will move back. They are native animals. They do not stand up there and listen to reason. The brief did not say, ‘I want you to go up there and give them a good stern lecture and tell them to go away.’ That is not what it says: go up there and give them a good lecture. When the honourable member has some sensible solutions about how one deals with native animals other than kill all the crocodiles, kill all the sharks, kill all the flying foxes, kill every native animal in Australia as a method of dealing with the pestilence and annoyance that they cause to the community, then he will be treated seriously in a policy sense.

Avocados

Mr PITT: My question is to the Minister for Primary Industries, Fisheries and Rural and Regional Queensland. Will the minister inform the House what the Bligh government is doing to increase avocado exports?

Mr MULHERIN: I thank the honourable member for the question. I know of his interest in all things agricultural, particularly his interest in the avocado industry. It is great news to report that the demand for the Australian avocado has grown strongly worldwide. Queensland exports have grown by 34 per cent over the past five years. This has only been achieved by the Bligh government working closely with industry to achieve these results, unlike the members opposite, who have achieved nothing in the last three years except changing their leader. If honourable members go to the LNP website they will see that it offers no enlightenment, either. I visited it yesterday and found its policy on food and agriculture. It says, ‘This site is currently under construction.’ Members can read more. There is a nice picture of grain and then if they follow the link they will see hundreds of pictures of the opposition leader, the member for Surfers Paradise.

Ms Bligh: Pigs riding a flying fox!

Mr MULHERIN: Yes. This is very serious when we look at it in the context of the work we are doing to promote industries in Queensland, particularly agricultural industries such as the fruit and vegetable industry. The Queensland avocado export is worth about \$4 million a year to the Queensland economy, exporting about 1,290 tonnes. Thailand has an insatiable appetite for avocados and we have seen an increase of 170 per cent over the last three years in exports into Thailand.

Later today I will be meeting with a delegation from Thai retailers who are over here visiting farms, working with DEEDI staff in quality assurance and visiting distribution and retail centres to assist in the further development of this great export industry. In 2009 the exports to Thailand were worth nearly \$900,000, with 279,000 tonnes exported. We have done this through our Global Markets Initiative in partnership with Sunfresh.

It is just another example of how the Bligh government is working with industry to achieve new export markets and create more jobs. We are getting on with the task of creating more jobs and working with industry, unlike members opposite, who only have blank stares, blank policies and blank websites.

Briefing Notes, Minister for Health

Mr HOBBS: I refer the Minister for Health to briefing notes Nos BR041218, 41237, 41249, 41862, 41778 and 41680, all of which have been lost, which relate to the serious issue raised in this parliament by the member for Condamine about the mouse plague at the Dalby health centre. Can the minister explain how he managed to lose such important information that went to the heart of the welfare of patients in Dalby?

Mr LUCAS: I thank the honourable member for the question. Again, he asks a question on false premises. Of course, we all know that the honourable member retired from here de facto, if not de jure, about 10 years ago. What did we do in relation to the Roma mouse issue? Not only was—

Mr Springborg: It's in Dalby to start with.

Mr LUCAS: Sorry, the Dalby mouse issue. Not only was it the subject of significant discussion by me in the public domain; I actually went out there and visited the hospital. I actually went out there and visited the gentleman in question. Did anyone else here do that? That is the action I took in relation to this issue. I actually sat down and spoke with the staff. They showed me the paddock and we talked about the baits that were used. We talked about the challenges of the nursing home being located next to a large paddock. The nursing home is located in an place that has a rural area next to it.

Yes, that is what we did in relation to those matters. Again, if members opposite point something out, I will tell them the action that we took in relation to it. It was not good enough that that incident took place. The reaction to those mouse plagues that sometimes occur in places like Western Queensland and on the Downs is a very concerning thing. I went out there on the ground and observed it for myself. I went out there on the ground and spoke to people. I bet the shadow minister did not do it. I bet the Leader of the Opposition did not do it. There is no doubt about that. When these issues arise it is important to take action, and that is what I did.

Justice System

Mrs KEECH: My question is to the Attorney-General and Minister for Industrial Relations. Can the Attorney-General outline what the Bligh government is doing to support a modern and progressive justice system in Queensland?

Mr DICK: I thank the honourable member for her question. Labor governments are reforming governments. Labor governments are never afraid of making tough decisions to strengthen our state, to strengthen our state's economy and to strengthen our justice system. That is our legacy, that is our tradition and that is the mission of the Australian Labor Party.

Since March 2009 we have driven a very significant reform agenda in the justice system. We have expanded assistance to victims of crime, making it easier for them to get support. We have delivered the biggest reform to the civil justice system in 50 years by establishing the Queensland Civil and Administrative Tribunal. We stand up to bikies. We have implemented significant reforms to our criminal law in implementing the Criminal Organisation Act to crack down on organised crime in our state. We have also stood up for the marginalised by decriminalising surrogacy in this state, by allowing all people the right and the opportunity to be parents in this state. That requires courage and conviction.

I thought I would have a look to see what the LNP has to say about justice and crime. I had a look at the LNP website and I clicked on 'justice' and what did I find? A gavel—not used in Queensland courts, I might add. What does it say? It says, 'This site is currently under construction. Content will be uploaded shortly.' I say to the Minister for Local Government that I feel cheated and duded: not only did I not get a paragraph; I could not even get anything in Latin from the opposition.

A government member interjected.

Mr DICK: That would be of some interest to some Queensland lawyers. I take the interjection from the minister. I went to 'crime'. What did I see? Nothing: 'This site is currently under construction.' Sorry, there is a photo of someone graffitiing. So we have a how-to-graffiti photo under the 'crime' banner. Then we go to the pretentious and portentous: the four pillars of the LNP. And what are they? Nothing! There is nothing under the four pillars.

However, there is good news for Queenslanders. Hold the midday bulletin on ABC Radio. Hold the front page of the *Courier-Mail*. The opposition leader has taken off his tie! He is going without a tie in the photo. I table those.

Tabled paper: Bundle of extracts from the Leader of the Opposition's website [3000].

We have had an opposition leader who took off his shirt to get votes. We have had someone else take off his tie. What we do know is that they are stripping away Liberal values in this state. Every member of the Liberal Party capitulated to the National Party. They sought to recriminalise homosexuality by putting homosexual people in jail if they entered into surrogacy agreements. The member for Clayfield, the member for Moggill, the member for Caloundra, the member for Mermaid Beach and the member for Indooroopilly know it. They all know that they cannot stand up to the National Party. The National Party is back in charge. The Liberal Party is dead. It is over for the Liberal Party in this state.

(Time expired)

Briefing Notes, Minister for Health

Mr SPRINGBORG: My question without notice is to the Minister for Health. I refer the minister to briefing note BR042165, which the minister has lost, that asked him to approve a new departmental matrix so that the minister would stop losing briefings notes and correspondence. Will the minister explain to the House how he lost the very briefing note that recommended a new system that would stop him losing all of his briefing notes?

Mr LUCAS: Mr Speaker—

Opposition members interjected.

Mr SPEAKER: Those on my left! I call the Deputy Premier and Minister for Health.

Mr LUCAS: We know one thing about the honourable member's question, and that is that it is based on a false premise, as all of the questions have been today. It shows a distinct lack of understanding, particularly on the part of someone who has held ministerial office, of how matters are processed.

We have seen a bit of discussion this morning about policy. We have the attempt—

A government member interjected.

Mr LUCAS: He has lost elections three times. He lost elections once. He lost elections twice. He lost elections three times. What he did not lose was his ability and ambition to leak on his colleagues every time. When there is a punch-up in Cairns, he leaks it. When there is a little function upstairs that gets out of hand, he leaks it. He has lost none of his old tricks.

What his mate next to him, the member for Caloundra, has not lost is the ability not to come up with a policy. During the election campaign, the honourable member showed that he could not come up with a mental health policy that included paying the staff. Now he has an emergency department policy that would close for consultation in January that does not exist.

The best of all is the Leader of the Opposition with his glamour shots. He said it all in relation to his website. The Leader of the Opposition sits there prissing and preening himself and adjusting his bouffant. He preens and styles himself every day. He looks in the mirror like a canary that has no-one else to talk to but himself. It says it all when we look at the website. It says it all about the Leader of the Opposition—an empty vessel, but wait for it: 'Content will be uploaded shortly'.

Health Services

Mr RYAN: My question without notice is to the Deputy Premier and Minister for Health. Can the Deputy Premier inform the House how the government's strong policies are making inroads in health service delivery?

Opposition members interjected.

Mr SPEAKER: Order! I will wait for them to come to order. I call the honourable Deputy Premier and Minister for Health.

Mr LUCAS: I thank the honourable member for the question.

Opposition members interjected.

Mr SPEAKER: Again I will wait. Deputy Premier, we will just wait. I call the Deputy Premier.

Mr LUCAS: We have seen an example again today of the best resourced and laziest opposition in Australia.

Opposition members interjected.

Mr SPEAKER: Those on my left!

Mr LUCAS: We have seen examples in my colleagues' areas of an opposition bereft of policy. We have seen our emergency department action. Those opposite complain about emergency departments, but for category 1 the waiting time is less than a minute. For category 5, which is the least urgent cases, it is 47 minutes. Across all categories, it is 45 minutes. It is quicker than the time one would wait for most doctors.

We have seen the building and expanding of emergency departments across the state. Townsville will be the biggest in Queensland. We have seen the massive expansion at the PA. We have seen work at Logan, Redlands, Prince Charles, QEII, Ipswich, Caboolture, Bundaberg and Toowoomba hospitals. We are investing \$7.9 million to employ 30 new nurse practitioners.

Where is the policy for EDs from the opposition? We know that they called for submissions about this time last year. They gave themselves a long time over the Christmas break when they normally go away for a big long rest. The time for submissions closed in January this year. We have seen nothing. Those opposite have had the opportunity to put up but they have done nothing.

With elective surgery we have the shortest waiting list times in median terms in Australia of 28 days versus 34. But what is the policy of those opposite for elective surgery? They do not have one. They complain about dental health waiting lists but they have never held Tony Abbott accountable for that. What is their policy on dental health? They want more people operated on but they do not want to do anything about it. They have no dental health policy.

Those opposite have done a little bit better in terms of health than in other areas on their website. They have managed half a page. For the \$9.99 billion in expenditure—a quarter of the state's expenditure—they have just got around to doing half a page. It is in English, too. I think that is because traditionally doctors were trained in Latin, as were other professionals. They have actually done it the other way around.

On the website they have important policies like fighting Queensland Labor's policy to establish legalised heroin injecting rooms in our local communities. Of course, that is what we talk about every day. I have not heard one suggestion in the parliamentary Labor Party that we are contemplating that.

Tabled paper: Page, downloaded 16 September 2010, from the website of the Leader of the Opposition titled 'Health' [2990].

But this is an opposition bereft of policy. This is an opposition that does not talk about what it will actually do in real terms in relation to emergency departments or dental services or elective surgery or training more professionals or any of those issues that confront us. All those opposite have is half a page with a few little slogans on it. I suppose that is better than nothing. But for the richest and laziest opposition in Australia—bankrolled by people like Clive Palmer—we would expect a little bit more than that.

Briefing Notes, Minister for Health

Mr McARDLE: My question is to the Premier. I table Queensland Health's official list of all the missing in action briefing notes with the officially lost code of MD99.

Tabled paper: List of documents provided to the Minister for Health [2991].

In addition to yesterday's list of 458 briefing notes awaiting action, there are now an additional 344 that the department has declared as lost without trace. How much more evidence does the Premier need before she sacks this failed minister?

Ms BLIGH: I thank the honourable member for the question. I have a very clear expectation of my health minister. What I want is a health minister who will build better hospitals for Queenslanders, a health minister who will provide better access to services in those hospitals and a health minister who will fund and put in place new services as new needs emerge.

What do we have in the Minister for Health? We have someone who is overseeing the biggest hospital rebuilding program anywhere in Australia. What does it mean? It means new hospital facilities in Cairns, Townsville, Mount Isa, Mackay, Rockhampton, Nambour, at Prince Charles, the Queensland Children's Hospital, the Princess Alexandra Hospital and the new Gold Coast Hospital, among others. What does that mean? The health minister is overseeing a \$7 billion building program that in many other governments on its own would be a portfolio in itself.

This is a health minister who has reduced long wait elective surgery times from 2,400 people in July last year to 137 this July. It is a remarkable performance.

Honourable members interjected.

Mr SPEAKER: Both sides of the House will stop interjecting. I want to hear the Premier.

Ms BLIGH: Let me look at the issues that have been raised by the opposition today. Those opposite raised the issue of whether the minister has met with nurses on the payroll issue. Action—it was done that day. They raised the issue of blood testing in Mount Isa. The briefing note was in fact before the minister was even sworn in as the health minister and before the last election.

Opposition members interjected.

Mr Crandon: He lost it!

Mr SPEAKER: Order! Member for Coomera, I have asked members to cease interjecting. The Premier is answering the question. I call the honourable Premier.

Ms BLIGH: The opposition raised the issue of management of The Park and an external consultant's report. What was the action? The Deputy Premier visited The Park and commissioned an audit of all of the recommendations of the consultant's report. Those opposite raised flying foxes. What was the action? The deputy CEO and clinical director went and met with the mayor. They raised the issue of the mouse plague. What happened? The Minister for Health went out and visited the person concerned.

What we have seen this morning is an opposition that is obsessed with the management of paper in the health department. What I want is a minister who is obsessed with better services for people. Those opposite can talk about paper, but what I want is a health minister who cares about people. That is what we have got—someone who has given double the services for children needing cochlear implants, someone who is funding for the first time—

Mr Dickson interjected.

Dr Douglas interjected.

Mr SPEAKER: Order! The member for Buderim and the member for Gaven.

Ms BLIGH: We have someone who, for the first time, is providing extra services for people with asbestos related diseases, someone who cares about people. That is what we want in a health minister—someone who takes action and cares about people, not a paper shuffler.

(Time expired)

Mining Industry, Careers for Women

Ms JOHNSTONE: My question without notice is to the Minister for Community Services and Housing and Minister for Women. Could the minister please advise the House about initiatives to help women get into rewarding careers in the mining industry?

Ms STRUTHERS: I thank the member for Townsville for her question. She recently launched on my behalf a really important Indigenous Women in Hard Hats initiative in Townsville, and what a great supporter of that program she is. She knows that if we are going to close the gap on Indigenous disadvantage in this state women have to have jobs in well-paying industries, and that is what they are getting through this government. I am also keen to announce that we have a new Women in Hard Hats program in Mackay, where there are 10 opportunities for women to work in the mining industry in partnership with Thiess mining. I commend Thiess for this initiative, which will give women a year of mentoring while they are on the job and great careers in well-paid industries.

Women are still well behind men in terms of pay equity—that is, they are about 17 per cent behind men on average in all sectors. However, if women get into the mining sector they get 19 per cent ahead of men on average in pay equity. That is the difference. They are the sorts of opportunities there are for women in the mining industry, and that is what our Office for Women through the Women in Hard Hats program is driving—strong, well-paying jobs for women in the mining industry.

I, too, have had a look at the LNP website because I am interested in what it has to say about women in construction and women in housing. But if you click on 'women', they are under construction! Women are under construction! That is about the only thing that would be under construction if the LNP ever got its hands on the reins of government in this state, because it wants to reassess the building program. It does not want to keep building social housing around this state. So women of Queensland, you will be under construction but you will not have opportunities to work in the construction industry because this alternative government—the LNP—does not really care much about you.

Let us have a look at the website. There are plenty of glamour shots. You can find out about JP—not JPs but JP! Look at these pictures of the women there smiling. They do not have a lot to smile about because let me tell the women of Queensland this: the LNP, the so-called alternative government, does not give a damn about women. It is not even written in Latin; it is in plain English—'under construction'. You can read more at www.jplangbroek.com. You can find out a lot about JP Langbroek—'Mr Glamour'. I share the sentiments of my colleagues: the alternative government—the LNP—of Queensland is all photos and no policy. I think the line of the day goes to my colleague the Minister for Education: there is a lot of vanity over there but no vision!

Cougar Energy, Environmental Evaluation

Mrs PRATT: My question is to the Minister for Climate Change and Sustainability. Cougar Energy has publicly stated its expectation to be able to recommence its pilot UCG program soon, but community concern remains high with regard to the company's ability to operate in a manner which is not detrimental to the area, and I table a non-conforming petition outlining same.

Tabled paper: A non-conforming petition regarding the underground coal gasification project at Kingaroy [2992].

Minister, what is the current status of the government investigation into this company and its failure to meet its community and government obligations?

Ms JONES: I thank the honourable member for her question. I also want to put on the public record that the member for Nanango has been a relentless and passionate advocate on behalf of her community, particularly those in her area who have very genuine concerns about the operations of Cougar Energy just outside Kingaroy.

I am very pleased to take this opportunity to update all members of the House about the interactions between the Department of Environment and Resource Management and the company involved. As I outlined earlier to the House—and it has been in the public arena for some time—the Department of Environment and Resource Management issued an environmental protection order, which meant that the company had to stop operations while investigations were continuing.

I recently attended a meeting in Kingaroy, with the honourable member and the scientific expert panel, which attracted approximately 100 local residents. At that meeting we advised the community that the environmental evaluation report submitted by Cougar Energy would not be accepted by the Department of Environment and Resource Management because it did not meet the expectations of the department with regard to the actions that it had taken and was going to take in terms of the investigation. As a consequence of that, Department of Environment and Resource Management staff had a meeting with Cougar Energy on the third of this month and again last week on the ninth of this month to fully explain to the company what the gaps were and what our expectations were going forward. As a consequence of this, Cougar Energy will be required to undertake additional environmental evaluations and submit further reports to the department. Today I can also advise the House and the honourable member that Cougar Energy will be issued with this today, and a report on the cause of the failure will be required to be submitted to the Department of Environment and Resource Management in October. A report incorporating results of further groundwater assessments will also be required to the agency in December.

As I said, Cougar's operations will remain suspended until the department is satisfied that the company can meet all regulatory requirements. If it cannot, it will never recommence operations. We have now completed five rounds of sampling, and results from landholder properties are continuing to show that there is no cause for concern at this stage. Departmental officers have undertaken two recent inspections of the Cougar Energy site following these water-monitoring tests, which I have provided to the honourable member following a question on notice.

As members can see, our investigations have been thorough. When we first became aware that there was a concern and Cougar had appeared to breach its environmental regulations, we took action. We issued an environmental protection order and stopped the activity. When we took that action, when we stopped the activity and when we issued an EPO, what did the Leader of the Opposition say? He said it was a knee-jerk reaction. That is the credibility of the Leader of the Opposition on environmental issues. He came out and said that it was a knee-jerk reaction. We will stand up with the honourable member and stand on the side of the people of Kingaroy and the environment.

(Time expired)

Technology Industry

Mrs SMITH: My question is to the Treasurer and Minister for Employment and Economic Development. Technology businesses can be located almost anywhere, but more and more are basing themselves on the Gold Coast, and why wouldn't they! Can the Treasurer outline ways in which the government is helping create the jobs of the future through its support of high-tech Queensland companies?

Mr FRASER: I thank the member for Burleigh for her question and for her interest in the jobs of tomorrow on the Gold Coast, because tomorrow marks the start of the surf-lifesaving season, and the CoastalCOMS company on the Gold Coast, with the help of a Smart State grant, will have 22 cameras on the beaches of the Gold Coast giving our surf-lifesaving volunteers a hand in interpreting the weather conditions. That is technology that has been developed with the assistance of this government because it is committed to developing the jobs of tomorrow and giving our surf-lifesavers a hand on the coast from tomorrow, when the season starts. That is technology to drive the jobs of tomorrow, and that technology is there to surveil the weather conditions.

But it will have to be pretty good technology to pick up on the surveillance screens any LNP policies, because what we have seen already today is a perfect example that when it comes to policies those opposite are more interested in the photoshoot. If you look on the website you will find that under 'Building Queensland policy'—the policy that we know must be being reassessed—it is being constructed. It is under construction and it is going to be uploaded shortly. Well, we have found the first reassessed project—the first construction project—that has been stopped and pulled down, because as we speak they are furiously pulling down the website! You now cannot find it, so I am going to table it for the benefit of the House.

Tabled paper: Bundle of extracts from the Leader of the Opposition's website [2993].

It is under construction, just like the construction projects they want to stop: building Queensland—under construction; clean and green Queensland—under construction; families—under construction; jobs and workplace security; small business; water; transport—not even an asterisk on transport; trade; seniors; justice; emergency services; food and agriculture—not a word, not a policy. The four pillars are there but there is not a policy pillar—not a policy leg to stand on. The first project has been reassessed and pulled down from construction, and it is the website that was under construction!

The opposition leader has said all week that he is sick of the show business, but he sure loves a glamour shot! He has gone out there and said that he wants to stop the glamour. What we have seen is that when it comes to the Leader of the Opposition there is no policy; it is just glamour and no hammer. What we want to see from the opposition and what the people of Queensland want to see and demand from this opposition are not photos and not a promise to put it up shortly, because we all know how long 'shortly' takes! It is the definition that my four-year-old uses for 'shortly'. It means it is never, ever going to happen! It is about time the Leader of the Opposition came in here and put out some policies—put up some policies rather than just the photos, rather than a commitment to reassess the building projects. The people on building projects right around Queensland are worried. We have seen the first project stop. The poor old guy who is working on the website just lost his job, like the rest of them will!

Briefing Notes, Minister for Health

Mr DEMPSEY: My question without notice is to the Deputy Premier and Minister for Health. I refer to briefing note BR045793, which confirms that Queensland Health has not been sending fortnightly monthly verification reports—medical registration verification reports—to hospitals. Given that the issue of these reports is critical in preventing a repeat of Labor's Dr Patel fiasco at Bundaberg Hospital, can the minister assure Queenslanders that all hospitals are now getting the fortnightly medical verification reports?

Mr LUCAS: This matter was raised yesterday. The honourable member has forgotten that he raised it yesterday. In relation to the claim made earlier by the shadow minister for health that code MD099 indicated what he said it was, he has provided no evidence of that—none whatsoever. I invite him to provide the evidence of that. It is a mechanism for closing off briefs electronically. In the modern world—and I know that he does not use computers—briefs can be closed off electronically. They do not need to be closed off in all instances. You can sign off electronically.

In relation to registration issues, I am more than happy to tell the honourable member about it, bearing in mind the discussions that are being held in some parts of Queensland at the moment. For example, I note that in Cairns there are some people who think that we should interfere with the national registration process. From looking at that brief, it indicated that there was a period of one week where the system was down and, therefore, registration data was not immediately able to be accessed. That is always regrettable in a system, but there is more than one way to access it. For example, when someone is employed, it is very rare that you would access registration information within a week of them being employed. You go through a very lengthy process, particularly for overseas people and we have learned that from long experience.

Having said that, we now have a national system and Queensland was at the forefront of arguing for a national system for registration. Under the previous system, you were dependent upon what happened in different jurisdictions. We make no apology whatsoever for doing that. Yes, again, what is happening? What is the action taking place? We now have a national registration scheme and Queensland was at the forefront of promoting it.

Mr SPEAKER: The time for question time has ended.

MINISTERIAL AND OTHER OFFICE HOLDER STAFF BILL**INTEGRITY REFORM (MISCELLANEOUS AMENDMENTS) BILL****PUBLIC INTEREST DISCLOSURE BILL****Consideration in Detail (Cognate Debate)**

Resumed from 15 September (see p. 3334).

Integrity Reform (Miscellaneous Amendments) Bill

Clauses 1 to 7, as read, agreed to.

Clause 8—

Mr LANGBROEK (11.34 am): This clause is a disciplinary measure, which I mentioned in my contribution to the second reading debate, relating to present and former officers. It is an insertion that sets out the grounds for disciplining officers. It is the same provision as that which exists for the Queensland Ambulance Service, but it adds new matters dealt with in clause 6 and sets out the punishment for disciplinary action, which is set out in new section 18B.

The clause extends disciplinary proceedings to ambulance officers who were previously public servants in proposed subdivision 2 and to officers who were previously fire service officers in proposed subdivision 3. In these proposed subdivisions the chief executive is empowered to pass on to another chief executive information in relation to discipline. Proposed subdivision 5 relates to the suspension from duty of officers subject to disciplinary proceedings.

I note that in her summing-up yesterday the Premier made reference to this clause. One issue that has caused the Scrutiny of Legislation Committee some concern is the power to order compulsory medical examinations if contemplating disciplinary action. Such a power is not unusual in legislation that affects public sector employees and is arguably administratively justifiable. But the Scrutiny of Legislation Committee also raised concerns about whether this provision interferes with the right to privacy of the individual officers. Notwithstanding what the Premier said in her summing-up yesterday that this is a matter that we have supported in other areas of the Public Service, my question is: can the Premier provide examples of why this amendment is necessary and whether it has been something that has been made clear that should be included? Or is this clause just trying to make this legislation compliant with other legislation?

Ms BLIGH: I thank the honourable member for the question. I make two points. Firstly, the overall motivation behind the inclusion of this clause is to have uniformity and consistency across the sector. This clause applies the same provisions to this category of employees as already applies to the other category of public sector employees.

In relation to the ability to compel a medical examination, I can well understand the genuine concerns of the Scrutiny of Legislation Committee. This is not a power that anyone would want to use lightly. In my experience it has been used very rarely, but it is generally applied in cases where people have, for example, experienced a serious mental breakdown and are unable to perhaps seek medical assistance themselves. An assessment has to be made about the person's suitability to work in particularly these sorts of areas. These are life and death front-line services. These are the sorts of powers that management by and large would seek to avoid using, but, if they had to be called upon, I think it is important that they are there.

Clause 8, as read, agreed to.

Clauses 9 to 11, as read, agreed to.

Clause 12—

Mr LANGBROEK (11.37 am): This clause relates to a declaration of interest applying to the Auditor-General. It rewrites the obligation on the Auditor-General as to making a declaration of interest and it is going to parallel the obligations that we have in this place that we will discuss later when debating amendments to the Parliament of Queensland Act, which introduces amendments to our declarations of interest and the statutory obligations that are going to be placed upon us.

I note that this amendment places an obligation on the Auditor-General to provide a statement of interest initially to the Speaker who must, if asked, supply a copy to the Integrity Commissioner. My concern is that the Auditor-General is now going to be made subject to another parliamentary appointee. This is going to raise questions about his long-recognised independence and impartiality and his responsibility to the parliament as a whole. My concerns are that he is going to be made subject to

another parliamentary appointee. That is something that is not lost on me, having been a former member of the Public Accounts Committee and having seen the absolute impartiality of the auditors-general in the time that I have been here. My concern, which I am sure other members will share, is about the fact that the Auditor-General is now going to be overseen potentially by another parliamentary appointee. I would ask the Premier to elucidate that if she would.

Ms BLIGH: I thank the member for the question. The inclusion of these clauses in no way impugns the integrity or the impartiality of either the current Auditor-General or indeed any of his predecessors. This is a further reform that gets ahead of any possibility or any suggestion that we do not have a framework that protects against some form of conflict of interest.

As I outlined in my summing-up speech, this framework was the subject of active consultation with these parliamentary officers. Without exception they advised the government that they were of the view that this was a reasonable way forward. The member will also note that the copies of the statement can also be accessed by me as Premier, the Leader of the Opposition, the Crime and Misconduct Commission or a member of the parliamentary committee. I think it is important that if we are going to have a declaration of conflict there is a suitable framework in place for who can access it. There is no point having a register of this sort of information without it being available to a reasonable cross-section of people with the appropriate levels of authority. As I said, the Auditor-General, I am advised, has no concerns about the framework.

Clause 12, as read, agreed to.

Clauses 13 to 17, as read, agreed to.

Clause 18—

Mr LANGBROEK (11.40 am): There was significant mention made of this clause in relation to apologies and allowing people to be able to make apologies that are not to be considered as an admission of liability by the party making the apology. I note that the provision will not apply in the case of defamation, an unlawful intentional act or unlawful sexual assault. I note that we have made the point about our concerns in regard to why this may have been put in. The simple question is: why is the provision not being extended to all civil liability claims?

Ms BLIGH: To clarify the member's question, is he asking in relation to those areas that are exempted and suggesting they should be included?

Mr LANGBROEK: There are specific civil liabilities that are excluded but I am asking why there are particular ones that are chosen as not being included.

Ms BLIGH: The only exclusions are those listed and I would have thought that there was general agreement that an apology in relation to those sorts of serious criminal matters would not be appropriate for this sort of clause.

Clause 18, as read, agreed to.

Clauses 19 to 29, as read, agreed to.

Clause 30—

Mr LANGBROEK (11.42 am): This is to do with the amendment of the definition of GOCs and the subsequent clause that we will come to in a minute. It is about the amendment being designed to remove the assets of the GOCs being privatised from the CMC Act. The simple question is: why is this being done and what is the government looking to hide about its asset sales with regard to these matters?

Ms BLIGH: There is nothing in this clause that exempts the government's asset sales agenda from scrutiny. That is conducted by the asset sales team and Treasury and has nothing to do with this clause. What this clause does is exempt those parts of these assets that are about to become privately owned from the scrutiny of the CMC. The CMC's job is to oversee the public sector. It does not oversee the operations of Leighton Contractors, it does not oversee the operations of Rio Tinto, it does not oversee the operations of Top Taste cakes. It does not have a role to oversee and receive complaints about any private entity unless that complaint relates to an inappropriate relationship between that private entity and a public sector agency. Parts of these assets are about to become private sector agencies and they will be treated like every other private entity in Queensland.

Mrs CUNNINGHAM: Obviously there is a lot of community unrest about the privatisation. The Premier just said that they are about to be privatised. However, there is a long process yet, it is my understanding, before things like Queensland Rail coal freight will actually be privatised because the offer by the coal companies has fallen through. So the process is a long one. Would it not be the case, however, that once the Premier and the Labor government privatise any of the entities they will automatically be excluded from scrutiny by the Crime and Misconduct Act at that point of privatisation and, therefore, I would question the need to remove them from scrutiny in what could be a protracted period of time before privatisation.

Ms BLIGH: I thank the member for the question and I am happy to provide her with some further information. We anticipate that this bill will come into effect in the first week of November. The current scheduled date for the initial public offer in relation to the float of Queensland Rail is the end of November. These provisions do not take effect until about two weeks before and it is really just a question of, I suppose, ensuring that these things run smoothly. There is nothing else to it.

Mrs CUNNINGHAM: Just for clarification, without this clause, once the coal freight is privatised it would automatically cease to be scrutinised by the Crime and Misconduct Commission by its very nature of being privatised.

Ms BLIGH: I thank the member for the question. This is, I suppose, really just about clarifying the situation. There are already exemptions on some parts of these GOCs in the GOC Act. This is narrowing it down so that the exemption will apply only to those parts that are going into the private sector. There will remain many activities in Queensland Rail that we would want subject fully to the scrutiny of the CMC. This is really about narrowing it down just to those parts. As I said, there is really nothing more than a clarification behind this clause.

Clauses 30, as read, agreed to.

Clauses 31 to 44, as read, agreed to.

Clause 45—

Mr LANGBROEK (11.46 am): This clause deals with lobbyists. There are a significant number of lobbyist definitions currently in section 41. I note that this extends the definition of lobbyist to cover lobbying without a fee. The bill states in clause 45(1A)—

To remove any doubt, it is declared that a lobbying activity may be carried out for a third party client even though no fees are payable for carrying out the lobbying activity.

It also seeks to exempt from the control of the act bodies with their own regulatory framework that undertake incidental lobbying activities. I am concerned about the potential issue for rorting here. I would be interested in the Premier's explanation about this incidental lobbying and the potential for rorting—of someone saying, 'Well, I have just been an incidental lobbyist via social contact'—that would be covered by this clause.

Ms BLIGH: I thank the honourable member for the question. In relation to the question of fees, this is again a further clarification that lobbying is lobbying whether or not one is getting paid for it. It is not that difficult to imagine people who are quite influential lobbying on behalf of a third party and not receiving a fee for it. That does not mean that it is not something that should be picked up in that framework and we intend to pick that up. That puts beyond any doubt that it is the activity and not the payment for it that defines it.

As to the second part of the question in relation to incidental lobbying—this is really looking at circumstances where, for example, professionals are quite regularly interacting with government on behalf of their clients. A lawyer is interacting with officers of, for example, the department of natural resources in relation to land valuations. Someone is paying them to act as their professional representative on a professional matter. So they are acting on behalf of a third party but they are providing professional services which from time to time someone might say is incidental lobbying. But what we are really trying to do is define this in a way that distinguishes those people—architects, for example. You can imagine the sort of professionals who, on behalf of a client, are regularly interacting, quite appropriately, providing professional services on behalf of that client. That is the distinction.

Mr LANGBROEK: It is quite prescient of the Premier to talk about a solicitor. I am going to use an example, not in any way to besmirch this person's name personally but a significant example is Con Sciacca, who is well known to both sides of the parliament. He is a former member of the House of Representatives, he is a solicitor and he is a lobbyist. In the assessment of incidental lobbying, is he and activities of people such as him caught by the act?

Ms BLIGH: The exclusion only relates to the technical and professional services they provide. So if they are providing lobbying services, as the person whom the Leader of the Opposition has raised does, they are required to be on the register, and that company is on the register. People can be lawyers and lobbyists—the Leader of the Opposition is absolutely right about that—but they are only exempt insofar as they are providing technical or professional services. If they are lobbying then they are required to meet all of the requirements outlined in the act. The mere fact that they have a qualification as a lawyer does not exempt them. It is about the activity that they are involved in.

Clause 45, as read, agreed to.

Clauses 46 to 58, as read, agreed to.

Clause 59, as read, agreed to.

Clauses 60 to 66, as read, agreed to.

Clause 67—

Mr LANGBROEK (11.51 am): This clause is to do with the amendment of the Ombudsman Act and declaration of interests again. It imposes the obligation on the Ombudsman to supply a statement of interests to the Speaker. We have already gone through this with another statutory official, the Auditor-General. The Speaker must, if asked, give a copy to the minister or the leader of a party represented in the Legislative Assembly or the CMC. Why is exactly the same obligation not being imposed on the two persons appointed by the parliament? That is my query.

Ms BLIGH: I am sorry. I will need some clarification. Which officers are you suggesting should have these obligations imposed upon them?

Mr LANGBROEK: The query is about the obligation of the Ombudsman to supply a statement of interests to the Speaker. The Speaker must, if asked, give a copy to the minister or the leader of a party represented in the Assembly. The question is: why is the same obligation not being imposed on the two persons appointed by the parliament?

Ms Bligh: Which two persons?

Mr LANGBROEK: What I would like is some clarification about this obligation of the Ombudsman to have to supply a statement of interests to the Speaker, just as I did about the Auditor-General. I have concerns that this means that these appointees of the parliament—the Auditor-General and the Ombudsman—are now going to have potentially their statements of interests overseen by someone other than the parliament itself.

Ms BLIGH: I answered this question I think very fully in relation to exactly the same question when it was applied to the other officer. The answer applies equally in this case.

Clause 67, as read, agreed to.

Clauses 68 to 73, as read, agreed to.

Clause 74—

Mr LANGBROEK (11.53 am): This is the issue about the register of interests. This was mentioned by a number of members in their speeches in the second reading debate. We are concerned about statements of interests being turned into a statutory form. New members, we know, are supposed to supply these statements within one month of taking a seat, changes have to be reported within one month and failure to notify is contempt. We are concerned that the obligations imposed upon members by this legislation do not provide any flexibility of time. If time lines are not strictly complied with or if any slight error is made, I am concerned about the risk of being referred for contempt, and the capacity for the Speaker to exercise any value judgement is simply removed. I am concerned about a straitjacket being imposed upon members of parliament by these amendments.

Ms BLIGH: I thank the honourable member for the question. I would draw his attention to the fact that failure to comply with this provision in the bill will be regarded potentially as a contempt of the Assembly, and that is then dealt with by the Parliament of Queensland Act, which requires the parliament to determine (1) if the contempt has occurred and (2), if so, what punishment should be applied. That means that exactly the same procedures will be followed if any member believes that there has been a failure by any other member to adequately meet their requirements under this clause that currently apply.

Putting it into legislation is really a way of elevating its significance and making sure that members of parliament understand just how important this is to our obligations to declare and to act transparently in relation to all of our other interests or dealings. So the actual punishment for failure will remain exactly as it is. Successive privileges committees of this parliament over all of the time that I have been here, with many different people from both sides of the chamber serving on them, have consistently applied, I think, a very fair hand. Where there has been something that is, by its nature, a mere oversight, they have dealt with that appropriately. Where something very serious has happened, they have been equally prepared to act and to act very appropriately as well, requiring significant punishment. That will prevail.

Mr LANGBROEK: I am a little concerned about that. As happened most recently, a relatively minor mistake was made by a member of parliament forgetting to change their register of interests about a union membership. That is clearly something about which there would not be some further action taken. But I am concerned that in a volatile political environment there would be the potential for the executive to decide, with the numbers, that something was made of an issue that currently has no statutory form. Where is the latitude? There is supposedly going to be common sense applied. I can see a government, as I have seen before, coming in here and using the rules to its benefit to try to elevate an issue that other people would say is not that major. Yet it is easy to say, 'I am referring this matter,' because it is of a statutory form. I have real concerns about the reassurance of the Premier in this regard.

Ms BLIGH: I do not think there is anything that the Leader of the Opposition has just outlined as a possibility that is not a possibility under the current rules. Both sides of politics, in my experience, seek to make something of a possible referral to the ethics and privileges committee. Sometimes they are politically successful in that; other times they are not. It has been my observation over a long period of time that very trivial matters, when they are referred to the Speaker—and under successive Speakers from both sides—do not even make it to the privileges committee. Where things of a more minor nature have been referred, they have been dealt with appropriately by a privileges committee that, as I said, in my experience has consistently applied itself in a non-partisan way.

I am unaware of any example, either under the Borbidge government or the Labor government, where a government has sought to use its numbers on the privileges committee to secure an outcome that was regarded by the other side as unjust. I cannot think of an example. As I said, in my experience the determinations of the privileges committee have, by and large, been accepted by both sides as a fair outcome, and I do not see any reason that that will change.

Clause 74, as read, agreed to.

Clause 75—

Mr LANGBROEK (11.58 am): Clause 75 amends section 70, 'Meaning of transacts business'. 'Transacts business' is currently defined as—

- (1) A member *transacts business* with an entity of the State if the member—
 - (a) has a direct or indirect interest in a contract with an entity of the State; or
 - (b) performs a duty or service for reward for an entity of the State.

The amendment inserts 'for the supply of goods to the entity to be used in the service of the public' after paragraph (a). According to this amendment, to have an interest direct or indirect in a contract for the supply of services as opposed to goods would not be transacting business. However, to supply services directly for reward does constitute transacting business. I ask for some clarification because this appears to be illogical.

Ms BLIGH: I thank the member. I understand there were briefings made available to the opposition on this issue. The need for this amendment has arisen because changes that were made to the definition of this clause in changes to the Parliament of Queensland Act in 2002 have had inadvertent and I think unintended consequences. The drafting that is currently before the House takes this back to exactly how it was drafted in 2002, which I have to say was a scenario under which these problems did not emerge. That is the basis under which this clause has been included.

Clause 75, as read, agreed to.

Clause 76—

Mr LANGBROEK (12.00 pm): This is about an exclusion for local government. In other words, by the amendment, a member of parliament cannot transact with a state entity but may do so with a local government. Given that we are having a lot of divesting of influence, or that legislative power is being given to local government in terms of the things that they do and their importance in the community, it does again seem illogical to permit an MP to have active business relations with a level of government that they potentially can influence. I ask the Premier to clarify.

Ms BLIGH: I thank the member. This is really a further clarification. The amendments do not change the status quo with regard to members' dealings with local governments. Given that we were providing for a statutory definition, it seemed important to clarify that. The amendments are in fact a direct adoption of recommendation No. 5 of the former Members' Ethics and Parliamentary Privileges Committee report No. 64. It recommended that the act be amended to make it unequivocal and crystal clear that these provisions do not include local government. The government is acting on a recommendation of the Members' Ethics and Parliamentary Privileges Committee, which as I recall was a unanimous recommendation by a bipartisan committee of the parliament. I think this does provide absolute clarity to members.

Clause 76, as read, agreed to.

Clauses 77 to 82, as read, agreed to.

Clause 83—

Mr LANGBROEK (12.01 pm): This has the heading 'Part 3, Ethics values'. It is stressed that the new part outlines in detail what is said to constitute ethics values—as per the heading—but we are stressing that public sector officials and agencies are supposed to act in an apolitical manner. This provision ignores the fact that chief executives—as we have already determined from other aspects in this cognate debate—are employed directly by and are responsible to the Premier of the day. I think it is impossible to describe many of these appointees as apolitical. I ask the Premier to give her judgement about how this is going to apply.

Ms BLIGH: I would expect it to apply in pretty much the same way it applies at every level of government in Australia, in every government that I am aware of around the country. In this respect, I suppose you would say that the Premier acts as effectively the chair of the board. The chair of the board in other companies has senior people reporting to them.

This is very standard practice. It has been in place in Queensland for a very long time. I do not believe that the directors-general and CEOs of Queensland government agencies are anything other than independent and diligent in the service of the government and the performance of their duties. These are a talented, hardworking group of people. In my experience—and it is my expectation of them—they provide their assistance as appropriate to the opposition. I do not know of any complaints that either the Leader of the Opposition or any member of his team have made in relation to that. These are people who regularly provide briefings not only to the opposition but to Independents. They regularly meet and discuss matters of electorate significance. In doing so, they are acting appropriately.

As I said, I think it is unfortunate that the Leader of the Opposition would seek to use this debate to impugn the reputation of these people, most of whom have worked across different governments of different political persuasions in different departments and a number of them through different levels of government. In doing so, they have accrued a vast level of experience that is now serving the Queensland taxpayers.

The requirements of a public servant, whether they are a CEO or a junior officer, are to provide assistance to the elected government to implement the program which the government has a mandate to implement. That does not make them a politicised officer. That makes them a public servant doing their job and doing their duty. I know many public servants at a senior level who are not necessarily Labor voters. I do not know how most of them vote but I certainly know there are some who are quite open about being on the other side of politics, but they do their job, they do it diligently, they do it impartially and that is what we all should expect. I do not think these sorts of debates should be used to make generalised imputations about the integrity and independence of a group of very senior people who I think are a real credit to our state.

Mr LANGBROEK: I am certainly not seeking to impugn the motives or intent of all members of the Public Service, but it is very obvious from some of the decisions made by some of the people within the Premier's own department that clearly they are not giving frank and fearless advice to the Premier and they certainly do things that have an effect on the Office of the Leader of the Opposition that are contrary to what longstanding practice has been.

The shadow ministers and I go to lots of events, and if they were completely bipartisan and all about the event then there should be more interaction. We are not seeking any inappropriate advice or anything. Many of these public servants do make themselves known to us, but often they will not have anything to do with the opposition. They almost seem like they are wary of having any contact with us. We are not impugning their ethics, but it certainly seems that there may be pressure exerted from on high about any interaction, yet they are supposedly part of a frank and fearless Public Service serving the people of Queensland, which of course we acknowledge.

Clause 83, as read, agreed to.

Clause 84, as read, agreed to.

Clause 85—

Mr LANGBROEK (12.06 pm): This clause relates to 'Codes of conduct generally' under division 1. Codes of conduct are to be produced for all Public Service agencies, as are standards of practice that apply to all officials. The Scrutiny of Legislation Committee has raised concerns as to whether these codes of practice will in effect be instruments in the nature of legislation that the parliament itself will have no capacity to scrutinise. I am asking why these codes are not made potentially disallowable by the parliament.

Ms BLIGH: I outlined this in full in my response to the bill.

Clause 85, as read, agreed to.

Clauses 86 to 177, as read, agreed to.

Schedule, as read, agreed to.

Public Interest Disclosure Bill

Clauses 1 to 11, as read, agreed to.

Clause 12—

Mr LANGBROEK (12.07 pm): Clause 12 relates to 'Disclosure by any person'. Why is 'substantial and specific danger' confined to only 'the health or safety of a person with a disability'? Why is 'substantial and specific danger to the environment' only covered? Why does the act apply only to something that is 'substantial and specific'?

Ms BLIGH: I thank the member for the question. These provisions are consistent with the current act. They do not make any changes to current practice.

Mr LANGBROEK: I have a subsequent question about something that I think I raised in my second reading contribution. Why does honest belief have to be reasonable? The Premier will see that halfway through clause 12. Surely it is enough that the belief be honestly held.

Ms BLIGH: I thank the member for the question. Again, this is consistent with the current definition. I appreciate the point the member might be trying to make, but I do not think it is that difficult to imagine circumstances in which someone might honestly believe, for example, that someone is having dishonest dealings with Martians, but nobody would think it is reasonable. That is the sort of thing it is there to provide for. This is entirely consistent with the current definition. I am not aware of any problems that have emerged with it.

Clause 12, as read, agreed to.

Clause 13—

Mr WELLINGTON (12.10 pm): I did hear the Premier's reply relating to the issues that I raised in my contribution to the earlier debate. Clause 13(1)(a) states—

The conduct of another person that could, if proved ...

I ask: what standard of proof is being referred to? Then it goes on to refer to official misconduct. Again, what is the definition of that term 'official misconduct'?

Ms BLIGH: The definition of 'official misconduct' is in the schedule. The burden of proof is the civil standard.

Clause 13, as read, agreed to.

Clause 14—

Mr LANGBROEK (12.11 pm): This clause relates to the fact that a disclosure cannot be made to an MP about a judicial officer. I would ask why a parliamentarian would not be a suitable person to receive a complaint given that the parliament has the power to remove a judicial officer for proven misbehaviour.

Ms BLIGH: I thank the honourable member. This is to preserve the separation of powers. A complaint about a judicial officer should appropriately be made to the appropriate senior judicial officer. In the case of the Supreme Court, it would be to the Chief Justice or to the Chief Magistrate.

Mr MESSENGER: Can the Premier please give us an example of where a similar provision exists elsewhere in Australia or in the world?

Ms BLIGH: It has been in the current act since its inception more than a decade ago. I do not have at my fingertips what is in the act of every other parliament. I understand this is a reasonably consistent provision.

Mr MESSENGER: It is news to me. I always thought that any constituent could come to an MP to make a complaint about anyone, including judicial officers. I would have thought that, as part of the glue that holds our democracy together, constituents could speak to their MPs and members of this chamber about any issue.

Ms BLIGH: For the benefit of the member I am seeking a copy of the previous act, which might provide assistance to us both. I am hoping it is almost here. This is not to say that a member of the public cannot come and talk to a member. It is saying that these disclosures are not regarded as an appropriate way for a whistleblower disclosure to be made. That is something that should appropriately be made to the senior judicial officers who have responsibility for oversight and discipline of the judiciary. This is, as I said, about preserving the separation of powers.

Mr MESSENGER: Just for clarification—

Mr DEPUTY SPEAKER (Mr Kilburn): Order! You are out of time, member for Burnett.

Clause 14, as read, agreed to.

Clause 15, as read, agreed to.

Clause 16—

Mr LANGBROEK (12.14 pm): This clause is headed 'Chief judicial officer etc. is only proper authority'. Has the Premier considered an independent authority such as a judicial commission as in New South Wales to consider such complaints? If a disclosure is made to a chief judicial officer, what process is then used to investigate the matter?

Ms BLIGH: Again, this has been the framework that has applied for some time in Queensland. I am not aware of any concerns that have been raised in relation to it. My experience is that the Chief Justice, for example, takes his responsibilities very seriously. I have not heard any suggestion that he would be either incapable or unwilling to investigate any complaint or disclosure that was made to him. A Chief Justice does not become the Chief Justice without having the personal values and skills that would equip him or her to deal with these responsibilities. I should just add that complaints can be made about these officers to the CMC by way of a completely independent body.

Mr MESSENGER: Once again, this might be an opportunity for the Premier to clarify a previous question, but it is relevant to this clause as well. The way the clause reads is that, if people wish to complain about a judicial officer or make a public interest disclosure, there are only two places or authorities to go to. As it says here, that is to the chief judicial officer of the relevant court or tribunal or to the Crime and Misconduct Commission.

I am aware that, under this act—and it is similar to the old act—a member of parliament is an authorised person to whom a public interest disclosure can be made. It appears that this clause excludes those sorts of complaints being made to a member of parliament. I would just like the Premier to clarify that and whether I have it wrong or right.

Ms BLIGH: I thank the member for the question. He is right that this provision clarifies and drafts it in a different way, but I have in front of me now the previous clause that applied to disclosures made administratively to or about a judicial officer. The previous clause 34—and I am happy to provide it to the member—states—

- (2) A person may make a public interest disclosure about the conduct of a judicial officer only under this section, despite any other provision of this Act.
- (3) A public interest disclosure under section 15 about the conduct of a judicial officer may be made only—
 - (a) to the chief judicial officer of the relevant court or tribunal; or
 - (b) to the Crime and Misconduct Commission.

So the drafting, as the member referred to in the previous clause, is a new way of expressing it. However, it makes it even clearer to people than the previously drafted provision, which was clause 34 of the Whistleblowers Protection Act 1994, that regardless of any other provisions of that act there are only two ways to make a complaint about the conduct of a judicial officer, and they are to the appropriate senior judicial officer or the CMC.

Mr MESSENGER: I think the people of the Burnett would be shocked to know that if they wanted to complain about a judicial officer or, indeed, employees of this government to whom this act applies they cannot come to their local member of parliament and make a public interest disclosure. There have been instances that I can remember—probably not in this state of recent times, but certainly in New South Wales—when senior judicial officers have been involved in criminal activities which were covered up by the police at the time. It is not beyond the realms of possibility for any person to be involved in a criminal activity.

The Premier talked about the separation of powers. At all stages in every piece of legislation the No. 1 authority of any democratic state or a state that purports to be democratic should always be this chamber and the people who work in this chamber. I would find it deeply disturbing that a worker within the judicial system or a police officer was not able to come to a member of parliament and make a public interest disclosure about possible corruption within the judiciary.

Ms BLIGH: I take the point from the member for Burnett that often members of the public are a little confused by some of the conventions and traditions of the Westminster system. In my view, that is one of the roles of a member of parliament. There is nothing in this bill that would prevent one of his constituents or any of the other category of people that he talked about coming and talking to a member of parliament about their concerns. But if they want the protections of this bill then the role of that member of parliament should then be to outline for them how they can make that disclosure appropriately under this bill. They thereby assist to make the disclosure in an appropriate way under the provisions of the bill and thereby get the protections that they are entitled to.

Clause 16, as read, agreed to.

Clause 17—

Mr WELLINGTON (12.20 pm): Clause 17(1) is a discretionary clause and starts with the words 'A person may make a disclosure'. As I interpret it, subclause (2) is a mandatory clause. It says that there is a certain procedure that must be followed if a complaint is made. In my interpretation subclause (3) involves a discretionary range of options. Why is subclause (2) which says, 'However, if a proper authority has a reasonable procedure for making a public interest disclosure to the proper authority, the person must use the procedure' a mandatory requirement?

Ms BLIGH: It is really for administrative efficiency. It is to ensure that there is a process by which management knows that a person is making a public interest disclosure and they can make sure that that person then receives the protections to which they are entitled. If we have a reasonable procedure and people make sure that their staff know that and someone makes a disclosure entirely outside that procedure it becomes a little difficult to make sure that management is meeting its obligations to protect the person, particularly if they have not had an opportunity to consider it. The member will see that it has to be a reasonable procedure. There has to be a reasonableness test on that.

I think there are very clear reasons why subclauses (1) and (3) are discretionary. We cannot require a person to make a disclosure. Subclause (3) gives a range of options. We cannot require which option the person chooses. It will depend on their circumstance. It may be very difficult for them, if they are a very junior officer, to even get to see the CEO. We need to give them a range of options so they know how to do this properly.

Mr MESSENGER: Clause 17 relates to how a disclosure is to be made. It says, 'A person may make a disclosure to a proper authority in any way.' This may help the Premier reply to a previous question that I asked in relation to clause 16. Who is a proper authority designated under this act?

As I understand it there are two acts in Queensland which define a proper authority. The reason I raise this is that there was confusion when Toni Hoffman came to me and made her public interest disclosure. I thought that I was an approved entity or a proper authority. There have been changes to the law since as recommended from the royal commission.

I understand that under the CMC Act a member of this Legislative Assembly is not a proper authority or an authorised entity to which to make a disclosure. Under this act, which will replace the whistleblowers act, MPs are authorised authorities. Could I have clarification of that point. Is a proper authority as defined under this act an MP, a member of this parliament?

Ms BLIGH: I draw the member's attention to clause 5 that defines the meaning of proper authority and provides expressly for a member of the Legislative Assembly.

Mr MESSENGER: So that means that, as we have found with clause 16, a person may make a disclosure to a proper authority. So there are parts in this bill, and specifically this clause, that specify that there are certain matters which cannot be made a public interest disclosure and that an MP is excluded from hearing certain matters. I would just like to make that point in terms of this legislation.

Ms BLIGH: The act cannot prohibit a member from hearing something that someone says to them. What it does is set out an administrative framework by which people become entitled to protections. The member as an MP and I as an MP never know who is going to walk through the door. When we hear what a person comes to tell us we then make a judgement, in accordance with the law, about how we manage and deal with that.

Mr WELLINGTON: Just following on from that question and the Premier's answer, can I clarify something? So if someone makes an appropriate complaint to a state member of this parliament—the state member of parliament is recognised under this legislation—does this proposed legislation set out a way the state member of parliament is required to process or handle and act on that complaint?

Ms BLIGH: There is not a required process that is outlined in this act but there is an overarching obligation as an authorised person for the member of parliament to take appropriate action. It is very difficult to define what that is in every case. In some cases it will be to assist the person to make a complaint to the CMC. In other cases it might be to assist them to bring it to the attention of the police or the CEO. It really depends on the nature of the disclosure. The whole act will rely on whoever the person receiving the disclosure is making a good judgement and acting appropriately. There may well be differences in how people would do that. That is how our system works.

Clause 17, as read, agreed to.

Clause 18—

Mr WELLINGTON (12.26 pm): I take the Premier to clause 18 at subclause (3) which states—

Also, if the information is about conduct mentioned in subsection (1)(b) or (c), the employee may make a disclosure of the information to the Crime and Misconduct Commission.

My experience has been that the Crime and Misconduct Commission usually simply refers the complaints directly back to the relevant department or the Police Service for investigation and it is simply there to have oversight of the investigation. That respective department then reports back to the CMC. From my experience it is usually a rubber stamp exercise and it does not go any further. Can the Premier clarify the involvement of the Crime and Misconduct Commission? Is there any capacity for the complainant to require the Crime and Misconduct Commission to undertake an investigation and not simply refer it back to the appropriate department?

Ms BLIGH: I thank the member for the question. This is quite a vexed one. The CMC, under its act, is not required to send anything back to any agency, including the police. That is a judgement that it makes entirely on the basis and nature of the complaint that it has received.

I am sure the member for Nicklin will appreciate that there are literally thousands of complaints made to the CMC and they range from quite minor, trivial or in some cases vexatious to very serious—that is, the other end of the spectrum where we would want all of the powers of CMC applied quickly and diligently. The CMC has a responsibility within that spectrum to make good judgements about what can and should be the responsibility of the appropriate agency.

Most of the large agencies all have their own ethical standards units or the equivalent and have a very extensive capacity to investigate. I am a bit concerned to hear the member say that many of his experiences have been that things have been 'rubber stamped', in his words. Certainly my experience has been that departments have taken complaints very seriously. Some of them have been very serious and people have either been dismissed or had salary suspensions where it has been investigated and found to be true and dealt with.

Specifically in relation to the member's question, there is no provision by which a complainant can insist that the CMC hear their matter. He has probably had enough experience of the sorts of complaints that come through his door to understand why that might be a bit unworkable.

I would like to think that if the member had a constituent who the member felt was not being dealt with appropriately the member would feel comfortable about contacting the CMC on their behalf to draw that to its attention. I certainly know that the CMC tries to get that judgement right.

Mr WELLINGTON: I have one final issue on this topic about the CMC and the Police Service. I certainly have a view about the appropriateness of the police ethical standards unit investigating complaints by one serving police officer against another serving police officer, be it a commissioned officer or non-commissioned officer, and the way the system works. I ask the Premier to clarify the government's view where there is a complaint by a serving member of the Queensland Police Service against another serving member of the Queensland Police Service, be it a commissioned officer or non-commissioned officer, with regard to whether it may be time to require that complaint to be taken out of the hands of the ethical standards unit of the Police Service and actually be investigated by the Crime and Misconduct Commission.

Ms BLIGH: I thank the member for his question, and this is another one of those vexed questions for which there are very strong arguments both ways. For that reason, the Attorney-General formally requested the CMC, about this time last year if I recall rightly, to undertake a comprehensive review of police disciplinary procedures and management of complaints, mindful of exactly the sorts of concerns that the member has raised. As I understand, it is close to finalisation of that work and I hope that it brings forward recommendations that might assist to build public confidence in the management of these complaints.

As a general rule, whether it is the police or any other organisation, I think it is important that the culture of the organisation is one on its own where the people who work in it know that their peers expect high standards and that their peers will enforce those standards and have a responsibility to do so. One of the very encouraging things that we have seen in the Queensland Police Service over the last decade has been the growth in the number of complaints about police that actually come from other serving police officers who do not want to work in a Police Service where they see people doing inappropriate things.

Mr Roberts interjected.

Ms BLIGH: I take the interjection from the Minister for Police that now a quarter of all complaints about inappropriate behaviour and misconduct by police are actually received from other serving police. That tells me that we have a very changed culture, and I think that is a good thing and should be encouraged. But I do think we need to have very high levels of public confidence that when a complaint is made it is dealt with and it is dealt with appropriately. I look forward to seeing that CMC report. It will be a report that is made public and no doubt we will have a chance to have a policy debate about it.

Clause 18, as read, agreed to.

Clause 19, as read, agreed to.

Clause 20—

Mr LANGBROEK (12.32 pm): This clause relates to a disclosure being made to a journalist, and we have concerns about the time frame. That is, if the original body complained to has not notified the complainant within six months, someone could go to a journalist about it. I ask for the Premier's response in the sense that, if it is a serious allegation and one would expect that something would have been done, six months is a long time to have to wait. It makes it a matter of last resort.

Ms BLIGH: I thank the honourable member for the question, and he is absolutely right: this provision does make going to a journalist a course of last resort. It is a bill that establishes a whole framework for how these things should be managed and procedures that should be put in place to deal with them. It is when those procedures fail that this bill provides protections for people to go and make public what might involve information about a whole lot of other people into the public arena. The time frame that the member raises is the result of a recommendation from the Whistle While They Work research project.

This is a new area for Queensland. There is only one other jurisdiction in Australia that has a similar provision—that is New South Wales—and that is very recent. So this is a new area of law. The Whistle While They Work research project, as I indicated yesterday, is one of the largest ever research projects into this area of administrative law in the world and we took the recommendation of that piece of work. As I understand it, the recommendation for the six months is based on an assessment of the sort of time it would take a reasonable person to reasonably investigate a matter that was of this seriousness. Sometimes we are talking about things which involve, particularly in a state like Queensland, a complaint made to the head office of Education about a small school that is currently on holidays in Cunnamulla or somewhere.

These things do not necessarily happen quickly, and everybody needs to be provided with natural justice in the process. I agree with the Leader of the Opposition in that we do not want too much time to elapse, but I do think it is important that those procedures be given an opportunity to work. So we did not randomly pull this out of the air; it is the recommendation of that report. That report has a very solid research base. This is, as I said, a new area of law and we will see how it goes.

Mr MESSENGER: To stop corruption, to stop waste, to stop maladministration and to stop misconduct, we must not have any rules which prevent genuine whistleblowers from contacting the media. This clause is the state government telling whistleblowers when they can make disclosures to journalists. This chamber should be very afraid. People who respect and love openness, transparency and accountability in their governments should be very afraid. Public servants who are dedicated to high ideals, strong ethics and morals should also be afraid. In every royal commission that we have had it was the media that forced the truth to come out. The Fitzgerald commission started with *Four Corners's* 'Moonlight State'. The Morrison and Davies royal commissions started with Hedley Thomas's article in the *Courier-Mail* exposing Patel's appalling professional history in the US. That was after Hedley Thomas spoke with nurse whistleblower Hoffman. That is a very important point.

Both this Premier and the previous Premier have always used the excuse that we have a standing royal commission in the CMC in order to dismiss calls for any royal commission. Anyone who has referred a genuine whistleblowing case to the CMC will quickly realise that Beattie, the former Premier—the man who secretly thinks he can make a comeback as Premier—in 2001 made sure that the Queensland corruption watchdog was half-starved and kept on a very short chain. As respected reporter Tony Koch writes with reference to the early years of the Beattie government in 2001—

Then Premier Peter Beattie without public consultation decided to emasculate the organisation—the CMC—stripping it of most of its powers to investigate complaints that have since, in the main, been handled by the government departments involved.

We also found out through the media that about 95 per cent of potential corruption cases referred to the CMC are bound straight back for self-investigation to the government departments from where they came. One can imagine how genuine whistleblowers feel when they find out that often junior officers, for example from the health department, are supposed to investigate serious allegations of corruption or misconduct made against senior Health departmental officers. The whistleblowers are shattered. They can see that it is a clear case of Caesar judging Caesar, and in Queensland in recent times Caesar always gets the answer that Caesar asks for.

The current anticorruption whistleblowing system is a joke and makes a mockery of Fitzgerald's recommendation. It has burnt many good people, and I say that from bitter experience. The only hope we have of cleaning out the Augean stables in Queensland is a media which is free to speak with whistleblowers, and now we see the Premier proclaiming that the CMC—and we have heard the Premier proclaiming previously—has the powers of a standing royal commission of inquiry and can launch investigations at any given time into the latest allegations of corruption. However, if the Premier cares to cast her mind back to the good old days when she shared the cabinet table with former health minister Gordon Nuttall, she will recall that it was not the case in relation to the Bundaberg Hospital inquiry. A royal commission would never have been established but for the unrelenting pressure from the media, the people of Queensland, especially those of Bundaberg and Burnett, as well as the opposition at the time.

But even in the face of that public pressure, the then Premier held out and refused to call a royal commission. The key moment came when Beattie received a call from Robert Needham on 19 April 2005 during which he explained to Beattie that the commission would investigate a specific complaint of bullying but would not hold a wide-ranging inquiry. Beattie relented and explained to parliament that he thought that the CMC was the appropriate body to carry out such an inquiry and that he accepted the

CMC's decision. My question for the Premier today in relation to this particular clause is: would this provision—this new provision—have prevented Toni Hoffman from speaking with journalist Hedley Thomas?

Ms BLIGH: I thank the honourable member for a pretty extraordinary contribution. I am not sure about Augean Stables. Let me say two things. Firstly, this clause provides whistleblower protection status to those people who make a disclosure to the media about a public interest issue under the provisions of this clause for the first time ever in Queensland. There are no protections now and nor have there ever been for any whistleblower to go to the media with a public interest disclosure. That has never been protected under Queensland legislation ever. It is only the case now in one other jurisdiction in Australia and that is New South Wales, and that is a very recent change. So we are pioneers in this area along with New South Wales—the only two states that are actually for the first time ever providing whistleblower protection status to those people who make a public interest disclosure to the media where they make it in accordance with these provisions, again, as per the recommendations of the Whistle While You Work program.

I have indicated to the member that I accept that this is a new area of law and, like any new area, we will have to monitor how it proceeds. But this is the Queensland government enhancing the protection of whistleblowers in a way that whistleblowers have never had before. I would put it to the member that I am unaware of any reprisals taken against Toni Hoffman. In fact, as I understand it, she received not only protection but a great deal of support after she made her disclosures.

In relation to some of the allegations made by the member, I have a lot of respect for Tony Koch. I think he is one the great journalists of Australia and he has been responsible for some very important pieces of work. On this specific issue, though, he is wrong about the provisions of the CMC Act. There is a specific clause that provides expressly for the CMC to investigate matters on their own referral and there are no constraints on them investigating anything to do with the police. I have actually had this conversation with Tony. He begs to differ, but I have the sections of the act and it is one of those things on which I am sure we will continue to have some debate. There are, however, no provisions in the CMC Act that in any way inhibit the ability of the CMC to investigate any complaint made against any serving police officer in relation to any matter regarding their duties.

Mr MESSENGER: The Premier has admitted that if a whistleblower makes a public interest disclosure and receives that categorisation from the appropriate authority, they then become public whistleblowers and get all the protections that are contained in this legislation. It seems as though they lose all the protections of this legislation if they contact the media before the six-month mark. I do not think that there is a person in this chamber who would disagree with that comment.

I will just explain it again. Say, for example, Toni Hoffman received her whistleblower protection status after reporting on the events of Patel from an approved entity. In this case it would have been an MP. If she had then spoken to the media within that six-month period, she would have lost all the protections of this Public Interest Disclosure Bill, which is replacing the Whistleblowers Protection Act. That is a very worrying and very concerning fact. I would like an honest and direct answer to that particular proposition, because I cannot see how they are not going to lose it. What happens if a whistleblower makes a disclosure to a journalist and fails to keep to the provisions of this clause? What are the repercussions of that?

The Premier in her reply mentions Toni Hoffman and that she is unaware of any reprisal action that had been taken against Toni Hoffman. I will just refresh the Premier's memory and the memories of the other MPs in this place. Of course, not long after her voice had been raised in this parliament Toni Hoffman was lined up with all the other nurses from the intensive care unit and a general lecture was given to those nurses. She was told directly by Mr Peter Leck, the manager of the Bundaberg Base Hospital, that any of those people who had been talking to Rob Messenger would be thrown in jail. That is a fact. But I guess that does not qualify as reprisal action for the Premier.

Toni Hoffman has worked at the Bundaberg Base Hospital since those years. I know that members of the government are here mumbling and murmuring. They might like to listen very carefully about the general reprisal action that has been taken against this woman who has deserved every accolade and every medal that has been given to her. She had to use every piece of her recreation leave to attend royal commissions, prepare for royal commissions, prepare for criminal investigations. She is a woman who has suffered greatly in a personal and physical sense because of what she has done. She has received no support from this government. Certainly, she has received no support from this Premier.

I have raised this matter in this parliament time and time again, but it has been met with a deafening silence. I have recently spoken to Toni Hoffman and she feels that this government has not looked after her, has not cared for her. This is a woman who, as part of her normal job at an intensive care unit at the Bundaberg Base Hospital, does things like take mothers to view the bodies of their babies and does the same for people who have had car accidents and have lost their loved ones. She is part of a group of people who, in their day-to-day work, have to put up with extreme events in extreme circumstances. This government has failed to take care of those whistleblowers.

I will take the Premier back to the original question: what happens if a whistleblower makes a disclosure to a journalist and fails to keep to the provisions of this clause? What are the repercussions? Do they lose their whistleblower status?

Ms BLIGH: I thank the member for the question. I think the operation of the clause is pretty clear to everybody. Let me make one clarification. My comments in relation to Toni Hoffman were in relation to once the matter had been disclosed to journalists. My understanding is that once it became a very public issue, there was a better understanding of what was going on and there was a very different view taken at the hospital. If that is not the case, then I would be happy to hear further from Ms Hoffman.

In relation to this provision, can I make it clear that it does not require in every case for people to wait six months. It applies if a person has made a public interest disclosure and has—

(i) decided not to investigate or deal with the disclosure—

and that might happen in a week—or—

(ii) investigated the disclosure but did not recommend the taking of any action in relation to the disclosure—

or nothing has happened and a period of time has elapsed. You have to pick a period of time for the provisions of this legislation and six months was the recommended time and that is why we have gone with it. If someone wants to retain their whistleblower status and go to the media, the member is right: they have to do so within the provisions of this clause.

Mr WELLINGTON: I thank the Premier for that example. I have another question that I would like to put by way of example. It comes back to the very issue of the complaint. Let us assume that a department has made a decision to close a department office and have those staff relocated to another site. The department officers say, 'This is simply ridiculous, a waste of money, bureaucracy gone mad.' They make a submission to their supervisors and put forward a case as to why that department office should continue to remain in that specific location. They hear nothing back. My understanding of this proposed bill is that if a public servant made a complaint to a journalist about a decision by the state government office's department managers to close the office down for a range of reasons, the mere fact that they have had no response back and there has been no change in the department's plan to close that office down firstly does not meet the eligibility criteria of the protection and that person would still not be able to make that complaint to a journalist without fear of reprisal.

Ms BLIGH: I need to clarify your example. Are you saying that six months had elapsed and nothing had happened?

Mr WELLINGTON: No, six months had not elapsed, but the reality was a decision was going to be happening within the six months and the office would have been closed. The six months was outside of a reasonable time frame because the middle management department officers had already made a decision that action would have happened within that six-month time frame.

Ms BLIGH: I am not entirely sure that that example would satisfy official misconduct in the first place. It might, in certain circumstances, qualify as maladministration. Anyway, I will not get hung up on the example. Where the member is suggesting that there is a time frame during which if this matter is not dealt with the decision will go ahead, my understanding is that one could argue that that has effectively been decided under provision (1) of this clause. There will be circumstances like that that we will have to work through and deal with in the context of what is, as I have said, an emerging area of law. You can actually effectively make a decision by failing to make it, if you understand my point, and that would be relied upon reasonably in those circumstances.

Division: Question put—That clause 20, as read, stand part of the bill.

AYES, 75—Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Croft, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Jarratt, Johnson, Johnstone, Jones, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, McArdle, Male, Menkens, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Powell, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Horan

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

Resolved in the affirmative.

Clause 20, as read, agreed to.

Sitting suspended from 1.00 pm to 2.30 pm.

Clauses 21 to 27, as read, agreed to.

Clause 28—

Mr SPRINGBORG (2.31 pm): I rise to ask for further clarification from the Premier with regard to this particular matter. As I understand it, this clause requires the chief executive of a public sector entity to have reasonable procedures in place to handle a public interest disclosure, and these procedures are

to be published on a website. Presumably the Public Service Commission, as oversight agency, will monitor these procedures. Why, however, should those procedures not also be reviewed by the CMC, as the body charged by parliament with responsibility for fighting official corruption in Queensland? I think that is reasonable and something that members would expect. They see the CMC as being somewhat removed from the political process, somewhat removed from partisan political input, and certainly not subjected to a close relationship with the executive government of the day. I would like to hear from the Premier why the CMC would not have greater responsibility with regard to this particular provision in clause 28.

Ms BLIGH: I thank the member for the question. While I am sure it is well intentioned as a proposal, the government would be concerned about requiring a level of administrative oversight by the CMC when it has much more, I think, serious and important responsibilities—to deal with complaints, to investigate complaints and to work in conjunction with other law enforcement agencies in some very serious investigations into things like organised crime et cetera.

This is really about administrative requirements of a CEO. These will not be unmonitored. They will be transparent; they will be available on the website. I would expect, for example, that unions would have an interest in them. The Public Service Commission will have an oversight role. If there is any unreasonable material in them then I expect that we will know about that pretty quickly. Certainly I do not think it is a useful use of the resources and time of the CMC to be systematically going through every reasonable procedure that a CEO is responsible for. This is part and parcel of the job of a highly paid chief executive to get it right.

While I am on my feet, I wish to clarify something I said earlier in answer to a question from either the member for Burnett or the member for Nicklin in relation to the six-month period. I indicated that that was a recommendation of the *Whistling while they work* report. It was a recommendation of the *Whistling while they work* report that there be a provision that provided for an opportunity for protection where disclosure is made to the media where after a reasonable time no action had been taken through the normal procedures. So they did recommend that that reasonable time be put there. They did not put any particular time around that. So we had to make a determination for the purpose of drafting of what is a reasonable time. The six months comes from the New South Wales drafting. As I have indicated, we are now the only two states doing this, so we thought it made sense for it to be consistent.

Mr WELLINGTON: Clause 28 reads—

- (1) The chief executive officer of a public sector entity must establish reasonable procedures to ensure that—
- (a) public officers of the entity who make public interest disclosures are given appropriate support; and
- ...
- (e) public officers of the entity are offered protection from reprisals by the entity or other public officers of the entity.

This comes to the issue of the actual public interest disclosure. On one interpretation, a matter that a public servant raises might be in a grey area—not clearly front and centre within the definition of public interest disclosure—but they believe it is worthy of further investigation. I use the example of the Police Service. A junior police officer makes a complaint against a commissioned officer, words are exchanged with the commissioned officer and then they make a complaint about insubordination. It is something that may not be front and centre but is in that grey area. My question is about the level of support that is required. I know we are not talking about the Police Service here. That is another matter. Is there a grey area? I think it is black and white.

Ms BLIGH: I thank the member for the question. I think he is probably going to the heart of what is a public interest disclosure. I think it is important to realise that this legislation does not replace other ways for public sector employees to have complaints and concerns dealt with. There is a substantial framework around, for example, managing a grievance. There are things that happen in workplaces. We are the largest employer in the state. There are a lot of people out there, and there are things that happen in workplaces that people believe are unjust or unfair or inappropriate and they want to make some complaint or grievance about it. This does not replace that process.

This is designed as a protective framework where a public sector employee becomes aware of evidence that somebody else in the organisation or senior management is involved in something that is far beyond what might be disregarded as a little workplace problem. It is about something that goes to the heart of the integrity of the organisation, such as the treatment of taxpayer resources, and it goes into the area of corruption or maladministration of a very serious nature. That is why we have set up such a protective regime, because when someone is exposing something of that nature they are potentially at risk because there is a lot at stake and a lot of vested interests.

There are a whole range of other ways of protecting people and supporting people who have a legitimate grievance that is equally important to have dealt with, otherwise workplaces cannot function properly, but is not necessarily a public interest disclosure for the purposes of whistleblower protection.

Mr WELLINGTON: The reason for my interest is that often these issues clearly fall within the parameters of the current code of conduct, whereby a public servant is not able to talk to a politician and is frowned upon very severely for doing so, especially in relation to matters involving the Police Service and a whole range of other issues. What I am keen to see is some freeing up or flexibility for these departmental officers or junior staff so that they can raise these legitimate concerns with their member of parliament, because simply they may be intimidated or afraid for a whole range of reasons to do with the culture of the Public Service. My question is to see if we are able to find a mechanism whereby those well-intentioned, dedicated, committed public servants are able to have their grievance addressed or progressed in an appropriate way, and one way is by giving people an opportunity to raise matters with politicians where we could pursue that avenue.

Ms BLIGH: I thank the member again for the question. It is a pretty fraught business trying to regulate what members of parliament can or cannot do. I think it would actually be in all of our interests and in the interests of democracy if, by and large, that was as unregulated as possible—that people ought to feel free to walk into the office of any elected member at any level of government on any issue they want to raise. I would not like to see us trying too hard to define those issues.

For this purpose, it is really clarifying and putting beyond any doubt that something of this seriousness is the subject of this protection, but I would be a bit reluctant to put in place a legislative framework around the sorts of things that people might or might not want to raise. I think it is more important that culturally we encourage people to feel that they can go and talk to people about problems they might have. I am trying to think of an example, but it could be that someone might feel they are being bullied at work. It does not fit into a public interest disclosure issue that would maybe go to the threshold that would satisfy the act, but it is something that any member of parliament should take seriously and they should help that person identify the right way to go about dealing with it. Maybe people at the junior levels do not know about the grievance procedures.

I would hope any member of parliament in those circumstances would feel free to ring the Public Service Commission and get advice. They are the sorts of cultural and more informal networks that often make the most difference. I would never want to seek to define it to a point. As I said earlier, it is the most unexpected things that come through your door and I do not think we would want that to change. I accept that some public servants feel more able to do that than others. I have certainly had people through my door regularly over 10 years who have wanted to talk about improvements in their workplace of one kind or another. Some people would feel comfortable talking about that and some would not. I am not sure we can legislate for that though.

Mr MESSENGER: We have heard the Premier say that clause 28 is part of the structural mechanism by which whistleblowers can approach their bosses if those whistleblowers are employed by the government. We have heard from the member for Southern Downs that within this framework there is not any option for the CMC to be involved. So this whole framework is in fact keeping the matter in-house within a certain department.

As the clause states, it deals with 'reasonable procedures to deal with public interest disclosures'. For example, a worker within Child Safety who thinks they have a reasonable public interest disclosure—it could be corruption—would go to their chief executive, and the chief executive would follow the procedures laid down in this clause. The procedures laid down in this clause, as the member for Southern Downs said—and please correct me if I am wrong—do not involve automatic referral through to the CMC. It is dealt with within that department. That is part of the framework.

Paragraph (e) says that 'public officers of the entity are offered protection from reprisals by the entity or other public officers of the entity'. In conjunction with the reply we had regarding clause 20, we know that, if a child safety officer thinks they have discovered some sort of corrupt activity and they report that activity and receive whistleblower protection but then decide to go to the media and talk to the media about that activity, that employee would lose the whistleblower protections that are offered in this legislation. So they in fact would lose the offered protection from reprisals. That is my interpretation of this particular set of circumstances. Can the Premier comment on that? Paragraph (e) states 'public officers of the entity are offered protection from reprisals'. Is that protection still valid if they speak to the media before that six-month period is up?

Ms BLIGH: I would clarify for the member for Burnett that if a public interest disclosure is made of alleged official misconduct then the agency is required to report that to the CMC. These procedures here do not in any way override the overarching responsibility for any official misconduct to be reported to the CMC.

All this clause does is require a CEO to put in place procedures that will facilitate the implementation of this act. If there was a complaint that procedures put in place by a CEO were unreasonable, that could be considered by the CMC, but do we want the resources and the time of one of our most important law enforcement agencies taken up reading the procedures for every single government department and every time they are updated? I do not believe so. I do not think it is the role

of the CMC to look over the shoulder of every CEO for every administrative responsibility they have. If, however, there was a complaint or a concern about the reasonableness, that could be considered by the CMC. In relation to the other questions, I think they were all answered in the last debate.

Clause 28, as read, agreed to.

Clause 29, as read, agreed to.

Clause 30—

Mr SPRINGBORG (2.46 pm): Clause 30 provides a basis for public sector entities to refuse to investigate public interest disclosures. The reasons are: substance, already investigated, should be dealt with by another process, age of information makes investigation impractical, too trivial or another entity has jurisdiction. Whilst there is power for the complainant to request the chief executive to review the decision, I am concerned that that falls a little bit too short. My question to the Premier is this: why isn't there a particular review process with regard to refusal to take action which actually does involve the CMC in some way?

Whilst I do believe that, given the general provisions of clause 30, there must be a process where the wheat is sorted from the chaff, so to speak, and there will always be situations where people will try to push and ventilate trivial matters or other matters so the resources of a higher office cannot be tied up on all occasions—one understands that—I am a bit concerned that the final arbitration of the decision not to actually investigate a particular complaint lies with the chief executive. I think all of our minds are somewhat raw to recent occurrences in Queensland, particularly with the CMC and the Queensland police.

If we look at the fallout from the investigation or lack thereof with regard to the Palm Island situation, we had a circumstance where there was this buck-passing between organisations that probably in their own way had individual or collective jurisdiction to look at those particular matters but it was sheeted back to the Queensland Police Service. Then of course they copped the odium, the Caesar judging Caesar and all those sorts of things. Further down the track, we had the involvement of the CMC.

Whilst I understand the intent, I am somewhat concerned that, if one looks at the capacity for Caesar judging Caesar here, there is the opportunity for reasonable complaints on behalf of a person by way of a disclosure to not be properly ventilated, investigated and also reviewed by the chief executive officer. I believe there would be merit at some stage in the CMC having some form of oversight role because I do think this falls a little way short. Let us not forget the fact that, regardless of the intent that is outlined in the clauses of this legislation, there can be a culture where something is taken to a particular degree but not to the next stage or a person might become somewhat contaminated when dealing with an issue and they may not see other matters that an outside agency may see because the issue has taken up a fair bit of their time along the way.

I am a little bit concerned that the decision not to take action on disclosure is contained in-house. I do feel that there should be an opportunity for a body such as the CMC to have a greater oversight role to make sure matters are properly investigated on the appeal of that particular complainant. I would like to hear some more justification and reasoning from the Premier as to why the government feels it is not necessary to include the likes of the CMC to ensure that this matter is properly dealt with and there is no potential of Caesar judging Caesar.

Ms BLIGH: I advise the House and the member for Southern Downs that nothing in this clause or, indeed, in any part of the bill would prohibit or prevent someone from taking a matter directly to the CMC or, indeed, to any other investigatory agency such as the Ombudsman. If a person made a complaint and the agency decided not to investigate it on one of the grounds listed here, the person could at that point, if they so desired, take the whole matter themselves to the CMC. They could exercise their rights under subsection (3) and appeal effectively to the chief executive. If the CEO makes the same decision and they are not happy with it, they can take that to the CMC.

The CMC has an overarching responsibility to oversight ethics and standards in the public sector. Nothing in this clause or the rest of the bill would prohibit in any way people taking that matter if they felt it warranted it. What it does not do is oblige the CMC to deal with every single one of these decisions. The seriousness or otherwise of the complaint and the nature of the complaint needs to be judged by the person making it. If they feel they are genuinely not being heard, then there is always an avenue directly to the CMC.

Mr SPRINGBORG: I note the Premier's clarification. Whilst the CMC does have certain responsibilities, there are things that enliven its jurisdiction with regard to official misconduct and corruption. I suppose if a person chose to go beyond the process outlined here in clause 30 and take that matter to the CMC, if it is a grievance based complaint, that does not enliven what is generally its jurisdiction, I am not particularly sure that would meet with favour from the CMC. I feel there should be an oversight role from the CMC to ensure that matters are being dealt with more fulsomely at an earlier stage. That is where my particular concern lies.

We have often heard about people taking matters to the CMC for particular reasons. Once again, it depends on its jurisdiction being enlivened. I come back to the issue of what happened to the Queensland Police Service with regard to Palm Island.

Ms Bligh: It wasn't a public interest disclosure. It had nothing to do with it.

Mr SPRINGBORG: I am saying that there are situations where, because of a culture that exists within a particular department, matters may not necessarily be properly investigated by that particular body for one reason or another. People can be too consumed by what is happening there. The CEO of that particular public sector entity—it is exactly the same thing; there can be cross-contamination, notwithstanding the fact that these people may not think there is because they become somewhat imbued by the dynamics of that particular department. If it is not CMC, there is a responsibility here to keep a weather eye on this issue.

If we are not careful, we could find that the government has actually implemented a process which is supposed to bring in a whole new, grand era of whistleblowing, public interest disclosures and wonderful opportunities—it does so, at least superficially; it outlines a better process for people to be able to make public interest disclosures and to actually blow the whistle, so to speak. I understand all of that. However, if we are not careful, some way down the track this process could become a justification to not pursue issues properly rather than completely open up as per the intent of the bill. That culture can slip into agencies over a particular period. If it had not slipped into agencies it is fair to say that we would not be here debating these bills. We have had whistleblower protection and all sorts of other accountability guidelines, legislation and codes enacted in the past and we know that has never been quite good enough. That is why we are here today. I have some concerns. The Premier may not share them. I respect that. I think there are some inherent deficiencies with regard to this process.

Clause 30, as read, agreed to.

Clauses 31 to 33, as read, agreed to.

Clause 34—

Mr MESSENGER (2.55 pm): One of the glaring flaws in the whistleblower protection issue is that politicians in Queensland are not subject to the same corruption reporting rules and regulations as senior public servants. Clause 34, the referral of disclosure, further supports that statement.

Former Premier Peter Beattie wrote, 'And senior public servants are required by law to report official misconduct to the CMC.' However, he failed to mention that politicians are not required by law to report official misconduct to the CMC. As a politician, I have more discretionary powers than a senior public servant. No Queensland laws require us to report official misconduct in the form of a PID through to the CMC.

This came as a bit of a shock to me. It was pointed out to me during a conversation with the former head and, I believe, the former deputy of the CMC, Robert Needham and Stephen Lambrides, that in this legislation an MP's discretionary powers to report or not to report a genuine PID is once again entrenched. Again, clause 34 states—

A member of the Legislative Assembly to whom a public interest disclosure is made under section 14 may refer the disclosure to another public sector entity (the referral entity) ...

In that case it would be the CMC. So we have the word 'may', not 'must'. I would contrast that word 'may' with, for example, the Crime and Misconduct Act. The Crime and Misconduct Act, under division 3, Duty to notify, states—

38 Duty to notify commission of official misconduct

- (1) This section applies if a public official suspects that a complaint, or information or matter (also a complaint), involves, or may involve, official misconduct.
- (2) The public official must notify the commission of the complaint, subject to section 40.

Under the Crime and Misconduct Act, which also covers allegations or public interest disclosures, if senior public officials or CEOs receive a genuine PID—and I will remind the Premier of the PID. Page 12 of this legislation deals with disclosure by a public officer. We are not talking about trivial matters with a public interest disclosure; we are talking about matters of official misconduct, maladministration, substantial misuse of public resources or a substantial and specific danger to public health or safety. They are not trivial matters at all. I would have to point out that we are not classified under the CMC Act as authorised entities to confer whistleblower protection status. However, we are under the Whistleblowers Protection Act. There seems to be a bit of an anomaly. Under the Public Interest Disclosure Bill, which is replacing the whistleblowers act, we are confirmed as authorised officers to hear those public interest disclosures. However, we have a discretionary power. We may refer the disclosure to another authority—namely, the CMC—in the majority of our cases. Why has this government failed to ensure that a member of this chamber must report and action genuine public interest disclosures?

Ms BLIGH: I thank the member for the question. The answer is because members of this chamber are not public servants. The accountability of elected members of parliament in a Westminster system is to their electorates. It is not the intention of this bill to fetter or interfere with the rights and privileges of a member of parliament. The purpose of this clause is to put beyond doubt that any member of parliament has a right to take a complaint to the appropriate authority but it does not seek to compel them to do so.

I take as an example the discussion that the member for Nicklin and I were having a little earlier. It is not unusual for someone to come to a member of parliament to talk about an issue that they may not want to take further. Someone who goes and discloses a matter, in the context of their workplace, to someone who is their supervisor does enliven a whole range of responsibilities in an industrial, employment and legislative sense.

They may want to come and talk to their member of parliament, which they are entitled to do, and not take those matters further for a whole range of personal reasons. They may, for example, feel that they do not have evidence; they just have a suspicion. They are entitled to have that conversation and to ask their member of parliament, in my view, to proceed with at least some degree of caution and to make some decision about the timing for putting that complaint forward.

Ultimately, the price paid by a member of parliament who receives a complaint of a serious issue of corruption or maladministration and fails to act on it is a political price. That is how our system works. We do not remove people from this chamber for a whole range of things that people might be dismissed from their employment for. Ultimately, the accountability for members of parliament in the Westminster system is to the electorate.

The caution in the way that this clause is drafted is to protect the entitlements of elected members and to entrench the difference. We are not public servants in the sense that public sector employees are. We are elected members of a parliament in a Westminster democracy and there are certain rights and privileges that come with that. We are expected to exercise those rights and privileges with a great deal of care and caution. If we fail to do so, as I said, the price is a political one.

Mr MESSENGER: To get this clarified and straight, what the Premier is saying is that a member of parliament may have a constituent come to them and that constituent could tell them about an issue that is of grave importance to the community and that constituent could offer them compelling evidence that there is a threat to public health or that there is a threat to the environment or that there is substantial evidence of maladministration or corruption and this legislation allows that member of parliament to merely do nothing about that information. There is no compulsion, apart from the member's own ethics and morals, to act on that information.

Mr SPRINGBORG: I was just listening to the interchange between the member for Burnett and the Premier with regard to the obligation on members of parliament not to disclose certain matters or not to have the same obligation as another public official would. I am reluctant to play hypotheticals. I have always worked on the basis that if somebody reports to me matters which I think enliven the jurisdiction of official misconduct or corruption then that is a matter that should be referred straightaway to the CMC. I think that is good practice.

I was under the impression that, at least procedurally, it is something that we should be aware of. If a member is aware of official misconduct or corruption, not just the allegation thereof, would they be duty-bound, from the Premier's understanding, to actually report that particular matter? That is the basis on which I have always worked.

Ms BLIGH: I concur with the member for Southern Downs that the fundamental duty of a member of parliament would be to report in all such circumstances. The question here is whether they should be legislatively compelled to do so under this bill. The bill does not seek to do that because it establishes, by and large, a framework for public administration—that is, setting out legislative obligations on public servants. But in my view, any elected member of any parliament in Australia who comes across the sorts of examples that were given by the member for Burnett—that is, someone discloses what they think is a threat to public health—and fails to alert the appropriate authorities commits a very serious breach of every public duty that they swear an oath to protect and uphold when they accept the obligations of being a member of this House.

Division: Question put—That clause 34, as read, stand part of the bill.

Resolved in the affirmative under standing order 108.

Clause 34, as read, agreed to.

Clause 35—

Mr SPRINGBORG (3.11 pm): Clause 35 deals with the Legislative Assembly still dealing with a disclosure matter, and the clause itself is quite clear in that this bill will not impinge or impugn the rights, liberties and immunities of the Legislative Assembly—importantly, something which has been a part of our parliamentary system now for many centuries. I just want absolute clarification that nothing in this bill will in any way impact upon the ability of a member of parliament to raise a matter in this House that they would be able to otherwise raise at the moment.

Ms BLIGH: The purpose of this clause is to expressly preserve all of those rights.

Clause 35, as read, agreed to.

Clauses 36 to 38, as read, agreed to.

Clause 39—

Mr WELLINGTON (3.12 pm): I have a question for clarification. I understand that clauses 36, 37 and 38 are intended to ensure that a public servant cannot be in receipt of a defamation action as a result of their complaint. My interpretation of clause 39 is that that person, because of the circumstances, may still be able to be sued as a result of criminal proceedings. Is that what is intended? Perhaps the Premier could give an example as to the intent of clause 39. Before I resume my seat, over the years a number of people have come to my office to share with me concerns they have about a whole range of matters. On a number of occasions those concerns have been very serious but those people have made very specific instructions that they were to be anonymous and they were not requesting me or requiring me to take any action on their behalf. They were simply wanting to inform me about what their views of certain matters were.

Ms BLIGH: I thank the member, and the comments that he made just at the end there go back to the discussion that we had in the last clause. The member for Nicklin would agree that, again, there is a spectrum where people come and talk about some concerns, and that is very different from them coming to you and saying, 'I have information that public health is at risk.' Even if someone said, 'But I don't want you to tell anyone,' we would still all have an obligation to say, 'I'm sorry, but I can't keep that confidential.' That is very different from someone saying, 'I've just got some general concerns I want to share with you but I don't want to take them further.'

Specifically in relation to this clause, the purpose of this clause is to make it clear that if a person who is making the disclosure has in some way, for example, been involved themselves in the activities then making the disclosure in no way exonerates them or protects them from liability for their involvement in those activities. It is not beyond the realms of possibility that someone has been involved with a group of people and actively known that things were going on and done nothing about it or turned a blind eye for a long time and their conscience gets to them for example, or they may have actively facilitated on a couple of occasions dodgy contracts or something and their conscience gets to them and they make the disclosure. That does not absolve them from liability for their involvement in anything that was inappropriate.

Clause 39, as read, agreed to.

Clause 40, as read, agreed to.

Clause 41—

Mr MESSENGER (3.15 pm): Clause 41 relates to the offence of taking a reprisal. I understand that the maximum penalty for taking a reprisal action against a whistleblower is a maximum penalty of 167 penalty units or two years imprisonment. I ask the Premier to make comment on whether she thinks 167 penalty units, which I believe is \$16,700, is a sufficient penalty. I ask the Premier to comment on whether this is sending a good enough message to those people who would think to take reprisal actions against whistleblowers, bearing in mind that whistleblowers put everything on the line. They risk their whole careers. For example, Toni Hoffman is a very well-educated lady. She has decades of study. She has a number of different degrees. She risked everything by becoming a whistleblower. I ask the Premier to comment on that, because these people are willing to sacrifice everything. All of the reports on whistleblowers throughout the world show that it normally ends badly for whistleblowers in that they normally have their career destroyed, they have their health destroyed, often their family connections are destroyed. People like Kev Lindeberg would back me up there.

Whistleblowers risk an extreme amount of reprisals, bearing in mind that I am looking at some other penalties that this government has passed through this chamber. For example, I draw the attention of members to a maximum penalty of 1,000 penalty units or one year's imprisonment that was passed through this chamber if you destroy a flying fox roost. That is in section 88C of environmental legislation—that is, a person must not destroy a flying fox roost unless the person is an authorised person or the destruction is authorised under the act. The maximum penalty is \$100,000 or a one-year imprisonment. It seems very odd that there is a far greater maximum penalty if someone destroys a flying fox roost compared to the possible destruction of a whistleblower's career, health and life. In that case, under this legislation a person who does that is only looking at a maximum penalty of 167 penalty units.

If you scare a flying fox out of its roost, you face a maximum penalty that is six times worse than if you are found guilty of taking reprisal action against a whistleblower. If you kill a flying fox, you face a financial penalty that is approximately 18 times worse. I ask: is that fair? Is that sending the right message to the people who take reprisal action or think of taking reprisal action against whistleblowers? Who needs greater protection: flying foxes or whistleblowers?

Ms BLIGH: Clearly I think the offences are appropriate because I introduced the bill.

Mr MESSENGER: I do not think that is an appropriate or detailed response to that question. I think the Premier could expand and clarify the issue. This penalty shows the priorities of this government and it strikes at the very core of this government. Does the government care more for whistleblowers or flying foxes?

I think this penalty shows where the government's political survival lies. I think the government would prefer to kowtow and bow down to the extreme green of this world than perhaps care for the humanists—the people who care for patients, the people who want to uncover corruption, the people who want to keep government open and transparent. I ask if the Premier would consider increasing the penalties so that, at least, if a department head or even a political staffer should try to conduct reprisal action against a whistleblower they would face the same penalties as a person who destroys a flying fox roost.

Ms BLIGH: Every time you formulate legislation you have to consider whether the penalties for the offences are sufficient to deter the behaviour. We are talking about public servants. If somebody was convicted for this offence and fined or jailed, I would put it to the member that not only would that be a penalty but also that person is very likely to lose their job and, in fact, may find that they are unlikely to work in that profession ever again. So there is a whole range of consequences for this sort of behaviour.

I do not have the environmental legislation that the member referred to in front of me, but if I have heard him correctly he said that there is a penalty of imprisonment for one year. This clause contains a penalty of two years imprisonment. So in relation to jail time it is double the penalty. The member can argue up hill and down dale on every piece of legislation—

Mr Messenger interjected.

Ms BLIGH: I believe this is a very serious offence. I believe that most people would believe that two years in prison is a serious penalty that would deter them from engaging in this kind of activity.

Mr MESSENGER: Just for a point of clarification—

Madam DEPUTY SPEAKER (Ms O'Neill): Order! I am sorry, the member is out of time.

Clause 41, as read, agreed to.

Clauses 42 to 44, as read, agreed to.

Clause 45—

Mr SPRINGBORG (3.23 pm): This clause provides the basis for a manager to take reasonable management action against an employee who makes a public interest disclosure. My question to the Premier is very simple. What is deemed to be reasonable management action? I know that there is more than one way of deterring a person from disclosing something or taking action against somebody who may have raised particular concerns. That can have not only an impact on them but also an impact on other people who may wish to disclose a matter or similar matters within that particular organisation quite fortuitously as a consequence of the action that can be taken against that person. Could the Premier provide some form of definition of disclosure to this House about what she believes or what she intends to be reasonable management action?

Ms BLIGH: I thank the member for the question. I agree: this is not an easy area to define. I have already spoken a little bit about the foreshadowed amendment from the member for Nicklin on this issue. It is not the intention of this legislation to provide such a blanket protection that someone who makes a public interest disclosure about one matter but then acts inappropriately in another area of their workplace should be free from any sanction or any reasonable action. Subclause 3(a) lists eight examples. So a reasonable management action would include a reasonable appraisal of the employee's work performance, a reasonable disciplinary action or a reasonable action to transfer or deploy the employee. The question then arises: what is reasonable? I think the generally applied test is the man-in-the-street test. If somebody thought they had been treated unreasonably, or where that action really was more in the nature of a reprisal than a reasonable management action, the onus would be on the management to demonstrate to the appropriate tribunal or authority that their action had been reasonable. I think it would be different in each agency.

Mr Springborg: It has a greater degree of subjectivity than objectivity to be tested.

Ms BLIGH: Inevitably there is a degree of subjectivity about it, but if you think about the broad expanse of things that fall under the responsibility of a good manager, I think it is impossible to exhaustively define it. But I think these lists of examples go some way towards doing that—for example, a reasonable action to transfer or deploy the employee. In an agency like the department of education, where transfers of teaching staff are a very regular part of normal employment, particularly when, for example, student numbers decline or for other matters, I think that would be seen in a very different light in the reasonableness test than for an agency such as Treasury, where I think transfers probably occur very rarely. So a transfer would be considered in a different light in different circumstances.

I think there has been a reasonable attempt by the drafters—not to overuse the word ‘reasonable’—to provide some examples. I think managers have to be very careful in these circumstances. But equally, I do not think the mere making of a public interest disclosure should protect or should make an employee immune from all of the other normal responsibilities that they have in their workplace. For example, you would not want a manager not being able to deal with a complaint of sexual harassment against someone who happened to have made a public interest disclosure about a contract, for example. They are the sorts of real-life issues that arise from time to time.

Mr WELLINGTON: I note that the member for Southern Downs referred to page 32 of the bill where it states—

Reasonable management action, taken by a manager in relation to an employee, includes—

It is not exclusive; it is inclusive. So it includes those very matters that the Premier has touched on from (a) to (h), which continue over onto page 33.

My concern about this clause is that I am very aware of the culture of the Public Service in Queensland. I do not believe that I would be alone in relation to having complaints brought to me from public servants about the way in which management—middle management and senior management—deals with them on a whole range of issues.

The reason I am raising these issues in debate on this bill is to try to focus the government’s attention on how we can in some small way change the culture of our Public Service in Queensland. I do not want to go into hypotheticals, but perhaps it is the safest way for me to pursue the argument. Let us assume that a junior member of the Police Service makes a complaint, which I understand would fall clearly within the parameters of this bill, to a commissioned officer. In due course the commissioned officer takes action against that junior officer on issues of perhaps insubordination or whatever which effectively, because of the action that the commissioned officer hypothetically may take or may have taken against that junior officer, stops that junior officer’s ability to proceed with any applications for transfer or any applications for promotion because that commissioned officer knows full well that a complaint of that nature would prevent, as I understand it, that junior officer’s application for transfer or application for promotion being processed until that other complaint from that senior police officer was dealt with and resolved.

I suppose that leads back to a question I raised earlier with the Premier in relation to the ethical standards units in some of our state government offices, be it the Police Service, Education, parliament or whatever. I believe that we all have a responsibility to try to improve the culture of the Public Service. I know we have very committed and dedicated senior and middle management officers in a whole range of departments. Sometimes I hear of examples where senior and middle managers have tabled and flagged the code of conduct in the junior officer’s face and said, ‘How dare you. You are in contravention of this code of conduct.’ When I peruse the code of conduct I believe that it is those senior and middle managers themselves who are in conflict with the code of conduct. The problem we have is that there is no capacity and no willingness for those dedicated committed junior Queensland government employees to take any action because they are aware of the retribution and the bullying. I know I am getting off the point. It may be that the senior officer simply gives them no work and gives them the cold shoulder treatment and they go on sick leave and they never come back.

I do not intend to table the amendment. The advice I have received from the Table Office is if I simply call a division we will vote on it. That is the way I intend to go. I believe this clause gives senior management staff, be it in the Police Service or wherever, the opportunity to take action against junior employees that they are responsible for. The reality is that they are very competent and intelligent people otherwise they would not be in those senior positions. They know how the Public Service works. They know the range of avenues that are open to them to take disciplinary action in a whole range of ways against junior staff. I personally believe that it is not necessary. I believe that we should be able to let those complaints proceed to their final conclusion. Hopefully, if we did not have this clause, we would put significant pressure on the respective ethical standards units to prioritise and get these many complaints received finalised as quickly as possible and not drag the chain as I understand some of them certainly do.

Ms BLIGH: I thank the member for raising the issues. As I said in my summing-up, I agree with the member for Nicklin that whether it is a public sector workplace or any other workplace it takes a certain courage to speak out against wrongdoing. It takes courage because I think people are genuinely often quite frightened that there will be repercussions that might mean that they lose their job, their livelihood, and their families are dependent on them, et cetera. That is why we are putting in place this legislation. It is a statement from this parliament that says if you are aware of wrongdoing and you can have the courage to come forward and lift the lid on it then we believe, collectively, that you deserve our protection. We will not only provide specifically for it in legislation but we will also provide penalties for people who seek to exercise any reprisal against you.

If the member looks at that list, if a person exercised that management right unreasonably then they run the risk that they are guilty of the offence of committing a reprisal and facing two years imprisonment. I put it to the member that for someone who has made a public interest disclosure, a manager who then exercised one of what would otherwise be regarded as normal management activities would really have to feel they are on very, very solid ground because if the person feels it has been done unreasonably then they are in reprisal territory. If one puts this clause in conjunction with the clauses about reprisals and the penalties for it, I think a manager would have to be very, very cautious.

I do think that we have to provide in the legislation for those circumstances where someone who has made a disclosure about one thing may conduct themselves in an inappropriate way in some other part of their duties. I do not expect that to be a common occurrence but I think we do have to provide for it as much to protect other staff as the person concerned.

Mr SPRINGBORG: I have listened to what the member for Nicklin has said and the Premier's response to the questions I raised about the definition of 'reasonable management action'. Whilst I understand where the member for Nicklin is coming from, the LNP cannot support the proposition that he is putting forward that basically this clause be opposed or, as per his original circulated amendment, that all of those particular lines which relate to clause 45 be deleted.

Whilst I have some serious concerns about the definition of 'reasonable management action' and some concerns that there is potential for a person's line manager to take some retributive action in a covert way, I am not sure that we can have an act that seeks to deal with public interest disclosures that is completely devoid of a protective mechanism that seeks to guard a line manager, somebody superior, from taking retaliative action against a person who may have made a public interest disclosure.

I am aware that the Premier said earlier on that these issues are somewhat difficult to define and that sometimes the more one tries to define something, the more the waters are muddied and these things can be a subjective rather than objective. I suppose that is what the legal system is about. We have piles and piles of legislation and piles and piles of amendments that seek to address things and then there is more stuff for people to argue about. If we do not have a clause 45 in this bill then we will have a whole lot more for people to argue about. What it says to me—and I will take the Premier on her word with regard to this but only on the basis that they have tried to define this as much as they can—is that this is aimed at making sure that a person cannot take retaliatory action against someone who has made a public interest disclosure.

I said earlier on, and I want to stick to the point, that I know there are covert ways, within the culture of a department or agency through particular management processes, where deterrents can be created within a workplace environment to stop people actually speaking out. I think that it is far too dangerous to put forward this particular bill with clause 45 taken out altogether.

If the honourable member for Nicklin were to have defined 'reasonable management action' more specifically to protect a person then I may have been more open to supporting him. I do understand the sentiment, but I believe that it is far too risky to leave this particular bill with a section that is totally devoid of any capacity to clarify what 'reasonable management action' is. Therefore we will be reluctantly opposing the amendment moved by the member for Nicklin on the basis that we do need to have a mechanism in the bill that seeks to protect employees who make a public interest disclosure from unreasonable retaliatory action that would be taken against them by their immediate superiors.

Mr WELLINGTON: I thank the member for Southern Downs for that clarification and that advice. I believe that if this clause was removed it would put significant timely pressure on the investigating authorities to get on top of and investigate the complaint and get a resolution instead of the case at the moment where a number of matters go to the various ethical standards units—using this as an example—and simply sit there and gather dust. One minister in particular is aware of one matter that I have been pursuing on behalf of a constituent. It is disgraceful how long it has sat in the ethical standards unit, the amount of information that has been assessed and the number of investigations that have occurred because no-one was prepared to look at it and say, 'How are we going to resolve this?' It went on and on and on. We have public servants out there still being paid and not able to jolly well work. I believe the Public Service will not stop if this clause was removed. I take the side of the junior officers who want to make a complaint. I believe that those complaints should be truly and justly investigated. I thank the Premier and the member for Southern Downs. I do intend to divide on the clause.

Division: Question put—That clause 45, as read, stand part of the bill.

AYES, 75—Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Croft, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Jarratt, Johnson, Johnstone, Jones, Kiernan, Kilburn, Knuth, Lawlor, Lucas, McArdle, Male, Menkens, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Powell, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Horan, Keech

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

Resolved in the affirmative.

Clause 45, as read, agreed to.

Clauses 46 and 47, as read, agreed to.

Clause 48—

Mr SPRINGBORG (3.48 pm): This clause relates to the right to apply to the industrial commission for an injunction against a reprisal. It can be obtained by an individual, a union or the CMC with the employee's consent. Why has the Premier decided as a consequence of the development of this bill to provide the industrial commission with exclusive jurisdiction for dealing with these particular matters when it comes to an injunction against a reprisal? Why is it that another court, maybe the Supreme Court, does not have the jurisdiction to deal with such an injunction? Is it because we have an industrial commission in Queensland which has been left bereft of things to do since the introduction of Work Choices/Fair Work Australia and also the further referral earlier this year of matters to the Commonwealth with regard to family partnerships and small businesses? I would appreciate an indication from the Premier as to why she sought to ensure that the jurisdiction that had authority in this area was the industrial commission and not the Supreme Court.

Ms BLIGH: I thank the member for the question. The bill does not confer an exclusive jurisdiction to the industrial commission. It provides expressly that matters that could not be considered by the industrial commission can be referred to the Supreme Court. Similarly, the antidiscrimination tribunal can also consider a matter but it does provide that if you are applying to one you cannot apply to another. So it is protecting against forum shopping.

The industrial commission is given these powers simply because many of the kinds of reprisals that a whistleblower may experience are industrial in nature—threats to transfer, failure to get a promotion. So if you have an action against you to make you redundant or to transfer you, it is the industrial commission that would hear the matter. Someone has to make a determination about whether that transfer is a reasonable management action or whether it is more in the order of a reprisal. So it is not an exclusive jurisdiction. Given that many of the sorts of reprisals that might be faced by someone in their circumstances are industrial in nature, it made sense. It is actually the way that it has been working since 1994. As I understand it, there are no changes in relation to the current provisions of the act in this regard.

Mr WELLINGTON: I have a final question on clause 48. How easy is it for an employee to apply to the Industrial Relations Commission? Is it an expensive exercise? Could the Premier also tell us how easy it is to apply to a Supreme Court? Is that an expensive exercise? That is my last question.

Ms BLIGH: I thank the member for Nicklin. He is right: making an application to the industrial tribunal is easier and more affordable than to the Supreme Court. You do not need to be represented by legal counsel in the industrial commission. You can ask your union to represent you or you can appear alone. Those people who have experienced any of these sorts of tribunals would know that they are not necessarily easy experiences to go through, but the industrial commission has far less strict formality about it and I think it is more accessible to ordinary people. That is another reason this jurisdiction has been conferred on them.

Clause 48, as read, agreed to.

Clauses 49 to 56, as read, agreed to.

Clause 57—

Mr SPRINGBORG (3.52 pm): I decline.

Clause 57, as read, agreed to.

Clause 58, as read, agreed to.

Clause 59—

Mr SPRINGBORG (3.52 pm): This clause relates to the main functions of the oversight agency. We have already seen what those functions are, and they are described as monitoring, reviewing and performing an educational and advisory role. The reason I raise these matters relates to the concerns raised by the Ombudsman in his letters to the parliamentary committee, particularly in relation to the process which has got us to this particular bill.

I note that members in this parliament have sought to indicate that the Premier has addressed concerns which were raised by the Ombudsman. One of the concerns that members of the LNP have outlined in this place is that this particular oversight agency, the Public Service Commission, actually has a role in overseeing the dealings of the Ombudsman with regard to a public interest disclosure. That has certainly concerned the Ombudsman in Queensland and it is of significant concern to the LNP as well, because this person is a statutory officer of the parliament, is above politics, is above political interferences and is about making sure that the various arms and instrumentalities of government follow particular procedures and that the community has a right to raise their matters, concerns and complaints about the operation of agencies.

A concern with regard to the Public Service Commission is that the people who often make up that commission, right to the highest level, obviously have been appointed on more of a political basis. People can argue that there are professional public servants, and that might be the case, but the risk that those people are open to partisan political interference or considerations or could be involved in that dynamic is much greater than you would see from the Ombudsman. I would like an assurance from the Premier that there will be no impediment and no interference in any way whatsoever with regard to the operation of the Ombudsman in Queensland. The Ombudsman is a very, very important statutory, independent body which is reportable to this parliament.

Ms BLIGH: I think the provisions of the act in this regard are very, very clear. The oversight agency has limited powers in oversighting the implementation of this act. The powers are as follows. The first is the power to monitor compliance—for example, requesting evidence from agencies that they have put in place a procedure by which an employee can make a public interest disclosure. The second is the power to collect statistics about public interest disclosures. At some point, I would expect a member of the opposition or the media to quite reasonably ask a question along the lines of, ‘How many public interest disclosures have been made?’ It is important that there is a central collection point for that information. If nobody is making public interest disclosures at all after five years, we would probably need to have a good look at it and ask whether we have got the act wrong. These are legitimate and important functions. The third is the power to monitor trends in relation to public interest disclosures. This would involve asking for information from agencies about the number of disclosures that have been made, how many of them were referred to the CMC and how many of them resulted in any action on behalf of the agency.

I refer the member for Southern Downs to other provisions of the bill that go specifically to protecting all of the other very important independent functions. Clause 63 relates to the Crime and Misconduct Commission and the Ombudsman and makes it absolutely clear that nothing in that chapter gives the oversight agency the power to review or monitor any of the functions under the acts that establish the Ombudsman or the CMC. It is only in relation to how the Ombudsman and the CMC as a public sector agency implement this bill and provide, as required under this bill, for protections for whistleblowers.

Whistleblowers are just as entitled to make a public interest disclosure against something they believe is inappropriate or potentially corrupt in the Ombudsman’s office or the CMC. In fact, we would expect both of those to be free of any of that sort of thing, so if any of those employees felt there was something there that should be disclosed we would want to encourage that. You would certainly want confidence that those agencies were reporting in the same way as the department of health or education, for example, about their responsibilities under the act. I can absolutely assure the member for Southern Downs and the Ombudsman and the CMC that nothing in this chapter gives any oversight monitoring role. The Ombudsman, as you quite correctly identify, is accountable to the parliament and nothing in this provision changes that.

Clause 59, as read, agreed to.

Clause 60, as read, agreed to.

Clause 61—

Mr SPRINGBORG (3.58 pm): Clause 61 relates to the preparation of an annual report by the oversight agency and the fact that they must, as soon as practicable after the end of each financial year, prepare a report on the operation of this legislation during that year and give a copy of the report to the minister. It needs to contain a whole range of information for the benefit of the minister so that the minister is able to understand the way that particular agency is working.

My question to the Premier is this: why shouldn’t this particular annual report be tabled in the parliament? It is an important matter and there will be a lot of interest in the way this legislation is going to operate with regard to the provisions that will be contained in that report. I think members of this place would actually like that report to be tabled in this parliament with the same amount of recognition and standing that goes with any other annual report which is presented to this parliament by the various government agencies and authorities which have to report to this parliament from time to time.

I would like to hear from the Premier whether she would support any move to ensure that this report is tabled in the parliament. Could she also indicate whether that report would be available to members of the House? When would individual members of this House be able to see that report, if there was indeed no move to actually table it within the parliament?

Ms BLIGH: I thank the member for the question. I agree with him; there is a legitimate and important public interest in the implementation of this act. I am happy to give him a commitment and put the commitment on the record of the parliament that I think the appropriate way to deal with this is for this report effectively to be a chapter of the annual report of the Public Service Commission, which is required under other legislation to be tabled in the parliament. That should be seen as part of its functions and reported on annually as a separate and identifiable chapter.

Clause 61, as read, agreed to.

Clause 62—

Mr SPRINGBORG (4.01 pm): This clause relates to the review of the act by the Public Service Commission within five years of its commencement. This is an important arm of accountability for government and its various agencies. Much has been made of that. There is going to be a lot of interest in the operation of this legislation. Would it not be a better idea for the operation of this act to be reviewed by a committee of the parliament after five years and not the Public Service Commission in Queensland? That would provide members of this place with an opportunity to be able to hear the evidence, to see the details and to see the practical benefits which it has actually brought. It would also allow us to be a part of the taking of evidence about the areas where the act may have failed and where there could be some improvement to its operations based on the experience of not only those people who have been responsible for administering the act but also those people who have made a complaint under the act and possibly have been subject to its various protective mechanisms or disciplinary procedures, which are laid out therein.

Ms BLIGH: I thank the member for Southern Downs. As he would know, this is a very standard clause in legislation. I do not see that there is any justification for making different provisions for this legislation than for others. This is a standard review clause. Many of these sorts of reviews—and I would suggest that this would be one such review—are quite public processes. The Leader of the Opposition and any member of the parliament is welcome to make a submission when those public reviews take place.

Clause 62, as read, agreed to.

Clauses 63 to 78, as read, agreed to.

Schedules 1 to 4, as read, agreed to.

Third Reading (Cognate Debate)

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (4.04 pm): I move—
That the Ministerial and Other Office Holder Staff Bill be now read a third time.

Question put—That the Ministerial and Other Office Holder Staff Bill be now read a third time.

Motion agreed to.

Bill read a third time.

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (4.04 pm): I move—
That the Integrity Reform (Miscellaneous Amendments) Bill be now read a third time.

Question put—That the Integrity Reform (Miscellaneous Amendments) Bill be now read a third time.

Motion agreed to.

Bill read a third time.

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (4.04 pm): I move—
That the Public Interest Disclosure Bill be now read a third time.

Question put—That the Public Interest Disclosure Bill be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title (Cognate Debate)

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (4.05 pm): I move—
That the long title of the Ministerial and Other Office Holder Staff Bill be agreed to.

Question put—That the long title of the Ministerial and Other Office Holder Staff Bill be agreed to.

Motion agreed to.

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (4.05 pm): I move—
That the long title of the Integrity Reform (Miscellaneous Amendments) Bill be agreed to.

Question put—That the long title of the Integrity Reform (Miscellaneous Amendments) Bill be agreed to.

Motion agreed to.

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (4.05 pm): I move—
That the long title of the Public Interest Disclosure Bill be agreed to.

Question put—That the long title of the Public Interest Disclosure Bill be agreed to.

Motion agreed to.

LAND VALUATION BILL

Second Reading

Resumed from 1 September (see p. 2984), on motion of Mr Robertson—

That the bill be now read a second time.

Mr SEENEY (Callide—LNP) (4.06 pm): I rise to make a contribution to the consideration of the Land Valuation Bill 2010. The explanatory notes to the bill point out that the key elements of the reforms in the bill are shifting from the existing unimproved methodology to site value for non-rural land; streamlining the objections and appeal processes involving valuation of land; creating an independent position of Valuer-General; and also making some smaller amendments to the Aboriginal Land Act 1991, the Torres Strait Islander Land Act 1991 and the Land Act in relation to deed of grant in trust lands. While they are important amendments in themselves, the main focus of the bill is on the first of those elements, the shifting from the existing unimproved value methodology to site value for non-rural land.

The consideration of this bill in the House here this afternoon has a long history, stretching back almost 10 years. It certainly stretches back over almost the entire term of this Labor government. Any reasonable consideration of the bill before the House cannot be undertaken without an awareness of that history. The bill before the House this afternoon cannot be seen in isolation. It has to be seen against the background that has been played out here and in the community generally to fully understand the challenges that this bill presents to the government and, more importantly, to Queensland's property owners.

The last time that this House considered the valuation of land question was in March 2010. I spoke on Tuesday, 9 March 2010 on a bill that was then called the Valuation of Land and Other Legislation Amendment Bill. I want to quote from the second paragraph of the speech that I made that afternoon. When I addressed the bill before the House back on Tuesday, 9 March 2010, I said—

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

That is what I said on 9 March 2010. It was true then and it remains true now. It gives something of a background to the legislation that is before the House today. Those of us who remember the debate on the Valuation of Land and Other Legislation Amendment Bill back in March 2010 will remember that this House did not pass that piece of legislation in the form it was introduced; to the contrary. The House passed a piece of legislation with the same name but with a very different outcome.

In the consideration in detail stage of that piece of legislation the government introduced extensive amendments—probably the most amendments to a bill that I have ever seen introduced in the House in the 12 years that I have been in this parliament. It introduced extensive amendments to effectively back down from the position that the bill encompassed when it was first introduced into this parliament.

The government was forced to back down by a public campaign that was waged by enraged property owners across Queensland—a campaign that was based on righteous anger. That piece of legislation that was introduced into the House back in March did exactly what I said it intended to do. It sought to increase the government's take of land tax.

It was the culmination of a 10-year strategy that the government had embarked upon to increase the amount of revenue that it was able to gouge from Queensland's property owners. As I also said later in my speech back in March, this government is ideologically driven to do just that. Ideologically this state Labor government believes that Queensland property owners are somehow a milch cow that it can milk for money every time it needs to boost its income streams. It has sought to do it over 10 years. It has been frustrated at every turn by the property industry which has used the law and the courts of Queensland to continually frustrate the government's attempts to increase the amount of land tax that it has been able to strip from that milch cow that it ideologically sees the Queensland property owners to be.

Since 2002, as I said back in March, there has been a concerted campaign to lift the amount of money that the government receives from land tax not so much by adjusting the rate of the tax but by adjusting the tax base on which that rate is levied. We cannot blame Queensland property owners today for being suspicious and cautious about this piece of legislation that has been introduced.

Yes, the government was forced to back down in March and it did. The legislation that we eventually passed had very little resemblance to the legislation that was introduced into the House, but it was passed. It was passed to allow the valuation process to proceed for that particular year. It was passed with an assurance given hand on heart by the minister and the Premier that a new system would be introduced before the next round of annual valuations was due. This is the legislation before the House this afternoon. According to the minister in his second reading speech, this is the legislation which will keep the commitment that was made back then.

As I said, nobody can blame Queenslanders for being suspicious. Nobody can blame Queensland property owners especially for doubting the promises and the assurances that the minister gave in his second reading speech because we are being asked to trust the government. We are being asked to trust the minister and the Premier that this legislation fulfils those commitments and that this legislation is somehow a departure from a 10-year strategy to increase the level of land tax that it has gouged from Queensland property owners.

It is no secret that there is not much trust in the Queensland community for the state Labor government generally; in fact, quite the opposite. There is no trust. There is no trust in the Queensland community generally for this state Labor government because it has betrayed that trust on so many occasions, especially in relation to its revenue-raising activities and especially in relation to the rates, taxes and charges that it imposes on Queenslanders. The cumulative burden of those charges and taxes has become something that every Queenslander is finding difficult to accept.

When we come here this afternoon to consider a piece of legislation which will once again seek to change the methodology by which another one of the government's taxes is levied then it is obvious that the government has a credibility problem. It has a credibility problem with this legislation because the trust has been destroyed in so many areas. The trust has been destroyed in a whole range of areas that have been the subject of extensive debate in this House.

The one that has been in the forefront of the news in recent weeks has been the water charges that Queenslanders pay. Queenslanders remember that this government gave them all sorts of assurances about their water rates just as I am sure we will see a range of speakers this afternoon give all sorts of assurances to Queensland property owners about the bill before the House. They know that the assurances that they were given about their water rates turned out to be hollow and false.

They know that because now they are starting to get their water bills. They are starting to realise that the increases that they have already seen are but a fraction of what they will see in the future because this government has mismanaged its infrastructure and this government has not been open and transparent with them about the financial impost of that mismanagement on them and their children and their grandchildren as generations of Queenslanders to come will struggle to pay back the enormous amount of money that the government borrowed to cover up its mismanagement of the water issue.

There is a long list of them. The other one that I wanted to mention is the council rates issue. Property owners were given assurances by a whole range of government ministers that the council amalgamation process that it embarked upon in the face of enormous community opposition would not end up costing them more in their rates bills. Every Queensland property owner knows how false that has turned out to be. Every Queensland property owner knows that they now pay more in rates because of the government's dogged determination to push ahead with that council amalgamation process.

Those same property owners are this afternoon being asked to believe that somehow the bill before the House can be taken on trust, that they can trust the government this time, that they can trust the assurances that the government has given them and no doubt will give them in spades this afternoon. So the list goes on.

Queenslanders who pay their electricity bills that have risen 40 per cent also can remember the assurances that this government gave in a series of circumstances in relation to legislation and regulations that were introduced by the government. They can remember the assurances that this government gave about car registration that have turned out to be false. When they drive that car and go to fill it up with fuel they know that they are paying an extra 10c a litre because the government was quite blatantly dishonest with them at the last election.

That is the background against which this legislation before the parliament this afternoon must be considered. It is certainly the background against which the people of Queensland will consider the changes that are being made to the valuation of land in this state. The valuation of land is a difficult issue to understand. It is a complicated issue, as I said in March 2010. It is difficult to explain to people who do not deal with it to any great extent, but it has an enormous impact on the taxes that they pay. It has an impact on the rates that they pay to their local authority and it has an impact for a lot of people who are unfortunate enough to be caught in the land tax net—the ever-widening land tax net—that this state government seeks to cast.

Just as we have seen the political buck-pass happening with the water charges that are currently stinging Queensland landholders and South-East Queensland consumers—just as we have seen the political buck-pass over the last couple of weeks being refined to an art form by the Treasurer and other ministers—there is no doubt that that same political buck-pass strategy will be used to confuse landholders and property owners when they get their next rates bill. When the consequences of any change to the valuation of land flow through to the rates bill that property owners will get from their councils, there will be the same political buck-pass as we have seen here even as late as this morning and certainly last night when the Treasurer sought to blame the local authorities—quite unjustly and quite unfairly—but with a deal of political momentum to try to confuse the issue and hide the fact that those charges were as a result of his government's mismanagement.

That is also the danger that lurks within this legislation, because this legislation introduces change. It changes the system upon which land valuations are calculated, and whenever change is introduced there are going to be winners and there are going to be losers. There are going to be people who are better off from that change and there are going to be people who will find themselves in a less well-off position, and those people are obviously going to want to know who is responsible. In particular with the question of council rates, there is a very real danger that that political buck-passing that we have seen over the last couple of days will be repeated in spades as the state government and the local authority seek to blame each other.

Those of us who understand the council rating systems know that there are provisions within that system to allow councils to adjust their rate in the dollar and their rating systems to ensure that property owners end up with an equitable rates bill. We know that, and that is something that has been talked about every time we have debated the valuation question in the parliament. It is certainly something that all of us as local members have pointed out to constituents. But the fact that we have that huge amount of distrust in the system, the fact that we have a government that has failed so dismally financially and the fact that we have a government that has a record of turning the political buck-pass into a fine art mean that those arguments about the role of the council in that rating process are going to be if not lost then confused.

So that is the background against which this legislation comes to the House. It is, as I said, a piece of legislation that introduces change, and to introduce change at any level at any time requires that the people who are going to be affected by that change need to have an element of trust in the authority making the change and a high level of information about that change. Not only do they not have the trust in this state government and not only are they justified in not having that trust; this afternoon I would contend that they do not have any information about the change that is being proposed in this legislation. The property owners of Queensland generally do not have any information about the changes that are proposed in this bill. They are being asked to take it on trust. They do not have any information about the changes because it is a process that has been rushed. It is a process that has been rushed and forced upon the government because it was forced into a backdown last March. It was forced into a backdown last March because the only way it could get the legislation through and operating for that particular annual valuation was to insert a sunset clause into it which effectively meant it can no longer be used. So it has had to introduce with undue haste this piece of legislation before the House.

While members in this House have had a few days to consider it since it has been introduced, I do not think there has been any effort to communicate its impacts and its effects to Queensland's property owners. The first they will know about it is when they either open their rates bill next year or next quarter or they suddenly find another letter in the mail that they have not seen before which will mean that they have been caught in the government's land tax net because their valuation has risen to the level which puts them above the threshold. In neither of those circumstances will they react favourably, and you could not blame them for that. Queensland property owners will not know that it is a piece of legislation that has changed the very way land valuations are calculated that has led to that outcome. They will not know the 10-year history that I know, that the minister knows and that I have given members here a thumbnail sketch of this afternoon. They will react to the fact, and understandably so, that the impact on them is a financial one in that, in the case of either their council rates or their land tax bill, they will have to pay more.

This piece of legislation once again epitomises the government's failure. It epitomises the government's failure because it is the end result of a 10-year failed strategy to try to gouge land tax from the property owners of Queensland. In fact, it is probably not true to say that that is a failed strategy, because land tax has risen by about 360 per cent over that 10-year period. From one perspective it has probably succeeded given that land tax receipts for the government now are over \$800 million more than they were 10 years ago. But it has failed because it has alienated Queensland property owners to an extent that I believe makes any sort of change fraught with danger.

This legislation is before us because the government has failed in its attempt to change the very basis on which that land tax is calculated. I dealt with this issue in some detail in March when we considered the Valuation of Land and Other Legislation Amendment Bill, because what that bill set out to do—and I will very briefly remind members about it—was change the way the unimproved capital value of land is calculated. The unimproved capital value of land is the value upon which property owners pay their council rates in the first instance, and every property owner pays council rates on that value. Those who fall within the land tax net—those who own properties which have a value over the threshold—also pay land tax on that value. With that piece of legislation back in March the government sought to fundamentally change the way that value was calculated. It did that by trying to include in that value the intangible values, as they were known. As I indicated to the House back then, there were always considered to be three distinct parts of a property value. There were three distinct parts, some of which were included in the unimproved capital value and some of which were not.

There was the value of the land itself, of course, but then there was the value of the bricks and mortar—the so-called visible improvements. There was the value of the work that had been done to the site that in a great many cases had been almost absorbed into the land, such as filling, clearing and drainage. Then there was the intangible value. For 10 years the government had sought to try to push the boundary on what proportion of those elements could be deducted from the market value of the property in the calculation of the unimproved value.

This afternoon we have in this parliament an admission that that 10-year strategy failed. It failed because the government was forced into a backdown from that legislation and it has moved to a system in this legislation that is something that, in my view, should have been done at the start of that 10-year process, not at the end. Had the government not embarked on that 10-year process, it would have had a much easier job of convincing the property owners of Queensland that the legislation before the House this afternoon could be trusted. I believe that the model that is included in the legislation is a lot better. It is a huge improvement on the unimproved capital value model.

Over the years I have spoken a number of times in this House, and my colleague the member for Warrego has also endorsed the view, that the unimproved capital value system is no longer suitable for the purpose for which it is used. It needed changing. It needed modernising and it has been modernised and changed in every other state in Australia. Every other state in Australia has moved to the site value system, which is the end result of the legislation before the House. The difference in Queensland is that the government has been forced to make that move at the end of a 10-year strategy that was all about dishonestly ripping off the property owners of Queensland. So the job that the Queensland government has of convincing the property owners of Queensland that this legislation is fair and reasonable is a whole lot harder.

In addressing that job, which is a whole lot harder as I have said, the government has made no effort to communicate to the property owners of Queensland the impacts and the effects of this legislation. Because of that, the opposition will not be supporting the passage of this legislation through the parliament this afternoon. It will not support some sort of a rushed, knee-jerk introduction of legislation that will almost certainly produce a push-back effect from the property owners of Queensland. In our view, it is not reasonable to expect the property owners of Queensland to trust the government and accept a new system when they do not know the full effect of that system.

Given the government's actions over the past 10 years, it would have been more prudent—and, in my view, it would have been a basic requirement of a competent administration—to effectively communicate the changes in this legislation before it was introduced, or certainly before the impacts of the legislation were experienced by the people who are going to have to pay their rates and their land tax based on its effects. There has been no effort to do that. I believe that there has been no effort to quantify those impacts. There has been no effort to determine just how many property owners are going to be worse off. There has been no effort that I am aware of to communicate to those property owners the effects of these changes. For that reason we do not believe that the parliament should tick off on this legislation until such time as those things have been done—until we get an assurance from the government that this legislation is not a continuation of that 10-year strategy to increase its land tax take, which, I believe, is the most basic requirement that the property owning community would require.

We need to hear from the minister a guarantee that this legislation will not result in extra land tax dollars into the Queensland government's coffers, that it will not be another step in adding to that extra \$800 million that has been ripped out of the pockets and the bank accounts of Queensland property owners and deposited into state Treasury over the past 10 years. An extra \$800 million a year now follows that well-worn track into the bank account of Queensland Treasury. We want an assurance that the level of land tax will be capped, that the total amount of land tax that people pay will not increase because of this piece of legislation. I think that is a very reasonable first step that the property owners of Queensland should expect from the government.

I think that it would also be prudent and reasonable for every Queensland property owner to have an indication of how this new legislation is going to affect them before they open their rates bill or their land tax bill. There needs to be an effort made by the government to ensure that those people understand the impact that this legislation is going to have so that they have an opportunity to mitigate that impact in their own particular circumstances. So we will not support the legislation because the government has botched its implementation—not because we do not support the move to a site valuation system in itself as the basis for those taxes. In fact, quite the opposite: over a 10-year period I have been calling for a major revamp of the unimproved capital value system and in all reality a site valuation system is the only option that is available if we are going to move away from the unimproved capital value system. A site valuation system that is similar or something like what is introduced by this legislation is the only option. But it is the implementation of that valuation system in the circumstances that I have outlined that we cannot support.

For the past 10 years the government has botched the whole land valuation system and now it has botched the implementation of how it proposes to fix the situation that it created through its desire to continually increase the amount of land tax dollars that it seeks to gouge from Queensland property owners. Let me make it very clear that it is the implementation of this legislation that we oppose. It is the degree to which the government has botched the implementation of these changes that makes them unacceptable to us and I believe unacceptable to property owners across Queensland.

As I said at the beginning of my speech, the legislation itself seeks to introduce a site value methodology for rural land and that methodology is consistent with the system that exists in all the other Australian jurisdictions. The methodology seeks to take away that question of the intangible elements of the old unimproved capital values that caused so much angst, so much litigation and so much argument for Queensland property owners. That is right and proper. We have always argued that the government, in trying to include those intangible elements in the valuations that were used for land tax and rates, was transgressing the law, was trying to misinterpret the law. But the site valuation system that is in this legislation that is before the House makes it very clear that the valuation is a value that the site would bring in an open and free market without consideration of those types of intangibles.

In addition, the introduction of a site value allows for the delineation of non-rural land based on zoning in local government planning instruments to differentiate between rural and non-rural land. I believe that is an important element, because valuing rural land is a very different process from valuing non-rural land, which has been the subject of so much litigation in so many attempts by the government.

There are a plethora of problems with the valuation system for rural land. There is an enormous amount of angst in the rural community about the valuations that they receive. That, too, is an issue that needs to be addressed. It is overdue to be addressed. I know that there are members on this side of the House who will speak about that in more detail. That issue is not addressed in this bill. There are some elements in this bill that perhaps will move towards addressing or providing some comfort to those people who have to deal with the outdated system that is still going to be used for the valuation of rural land. The bill seeks to appoint an independent Valuer-General. The bill seeks to simplify the objections process by providing longer times for mediation to minimise the number of objections that end up in litigation. Those things are good steps in the right direction. But there is still a huge problem with the valuation of non-rural land.

The site value methodology in itself is not the reason that we will not support this bill today. We will not support the bill because the government has botched its implementation. It has botched its implementation because of the 10-year strategy that has destroyed the trust of Queensland landholders, and understandably so. It has botched its implementation because of its ideological approach to the whole issue of land tax and property owners as some sort of a milk cow for a government that went broke in a boom. After a record such as that, this government can hardly expect Queensland property owners to trust it when it introduces into this House yet another piece of legislation designed to change the methodology by which land valuations are determined for the levying of council rates and land tax.

The minister and the government have an obligation to get this right. They have an obligation to embark on a process that will ensure that the property owners of Queensland can accept the changes that need to be made and can be assured that those changes are being made in a genuine spirit of trying to make the system better—a system that is outdated, a system that is unsatisfactory—and is recognised as being unsatisfactory by all of the players in the industry—a system that needs to be changed in a way that everybody can have confidence in it. No-one has confidence in the legislation that this government has introduced into the House this afternoon, and understandably so, because of the government's own actions over the last 10 years.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (4.42 pm): I think it is fair to say at the outset that the valuation of land, particularly on an unimproved basis, is an imperfect science. I think that site valuations, whilst new in Queensland, will also prove somewhat challenging. I agree very strongly with the excellent contribution by the shadow minister and the member for Callide that the site valuation basis of determining the platform for local government rates

and land tax does provide some opportunity to at least get the system a little bit better in a non-rural context. But as the shadow minister indicated, there is a long way for this government to go before it will win the support of the LNP with regard to the implementation of its particular valuation review strategy in Queensland.

Over a long period of time Queenslanders have been very much subjected to promises from this government that things are going to be made better but indeed by way of practical implementation they are made worse for many years. As the shadow minister said, after the passage of this bill tonight—as the government inevitably has the numbers to pass it—there will be people who will be better off, people who will be worse off, people who will be much better off and people who will be much worse off. In the absence of any effective data or modelling that would assure us that there will not be a sufficient number of Queenslanders who will be worse off, we would have to be somewhat sceptical of supporting a piece of legislation such as this.

Indeed, over a dozen years ago I was the minister for this particular portfolio, albeit for only about four months, and I have a practical appreciation of some of the challenges that the minister himself would be going through in addressing this issue. It is important to indicate that this is not an issue that is very easy for any government and certainly would not be an issue that would be easy for the minister. I do want to say that I think the minister has made a reasonable effort of trying to address some of these issues, but there is a long, long way to go.

I remember that in the middle of the Asian economic crisis a revaluation was done in some of the local government areas across Queensland. I remember getting criticisms from the community in Cairns that indeed their valuations were going down. I think in the commercial district of Cairns the revaluation actually showed that there was a reduction in valuations in that community by up to 20 per cent. The reason for the concern that was being publicly expressed at that time was that the valuations going down would be giving an impression to potential investors that this was not a good place to invest and therefore it would impact on the saleability of those commercial properties. I think the honourable Minister for Public Works was the shadow minister at that stage. I remember attending a meeting in Rockhampton or Emu Park—the minister might have been there—where there were the same sorts of issues. The honourable member for Greenslopes, at the time in opposition, was taking up the cudgels on behalf of his constituency which was concerned about what were seen to be unfair valuation increases. I think he was successful in getting a revaluation done even though a valuation had been done in that particular area.

So this is an imperfect science. This is somewhere between reading tea leaves and chicken entrails. That is about how good this particular science is. If anyone thinks it is any better than one only has to go through the experience to understand that. Having said that, I think that there is an element of light at the end of the tunnel with this legislation but certainly not enough for the LNP to be comfortable in supporting it.

I do want to declare at the outset that I will speak a bit personally about my own experiences with regard to valuations during the course of this debate. I am not saying that I have a particular conflict of interest, but I have an interest in common with many other thousands of Queenslanders who have been through the process of being dissatisfied with the valuation system, having practical experiences and understanding comprehensively about how there are some fundamental inequities. I believe that the benchmarks that are being set for valuations, particularly on an unimproved basis with rural land, are a long way from perfect and, indeed, require a lot of ironing out with regard to their imperfections. Previously when there have been valuations of my parcels of land I have taken the opportunity to object to those on the basis that I have thought that they were unfair. I was not necessarily able to gather the data. On the first occasion that I did it the review of that valuation objection saw basically a return mail letter from the department indicating that indeed it thought I was right so it therefore doubled the valuation. That was probably about 10 years ago now.

Only a couple of years ago, in 2008, a group of landholders, of which I was one, in the central part of the new Goondiwindi Regional Council, indeed on what was the eastern boundary of the old Waggamba Shire Council and on the western boundary of the Inglewood Shire Council, received a valuation that was released after the amalgamation. The landholders, of which I was one, in that particular area suffered a 550 per cent increase in our valuations. We got a landholders group together, as you do in those circumstances, after the shock and horror died down, and we put the hat around and some money was taken up to try to engage the services of a solicitor to see what he thought about this. Said solicitor came out and provided some advice and indicated that what we needed to do was to engage the services of a valuer so that we could really review the sales data that had been relied upon by the department to arrive at these conclusions. The solicitor went away and sought a quote from a valuer. Keep in mind that there were about 10 people who were interested in going on with that.

The quote came back from the valuer at \$80,000, and there was even more shock and horror. So, even though a small collection was taken up, the level of interest in trying to gather the science necessary to fight that particular valuation started to wane and to wane quite significantly. People

thought, 'There is no way on earth we can gather that amount of money. We don't know what the outcome is going to be. Anyway, the council have assured us that they are going to try to address the issue of any undue flow-on through adjusting the rate in the dollar,' which it subsequently did. There were rate increases in that area of up to 100 per cent—not 500 per cent—and some by 30 per cent, and the next year it further adjusted the rate in the dollar to bring it down a little bit more.

By the time we went through this process, the objection stage was flowing on. I think the letters came out to us dated 17 March and we had until 1 May 2008 to object. We put in objections at the request of the solicitor. Then there were offers of various conferences. It was indicated to us, 'Don't necessarily do the conferences.' We tried to get all the data together, because otherwise we would have a divide-and-conquer situation. Some people did go ahead with the conferencing. Some of them got a significant decrease; others got no decrease. In our case, with regard to one parcel of land we got a significant decrease and we did not even go to an objection conference. In the case of most parcels of land the valuations stayed exactly the same. So whether you went to a conference or not made very little difference at the end of the day to the adjustment of those valuations. What fundamentally concerns me, having been through that process, is how difficult it is for a landholder to comprehensively and properly gather the data necessary to be able to go in there and say, 'Yes, this is why it is wrong and we have the science to prove it,' because of the cost of doing it.

Things moved along fairly quickly after that. We had 42 days. I do acknowledge that that is going to be extended to 60 days. I think that is a significant improvement with regard to the opportunity for a landholder to object. Not only that, there is now an opportunity to remove the restriction of new evidence which may come forward in the process of objection or appeal. After I went through that process, I decided to list one of those parcels of land to test the market to see what the market thought the land was worth. I ask honourable members to consider the timing. This was in May 2008. Everything was going along swimmingly in Queensland then. There were very strong property prices comparatively. Things had not started to tailor off with regard to the impact of what was happening overseas. So the market was quite strong.

Leasehold land is subject to these valuations and that then affects leasehold land rents. I also need to acknowledge that, whilst the council at least tried to address the issue, and did to some effect with regard to the adjustment in the rate of the dollar, the government to its credit has also tried to address the issue of extraordinary unimproved land valuations and the impact that that would have on rural leasehold land in Queensland by putting in place a capping arrangement.

Going back for a moment to the situation of those other landholders, once the council said, 'We will try to deal with this,' there was the consideration of the cost of gathering the data to fight it and getting unimproved valuations by a valuer—and most valuers are very reluctant to come out and put their neck on the chopping block and do the work that is necessary to gather the data on an individual basis to try to value a property on an unimproved basis. For me and a couple of others, we looked at this based on the fact that we had leasehold land.

This parcel of land that I decided to put on the market was indeed crown land of which I am the leaseholder. I purchased that particular lease back in 1994. The unimproved value of that land, according to the department, was \$154,000. I think the increase was around 500 per cent on the old valuation. I decided to list it two weeks in a row in *Country Life* for \$99,000. This is \$99,000 on an improved basis, not \$154,000, which was the valuation on an unimproved basis. People might say, 'It is a crown lease and in particular a forestry grazing lease on which there is not much improvement. Therefore, it would be in its raw state.' But that is not the case. When I purchased that lease in 1994 there was indeed \$70,000 worth of depreciable assets on it—a couple of bores, tanks, fences and a range of dams. So there was at least \$70,000-odd in improvements on it. Adding the value of those improvements to the department's unimproved capital value, it should have brought it up to around \$220,000. But I listed it for \$99,000 because I thought \$3 an acre was probably about as far as you could go on this particular piece of land. In the context of somebody looking at it, I had two tyre kickers who were not even prepared to purchase that block of land for \$99,000.

Mr ROBERTSON: Madam Deputy Speaker, I rise to a point of order. I do not wish to be in any way disrespectful to the honourable member, but I would note that this Valuation of Land Act does not change in any way the existing valuation system for—

Mr Hobbs: It is about valuation of land.

Mr ROBERTSON: Let me finish. It specifically excludes rural land or any change to the unimproved capital valuation system for rural land. This bill is about moving urban land from unimproved capital value to site value. I do not mean to be disrespectful to the honourable member, but in my view he is not speaking to the bill that is before the House.

Madam DEPUTY SPEAKER (Ms van Litsenburg): There is no point of order.

Mr SPRINGBORG: As I indicated earlier in my contribution, the major element of this bill deals with site valuation for non-rural land. I understand that, but there are also provisions which deal with the objection process for unimproved capital values of rural land. I am not blaming the minister for this. This has been a fundamental problem with the system for a long time, and there is no perfect way of fixing it. I understand that. A lot of people have grappled with it, but it needs to be on the record so that people can have a practical understanding of the situation.

In relation to the objection process, this bill extends the time from 42 days to 60 days. The objection process applies equally to land which has been valued on the unimproved capital valuation basis—and that includes rural land. It is the same for site valuation. The bill also provides the ability to bring in new material. That is important and it is very important to what I am saying here.

The point I am trying to make is that my experience is indicative of what a lot of other people are going through out there. People tend not to want to pursue it because, at the end of the day, if it is on a rating basis the council tries to deal with that and the government has tried to give them credit by dealing with the issue of capping of leasehold land rent. Over a period of time it still creeps up because the basis of making these valuations is fundamentally corrupted. It is not deliberately corrupted, but it has got out of whack because there is an incapacity and an inability to gather the data to equitably go out and fight these valuations to get the benchmark right to start with.

As I was saying a moment ago, when I put this land on the market for \$99,000, which I thought was probably overpriced—and that is on an improved basis—I got two tyre kickers at a time when property was selling very well. The department had valued the land on an unimproved basis at \$154,000. Arguably, there were another \$70,000 worth of improvements. That gives members some idea of the fundamental problem we have in dealing with this. Then thought was given to going off to the Land Court. Again, we tried to get a valuer who was prepared to do a valuation on an unimproved basis. Once again, they wanted to run a million miles and it would cost \$10,000. So you ask yourself: is it worth it?

What I am saying is that the minister needs to actually give some further consideration to that. I understand that it is not easy, but I can tell the House that there are some real issues that need to be addressed out there in the community because it does have an impact. The average person is really on a hiding to nothing when they go through the objection process. Frankly, we find that people routinely object—and the same will happen here with site valuation—and they get their token few thousand dollars off. They are not really happy but they go away and live with it basically. That is the sort of thing that goes on, but it does not fundamentally address the issues that are wrong with the valuation system in Queensland.

I wish to talk very briefly about the site valuation issue. I have had some concerns raised with me from people on the Granite Belt. The minister is familiar with that area, as he no doubt is with a lot of Queensland. There is some concern among members in that community because of the preparation required for those sites and the fact that significant earthworks are required to move granite boulders, fill and those sorts of things. There is a bit of concern about the impact that might have in terms of putting up the value of non-rural land which might therefore cause a significant increase in rates. Depending upon property ownership arrangements—such as if people have investment properties—there is the impact of land tax as well.

The Southern Downs Regional Council will also be impacted by the introduction of this new site valuation system, and also the retention of the improved capital valuation system for rural lands could have a significant impact. I will give an example of how it is not always possible for a council to use the process and the capping and averaging. The formation of the Southern Downs Regional Council through amalgamation has caused huge issues. It is a very unhappy community at the moment because of some enormous valuation increases that have occurred recently. Some of that has been compounded by the introduction of a differential rating system in that new council in a part that never had it previously.

The council could not use capping and averaging, as normally would happen, because the former Stanthorpe shire did its last valuation in 2004 and the former Warwick shire did its last valuation in 2007. In order to be able to average that, the council needed to be able to draw a line from some consistent valuation data in the past. It could not use Stanthorpe in 2004 and Warwick in 2007 because there was no consistent baseline to be able to cap and average, so the council had to introduce a brand-new system of rates. As I said, that valuation had not been done in the Stanthorpe shire since 2004 and in the Warwick shire since 2007. That was six years and three years ago so the council had no consistent base to use. That has compounded the misery for those ratepayers within that community.

We also have businesses in that area paying significant increases in land tax—indeed, a 300 per cent or 400 per cent increase. It might be from a small base of \$2,000 or \$3,000 up to \$6,000, \$7,000, \$8,000, \$9,000 or \$10,000 but, needless to say, that is quite a significant increase for a businessperson who is trying to run a business. Whilst there are some steps in the right direction with this bill, we are concerned that there is a long way to go and therefore we are not able to support it.

(Time expired)

Mr HOBBS (Warrego—LNP) (5.03 pm): I am pleased to be able to speak to the Land Valuation Bill 2010. I commend the previous speakers from this side of the House for their comprehensive summary of the legislation and how we see it. Using valuations is not the best method for determining a tax in any manner or form, whether it is site value or unimproved capital value. For a family who have lived for a very long time in the one house in a suburb which many years ago was pretty run-down and old but has now become fashionable, their valuations go up and they are faced with an enormous increase in rates and, in some cases, land tax as well. That is unreasonable and unfair. They still use the same government services and council services that are provided to other people who pay less rates. It is unfair and I believe the whole system should be changed.

Mrs Sullivan: That is why the council has minimum general rates.

Mr HOBBS: That is quite right. That is the reason differential rating came in, because the system was broken. I know of one council which had 200 differential rating categories and they became a social service provider in the end, as they determined which group paid more and which paid less. That council did change quite a few of them and it is back to about 40 categories now. Others have about 20 categories of differential rating. That proves that the existing unimproved capital value system is broken. It is absolutely broken.

I did a review of the valuation system when I was minister for natural resources and I started to put in place mechanisms to revive that process to ensure that it was as fair as it could be. I still do not like the system, but we started to put in place mechanisms to ensure that at least it was reasonably fair and working to the best of its ability. Unfortunately, this Labor government did not fund the continuation of that process.

We had a situation in the end where the basic valuation process was an absolute joke, and there are numerous cases of this. We all have examples of it and I will give one example. A person appealed their valuation. They won that appeal after a long, drawn-out process. The next valuation ignored entirely the fact that the landholder had won that appeal and the price was jumped up again. All the data that the court had in fact determined was ignored. The landholder said to me, 'What am I going to do? I just won the case after a long, drawn-out process and the next valuation has completely ignored what the court said.' That is why the system was broken. It is not a good basis to determine the tax.

The site value system is certainly a better one. It removes the debate on what the land was like in its natural state and the cost to bring it up to today's value. It is useful in the urban areas. It will not work in the rural areas because it is too difficult; there are ongoing issues all the time in relation to improvements. For instance, if you pull scrub and you develop the country, it is a continuing process; it is never-ending. In some cases, if you have fill in a housing block or development, once that fill is there that is the end of the improvement in most cases and it can be phased out over a period of time. When you go down Creek Street, one side of the street is fill but it has been fill for so long who would know. You will find the valuations are considerably different from one side of the street to the other side. So, yes, there is a good reason to bring in site values.

Mr Hinchliffe: Albert Street was a swamp.

Mr HOBBS: That is another example. There are good reasons for site value in urban areas; there is no doubt about that. The problem we have here is that the government has rolled out this valuation process but, once again, it has not done the homework and it has not been able to provide the details. There is a lack of trust out there in relation to what it means. The government's own documents say there will be at least a five per cent increase in the values, but has someone come out and said that land tax will go down by five per cent or the equivalent? No, that has not happened. In other words, the government is gouging more and more money out of the—

Mr Hinchliffe: That's not true.

Mr HOBBS: It is there. It is in the government's documents. Members opposite should look it up. I just pulled it up on the website of the department of natural resources; it is there. An average five per cent increase is what the government has said. It is inevitable. Those blocks in Albert Street will go up considerably because of the cost of the fill. The increase in the improved value of those places is quite large. There is always an argument about the true value of the improvements; that is an ongoing debate we have had for many years. There is going to be a real issue there.

The government intends to introduce this method of valuation in 2011. There is no guarantee that it will not be increasing the values considerably. In fact, it will be increasing them. We know that they are going up. From 2011, only non-rural land will be site valued, which is reasonable, as I said before. There are further issues that have not been resolved properly. The government is saying that the unimproved capital value will be used for those outside the urban footprint, and that is fair enough in a sense. However, a lot of farming land is zoned non-rural. The member opposite knows himself about cane lands particularly; there is farming right up to the houses and so forth. So each one of those has to effect their change on appeal.

Here we are again. Landholders out there will receive an enormous bill and they will have to go through a process of appeal. Some will be late; some will be away and will miss the mail and thus the appeal process. I can see it now. The government is basically incompetent. This has been shown by everything it has touched in the past—and the only guide to the future is the past. The government said there would be no increase in costs with forced council amalgamations. Here we are \$200 million later, and rates have gone up 25 per cent since then. This government said there would be no increase in water charges. We went from having the cheapest water in Australia to having the dearest. It said there would be no increase in electricity charges. We went from having the second cheapest power—behind Tasmania—to having the dearest. The government is renowned for its incompetence. There is no way that we could support a change, even though site value is certainly better than unimproved capital value. We agree with that.

However, it is the way the government has brought this in that we take issue with. It is just incompetence to not follow through the process. What are the implications? Where is the business case? Where was the business case for the amalgamation of councils? There was none. It was just a political thought at the time. We could have approved this, provided we knew all the details. However, we just cannot. Land tax receipts have increased by 335 per cent over the last nine years. The thresholds themselves have not. Whilst some of them have come back to a certain degree, the tax rate is actually going up.

The establishment of the position of Valuer-General is good. We have always believed that such a position was needed in order to take control of this process. It is a good provision. This new method of determining valuations based on site values will not prevent appeals. People will still appeal. We need to be assured that the process for appeal will be far better than it was in the past when there were some dreadful situations. Three-year averaging during the phasing-in of this bill is not good enough. It needs to be done over a longer period.

There are going to be significant increases for owners in canal estates. I say to all those members who have canals in their area that their constituents are going to be screaming when they receive their new valuations. They will go up dramatically because of the huge cost of creating those canals—the cost of the fill and everything else. Therefore, the cost of that improvement which was taken off the value in the past will not be there. I would have thought the government would be smart enough to try to work out some way to ameliorate that problem. Obviously it has not as it is not in the bill. It has not thought it through. A business case has not been made about the impacts on people. Was the question asked? I doubt it was. Somebody must have asked it, but nobody seems to have worried too much about it.

The five per cent increase in valuations is significant. A while ago a few members opposite seemed to think that was not the case. I recommend that you hop on your own website and look at that. That is what they estimate. I believe there will be a significant impact on ratepayers. Certainly the land tax receipts will most certainly go up. You have had an opportunity here to put in place a system—

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Warrego, I have been fairly patient. Would the member direct his comments through the chair instead of using the word 'you'. That way we will have it through the chair.

Mr HOBBS: I am very happy to do that. If the government had really thought this through we could have all agreed on a change to this system. That would have been a small step in the right direction. Unfortunately, it has not done that. So we will have some difficulty in supporting legislation that could have been okay if it was done in the right way.

Mrs ATTWOOD (Mount Ommaney—ALP) (5.15 pm): In rising to participate in the debate on the Land Valuation Bill 2010, I would like to address the introduction of site values for non-rural land in Queensland in 2011. This particular part of the bill is of great interest to residents in my area of Mount Ommaney.

In March this year the government announced that Queensland would move to adopt a contemporary valuation methodology—site value—for non-rural land and that it would be consistent with other Australian states. The Land Valuation Bill 2010 addresses the introduction of site value, aligning the unimproved value definition with the site value definition for consistency and introducing other valuation reforms.

For almost 70 years, Queensland has used the unimproved value methodology to issue valuations to property owners. As Queensland has become more developed, there is decreasing knowledge of what land was like in its original state. Sales of unimproved land are rare, meaning the State Valuation Service, the government body that issues statutory valuations, has to use improved sales to arrive at the unimproved value. This has made the task of determining unimproved value more difficult in built-up areas as time has gone by. Queensland is moving to site value to provide a more consistent and equitable basis for determining the value of land. Site value is already used in other Australian jurisdictions and is more aligned with market value, making the valuation simpler and easier to understand for everyone.

To assist in meeting the government's commitment to introduce site value and introduce legislation by September 2010, the Department of Environment and Resource Management engaged expert consultants PricewaterhouseCoopers in April 2010 to provide a comprehensive analysis of the options and approaches available for establishing a new valuations methodology in Queensland. The government also gave a firm commitment that, before any amendments were made possible, it would consult fully with the stakeholders about the changes. As part of the PricewaterhouseCoopers consultancy, close consultation was undertaken with industry stakeholders on the proposed reforms and this formed the basis of the report provided to government on implementation options.

Consultation has also been underway since April 2010 through a valuation reform reference group comprising representatives from the commercial, industrial, local government, rural tourism, mining, law and residential development sectors with an interest in statutory land valuations. All major industry stakeholders were actively engaged throughout the process and support the changes to the Land Valuation Bill 2010 in relation to the definition of site value.

This definition is closely aligned to the definition used in other states, particularly New South Wales, and will be applied using the same methodology as used in New South Wales. Slight changes were made to the definition to take account of the fact that Queensland will retain the unimproved value definition for rural land and therefore those parts of the New South Wales site value definition that relate to rural land were removed.

This government is implementing site value and other major reforms to bring Queensland into line with other states and provide a more transparent process for all Queenslanders. Simply put, site value is the market value of land in its present state. That is, it reflects what the land is like in its current condition and what the land would sell for. With the introduction of site value for non-rural land, the valuations to be issued by the Valuer-General in 2011 will now take into account the improvements that have been made to the land such as levelling, clearing and filling.

The valuation will not take into account any improvements on the land such as houses, sheds, fences and buildings, nor will the valuation reflect any intangible elements such as leases, agreement to leases or infrastructure charges. Site value will also not include any site works relating to excavation that has been undertaken and was necessary for the specific structural improvements on the land. That means excavation for building footings, foundations or underground car parks will not be considered as part of the value. For the average residential house block this will mean that landowners will see very little difference in the value. It will only be a change for properties which have undertaken significant site improvements to the land such as filling, clearing, levelling and drainage works which were required to prepare the land for its present use.

The introduction of site value for non-rural land will allow for greater equity between the statutory land valuations for similar property types. For example, under the improved value methodology some waterfront lands with extensive site improvements such as filling, levelling and revetment walls have a lower unimproved value than nearby dry blocks with no access to the water. In reality, that land would sell for more than the dry land would yet it has a lower statutory land value. This is not reflective of what the land would sell for and is inequitable between residential values.

The site value will be determined using vacant or lightly improved land sales. The Department of Environment and Resource Management's State Valuation Service regularly monitors the property market, recording and analysing sales to determine the current value of land. In recent years, local governments have been able to manage the impact of inequitable statutory land valuations through their rating mechanisms. With the introduction of site value, local governments will no longer have to apply differential rating to rectify this inequity as all property categories will be valued using the same statutory valuation process and methodology. By introducing site value, Queensland will benefit from a less contentious, simpler system consistent with valuation practices in other Australian states and will provide for a more equitable rating base and land tax base.

As site value will only be introduced for non-rural land, this bill clearly defines the delineation between rural and non-rural land for valuation purposes. This delineation has been inserted to clearly indicate the basis on which land will be valued. Rural land will be land that is zoned as rural through a state planning scheme or equivalent local government planning instrument. If the land is not zoned rural then it will be valued based on site value.

Rural land will continue to be valued using the unimproved valuation methodology. The unimproved valuation methodology has better application for rural property and will be retained to value rural land such as farming and grazing lands. The definition of unimproved value is also being amended to reflect the definition of site value in that, when determining the unimproved value, there will be no consideration given to intangible elements. This amendment is to ensure consistency between the two methodologies.

As the government has previously stated, the introduction of site value is not a new revenue-raising measure. The introduction of the new methodology is about providing certainty for the future and aligning Queensland with the rest of Australia. The introduction of site value is a key element in the package of valuation reforms being introduced in this bill to streamline, modernise and reposition the State Valuation Service. I commend the bill to the House.

Mr WETTENHALL (Barron River—ALP) (5.25 pm): In rising to take part in the debate on the Valuation of Land Bill 2010 I simply want to touch on the consultation process that has occurred with the key stakeholders during the drafting of this bill. Obviously, new legislation of this kind does have a wide impact throughout our community and a number of stakeholder groups wished to put their views forward and have them taken into account. I commend the minister for the care which has been taken to consult widely with the relevant organisations and take their views into account.

On 9 March 2010 the Premier announced major reforms to the state's statutory land valuation process with the intention that these reforms would be in place for the statutory valuations to be issued in March 2011. As the member for Mount Ommaney noted, PricewaterhouseCoopers were engaged by the Department of Environment and Resource Management in April this year to undertake a high-level analysis of the site value methodology and other statutory valuation process reforms. The review identified a range of issues with the current statutory land valuation process and identified key issues that stakeholders wanted to see addressed in the reform process.

In line with the reforms announced by the Queensland government in March 2010, coupled with the findings of the PricewaterhouseCoopers report, this bill provides for moving to a site value methodology for non-rural land from 2011 which is, as has been mentioned, consistent with other Australian jurisdictions. In addition to the introduction of the new site valuation methodology for non-rural land, this bill provides for a range of reforms to the statutory land valuation process in Queensland, including streamlining and simplification of the objection and appeals provisions, prescribing the annual valuations program, setting out the role and responsibilities of the Valuer-General and incorporating provisions to transition the impacts of the shift to the site value methodology.

At the time the reforms were announced the government committed to undertake close consultation with industry stakeholders on the proposed reforms prior to the introduction of the legislative amendments. Keeping that commitment, consultation has been underway since April this year through a Valuations Reform Reference Group comprising representatives from the commercial, industrial, local government, rural, tourism, mining, land and residential development sectors. All have an interest in statutory land valuations.

Extensive consultation has occurred with the Valuations Reform Reference Group—a group comprising those key non-government stakeholder bodies with interest in valuations. They represented in that group the following organisations: the Local Government Association of Queensland; the Property Council of Australia; the Shopping Centre Council of Australia; the Queensland Tourism Industry Council; AgForce; the Queensland Farmers Federation; the Queensland Resources Council; the Real Estate Institute of Queensland; the Urban Development Institute of Australia, Queensland branch; the Australian Property Institute Queensland; and the Queensland Law Society. The Queensland Bar Association and other government agencies were also consulted during development of the bill.

It is pleasing and very important to note that the Valuations Reform Reference Group and the other government agencies to which I have referred have supported the move to site value and the concept of a pure valuation based on sales as well as the introduction of an annual valuation. All of the matters raised by the reference group have been addressed and are included in the provisions of the bill. In particular, I note that the Property Council of Australia, the Shopping Centre Council of Australia, the Urban Development Institute of Queensland and other commercial industry stakeholders are generally supportive of the valuation reforms outlined in the bill. The extensive consultation that has occurred with the Valuations Reform Reference Group has been undertaken by all parties in a spirit of cooperation and goodwill and every aspect of the valuation reform process has been discussed with those key stakeholders and addressed.

I note that the reinstatement of an independent Valuer-General and the introduction of an annual valuation cycle are also welcomed by key stakeholders. Mr Neil Bray has been appointed as the Valuer-General in Queensland and will commence duties in October 2010 and one of his key roles will be to progress the reforms being introduced in this bill. The Valuer-General will implement the reform process to ensure the government's commitments and our clients' expectations are delivered. The government, through the stewardship of the Valuer-General, is committed to ongoing consultation as the valuation reforms are implemented. All local governments will be contacted about arranging a suitable time for discussion of the reforms, particularly the introduction of site value. This will provide an opportunity for local governments to work through any area-specific implementation issues to ensure a smooth rollout of site value in March next year. The Valuer-General will play a key role in implementing the reforms, including this continuing consultation with stakeholders through the reference group. I want to

acknowledge the contribution of all of the stakeholders in this process. It has been a lengthy and complicated one to some extent and I look forward to their continuing support during the implementation of the reforms. I commend the bill to the House.

Ms SIMPSON (Maroochydore—LNP) (5.31 pm): Land tax revenue to the state has more than doubled in the last three years. There is a need for reform of the Valuation of Land Act, but this bill falls short in quite a critical way as it is not accompanied by changes to the land tax threshold and as a result ordinary Queenslanders will pay more tax or higher outgoings as part of leases for their small businesses. In 2006-07 the state received \$485 million in land tax, in 2007-08 it received \$610 million, in 2008-09 it received \$838 million and in 2009-10 the state received an estimated \$1,017 million. This financial year the income from land tax rises to an estimated \$1,117 million. By going to site value instead of unimproved capital value many properties in coastal urban areas like my electorate on the Sunshine Coast will face hikes in valuations due to improvements such as fill or retaining walls being costed in for the first time.

The panelbeater who occupies leased premises in an industrial building will face higher costs as his landlord exercises a right in the lease to pass on land tax—land tax which will rise due to valuations being undertaken on a new system. The mum and dad investors who hold property which previously fell just below the land tax threshold will now face the prospect of their investment house or industrial block going over the threshold for paying land tax because the property it is standing upon—the land—has been substantially improved and this value is now added under this system. I have asked questions about this bill as to how many people will be impacted and by how much. There has been no satisfactory answer from the government, particularly with regard to how many people will be pushed over the land tax threshold and how much more in total land tax revenue will result.

This is a Valuation of Land Act amendment bill, but it is tied to land tax issues because land tax is based upon valuation of land. This lack of critical information about how many people will be impacted with higher taxation under the land tax provisions of government is unacceptable. Site values will only go up, not down. In coastal Queensland, particularly on the flood plains, site valuations will go up a lot more than other areas which have not had that improvement through fill. There are no swings and roundabouts here. There is little comfort in the minister's explanation with regard to capping and averaging arrangements for land tax. At the end of the day, the valuation system here means people will have a higher valuation than if they were to revalue with unimproved capital values.

There is also even less comfort with regard to transitional arrangements in the bill which relate to people who have more than a million-dollar hike in value, because there are going to be many others who have less than a million-dollar hike but it is still going to be very significant for them—say, a hike of \$250,000 or \$500,000 or \$800,000. The transitional arrangements are not much help. The transitional arrangements will provide an allowance where site improvements have been undertaken in the past 12 years for those who have more than a million-dollar hike by the same owner, not a previous owner. The example used in the minister's second reading speech said that if the improvements occurred three years ago the owner could deduct the value of these improvements for the next nine years, but only while it is in the ownership of the same person or same entity. Once sold, these arrangements cease.

So I ask the minister: who is going to provide help to the panelbeater or the tyre fitter whose industrial shed in which their business is situated is on sold by the landlord? These transitional concessions cease at the point of sale and the tenants' leases in the industrial estate which allow land tax to be levied against these tenants suddenly could be quite a lot higher. I was given one example of price increases when I asked about that during the briefing. There was one example where they said canal front land may rise 20 per cent to 30 per cent, and that is quite significant in terms of the difference between unimproved capital value and site value. My electorate has a lot of canal estates, but there are also a lot of areas which are not on canals that have significant fill. When I go back to that example of industrial estates, where many small businesses are located, I would say that the majority of them in my electorate are on former flood plains. They have been substantially filled. They have had a lot of improvements, and that means that this legislation impacts those businesses and they face increases. Jobs are already under pressure on the Sunshine Coast and many parts of Queensland. More tax on businesses when they are struggling will flow through to the economy.

It has been mentioned by the shadow minister that council rates are another issue. Council rates are set by councils. They can choose to have a differential rating system. They can make choices to mitigate some of the impacts of changing valuations, but there is still a danger that this will not flow through and at the end of the day the changes we are seeing here are about increases for people going to site value under state legislation. I note for the record that rural land will continue to be valued using unimproved capital value under this legislation. It is urban land which is predominantly impacted. Rural land used for farming within the urban footprint will have to apply to be valued as rural land, though this appears to be possible only on appeal as the valuation will automatically be at the highest and best use of urban values. I would certainly welcome the minister's clarification of this point.

There are other provisions in the bill which I welcome. The extension of the appeal time frames and mediation are certainly improvements. The government says that the streamlining of the objections and appeal process will allow for greater information exchange and a compulsory objection conference for properties, but this applies to properties worth \$5 million and over. The extension of the period to lodge an objection and appeal is certainly welcomed. There is simplification of the properly made test requirements and an extension to the period to correct an objection, the removal of the restriction on the landowner to only appeal on grounds submitted in their objection, and the introduction of internal review rights for landowners to appeal a range of administration decisions, including whether an objection has been properly made or has lapsed and for such reviews to be appealable to the Queensland Civil and Administrative Tribunal.

Other changes will re-create the independent position of Valuer-General. It is also mooted that the valuation concessions in the legislation would be reviewed after two years. This is an interesting point. There has been a lot made about some of the concessional arrangements that are made for transition in particular, but I would ask the minister: what does he believe is going to be dropped out in two years time? It seems that it is a moving feast with the mooted changes to the valuation system. The fact that there is going to be another review in the next couple of years in regard to concessions probably has alarm bells ringing. What will it mean? The minister has concessions in this legislation in regard to the change from UCV to site value. Are those concessions also up for review in two years? Are the concessions where there is rural land under rural protection going to disappear?

I am not prepared to trust the Labor government, which claimed that electricity prices would fall with deregulation but they have gone up, which claimed that it would keep Queensland's competitive taxation regime but it has lost it, and in addition claimed that it would keep Queensland's AAA rating and now we are the only state that has lost its AAA rating. There are many reasons not to trust this government. The fact that there has not been a full explanation as to the implications of potential tax rises for people in my electorate and in many other electorates who are impacted by these changes is concerning.

Where there is a case for reform, you have to look at all the impacts. Certainly, the impact of higher taxation should have been addressed by this government. It should have accompanied any reform, any change of this nature to the land valuation act. That is why we are not only disappointed but also wary, because we have seen it all before. Much has been promised but, at the end of the day, so much has been taken out through the gouging of valuations.

We have concerns that the land tax measures will certainly have an impact. I am standing up for those small business owners in my electorate who will be impacted and who do not appear to have been among the stakeholders that the government has announced. The big end of town has been consulted but there are many small- to medium-size investors who have not been included in this consultation. I think they are the losers particularly out of the provisions that are before this House, because the government has not done the right thing in regard to the land tax implications.

Mrs CUNNINGHAM (Gladstone—Ind) (5.41 pm): I rise to speak to the Land Valuation Bill 2010 and also to raise my concerns in relation to this proposal and the impact that it may have on landowners in a local government area. The issue of site valuation has been around for many years. When I commenced in local government in 1988 it was a matter that was being examined at that time by the state government and it was certainly discussed at several local government conferences in relation to the benefits and the disbenefits of site valuations.

I have heard the comments from the members of the LNP and also from the couple of Labor members who have spoken this afternoon. I will be asking for some clarification from the minister in relation to matters, because I hold a fear that people in urban areas will be disadvantaged by this process.

I thought that the member for Mount Ommaney gave a very good overview of the basis upon which site valuations will be made and the current basis for valuations on unimproved capital value. I know there is a great deal of frustration around valuation time. Landowners receive their letters from the department and they commence the process of either accepting the changed valuation or objecting to it. I have said this before, and I have actually said this to the departmental officer's face so I can say it here now: talking to a valuer—and the one in my region is a very nice man—is like having a lobotomy with your eyes open. No matter what you raise as the reason the valuation did not make sense, he would have an answer for it. He would say, 'The change in valuation was on the basis of sales.' On a couple of occasions the change in valuation occurred in an area where I lived. So I knew whether there were any sales. So you would say to him, 'There have not been any sales.' He says, 'On the basis that there are no sales locally, we import sales of like properties.' So you think, 'Hang about, they are localised valuations and they are based on sales in your local area, but if there are not any sales it is okay because they have a back-up plan. They use imported sales.' So you are on a flogging to nothing. There was no way that you could have a logical debate with the valuer; you just needed, as somebody said this morning, a Bex and a good lie down.

Mr Robertson: You should try being the minister.

Mrs CUNNINGHAM: I am sure. My concern is partly based on the fact that at least the councils were supposed to use the unimproved capital value as the basis for rates. In a pure world, if every like property adjoining each other or in a discrete district had the same base valuation, the role of the council would be simple. It would just be able to take like properties and put a rate in the dollar and the potential increase on any single property could be ameliorated by the spreading of the valuation for the income that has to be generated by rates across a large number of people on like values and with similar rates imposed. The problem has always been where properties that are close to one another have quite significantly different valuations. I am concerned that site values could introduce further that spectre of disproportionate valuations.

The minister said that this legislation would also deliver annual valuations to all property owners. It was not that many years ago that we had that. It used to be a seven-year valuation cycle. I believe—it was 15 years ago plus, because I was still on council then—the government of the day determined that, with a seven-year valuation cycle, the peaks and troughs in valuation were too great and that to address the concerns of landowners who were facing significant rate hikes they would introduce annual valuations, which would smooth out the peaks and troughs. Can I say that there might have been one year when the site valuation was actually done, but after that the valuation was pushed out to every two years, every three years—‘We’ll do a desktop.’ So my question is: will these annual valuations to all property owners be on-site valuations or will they be desktop valuations? Will they be theoretical or will they be practical?

The bill proposes the ability to elongate the impact on the valuation over a 12-year period unless, of course, the property is sold beforehand. One of the things that prospective purchasers rely on is the forward knowledge about the costs that may attach to a property, whether that is property on land or whether it is a strata title unit. Prospective purchasers rely a lot on the searches that their solicitors or their agents do for them. So my question is: will purchasers be advised of rate increases or potential rate increases or site valuation increases at the time of a search via a notation on the rates account? Will those changes be highlighted in a presale search so that prospective purchasers have a clear heads-up on what it is that they are purchasing as opposed to what it is at that particular time?

The bill also relies very much on the ability of councils to address significant increases or potential significant increases in rates by capping. The minister stated the following in his second reading speech—

While most landowners will see very little difference in the valuation when it is issued in 2011, where there has been significant fill made to the land landholders will see some increase in value. Any impact from this increase can be readily managed through existing tools that local governments and the Office of State Revenue have such as averaging and capping.

Can I say that not every council uses averaging and many councils do not use capping. In my own local area, before the amalgamation the Calliope Shire Council had a capping program and it had been in for a long time. That allowed for significant increases in valuation to almost be amortised over, on average, between seven and 10 years so that that particular landowner was not hit with a major increase in rates in any one year. It had to be acknowledged that the rest of the landowners to a minor degree paid a small subsidisation to allow for that capping to occur. However, over that rating cycle of a council—and I am talking 10, 20 years—all people in a rating area would have the benefit of the capping and therefore if a long view was taken they were contributing equally.

My concern is that not all councils will use averaging, nor will they all accept capping. What will happen is that when these first site values come out departmental valuers will say to landowners who react to a significant increase in their valuation—and this happens currently which is why I know it will continue to happen—‘There’s no need to worry because your valuation is the basis of rates and council has many tools available to it to be able to fairly allocate rates.’ All councils have this problem where within a discrete area the valuations of the same type of land may be significantly different with site values because of the way the land has been treated. Unimproved capital values, the siting of the land, improvements to the region or differing valuation bases can result in an increase in valuation. So the valuer says, ‘It is okay, the council can adjust.’ When the council either does not have the tools because it has not adopted capping or averaging, when the rates go out and somebody just about has a heart attack because their rates have doubled, the council says, ‘Well, we can only work on the valuations that the government gives.’ That is fine, we can play the blame-one-another game, but the end losers are the ratepayers who have to find the money to pay for what is an unexpectedly large rates bill. I do not see how the change to site value will stop that if the government is going to rely on councils to implement averaging and capping when, in fact, they are not the masters of where the councils introduce that and therefore they really do not have the authority to say, ‘Don’t worry, landowners, because averaging and capping will address any concern.’

The member for Warrego talked about people who had been on properties that have been increasing in value. With site value they will increase exponentially. I think all of us have in our electorates people who are asset rich but cash poor, particularly older people. If this is implemented—

and it will be because the government has the numbers—they will be the ones who will be disadvantaged and may be forced to move from an area where they have the social supports and history and would not want to move from under normal circumstances.

In the minister's second reading speech he states that this bill is about modernising the valuation system in Queensland and introducing a simpler, more equitable process for assessing non-rural land. I am not trying to be half smart, but we have been through a process in the department of health where a new payment system was not properly rolled out. It was not run simultaneously with the old system so that people were not disadvantaged. Again I am harping back and it is history now but I know that in the council in which I was a councillor and then mayor, if we were going to make a significant change to the basis on which rates were going to be allocated, we ran a trial. We would get a number of rateable properties—and it would be in the hundreds or thousands—and we would do a trial run to see how the proposed changes affected those property owners in real time, in real money and in real life. So I ask: has there been a trial in at least one discrete rateable area, and within that trial how many ratepayers' rates increased markedly either through council rates or through land tax? That trial is not hard to do. We have the computer hardware and software to do that. That would give this House a more definitive idea as to the impacts on properties in a discrete area.

I look forward to the minister's response. I have some serious concerns about the impact on landowners and the ability for government to be able to give an assurance to landowners that those impacts can be managed when, in fact, the impacts will be created by councils who are required to use valuations as a basis for rates.

Mr DICKSON (Buderim—LNP) (5.55 pm): I rise to speak on behalf of the hundreds of thousands of property owners who are also ratepayers across Queensland. On 9 March this year the Premier issued a media statement outlining the government's idea of reform with respect to land valuation. The Premier said—

The Government will pass legislation so the method for valuing property is crystal clear, now and into the future.

...

This will allow us to complete the 2010 valuation with certainty, but we will then go further and introduce the simpler method of valuation—'site value'—for non-rural lands from the following year.

The Premier said the state would—

Move to adopt the 'site value' methodology similar to that used in other Australian States from the 2011 valuation, for property except rural areas;

Introduce an independent statutory position of Valuer General, to lead Queensland's State Valuation Service; and

Change its current legislation to allow appeals to be settled under the current Act until 30 June 2010, validate previously issued valuations and address other industry concerns.

The Premier also said that there would be no new taxes for property owners. Minister Stephen Robertson said—

We will implement these changes from 2011, which will provide sufficient time to engage closely with stakeholders.

Minister Robertson added—

Importantly, the new system will not result in significant changes to rates and property taxes.

This is not a new revenue raising measure—this is about providing certainty for the future.

On 1 September Mr Robertson is quoted in the media—

Whilst most landholders will see little difference in the valuation when it's issued in 2011, where there has been significant fill made to the land, landholders will see some increase in value.

Any impact from this increase ... can be readily managed through the existing tools that local governments and the office of state revenue have, such as averaging and capping.

The bill requires the Valuer-General to ascertain the site value of all non-rural land in Queensland. The site value approach assumes that all existing surrounding developments, infrastructure and services around the subject land at the date of the valuation are in place. That is a very big assumption. The site value methodology also includes as part of the assessment value the ground improvements that have been undertaken to the land: clearing, levelling, drainage, filling, reclamation, retaining walls, et cetera. The valuation as at 1 October 2010 will take effect for the financial year commencing 1 July 2011 and will be issued before 31 March 2011.

Here we go again. The Bligh Labor government has come up with another scheme that is apparently going to be good for us. It is going to be as good for the community as the deregulation of electricity was. Look at what has happened to electricity bills in recent years. On 26 April 2006 the

Deputy Premier and Treasurer Anna Bligh said that the Labor government's energy decisions underpinned the state's future growth by enabling the entry of a new retailer to promote healthy competition, delivering better services and prices for householders and businesses. We all know that electricity prices under this Labor reform have increased dramatically. Now the current minister for energy, Stephen Robertson, hides behind the Queensland Competition Authority. Will the reforms within this bill be as good for us as council amalgamation was? Look at what has happened to council rates since amalgamation. The Labor government has reneged on meeting council amalgamation costs of \$13.9 million for the Sunshine Coast Regional Council. Most recently there have been claims by the Sunshine Coast Regional Council—

Mr ROBERTSON: Mr Deputy Speaker, I rise to a point of order. With respect, this is the Land Valuation Bill. It does not have anything to do with electricity prices. It has nothing to do with council amalgamations. I ask you to ask the member to return to the provisions of the bill.

Mr DEPUTY SPEAKER (Mr Powell): There is no point of order.

Mr DICKSON: Thank you, Mr Deputy Speaker. Most recently there have been claims by the Sunshine Coast Regional Council that they have kept the 'general' rate component of the rates notice to 4.8 per cent. In fact, because of the Labor government's forced council amalgamations, I know of bottom line rates increases on the Sunshine Coast of up to 27 per cent. Will it be as good for us as the water reform system currently eating away at everybody's bank balance across Queensland? In question time on Tuesday, 14 September the Premier quoted a document, dated April 2009, from the chairman of the council of mayors regarding the formation of water entities.

Mr ROBERTSON: Mr Deputy Speaker, I rise to a point of order. With respect to your previous ruling, perhaps you might wish to ask the member what clause he is referring to in the bill that is currently before the House.

Mr DEPUTY SPEAKER: Thank you, Minister. Can the member for Buderim mention which part of the long title at least he is referring to?

Mr DICKSON: I am making a comparison to the bill. We all know what this bill that is being putting forward today is about.

Mr DEPUTY SPEAKER: I would ask the member for Buderim to return to the long title of the bill.

Mr DICKSON: Thank you, Mr Deputy Speaker. I am very happy to. The impact of this change to the rating system in Queensland will be very similar to the impact of other issues that have happened in Queensland, and I think we all know what they are. This new rating system that is being put forward—

Mr ROBERTSON: Mr Deputy Speaker, again with respect, this is not about a rating system. This is about the Valuation of Land Act.

Mr DEPUTY SPEAKER: I would ask the member for Buderim to remain focused on the long title of the bill, please.

Mr DICKSON: I am very happy to, Mr Deputy Speaker. The Land Valuation Bill will affect the position that councils across Queensland are placed in. It will also affect the land tax that will end up being collected by the state government. I think it is very clear what will happen when this bill is passed through this House, not supported by this side of politics. We all know where it is headed. When this is put into place, it will be passed on to the local government authorities. They will have to act upon the recommendations put forward by this state government and that will impact upon rates.

I think we need to draw this comparison very clearly. I have heard many speakers today talk about private enterprise, the big end of town, and how they are going to be affected. So let us give the speakers of this House the opportunity to talk about how the ratepayers, the mere mortals, within Queensland are going to be affected. I ask that I be able to speak on behalf of those mere mortals in Queensland about how they will be impacted by this bill.

When this bill is passed by this government, the flow-on effect to the local authorities will be very, very clear. We all know that local councils use a differential rating system and that differential rating system has worked quite well. You could have an old lady living near the beach in a house that can be rated at \$5,000 and a block of units next door to her that can be rated at \$5,000. But when you have a differential rating system, you can charge that lady \$1,000 and still charge the unit holders \$5,000. At the end of the day, when this bill is passed—we talk about the cutting and filling of land on beachfront property and we talk about the mountains and retaining walls being built—I know what the flow-on effects will be.

It is like being an arms dealer: you are giving council a weapon to use and hoping that they will use it in a very good way. But I am sure that we all know the way it will be used. The costs will be passed on to the councils and they will implement what I would consider to be price gouging. We all know what price gouging is like in Queensland. We have seen it with the deregulation of electricity. We have seen it

with the deregulation of water. Let us call it deregulation, because it was taken away and three entities were created, and the price of water has gone only one way—not south, but north. We can say that everybody agreed to it, but they did not. It was forced down the throats of the people of Queensland.

I think we have to be fair and honest with the people of Queensland. But here today I do not think we are being fair and honest. We continue to talk about the big end of town. I do not think it is right to do that. I think we need to stick to the issue at hand. It is all about valuations. These valuations, as we know very well, are going to go up. I know that the minister would have liked the support of this side of the House, but this side of the House has come to the sad realisation that we have not found anything that you can be trusted on. Everything you put forward in this House continues to go upward. It was like before the last election when you told the people of Queensland, 'Trust us,' but after the election you came out—

Mr DEPUTY SPEAKER: Member for Buderim, you will direct your comments through the chair.

Mr DICKSON: It was like before the last election when you went to the people of Queensland and said, 'Trust us. We're going to do the right thing by you,' and then weeks after the election you decided to sell most of the assets in Queensland. Can you trust somebody who misleads you before an election?

Mr ROBERTSON: Mr Deputy Speaker, again, I would ask you to ask the member to return to the long title of the bill.

Mr DEPUTY SPEAKER: Thank you, Minister. I am listening to the member's speech. I am giving him a little bit of latitude, but I would remind the member that he must address the long title of the bill.

Mr DICKSON: On the Land Valuation Bill that we continue to go back to, I have heard many speakers tonight make comparisons. They have talked about land valuations. They have talked about council rates. They have talked about how they have discussed this with industry and how good it is going to be. What I am trying to put across to the people of Queensland, and particularly to the members of this parliament, very clearly is: let us look at the track record. You always have to look at the track record of the business of those partners you would like to get into business with.

Let us look at the track record of land valuation in Queensland up to this point in time. We always see changes. I know that the local government used to revalue land each year. We used to pay for it in the old Maroochy shire council. We would pay for it in 2000, 2001 and 2003, but we only had the land valued once every three years because there were not enough valuers in Queensland to ascertain the value of the properties. I wonder if the minister has actually taken on board what impacts this will have. I imagine that there could be 1.2 million properties in Queensland or thereabouts. How are they going to get those properties valued every year? Are they going to charge every council in Queensland for the cost of having those properties valued or are they going to sit back in their office and think about how valuable those properties are, as has been done in the past? 'Let's have a guesstimate. Let's just pick a number. Let's put a few numbers in a bottle, spin it round, pick something out and hope we get it right.'

I would like a commitment—an ironclad guarantee—from the minister: will every property be valued every year from here on in? Will they be valued in 2010, 2011 and 2012? Are the valuers going to go out to these properties and look at each piece of land to see if the cut-and-fill has been done or if the property has been filled on an industrial estate so that we can get accurate figures that will be passed on to local authorities so that rates can be charged, because that is how they value their rates? How is that going to work? I think the minister needs to explain that in his summing-up this evening and let us on this side of politics know just how that is going to work. As I have spoken about in the past, promises have been made. We the people of Queensland have been promised that prices in Queensland will not go up, that taxes will not go up, that assets will not be sold, that the petrol subsidy will not be abolished. But guess what? The government just cannot be trusted.

I have to continue to make these points because, having regard to the litany of debacles arising from the current state Labor government's reforms, I have no doubt that the amendments arising from this Land Valuation Bill will mean greater costs for the people of Queensland. We continue to ask that question of this Labor government. We have to say to the people of Queensland, 'Keep up your rage. Every time there is an election, bring your bills along—bring your rates notices, bring your water bills, bring your electricity bills and particularly bring your land valuations,' because they are not going to go down in price; they are only going to go up in price, because these people cannot be trusted. They will not fulfil their commitments, and it is about time they started to come clean, particularly on this issue.

I will say it very clearly to the minister one more time, just so it sinks in. Can he give a 100 per cent ironclad guarantee that every property in Queensland will be sighted and valued? I would like to know the number of valuers in Queensland who are going to do these jobs. It is a pretty simple sum to work out: they would do a 40-hour week, there are X amount of them and there are so many weeks in a year. Let us know the numbers because that will make the truth come to the floor of this parliament. I am

sure these questions will be asked during consideration of the clauses. Mr Deputy Speaker, I appreciate your time and your fairness. I hope this Labor government will be fair to the people of Queensland, but I know that it will not.

Mr RYAN (Morayfield—ALP) (6.09 pm): I rise to contribute to the debate on the Land Valuation Bill. This is reforming legislation from a reforming Queensland government. This bill will modernise the land valuation process for non-rural land in Queensland and, in doing so, it supports equity and certainty for landholders. Not only does this legislation continue past reforms of the government in respect of land valuations—including the introduction of capping, averaging, payment period extensions and objection period extensions—but it will now also introduce new measures which further promote understanding, certainty and equity by moving to a site valuation model.

Importantly, this legislation will also mandate the universal and yearly release of valuations for landholders. This practice is of critical import for business and investors around Queensland. For instance, until recently, some areas of the Moreton Bay region had not had new valuations issued for up to five years. This created two specific problems. Firstly, the release of the new valuations after a period of up to five years meant that those new valuations were substantially higher than the past valuation. Understandably, these new valuations were of some concern to landholders. Secondly, the different timing for the release of valuations for previously different areas of the Moreton Bay region meant that it was difficult to introduce common rating policies across the region. This legislation will not only remedy those problems but will indeed correct the uncertainty and inequity which exists within the current arrangements.

I would like to take this opportunity to consider this particular aspect further by outlining the statutory land valuation process that will be undertaken in 2011 and into the future. This bill provides for statutory valuations to be undertaken every year for all local government areas except in unusual circumstances or if there is little movement in the property market. Accordingly, all 58 rateable local government areas will be valued next year and every year thereafter. This means every landowner will receive a new valuation. Rural landowners will be valued using the unimproved value methodology and non-rural landowners will be valued using the new site value methodology.

It is critical that these valuations are undertaken using a credible valuation process that is transparent and is understood by landowners. That is why this government is introducing the valuation reforms provided for in this bill to modernise the valuation system in Queensland in line with other Australian jurisdictions. I note that numerous opposition members have mentioned in this debate that they support a site valuation methodology as the basis for land valuation in Queensland. This bill introduces a site valuation methodology as the basis for land valuation for non-rural land in Queensland.

Whilst the bill provides for annual valuations to be issued to every rateable local government area, there is provision to not provide a valuation in certain circumstances, such as unusual circumstances or if there has been minimal market movement. This will be determined by the Valuer-General following a market survey report prepared for him by the State Valuation Service. Valuing local governments on an annual basis will provide greater certainty for local authorities and landowners about when a valuation will be undertaken. It will also provide consistency and increased equity and predictability in valuations across property types throughout the state.

The move to annual valuations will also overcome large changes in valuations that have occurred when the period between annual valuations was up to five years under the Valuation of Land Act 1944. For 2011, introducing site value for non-rural land will make the valuation easier to understand for landowners and simpler to implement than unimproved value. It is more reflective of Queensland's state of development and removes uncertainty about what land was like in its original state. Unimproved value will continue to be used to value rural land.

I have been informed that, when all landowners receive their new valuation in March next year, most will see little difference in their new site valuation. I have also been informed that the value of most residential land will not be significantly affected through the introduction of the site value methodology. Every landowner will receive a valuation notice and accompanying information explaining the new valuation methodology. The valuation notice will state the existing valuation amount and the new valuation amount.

In addition, the accompanying explanatory information will provide the Department of Environment and Resource Management website address for additional information and comparison valuations and sales data. A call centre will also operate from the issue of the new valuations until the end of the objection period to answer questions or concerns landowners may have regarding any aspect of the valuation process. This government has moved to strengthen the delivery of statutory land valuations in Queensland with the introduction of this bill. The proposed legislation brings Queensland into line with other states and sets the framework for a contemporary, equitable and transparent valuation process.

I would like to conclude my remarks by commenting on some of the contributions made by members of the opposition. Those members have said that the current valuation system has problems, that it does not work, that it is broken and that it needs to be changed, and those same members have also said that they support the new site valuation methodology. It is disappointing and perhaps also irresponsible of those members of the opposition to treat this bill as some sort of political plaything. They are having two bob each way. They want the current valuation methodology changed but they seek to preserve the status quo by opposing this bill.

As you have heard, Mr Deputy Speaker, they say that the status quo does not work. They want to move to the new site valuation methodology but they reject that new methodology by opposing this bill. If opposition members support the site valuation methodology, as they say they do, then they should support this bill. If opposition members want to change the current valuation methodology, as they say they want to do, then they should support this bill. This is reforming legislation by a reforming government which promotes equity and certainty for landowners. I commend the bill to the House and ask that all opposition members put their politics aside and support the bill.

Mr STEVENS (Mermaid Beach—LNP) (6.17 pm): I rise to speak on the Land Valuation Bill 2010. From the outset, I would like to comment on how this irresponsible and out of touch with community and business expectations Labor government has made a complete debacle of reforming and administering the land valuation system in Queensland. This government has taken years to get it remotely right on this third go, and it still cannot quantify the financial gouging through land tax that the Bligh Labor government expects to generate out of this bill.

The business and community outrage at previous legislation was the reaction to the Bligh government's failure to effectively develop and implement proper policy and reforms in the area of land valuations over the previous years. I believe this government does not remember that any reforms in this area will affect each and every Queenslanders who has some form of land or property or both, either directly or indirectly by the owner of the business affected by this, in effect, tax hike.

This bill tries to simplify and rectify mistakes made by this disastrous Labor government. There have been a comedy of errors, as I alluded to previously, as the bankrupt Bligh government has tried to push money-grabbing changes to the valuation system through this parliament. I doubt whether the business community and the Queensland public will ever be satisfied with these reforms. They will be agreeable but not completely satisfied with the reforms. Everything the Bligh Labor government touches turns into a complete mess and no amount of backtracking will get it out of its continual mistakes. This legislation will mirror the Beattie-Bligh Labor government's hollow promises that by privatising electricity suppliers there will be cheaper power bills, that by taking over the bulk water supply in South-East Queensland there will be no increase in water costs and, leading into a state election, there will be no increase in the fuel tax.

Our state is in massive debt. The Beattie-Bligh government sent Queensland bust in a boom. We have lost our precious AAA rating and basic services such as electricity, water, rates and petrol have skyrocketed due to successive Labor governments in Queensland mismanaging taxpayers' money. On top of these skyrocketing basic living costs, we have a Labor government now hell-bent on imposing an extraordinary land tax cost onto Queensland property owners.

As stated in the explanatory notes, the main objectives are to shift from the existing unimproved value methodology to site value for non-rural land, to introduce an annual valuation cycle whereby every property will be valued each year except in unusual circumstances or where there has been negligible market movement and to remove intangible elements from the definition of 'unimproved value' and omit 'intangible' from the definition of 'site value'.

At this stage I would like to define the intangible element, which means any element such as development approvals, leases, infrastructure credits and development premiums. Site value presumes to include all the existing surrounding development and infrastructure services around the subject land including ground improvements such as clearing, levelling, drainage, filling, reclamation, retaining works et cetera which now merge with the land. As we know, the site value model is utilised in many other jurisdictions in Australia including New South Wales, South Australia and Victoria.

The main objectives of this bill are to remove the 'shopping centre formula', which this incompetent Bligh Labor government failed to legally impose; for existing site improvements, phase in valuation increases over 12 years and a site allowance for the value of site works paid for before the commencement that were carried out within the last 12 years prior to commencement; streamline the objections and appeals process; create the independent position of Valuer-General—and we would like to know how much this will cost and how many staff will be involved; and establish a requirement to review valuation concessions in the act after two years.

This bill also seeks to amend the Aboriginal Land Act 1991, the Torres Strait Islander Land Act 1991 and the Land Act 1994. The amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 are to allow for a native title body corporate to hold land for a broader group of Indigenous beneficiaries than the current act allows. Other amendments to the Torres Strait Islander Land Act 1991 and the Aboriginal Land Act 1991 refer to registered interests on transferrable land and issues such as roads and easements on that land.

This is the third time we have debated a bill on land valuation. I have spoken on this issue in debate on the Valuation of Land Amendment Bill in March 2008 and the Valuation of Land and Other Legislation Amendment Bill in March 2010. Here we go again, in September 2010, debating another bill, the Land Valuation Bill 2010, on the same issue again. Does this not say something about how this government cannot get its legislation right? It has to amend and amend bills, as it has done previously, to try to get it right. It does it time and time again and it still does not work. This confirms what the public is increasingly believing, as evidenced by the Queensland Newspoll result that the Bligh Labor government is hopeless at reviewing legislation, consulting with the community and then implementing decent changes that are beneficial for all industry and community stakeholders.

The Bligh Labor government is trying to get out of this financial debacle and mismanagement of the system it has presided over for nearly 20 years by revenue raising and money grabbing at every opportunity. The LNP will not sit by and see our taxpayers and ratepayers ravished by new legislation without seeking the exact financial imposts that this new legislation will impose. The Bligh Labor government is true to its name of a reactive government, not a proactive one, interested only in its political survival rather than the financial responsibility to the taxpayers of Queensland.

According to the government, the unimproved land valuation methodology is unsustainable. This government is moving away from a system that has been in place since 1944 and that has been a sound financial base for all these years. This legislation is just a money-grabbing exercise because the government is broke and cannot afford to even pay the interest on its debt, let alone pay down the debt itself.

I refer back to my contributions to the Valuation of Land Amendment Bill in March 2008 and the Valuation of Land and Other Legislation Amendment Bill in March 2010. On both occasions I asked the minister in this House how much it had cost the government in court costs in land tax adjudication cases. I never received an answer and I am still waiting. I suppose the lack of reply means that it is very significant. I presume that many millions of dollars of taxpayers' dollars have been wasted by the government's inability to develop and implement suitable legislative reforms. On page 4 the explanatory notes state—

The State has been exposed to a number of complex and costly appeals, particularly related to large commercial and highly improved shopping centres where the definition of unimproved value has been heavily challenged.

It goes on to say—

The government's costs for making and defending valuations in high profile Court proceedings have increased substantially, with concurrent risks associated with reduced land tax revenue for the State and rating revenue for local governments.

I ask the minister again: what is the total legal cost outlay that the government has incurred in these cases?

Every step of the way I have advised the House, free of charge—and the government—of the money-gouging intentions of this government's reform process to the land tax system. If the Bligh government had genuinely wanted reform of the valuation system for the betterment of the system in terms of equity and application, it would have initiated a process of consultation and discussion with impacted stakeholders. It would have included representatives of residential property owners who will be affected by these significant changes when the attempts to change a 60-year-old system were first mooted in 2008. Did the Bligh government try to deliver a better system as a proactive response to industry and political concern—and there was a lot of political concern from this side of the House—back in 2008? The answer is unequivocally, no. It just rammed unlawful legislation through this House to stitch up a few shopping centres and jack up its land tax take to try to pay off Labor's obscene debt.

The land tax revenue collected by the state government since 2000-01 has increased by \$800 million, or 355 per cent, which is unbelievable. We all know the government needs to find revenue from every area to help to pay off the massive debt into which it has plunged Queensland. This is a money-grabbing exercise by a desperate government. I cannot believe this government expects the LNP to support this radical, new valuation system imposed by this legislation without giving full, open and accountable costings as to the ramifications of this legislation on the approximately 52,000 land tax paying constituents of Queensland. This legislation will also have resultant effects on property valuations throughout the state, which will have serious long-term effects on every residential property owner in Queensland. Of course, we understand that rates charged by local councils are a matter about which the ratepayers can deal with their local councils. We have been warned that some ratepayers can

expect valuation rises of between 20 per cent to 30 per cent. In many cases this will be an incredible burden on pensioners and other asset rich, income poor ratepayers. I have no doubt that the blame for these increases will be sheeted home by councils to the state government and its new formula for property valuations.

How am I supposed to support legislation that, at this point, cannot identify the increased burden of land tax as a result of this changed valuation process? How am I supposed to support legislation that cannot identify how many individual property owners will be adversely affected by this legislation? On other occasions, Treasury advice on a bill that contains particularly sensitive financial ramifications has been provided to the opposition, but on this occasion it is a case of, 'Trust us, we're the Labor government,' and nobody trusts the Labor government anymore. We are happy to further explore matters in relation to a fairer, more equitable and more easily applicable valuation system. However, the mushroom treatment—that is, being kept in the dark and being fed government fertiliser—that we have received in relation to the financial ramifications of this legislation gives us no option but to oppose this bill.

Sitting suspended from 6.30 pm to 7.30 pm.

Debate, on motion of Mr Choi, adjourned.

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (7.30 pm): I present a bill for an act to amend the Acts Interpretation Act 1954, Anti-Discrimination Act 1991, Appeal Costs Fund Act 1973, Appeal Costs Fund Regulation 2010, Bail Act 1980, Child Employment Act 2006, Childrens Court Act 1992, Civil Liability Act 2003, Classification of Films Act 1991, Commissions of Inquiry Act 1950, Contract Cleaning Industry (Portable Long Service Leave) Act 2005, Criminal Code, Criminal Proceeds Confiscation Act 2002, Director of Public Prosecutions Act 1984, Disability Services Act 2006, District Court of Queensland Act 1967, Drug Court Act 2000, Drugs Misuse Act 1986, Electoral Act 1992, Electoral Regulation 2002, Electronic Transactions (Queensland) Act 2001, Evidence Act 1977, Family Responsibilities Commission Act 2008, Financial Transaction Reports Act 1992, Guardianship and Administration Act 2000, Industrial Relations Act 1999, Industrial Relations (Tribunals) Rules 2000, Invasion of Privacy Act 1971, Judges (Pensions and Long Leave) Act 1957, Judicial Review Act 1991, Jury Act 1995, Justices Act 1886, Justices of the Peace and Commissioners for Declarations Act 1991, Law Reform Act 1995, Legal Aid Queensland Act 1997, Legal Profession Act 2007, Limitation of Actions Act 1974, Magistrates Act 1991, Magistrates Courts Act 1921, Maintenance Act 1965, Oaths Act 1867, Ombudsman Act 2001, Payroll Tax Act 1971, Penalties and Sentences Act 1992, Personal Injuries Proceedings Act 2002, Professional Standards Act 2004, Property Law Act 1974, Public Trustee Act 1978, Queensland Civil and Administrative Tribunal Act 2009, Queensland Civil and Administrative Tribunal Regulation 2009, Recording of Evidence Act 1962, Referendums Act 1997, Reprints Act 1992, State Penalties Enforcement Act 1999, Supreme Court Act 1995, Supreme Court of Queensland Act 1991, Torres Strait Islander Land Act 1991, Transport Operations (Passenger Transport) Act 1994, Uniform Civil Procedure (Fees) Regulation 2009 and Workers' Compensation and Rehabilitation Act 2003 for particular purposes and explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Justice and Other Legislation Amendment Bill 2010 [2994].

Tabled paper: Justice and Other Legislation Amendment Bill 2010, explanatory notes [2995].

Second Reading

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (7.34 pm): I move—

That the bill be now read a second time.

The main objective of the bill is to provide for a number of minor, technical or other amendments to a range of statutes within my portfolio. As well, the bill amends one statute within the portfolio of each of the honourable Treasurer and Minister for Employment and Economic Development, the honourable Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships, the honourable Minister for Transport and the honourable Minister for Disability Services and Multicultural Affairs.

As the Attorney-General and Minister for Industrial Relations, I am responsible for the administration of approximately 140 statutes. For the most part, the amendments contained in this bill are of a technical, discrete or minor nature and do not modify the philosophy or underlying policy intent of the statutes concerned.

The amendments of this nature generally are made to: deliver operational efficiencies to different areas of the justice system; clarify the existing law; and remove obsolete or redundant provisions. Some of the more technical matters include amendments to: the Acts Interpretation Act 1954 to clarify parliament's powers to make laws extending to coastal areas as prescribed by the Commonwealth Coastal Waters (State Powers) Act 1980 and the Commonwealth Coastal Waters (State Titles) Act 1980; the Bail Act 1980 to allow police to grant watch-house bail where the defendant is charged or held in custody for a Bail Act offence, so that this power is consistent with other provisions in the Bail Act; the Childrens Court Act 1992 and the Justices Act 1886 to allow access to court records for approved research in circumstances where the use of the information will not lead to identification of any persons; the Drugs Misuses Act 1986 to allow the minister to delegate the power to appoint a drug analyst to the chief executive or another suitable officer with the department who has the qualifications, experience or standing necessary to perform the function; the Guardianship and Administration Act 2000 to allow the Queensland Civil and Administrative Tribunal to obtain copies of documents without charge from a court; the Judges (Pensions and Long Leave) Act 1957 to remove the requirement for Governor in Council approval of the long leave or deferment of leave for the Chief Judge and the Chief Magistrate; the Justices Act 1886 to allow a police officer to serve a notice of intention to allege previous convictions in the same manner as a notice to appear, where the proceeding is commenced through a notice to appear; the Justice of the Peace and Commissioners for Declarations Act 1991, to allow the registrar to withhold the contact details of a justice of the peace or commissioner for declarations from inspection if the registrar considers it is necessary to do so to protect the safety or wellbeing of that person or a relative of that person; and the Penalties and Sentences Act 1992 to allow offenders charged with an offence under section 10(1) of the Drugs Misuse Act 1986 to be eligible for drug diversion, where the thing used in the commission of the offence is for personal use.

Turning to the more substantial amendments in this bill, the Magistrates Act 1991 is amended to extend the compulsory retirement age for magistrates, acting magistrates and judicial registrars from 65 years to 70 years. The bill includes amendments to the Magistrates Courts Act 1921, the District Court of Queensland Act 1967, the Supreme Court of Queensland Act 1991 and the Uniform Civil Procedure (Fees) Regulation 2009 to remove provisions about the court's management of mediators, case appraisers and the ADR register. The court's management of mediators, case appraisers and the ADR register is no longer required because in practice parties to proceedings nominate the mediator or case appraiser they intend to use and do not use the court approved mediators or case appraisers.

The Magistrates Courts Act 1921 and the Queensland Civil and Administrative Tribunal Act 2009 are amended to provide for the permanency of judicial registrars by removing the provisions that provide for the expiry of the judicial registrars scheme. Judicial registrars were initially appointed under a pilot scheme held in Brisbane, Southport and Townsville. Judicial registrars have presided over a total of 7,549 matters from January 2008 to June 2008, 14,532 matters from July 2008 to June 2009 and 15,506 matters from June 2009 to July 2010. Due to the success of the pilot it was decided to make the positions in Southport and Townsville permanent.

The amendments to the Electoral Act 1992 provide that electoral roll information is no longer available for purchase by any person. The electoral rolls will still be available for inspection. These amendments will not change the availability of electoral rolls to candidates for election, registered political parties, members of the Legislative Assembly, local governments, departments or state public authorities. The amendments are consistent with the 2004 amendments to the Commonwealth Electoral Act 1918 which were made to close a loophole that allowed roll information to be used for commercial and other unintended uses, such as direct marketing or debt collection. These amendments will enhance the protection of the privacy of persons whose personal particulars are entered on electoral rolls.

The bill includes a number of amendments to the State Penalties Enforcement Act 1999 to improve the operations of the State Penalties Enforcement Registry, some of which include: allowing the registrar to extend the time a debtor may apply for the cancellation of an enforcement order when satisfied there is a reasonable cause for delay; and lowering the minimum total debt that a debtor must owe before the registrar may register an interest in a motor vehicle from \$1,000 to \$500. While the last mentioned amendment to the act will increase the enforcement options available against debtors who owe smaller amounts, the registrar is able to exercise discretion in the way debts are enforced to avoid hardship in exceptional circumstances.

The bill also includes amendments to the Industrial Relations Act 1999 to: allow a person to apply for parental leave for children born as a result of an altruistic surrogacy arrangement made under the Surrogacy Act 2010; provide for part-time appointments for current and future tribunal members including the president and the Queensland Workplace Rights Ombudsman subject to ministerial

approval; allow the Ombudsman to concurrently work as a commissioner and as the Ombudsman, subject to agreement by the president, the Ombudsman and the minister; allow an Ombudsman, who is also a commissioner on a part-time basis, to be able to revert to being a commissioner on a full-time basis when the appointment as Ombudsman ends; simplify the leave approval process for commission members; simplify the appointment of associates to the commission; clarify the administrative powers of the vice-president of the commission; amend the Ombudsman's reporting frequency to the minister from quarterly to annually; and facilitate the making of a mandatory code of practice for clothing outworkers.

The bill amends the Queensland Civil and Administrative Tribunal Act 2009 so that the Governor in Council may allow a person to hold the positions of both an adjudicator and ordinary member of QCAT. The bill also amends the Family Responsibilities Commission Act 2008 to provide for the commission's more effective and efficient operation during its trial period that ends on 31 December 2011. The amendments allow three local commissioners to constitute the commission where the expected outcome of a conference is a referral to services; ensure a case plan is no longer necessary where an agreement or order includes those matters the act requires be in a case plan; reduce the notice period for a show cause hearing from at least 28 days to at least 14 days to support more timely service delivery and responses to breaches of referrals to services; enable the commissioner to dismiss frivolous or vexatious applications to amend or end agreements or orders; and extend the act's confidentiality provisions to persons engaged by a community support service who gain confidential information in relation to commission clients.

The bill includes amendments to the Disability Services Act 2006, an act administered by the Minister for Disability Services and Multicultural Affairs, as well as the Guardianship and Administration Act 2000. These amendments provide that a short-term approval can be made, or continue to apply, in certain circumstances where a guardian for a restrictive practice matter is appointed and is yet to consent to a plan. An amendment will also be made to the Disability Services Act 2006 to allow for an extension of the transitional period for a further six months.

Finally, the bill also includes an amendment to the Transport Operations (Passenger Transport) Act 1994, an act administered by the Minister for Transport, to validate the Transport Legislation Amendment (Postponement) Regulation (No. 1) 2008. I commend the bill to the House.

Debate, on motion of Dr Flegg, adjourned.

LAND VALUATION BILL

Second Reading

Resumed from p. 3447, on motion of Mr Robertson—

That the bill be now read a second time.

Mr CHOI (Capalaba—ALP) (7.41 pm): Earlier this year the government announced a range of reforms to the valuation system in Queensland, including the introduction of the new site value methodology for non-rural land in 2011. A clear commitment was also given at the time that in implementing these reforms and introducing site value the government would closely consult with industry stakeholders on any reforms before introducing this bill to parliament. This government has done that. This bill was developed through extensive consultation with key industry stakeholders through a Valuations Reform Reference Group. The members of this group are representatives of commercial, industrial and residential development sectors, local government, rural producers, tourism, mining, law and property valuation professionals with an interest in statutory land valuations.

The organisations represented included the Property Council of Australia, the Shopping Centre Council of Australia, the Queensland Tourism Industry Council, the Urban Development Institute of Queensland, the Queensland Resources Council, the Australian Property Institute, the Queensland Law Society, AgForce, the Queensland Farmers Federation, the Real Estate Institute of Queensland and the Local Government Association of Queensland. Every aspect of this bill has been considered carefully and reviewed by the reference group and the bill is supported in relation to the new provisions for introducing site value for non-rural land in 2011. The strategies to transition landowners across the new methodology and the reforms to the valuation system which include an enhanced objection process and the establishment of the position of Valuer-General are also supported. I met with the group on behalf of the minister and I want to take this opportunity to thank them for their hard work and advice to the minister.

The existing act, which has not been changed in the last 65 years in any major way, is being repealed. The bill introduces the Land Valuation Act 2010. Considering the major changes to how valuations will be prepared in the future, it is only appropriate that a new act be introduced to move forward these significant reforms. As we all know, the State Valuation Service within the Department of Environment and Resource Management provides valuations to property owners across Queensland on

an annual basis. These valuations are used by local and state governments for the assessment of rates, land tax and state land rental. Until now all statutory valuations in Queensland have been issued using the unimproved value as the basis for the value of the land. Unimproved value represents the market value of the land in its natural state. That means when determining the value the valuer does not take into account any site works such as clearing and levelling. From 2011 statutory valuations for rural land in Queensland will continue to be valued using the unimproved value methodology.

The bill provides for site value to be introduced for the first time for non-rural land from 2011. Site value is already being used in other Australian jurisdictions and is more aligned with market value of land in its current state, making the valuation simpler and easier to understand for everyone. From now on when the State Valuation Service values non-rural land the value will include works which have been done to the land such as field clearing and drainage. What has not changed with the introduction of the new methodology is that a valuer will continue to disregard work that has been undertaken on the land such as buildings and fences. A statutory valuation is about the value of the land, not what is on it. Under the site value definition a valuer will also not take into account any excavation that has been undertaken and is required for the specific building on the land such as footings and foundations for buildings or underground car parks. Such excavation is undertaken for the specific building development and is considered to merge with the building, not the land, when the building construction is completed.

One of the most contentious parts of the existing act for property owners was the consideration of intangible elements in determining the value of the land. Both the site value and unimproved methodologies defined in the bill do not include intangible elements such as leases, agreements to lease, development approvals and infrastructure charges. These provisions have been removed from the definition and will not be considered by a valuer when determining the value of the land. To distinguish which land will be valued as unimproved and which land is valued as site value, the bill introduces provisions to determine which land is rural and which land is nonrural. Land that is zoned rural under a state endorsed planning scheme or equivalent local planning instrument will be determined to be rural and continue to be valued under the unimproved value methodology. It should be noted that rural land does not include land zoned as rural residential or equivalent. All other land will be nonrural and therefore valued under the site value methodology. Land that has been changed to a non-rural use through a material change of use approval will be valued under site value as well.

To ensure that the correct methodology is applied to property, the bill proposes that after the valuations are issued in 2011 a landowner may apply to the Valuer-General to have their valuation methodology changed within 60 days of the date of the valuation notice if a landowner believes the wrong methodology has been applied due to the current zoning applied by their own local government. If a landowner disagrees with the decision of the Valuer-General in relation to this methodology, then they can appeal this decision to the Queensland Civil and Administrative Tribunal. As the government announced earlier this year, a key reform to the State Valuation Service was the establishment of the position of the Valuer-General. Mr Neil Bray has been appointed to the position and will commence duties next month. Mr Bray will be leading the implementation of all of the reforms in this bill and other business reforms. This position has been established to ensure the integrity of the statutory valuations being issued and a more transparent and consultative process is undertaken with all Queenslanders about their valuations. This bill clearly outlines the powers, roles and responsibilities of the Valuer-General which include directing, controlling and managing the statutory valuation of land in accordance with the act; maintaining the valuation roll; issuing annual and interim valuations; and administering the objections and appeals process.

Amendments are also proposed in the bill to the objections and appeals process. These changes were undertaken in full consultation with the Valuations Reform Reference Group, the Queensland Law Society and the Queensland Bar Association. These amendments simplify and enhance the process for property owners. The valuation objection process is now more transparent, making it easier for landowners to provide the information needed by the Department of Environment and Resource Management to assess their objection.

The changes include simplifying the properly made test and allowing property owners more time to lodge an objection and correct an objection that is not properly made. A new provision is the requirement for the mutual exchange of information and mandatory conferences with landowners with properties over \$5 million in value. This provision has been included to encourage the resolution of the objection before having to lodge an appeal with the Land Court, which is both costly and very time consuming. This bill further removes the provision that limited a landowner's rights through restricting the grounds of appeal to the grounds that were provided in the original objection.

When the reforms were announced earlier this year, the government gave a commitment that the reforms to be implemented were not a revenue-raising measure. To meet this commitment, the bill provides for two mitigation strategies for landowners to access to ensure that any increase in value due to the introduction of the site value methodology is mitigated in relation to any possible increases in local government rates and land tax. When the new site valuations are issued next year, for any landowner

who experiences an increase in value of more than \$1 million the site valuation service will automatically implement a transition period for the landowner—that is, the difference between the existing unimproved value and the new site value will be incrementally phased in over the next 12 years. This offset allowance would be lost only if the property was sold during that time. This strategy allows those property owners time to adjust and mitigates any significant increase in land tax and local government rates.

Alternatively, if a landowner has undertaken and paid for site works in the past 12 years and is still the owner of the land, they will be able to apply for an allowance for the value of the site works to be applied to their valuation for a period of up to, again, 12 years. This means that if a landowner undertook site works three years ago they would be able to apply for this allowance and the allowance would be removed from their valuations for the next nine years.

In 2011, a landowner will only be able to access the benefit gained from either the development allowance provision or the transition provision. If the property owner wishes to have the development allowance provision applied, they will be able to apply through the objection process to move from the transition provision to the development allowance provision. In the future, if any landowner undertakes new site works, they will continue to be able to apply for the site allowance and will retain the allowance for a full 12 years unless they sell the property in that period.

This bill retains the existing provisions from the Valuation of Land Act in relation to valuation concession provisions, such as the provision that reduces a valuation for single dwelling or farming use and the subdividers land discount of 40 per cent. Following extensive discussion with stakeholders, a new provision has been included which stipulates that a review of these concessions must be undertaken and brought forward for government consideration by December 2012.

Overall, this bill produces a new era in the statutory valuation process in Queensland. In the future, all landowners will have a better understanding of their valuations and will have access to more information. The State Valuation Service will move forward as a more contemporary and professional organisation in which all Queensland landowners can have faith. I commend this bill to the House.

Dr FLEGG (Moggill—LNP) (7.52 pm): In speaking to the Land Valuation Bill, I note that this bill repeals the Valuation of Land Act 1944—an act that has operated for the past 66 years—yet it needs to be rushed through this House in order for the new legislation to apply to valuations from next year. Make no mistake, this bill is all about pushing up urban land values. This is the greatest land tax grab in Queensland history. This bill is about a group of people who are not present on the government's reference panel, a group who mostly would not even know that we are debating this once-in-a-66-year change, a group who will only find out when they get their valuation notice or land tax bill next year. That group of people are mum-and-dad investors who have accumulated some rental property as part of their retirement planning and small business owners who own business premises or, instead of superannuation, have accumulated some property assets.

This bill changes the longstanding tradition of unimproved capital value being the basis for valuing property in the state of Queensland for the purposes of land tax, land rental and council rates to a new valuation system which, in essence, is site value, or the market value of the land itself. This is a colossal tax grab. There is no mention anywhere in anything that I have read from the government about capping land tax receipts following these changes.

Mr ROBERTSON: I rise to a point of order. The statement by the member for Moggill is untrue. He knows it is untrue. I ask him to withdraw.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Minister, that is not a point of order. Unless there is an issue associated with a personal matter, it is not a point of order.

Dr FLEGG: The long-suffering taxpayers of Queensland who support this government with their payments of land tax have already paid in excess of a 300 per cent increase in land tax payments over the life of the Beattie-Bligh governments. Not only are land tax receipts not capped; there is no mention in the bill of adjusting the threshold, there is no mention of adjusting the rates, just increasing the valuations, and we all know where that is going. These valuations are being increased with the express purpose of seeing the government's already skyrocketing collection of land tax skyrocket even further.

Any Queenslanders who are following this debate need look no further than their water bill. That is how this government operates. Queenslanders need look no further than their car registration bill. They need look no further than the astronomical increase that took place this year in their land rental bills—staggering increases in land rental bills right across the state of Queensland. The taxpayers of Queensland are in for an awful lot more under this bankrupt government, which has had this state's credit rating downgraded and which is seeking to fix its balance sheet the lazy way by slugging Queenslanders with every tax, charge, fee or fine that it can possibly think of to hit us with. Look at the backdoor tax of a government that has allowed electricity prices to soar so that—

Mr ROBERTSON: I rise to a point of order. Mr Deputy Speaker, I would ask you to ask the member to confine his comments to the long title of the bill. He has gone way beyond the provisions of this bill and I ask that he return to the contents of the bill.

Mr DEPUTY SPEAKER: There is no point of order.

Dr FLEGG: I think most Queenslanders will understand why the minister does not want to hear this. Soaring electricity prices have been allowed to occur by this government because they feed directly into the government as a de facto tax through their own government owned generators. The increase in land tax, which is the purpose of this bill before the House, is just the next in a long litany of outrageous tax slugs that Queenslanders have had to live with.

I note in the provisions of the bill that a new valuation will be undertaken for every property ever year. That is rather ironic, because recently we saw the government move to stall valuations in a market where it thought that valuations may have fallen. So in a situation where there may be some recovery in land prices, the government now wants to move to revaluing properties every year. It is certainly a case of playing football against the umpire.

This government seeks to impose land tax on improvements that have occurred to the site. There are some exemptions for improvements made during the previous 12-year period, but those exemptions are lost immediately on the sale of the property.

One of the worst aspects of this bill is the fact that it applies retrospectively. People who already hold land in Queensland and have bought so under the previous lower valuation regime now find that retrospectively their property valuation basis is being changed to a formula that will ramp up those valuations and allow the government to rip more property tax out of them and the Queensland community.

The increases that might be foreshadowed from this bill are so outrageous that even the bill itself foreshadows that individual property values, single property values, in some cases will jump by more than \$1 million in a single revaluation. So concerned is the government about the community backlash to this sort of increase that it has put in some provisions to phase in that enormous valuation increase. But again, because of its need or desire to ramp up the tax, even that concession is lost immediately if a property is sold.

The bill speaks quite explicitly about concessions that have previously existed being removed—gone. Any remaining concessions that are still contained in the bill according to its provision are to be reviewed in two years. Every taxpayer in Queensland knows what that means: they will be gone as well. I notice that in the notes to this bill there are extensive quotes from a PricewaterhouseCoopers review. I would ask the minister if in his summing-up he could inform the House whether, in fact, the work given to PricewaterhouseCoopers in relation to this Land Valuation Bill was tendered publicly or whether PricewaterhouseCoopers was simply chosen as the government's preferred provider. On reading the notes to the bill, I see nothing whatsoever that suggests that this was an open tender process that might have allowed some sort of independence.

Mr Robertson: That is an interesting attack on PwC. I am sure PwC will be most interested in your comments.

Dr FLEGG: If the minister does not allow an open tender process in an effort to get the best prices for Queensland taxpayers, one can hardly blame the private sector for not wanting to bite the hand that feeds it. I am reminded in reading these notes that it is the same firm that this same government chose, again without private tender, to produce a report on the BER that this government touted as showing value for money—a report that did not contain a detailed analysis of the costings of a single project. Nor did it do a comparison of the costs of projects in private schools and projects in government schools.

There is a lot in the notes to this bill in relation to major property holders, of large shopping centres and the like. I do not think anyone in this House would have any doubt that the large property owners have had the opportunity to have input into this bill. In fact, the notes make that quite plain. I do not think anyone in this parliament would have any doubt that the large property owners are big enough to take care of themselves. This bill is about mums and dads who do not have that sort of input to the bill and who are takers of what the government dishes up to them.

Another matter that I would be very pleased if the minister could address in his summing-up, and I think a critical matter at the nub of what really gets up my nose about this bill, is: where is the Treasury analysis of the impact of this bill? What will be the average rise in valuation for urban property? We have heard this government talk before about bills such as payroll tax equalisation between the states as being revenue neutral, but then we find out, of course, that in fact it is anything but revenue neutral. There are reasons this government does not produce detailed analyses of the outcomes of these bills, and that is because it does not want Queenslanders to know. I, for one, would never be supporting a bill like this from a government that cannot even give us detailed independent or Treasury modelling of what the impact on the average valuation across this state means.

In a similar vein, I would expect that the government should be able to give not just a false reassurance that it does not think it will impact people too badly but also detailed Treasury modelling about the impact of this measure on government revenue. How much more land tax are this government and this minister going to rip out of Queensland property owners as a result of this bill? Nowhere do I see any detailed modelling that would give any comfort to the thousands of Queenslanders who write out a cheque every year to the Office of State Revenue to pay their land tax. I think they would be very, very concerned because they are going to foot the bill for the financial mismanagement of this government.

Thirdly, in the same vein, where is the detailed modelling that would allow us with confidence to assess how many more Queenslanders will be dragged into the land tax net? How many more Queenslanders who are currently below the threshold—there is a threshold of valuation of land below which one is not caught in the net—will now be receiving that window-faced envelope every year with their land tax assessment? Queenslanders who pay land tax have only just received that window-faced envelope in the last couple of weeks.

Mr Robertson: How much are you up for? I think that's a gotcha!

Dr FLEGG: I am pleased to see that finally the minister is starting to realise that his measure will impact the thousands of Queenslanders who pay land tax in this state. The penny is finally dropping with him that this is not about technical changes to valuation; this is about increasing the bottom line on the bill that the Office of State Revenue sends out to thousands of Queenslanders. Did PricewaterhouseCoopers have that detailed Treasury modelling? Does PricewaterhouseCoopers know what the average increase in a valuation in this state will be, how much additional revenue the government will raise from this measure or how many additional people will be caught in the land tax net? I would think not. If it does, the government certainly is not about sharing that information with the very people who will be slugged with that tax.

I pulled two quotes out of the notes to the bill that I thought were quite telling about where the government is going with this bill. The notes state that site value—in other words, the new valuation system that will replace unimproved capital value—is closer to current market value. In the government's own notes it admits that this will drive up the valuation of property in this state. That quote makes it all the more outrageous that this government will not produce the figures that will show us the impact on the people of Queensland in terms of how much more they will be paying.

This is not even a disguised code for the fact that it is pushing up valuations; this is a bold-faced admission that it is. I see that the minister is phoning a friend over there. He might be able to get a bit of help with some of this. This is a bold-faced admission that the intent here is to push up valuations. The minister can ask the audience, too. Those on this side will give him a hand.

The other quote that I pulled out of the notes to this bill is that site improvements to land will form part of the valuation. The money that Queensland landowners put into improvements into their property, excluding of course buildings because we are talking about site value, are now going to be subject to taxation by this government.

Within that definition of site value, there is the indirect effect of many taxes, notably GST. You pay GST whenever you do any activity in this state. The effect of those taxes will assist in pushing up the site values in Queensland and will allow this government, as it has done many times before, to add a tax to a tax. So all of those taxes that feed in to the cost of land and property sites will then again be helping indirectly to push the government's land tax receipts.

I note an extensive section in the notes to this bill about changing the definition of 'rural land'. I do not claim to be an expert in this area at all, but one can be pretty sure that if they are changing the definition of 'rural land' they are tightening it up so that more land is caught in the tax net—rural land being one of the few remaining exemptions.

The notes go on to discuss the effects of a bill this government brought into this House on 10 March and essentially concede that the bill that dealt with things such as objections and appeals had failed so badly and created so many appeals and so many court cases that they pretty much had to rewrite the bill that they introduced only six months or so ago—an admission that on that bill that was brought here on 10 March they had completely dropped the ball.

I see the government making a great deal out of the VRRG reference group. They are described here as being 'generally supportive'. I hope nobody ever describes me as being generally supportive of something that this government has introduced. The government knows full well that it has dealt with a range of—and I happily agree—reputable interest groups but interest groups who know that this government has the numbers to put through a bill as punitive as it likes. Those large industry bodies know that they need to try to cut the best deal that they can. That certainly would go a long way to explaining why the government is suggesting that there is some general agreement.

I note that even within the reference group there were only three bodies specifically named in that clause where it referred to them as being 'generally supportive'—the PCA, the SCCA and the UDIA. I note that the reference group raised concerns about the increase in land tax as we move to site valuation and the removal of concessions. There is no doubt that members of the reference group knew exactly what I have been talking about here tonight. This is about pushing up valuations so that the government can reap more money through the land tax net.

Mr ELMES (Noosa—LNP) (8.13 pm): I rise to make my contribution to this important debate on the Land Valuation Bill 2010 and welcome this opportunity, as I do each and every time that I am blessed with some time on my feet, to represent my electorate of Noosa.

The first casualty of war is truth. This debate is a continuation of the battle of that war which started with the debate on the Valuation of Land and Other Legislation Amendment Bill 2008. But this is a battle not of the war but of truth itself. It seems to me that any time a significant piece of legislation comes forward for debate we are faced with that dilemma: we must try to extract from this Labor government some approximation of the truth.

This Labor government is the one that went bust in a boom. This is the Labor government that lost the state its hard won AAA credit rating that costs the state and its long-suffering taxpayers a bigger interest bill on its \$85 billion worth of ever-increasing borrowings had that rating not been lost. That massive obligation would be less had competent financial management been practised by the government and our lost AAA credit rating regained, but that interest bill prevents us from doing so much. It diminishes our financial flexibility and our policy options. It is an albatross around our necks. I have prefaced my contribution with these remarks just to set the context.

The Land Valuation Bill 2010 is just the latest vehicle by this Labor government to screw even more money out of hardworking Queenslanders. It is gouging, but it is gouging by remote control. Having stripped local councils of their capacity to be local and forced them to amalgamate with financially devastating results, the Bligh Labor government followed up that assault by socialising their water and sewerage assets. It then discontinued state support and transferred state responsibilities to local and regional councils, either unfunded or underfunded, thereby shifting the financial burden but in a way that is not obvious to the ratepayer. Then it dangles in front of cash strapped local and regional councils the carrot of another new vehicle by which to tax ratepayers.

The Labor government is saying that it has no responsibility for any increased rates arising from the move to this new rating methodology and the land tax regime. That is simply not true. The Bligh Labor government is now consciously enabling the gouging of its constituents as a direct consequence of its own incompetence. In my electorate, Unitywater has been turned loose by the Labor government without any capacity for compassion. No sporting club, no community group, no shared living facility will escape. And local and regional councils will be tempted to do likewise with this new rating scheme for this, too, is compassion-free legislation. It is, I know, blind legislation, but I am not blind to what the consequences will be in accordance with the plan that this Labor government has devised.

There will be segments of the community that will be very adversely affected if this changed methodology is allowed to impact without amelioration. For example, people living along canal estates at Noosa Waters and Noosa Sound may face rate increases in the order of 20 per cent to 30 per cent. While I freely admit that there are many wealthy people who live in canal estates, there are equally many who are asset rich and cash poor and this will impact heavily on them, as it will all of those people in my electorate. It will impact heavily on coastal areas of Queensland where low-lying land has been built up. It will impact on people running businesses in industrial estates along the flood plains which have been built up. Whether you are the owner or the lessee, somewhere somehow there is a price gouge about to impact on either the viability of your business or your ability to maintain your own home, unless the Sunshine Coast Regional Council happens to intercede. But why would it do so with \$184 million worth of debt? It has the need to balance its books and meet increasing community expectations and cope with increasing population and infrastructure needs.

What will be the effect on tourism? What will happen if the rates on all of those Main Beach properties in Noosa are increased dramatically immediately after the next council election when councillors feel safe to gouge carte blanche, safe in the knowledge that they are in place for a fixed four-year term? The price of renting units and having meals along this strip will increase dramatically, and the employment opportunities available to the very many casual staff for which tourism provides a livelihood will indeed be diminished.

Mr Lawlor: Tell us about Fraser Island. They won't talk to you.

Mr ELMES: I will tell you about Fraser Island and I will tell you about what you have done to tourism in Noosa, too, with your amalgamation.

Mr Lawlor: They won't talk to you.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Members! Minister, the member for Noosa has the call.

Mr ELMES: Thank you for your protection. The scenario I have outlined is solely the responsibility of this Labor government which has 52,000 land tax payers squarely in its sights. I am not as concerned with the legislation itself as to what it will lead to.

I note that my colleagues on the Scrutiny of Legislation Committee had an unusually large number of reservations about this particular piece of legislation. They had many concerns about the rights, liberties, natural justice and significant delegated power to the Valuer-General. They had concerns, many concerns, about protections against self-incrimination and the retrospective effect and on Aboriginal tradition and Islander custom.

So let us cut to the chase. If this government were serious about ensuring a bipartisan approach to seeing this legislation through the House, the debate could be adjourned now and all of the computer modelling and workings that the government has done in preparation for this legislation could be laid out before the opposition so we could be assured that the change in this rating methodology is as close as possible to cost neutral. I bet the government will not only not do that; I bet it has found yet another sneaky way—on top of all of the other sneaky ways—to earn a fast buck and blame someone else for it.

I am not interested if the minister stands up tonight, puts his hand over his heart and says, 'Trust me,' because I know and all Queenslanders know that there is no heart under the hand. Just last night during the 5.30 debate, the LNP went to great pains to point out to South-East Queenslanders that the sleight of hand that created the three water retailers in fact is a money grab by the state, which then blamed the councils. On the very next day, today, we debate the Land Valuation Bill, and instead of debating the issue of water we are now debating the issue of land tax and a rating scheme based on the same premise. Will this government never learn? Is there no essential service or commodity that cuts to the very heart of the lifestyle of each Queenslander that this Labor government is not prepared to apply an outlandish tax regime to? It is almost extortion.

On the basis of everything else this government has done since the last election—the fuel tax, water, electricity, registration costs, driver's licence costs, toll costs and all of the others—I would be failing in my duty to my constituents if I took at face value anything that this government undertakes. I have no choice but to vote against the legislation because anything else would be a betrayal by me of the residents of the Noosa electorate.

Ms MALE (Pine Rivers—ALP) (8.21 pm): I rise this evening to speak to and support the Land Valuation Bill 2010. This bill will repeal the Valuation of Land Act 1944 and introduce the Land Valuation Act 2010. It has been necessary to create the new act because of the extensive changes to the valuation system in Queensland. This government is reforming the statutory land valuation system so that these reforms are in place for the 2011 valuations.

People should understand that the main reform is the move from using the existing unimproved value methodology to site value for non-rural land. What this means for people in my electorate is that the previous system is being replaced with a system whereby the existence of any agreements for leases, development approvals or infrastructure credits and their added value, if any, will not be considered when determining the value of the property.

Queensland is adopting a land valuation system which will value all non-rural land based on site value—which is consistent with other states—a value that is more closely aligned to the property market and more reflective of a developed state. Rural land will continue to be valued using the unimproved value methodology. The minister has advised me that this new valuation approach delivers on a more transparent and robust valuation system and will provide all landowners with a simpler valuation that is fair and equitable. Also, the department will be introducing an annual valuation cycle whereby every property will be valued each year, except in unusual circumstances or where there has been negligible market movement. This is one issue that my local council has been concerned about for many years, and I am glad to see it has been resolved positively.

At this stage, I would like to address the simplified objection process for landowners that is being introduced to enhance the existing provisions. Queensland landowners who believe that their valuation is incorrect, and have evidence to support their claim, have always had and will continue to have the right to request a review of their valuation by lodging an objection with the Department of Environment and Resource Management. This bill includes amendments to simplify the valuation objection process for landowners, encourage a greater exchange of information between landowners and the department and extend the time frames for landowners within the objection processes. These changes will first have effect with the issue of new valuation notices in March next year. Until then, for objections to any new valuations issued, the existing provisions continue to apply.

In March this year, amendments were made to the valuation objection process. The changes were made to make the process more transparent for landowners to provide the information needed by the department to assess their objection. Prior to the amendments, the legislation did not require landowners to provide any supporting evidence when lodging an objection. This meant that

departmental valuers had to repeatedly go back to some objectors requesting further information. A key part of the new objection process is that an objection has to contain a minimum amount of information for it to be properly made and considered by departmental valuers.

Following the implementation of this new process, this year when the annual revaluation was issued in March, the department received 5,290 objections, which is 0.5 per cent of the total number of valuations issued. This figure represents roughly the same percentage of objections received every year by the State Valuation Service. Of the objections received, 83 per cent were properly made and 17 per cent of objections received a correction notice and landowners rectified their objections where necessary. I believe this shows that the new process, whilst only in its first year of introduction, did not appear to cause any undue concerns for landowners.

However, following extensive consultation with key stakeholders, including the Bar Association of Queensland, the Queensland Law Society, the Queensland Property Council and other members of the Valuations Reform Reference Group, further refinements have been made to the objection process. The objection process contained in this bill is now simpler and more transparent, making it easier for landowners to provide the required information and for the objection to the department to be assessed in a timely manner.

The amendments provide that landowners will now have a longer time frame in which to lodge their objection and if necessary reply to an objection correction notice. A landowner now has 60 days from the date of issue to lodge an objection—up from 45 days. People in my electorate will certainly appreciate that extra time in which they may need to get all of their information together.

A new provision has also been included with the aim of ensuring a better information exchange for high valued properties and resolving issues before ever having to appeal to the Land Court, which is costly to both the landowner and the state. This bill provides that, for landowners whose properties are valued at more than \$5 million, the department must invite the landowner to conference to discuss the objection.

The new role of the Valuer-General within the Department of Environment and Resource Management holds responsibilities relating to valuations including reviewing decisions on objection and rural and non-rural delineation, and appointing an independent chairperson for required conferences for properties valued over \$5 million. To assist the Valuer-General in these new roles, I am advised by the minister that the department is currently progressing the appointment of five new officers within the Valuer-General's office.

In relation to objections, a specialist objection coordinator is being appointed to centrally manage the objection process to ensure consistency and transparency. The appointment of this officer is in line with the recommendations by the PricewaterhouseCoopers report to government to have a central coordination role in the Valuer-General's office.

In summary, the changes to the objection process in this bill provide a simpler process, extend time frames for most parts of the objection process, seek to facilitate a better information exchange and provide for the internal and external review of administrative decisions. I am sure this will provide a simpler and fairer valuation process. I commend the bill to the House.

Mr CRANDON (Coomera—LNP) (8.26 pm): The Land Valuation Bill 2010 relates to a shift to site value for non-rural land. I oppose this legislation. How can I vote for this bill when I have no idea how it will affect my constituents? There are 101 categories in the Gold Coast City Council list of rates. That is for residential land. A large proportion of the residential land in the southern part of my electorate is canal estates and, contrary to popular belief, not all owners are millionaires who can afford an increase in their rates. In 2008, the postcode 4212, which includes Hope Island, had the second highest incidence of mortgage defaults in Australia. That was in 2008, and I would suggest that on the Gold Coast today right here, right now, it could be a lot worse.

The government will significantly increase rates on top of the escalating water costs, the rising electricity costs and the fuel tax we now pay. How much will this increase be? We have no idea. We have no idea but, in answer to a question put by the member for Cleveland during a briefing, the indication is that canal estates could increase by between 20 and 30 per cent. If the rates increased similarly, that could be the end of the tether for so many of my constituents. In fact, I did a few comparisons just to see what the result may be. I based my calculations on varying property values and I based them on a 20 per cent increase, a 25 per cent increase and a 30 per cent increase in those values. I also used different rate amounts for those values to distinguish between blocks actually on the canal and dry blocks in a canal area or adjacent to canals.

With a 20 per cent increase in the valuation of a block of land, I estimate that the rates would increase by over \$750 a year. A 25 per cent increase on a cheaper, dry block of land would result in an increase in rates of over \$430 a year. Finally, my estimate on a more expensive block of land that is less

than 500 square metres is a rates increase of \$1,400 a year. A block of land in excess of 500 square metres would result in an increase of almost \$1,900 per year. As I said, it could be the end of the tether for people under financial stress and at breaking point.

It could be argued that the Gold Coast City Council could vary its methodology for calculating rates. That is all very well to say, but, let us face it, this government has already gouged the councils by reducing funding. I can see the day when more funding pressure is placed on councils so that they have no option but to maintain the current methods of rates per valuation dollar. In the end, although the government has not collected the tax directly, it gains a benefit by forcing councils to increase rates when it withdraws funding.

A further concern is that two properties sitting side by side could have substantially different rates. That in itself immediately forces a differentiation in the value of the properties, and I will discuss that a little later. There are some provisions for phase-in based on two scenarios. The one I am focusing on here is the cost of improvements being able to be discounted from the valuation. First of all, we need to understand that this is based on the current value of the improvements and is only able to be used for a maximum of 12 years. If the work was done 10 years ago, there are only two years left in which to apply the discount. If the land is sold, the discount disappears. It is my view that this is the sting in the tail: if people sell, the new owner loses the value of the discount. That is going to have the effect of reducing the value of that land on the open market. The discount lost has capital value attached to it. The value is going to hit on two levels: an instant increase in land tax if it applies and an instant increase in rates. So here we have the situation of a development of an industrial estate. There is a cost associated with the development that adds a value to the land. That is discounted for the purpose of land tax and rates in the developer's hands. That will be lost to the new owner, the client of the developer. As I said, this loss of the saving of land tax and rates has a capital value attached to it. What effect will this have on the value of the land? Will the development be a viable development under this scenario?

Regarding the annual revaluation of property, other members on this side have questioned the viability of revaluing 1.6 million properties each and every year. That is what I and my colleagues on this side have been told will happen. My question is simply this: how?

I now turn to the commercial sector proper. Once again, I have no idea of the effect of this change in methodology on rates or land tax. Once again, there are many commercial properties in my electorate that sit on land that was filled and levelled. The Coomera marine precinct is one example and the Steiglitz marine precinct is another. The marine industry has been in the doldrums for some time. Although there are signs of recovery, this could be a severe blow to those businesses. What effect on land valuations will these changes have, and will the businesspeople be able to absorb the increases? I am convinced that we will see a significant increase in land tax and, I would argue, a significant increase in rates.

I turn briefly to farmland. I understand that the methodology will not be changed. As outlined by the member for Southern Downs, the valuation system is full of discrepancies and anomalies. The increase in valuation on leasehold land used for rural purposes, which I am told makes up more than 70 per cent of rural land, does have a significant effect on the rates and rent of that land. In fact, as I have said before in this House, there is a thriving business in Queensland in disputing the valuations of leasehold land with a view to reducing these not-insignificant costs.

In summary, land tax as a proportion of state revenue has more than doubled in the past decade. It beggars belief that this government will walk away from this drug. So 'trust us' just does not cut it. One way or the other, directly through a land tax grab or indirectly by starving local governments of funds, cutting contributions to council coffers forcing them to increase rates to balance their budget, this government will continue with the cash grab from property valuations. That is a great concern to me because it has a high probability of adversely affecting mums and dads and small business people in the state seat of Coomera. We just do not know how much it will affect them. For that reason, on behalf of the constituents of the Coomera electorate, I oppose this legislation.

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (8.35 pm), in reply: First of all, I thank all honourable members for their participation in this debate. In particular, I recognise the work that my parliamentary secretary, the member for Capalaba, Michael Choi, has done in getting this bill to this stage. I say thank you very much. He has worked tirelessly to get this bill to this position.

This bill introduces a new era in statutory valuations in Queensland. The previous system of valuations dated back to 1944, and there was wide support among stakeholders to introduce a more modern and fairer system for urban, non-rural land. Queensland is introducing site value—the same site value that is already used in other Australian jurisdictions and that has been in place for about 40 years. To that extent, this is not a radical, new valuation methodology. It is more aligned with market value of land in its current state, making the valuation simpler and easier to understand for everyone. All non-rural land will now be valued on a more equitable and fair basis.

The bill also introduces amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 to facilitate the priority transfers of the Hope Vale and Badu Island deeds of grant in trust by allowing a registered native title body corporate to hold land for a broader group of Indigenous beneficiaries than just the native title holders.

This bill represents a fair and equitable review of a dated valuation system to produce a modern method of assessing land values that brings us into step with the processes used interstate and also by the Commonwealth Grants Commission. When the reforms to the valuation system were announced earlier this year, the government gave a commitment that the reforms to be implemented were not a revenue-raising measure. I repeat: it is not a revenue-raising measure. Far from being an attempt by the government to increase land tax, as wrongly charged by numerous members opposite, the change to the new site valuation system will result in little, if any, difference to most properties, in particular residential properties.

The negativity of those opposite to this bill was expected. They have already voted repeatedly against moves by this government to modernise the valuation system and make it fairer for all Queenslanders. The negativity of those opposite should be ignored because there are many benefits for Queensland homeowners from the new valuation system outlined in this bill. It is time to bring Queensland into line with all other states. Indeed, it is a bill that simply makes the valuation system better. The reason it makes the system better is that site value is more reflective of the market value of land.

The bill also allows for revaluations every year for every property within every local government area. This in itself will limit the large increases in value as referred to by a number of members on both sides of the House. From now on, land will be valued annually and any change in valuation will be a reflection of the current market movement rather than reflecting up to five years of market movement.

The bill also simplifies and streamlines the objection process. The process is now more transparent, making it easier for landowners to provide the information needed by the State Valuation Service to assess their objection. The bill also includes new provisions that allow landowners more time to lodge an objection, correct an objection and, if required, lodge an appeal.

Extensive analysis and research has gone into this bill, and the changes it proposes have been drafted in extensive consultation with all stakeholders. In April we formed the Valuation Reform Reference Group and consulted with these key stakeholders right through to the introduction of the bill. That reference group included the Local Government Association of Queensland, the Property Council of Australia, the Shopping Centre Council of Australia, the Queensland Tourism Industry Council, AgForce, the Queensland Farmers Federation, the Queensland Resources Council, the Real Estate Institute of Queensland and the Queensland Law Society. These organisations represent the interests of landholders from all walks of life. They have supported this bill as the right and fair way to go forward.

The reference group was also encouraged to consult with their constituents and extensive reviews of the proposed legislation took place over four separate meetings. This bill was not rushed, as suggested by some opposite. It was formulated through a comprehensive process and with the input of organisations with the interests of all landowners at heart. In the coming months we will be meeting again with every local government, we will hold industry forums and information is already publicly available on our websites. Needless to say, a comprehensive public communications campaign will need to be undertaken so that everyone understands what it is that we are doing.

The government could not have been more transparent in introducing these changes. This is reform, but it is a change for the better for a more equitable method of valuing the estimated 1.6 million properties across the state. To implement this reform, the government made the commitment to re-establish the statutory position of Valuer-General to provide transparency and independence in the assessment and issuing of valuations.

The appointment of Mr Neil Bray as Valuer-General was announced on 23 August. He commences in this role on 11 October after more than 10 years as Valuer-General of South Australia and over 25 years as a registered valuer in Queensland. Mr Bray is with us in the chamber tonight. I acknowledge him and wish him well in the challenges that he will face.

I also take this opportunity to thank a very longstanding and very senior valuer in my department, Mr Des Lucas, who has been acting in that position and obviously has had large input into this bill. I also recognise Ms Meg Smith Roberts as the real workhorse behind the bill getting to the stage that it is today.

This brings Queensland into line with all other states who all have a Valuer-General. The Queensland Valuer-General role will match those similar statutory positions and provide stakeholders with confidence that an independent Valuer-General will be responsible for statutory valuations in Queensland.

To introduce this new site value methodology and to deliver annual valuations for all local governments, the government has funded and employed 25 new valuers, increasing the number of valuers in the SVS to 170. These valuers are formally registered with tertiary qualifications and have years of experience in valuation. These dedicated professionals are located in 19 offices across the state and are recognised in this specialised field.

The government has also funded additional staff for the office of the Valuer-General, including three audit staff, a training officer and an objection coordinator to assist in the transition to the new system. Valuers monitor the complex property market and inspect and analyse all sales to assess the changes in values since the last valuation.

To value the state's 1.6 million properties annually, SVS valuers utilise modern valuation techniques and supporting technologies to determine the new values. These technologies include geographic information systems, which spatially represent the properties and provide relevant data relating to each site. The valuers also utilise the Queensland valuation and sales calculation system, which stores and updates the property valuations and all related data across the state.

The use of the latest technologies available to valuers allows them to target particular properties that require physical inspection. I think that goes to the question, which was asked by a number of members, about how we will conduct the valuation of all properties throughout Queensland annually. What I have outlined there is the comprehensive and very modern system of undertaking these valuations. I think that answers many questions that were raised during this debate.

Extensive consultation with all stakeholders has delivered benefits that are reflected in this bill. Some issues were raised and the government has addressed them. One of the most contentious parts of the existing act for property owners was the consideration of intangible elements in determining the value of the land. Both the site value and unimproved value methodologies defined in the bill do not include intangible elements such as leases, agreements to lease, development approvals and infrastructure charges. This is confirmed in the explanatory notes. These provisions have been removed from the definition and will not be considered by a valuer when determining the value of the land.

As I said earlier, 95 per cent of property owners will see only minimal or no change at all from the introduction of site value valuations. It is important to point out that, if a valuation has changed as a result of site value, it should not mean the council rates charged will change. Local governments do not directly translate increased valuations into increased revenue.

In fact, the LGAQ, like the Queensland government, has stated that the introduction of site value methodology for non-rural land is not a revenue raising measure and local governments will continue to determine their rates based on their requirements to deliver the important services they provide. This is a commitment that we will hold the LGAQ and local governments individually directly responsible for delivering.

What is clear is that the LNP members clearly do not trust their mayors and their councils to deliver on those commitments. Time and time again, LNP members stood in this place alleging that local governments will take the opportunity to increase rates. If they are so concerned about that then they need to take that up with their individual mayors and councils directly. If there is any suggestion that councils will not abide by the commitments that they have given to date then they should speak out and campaign against those local governments. If those opposite choose to do so I will stand with them in a joint campaign. I note that during this debate LNP members almost to a man and woman stood in this place and alleged basically that they could not trust their own mayors and councils to deliver on this commitment.

The processes within this bill apply equally and fairly across all properties and provide for two strategies for landowners to ensure any increase in value, due to the introduction of the site value methodology, is mitigated. The opposition spoke on the impact of the new valuation methodology on small business tenants in industrial estates such as panel beaters. Any impact will, in most cases, be readily managed through the Office of State Revenue by utilising averaging and capping. Indeed, capping of land tax will be extended by the Office of State Revenue through to 2011.

The issue of land tax received some attention during the course of this debate. I thought one contribution stood out more than any. It stood out for a number of reasons. I refer of course to that poor battler, that struggler from the leafy western suburbs, the member for Moggill, who had the temerity to stand in this place and talk about the possible impact of land tax on ordinary mum and dad investors. I thought to myself, 'Doesn't the member for Moggill own some property?'

I went quickly back to the Register of Members' Interests. I think it is worthwhile me reading into the record some of the highlights of Dr Flegg's entry in the Register of Members' Interests. He has an investment in the Mirvac Industrial Trust of 50 per cent commercial strata title in Herston. He has

investment properties at Noosa Heads, Leichhardt Street Spring Hill, St Lucia, Little Bay New South Wales, Bardon and Spring Hill. He has an investment in the Burpengary Doctors Trust, the Mirvac Industrial Trust, Service Stream and the Morayfield Doctors Trust.

It goes on. He also has rental units at Point Lookout. He has 40 hectares of vacant land at Tucabia. At Little Bay New South Wales he is a rental unit owner. He is the owner of a home on one hectare at Brookfield. What a little battler!

What is perhaps most galling of all is when he says at the bottom of his entry in the Register of Members' Interests, 'Note rental properties under 11 also generate gross income.' Let me tell you what is gross about the contribution by the member for Moggill. That he would come in here and say not one word during his contribution on this issue that he has such ownership of property as to be a multimillionaire. What I also find gross is that he speaks for ordinary mums and dads. Give me a break! You must be the most ethically challenged member in this chamber, member for Moggill.

Dr FLEGG: I rise to a point of order, Madam Deputy Speaker. The minister's comments are offensive and I ask that he withdraw them.

Mr ROBERTSON: I withdraw. What I also found gross is when—

Dr FLEGG: I rise to a point of order. The minister's comment is offensive and I ask that it be withdrawn.

Mr ROBERTSON: I withdraw again. What I also found gross was when he talked about the poor mum and dad investors receiving the land tax window faced envelope in the post. I said, 'How much did you have to pay?' All he could do was giggle.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! Minister, speak through the chair please.

Mr ROBERTSON: All the member could do was giggle, such was his embarrassment that he had been caught out.

Dr FLEGG: I rise to a point of order. Madam Deputy Speaker, I would ask you to rule on the relevance to the provisions of this bill about this—

Honourable members interjected.

Dr FLEGG:—personal tirade that the minister is undertaking.

Madam DEPUTY SPEAKER: There is no point of order.

Mr ROBERTSON: Madam Deputy Speaker, I am responding to comments made by the member, and I table the register of interests so that in the years ahead when people reflect on this debate—

Dr Flegg interjected.

Madam DEPUTY SPEAKER: Order!

Mr ROBERTSON:—they will know exactly where the member for Moggill was coming from in terms of his own gross and undeclared self-interest in this debate. You are the most ethically challenged member of this chamber!

Tabled paper: Extract from the Register of Members' Interests [2996].

Dr FLEGG: Madam Deputy Speaker—

Honourable members interjected.

Dr FLEGG: I rise to a point of order, Madam Deputy Speaker.

Honourable members interjected.

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

Honourable members interjected.

Madam DEPUTY SPEAKER: The House will come to order!

Dr FLEGG: Madam Deputy Speaker—

Honourable members interjected.

Madam DEPUTY SPEAKER: The House will come to order!

Dr FLEGG: Madam Deputy Speaker, the member's comments are offensive. They are a personal reflection. The Register of Members' Interests has already been tabled in this place and the clown does not even know it, and I ask that he withdraw the personal reflection.

Mr ROBERTSON: Madam Deputy Speaker, I am happy to withdraw but of course—

Madam DEPUTY SPEAKER: The member will withdraw.

Mr ROBERTSON: I am happy to withdraw, Madam Deputy Speaker, and perhaps I can move on to his stalking mate—the other battler's prince, the member for Coomera, who came in here and parroted on from what the member for Moggill said about those poor mum and dad investors, those who would be slugged by the alleged increases in property tax. Let us look at the member for Coomera. Again, you only need to go to his personal interests to understand how ethically challenged he is, because not with one word during his contribution did he admit to owning substantial amounts of property and having a direct and material interest in how this bill passes.

Honourable members interjected.

Mr ROBERTSON: Mr Speaker, they stand condemned for their lack of transparency, their lack of ethics and their lack—

Honourable members interjected.

Mr SPEAKER: Order! Stop the clock. I call the minister.

Mr ROBERTSON: Thank you, Mr Speaker. What the LNP has done has been to catch itself out. Once again, going back to the days of not understanding the separation of powers, those opposite still do not get it. They think if you are a multimillionaire property owner and developer and you come in here and you speak on a debate such as this that you do not have an obligation to declare your interests during that debate. Of course you do! Of course you do, Mr Speaker, and to that extent history will show that this member and his mate from Coomera are the most ethically challenged members in this whole parliament, and this parliament tonight should condemn them. That has been the highlight of this debate. Most members have spoken, I think, quite thoughtfully about this important move to site value. Unfortunately, this debate has been clouded by some members—

Honourable members interjected.

Mr SPEAKER: Stop the clock. Just resume your seat.

Honourable members interjected.

Mr SPEAKER: I will wait for the House to come to order.

Honourable members interjected.

Mr SPEAKER: I call the minister.

Mr ROBERTSON: There is one thing I will never do in this place, and that is be embarrassed about what I own. That is something that I will never do. I am a person of modest means. I am not a millionaire property developer, but if I were the one thing that I would be doing right at this point in time would be declaring that pecuniary interest during the course of this debate, because any change to the existing laws would profit you in a personal way. If you do not understand that—

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

Mr ROBERTSON: Mr Speaker, this is a member who could have been the Premier of Queensland. He could have been the Premier of Queensland, and what condition would this state have been in had that have occurred given your absolute ethical bankruptcy that you demonstrated here tonight!

Dr FLEGG: I rise to a point of order. Minister, that is an outrageous personal attack.

Mr ROBERTSON: Mr Speaker, I withdraw and I will move on.

Dr FLEGG: It is offensive and I ask that it be withdrawn from a grubby low-life minister who cannot conduct an argument without a personal attack.

Mr SPEAKER: Just sit down. Both of you, sit down. I understand the debate is getting very personal. It is not improved by language that is descending into being unparliamentary. I would ask the minister to direct his comments through the chair.

Mr ROBERTSON: Mr Speaker—

Mr SPEAKER: I would advise the member for Moggill that using the term 'grubby' in reference to the minister is unparliamentary. I therefore ask you to withdraw that.

Dr FLEGG: I withdraw, Mr Speaker.

Mr SPEAKER: Now, you asked the minister to withdraw the comments in relation to yourself. He did so, but he did so at a time when you were on your feet and probably did not hear it. So I am going to ask the minister again to withdraw the comments you made about the member for Moggill.

Mr ROBERTSON: Mr Speaker, I withdraw and let me—

Mr SPEAKER: Thank you. Let us get back to the bill.

Mr ROBERTSON: I withdraw unreservedly, but let there be no misunderstanding about this.

Honourable members interjected.

Dr Flegg: Without reservation. Come on!

Mr ROBERTSON: Let there be no misunderstanding about the standards that should apply in this place. Where people have a direct pecuniary interest in terms of legislation, it should be declared during the course of the debate. That is the point! That is the point, and no member can stand in this place and argue that point, and I rest my case at this point in time. Need I remind the member for Moggill of section 260 of the standing orders. What does it say? 'Declaration of pecuniary interest in debate and other proceedings'. You are in breach of the very standing orders of this place.

Mr SPEAKER: Order! Direct your comments through the chair. There is a way to handle a direct breach. If the minister feels that way, then he should take the appropriate action and refer the honourable gentleman to the ethics and privileges committee.

Mr ROBERTSON: Mr Speaker, I take this opportunity—

Mr SPEAKER: I think it will improve the temper of the House now if the minister—

Mr ROBERTSON: Mr Speaker, I take this opportunity to refer both the member for Moggill and the member for Coomera to that committee.

Mr SPEAKER: Under the standing orders then, it will be done in writing. I would ask the honourable gentleman to submit both those matters to me in writing and I will be happy to look at the issues involved.

Mr ROBERTSON: It will be my pleasure, Mr Speaker.

Honourable members interjected.

Mr SPEAKER: Order! I call the minister.

Mr ROBERTSON: I shall conclude on this point—

Honourable members interjected.

Mr SPEAKER: Order! Stop the clock and I will wait again. I call the minister.

Mr ROBERTSON: Thank you, Mr Speaker. I will conclude on this point and thank members for their contributions from both sides, or at least most of them. But I also take this opportunity to table a number of amendments to be moved during the consideration in detail stage of this bill.

These minor technical amendments are being made to correct drafting omissions as identified by the Office of the Queensland Parliamentary Counsel. I now formally table the explanatory notes to the amendments that will be moved during the consideration in detail stage.

Tabled paper: Explanatory notes for Hon. Stephen Robertson's amendments to the Land Valuation Bill [2997].

Again, I pass on my thanks to all stakeholders—the ones I read out earlier—who have participated in the development of these important reforms to the statutory valuation system in Queensland. It is truly a transformational change in the system of valuations here in Queensland—a change that many members from both sides have recognised is long overdue. I again thank members from the Valuations Reform Reference Group who undertook exhaustive consultation with and on behalf of their stakeholders. I commend the bill to the House.

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

AYES, 45—Attwood, Boyle, Choi, Croft, Dick, Farmer, Finn, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczyk, Roberts, Robertson, Ryan, Schwarten, Scott, Smith, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

NOES, 32—Bates, Blejje, Crandon, Cunningham, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Johnson, McLindon, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Bill read a second time.

Consideration in Detail

Clauses 1 to 6, as read, agreed to.

Clause 7—

Dr FLEGG (9.06 pm): In the course of this debate I posed a few questions for the minister in relation to the new valuation system as set out in clause 7—that is the move to site valuation. I asked the minister to clarify for the benefit of the House what analysis he has done and what the effect of the change in valuation method would be to the average valuation, to the government's receipts from land tax and to the number of people who get caught in the land tax net. I notice in his summing-up, in among all the personal abuse, that he overlooked answering my questions in relation to those matters. Perhaps he could do so on this occasion.

Mr ROBERTSON: As the member is aware, given his attack on that reputable company PwC, we engaged PwC to conduct that analysis. Incidentally, PwC won that through a tender so I will accept his apology. No doubt he will stand on his feet and record that apology to PwC. PwC found that, on average, the increase in value is around about five per cent, which goes to what I said during the course of my summing-up in the second reading debate that around about 95 per cent of properties in Queensland will have little or no impact in terms of moving from unimproved—

Mr Dickson: That's what you said about electricity when you sold us out.

Mr ROBERTSON: That was the analysis that was done by PwC—

An opposition member interjected.

Mr ROBERTSON: Bruce, I am trying to help you, but your mates are not helping you—

Mr DEPUTY SPEAKER (Mr Powell): Order! Minister, you will refer to the member by his correct title.

Mr Dickson: Don't call me mate. You'll never be a friend.

Mr ROBERTSON: You know that. As I am trying to say to the member for Moggill, the PwC report, which was done after PwC won a tender to do that work, estimated that the average impact would be no more or around five per cent for 95 per cent of properties.

Dr FLEGG: I take the minister to say that he is claiming that only five per cent of properties will increase in value. I am not sure whether that PwC report has been tabled, but that does not actually answer the question that I posed to him and that is what will be the average increase across Queensland in valuations? What will that increase translate to in terms of government land tax collections? How many extra people in Queensland will be pushed up above the threshold for land tax?

Mr ROBERTSON: We have made it clear from day one that the government does not see moving to site value as an opportunity to increase its take of land tax. That was made clear in our negotiations with groups such as the Property Council, the Shopping Centre Council and others. But it is acknowledged that, on individual cases, as a result of moving to site value some will be winners in terms of a reduction in land tax take and others will be losers and will have to pay more. That is inevitable in any change from one system to the next. But we have given a commitment that the overall take will not increase and we have also put in place ameliorating measures, which have been referred to by members in this debate, to provide assistance to those who may be in the short term detrimentally affected.

You cannot do it any other way. We have been firm in our commitment that the overall take of tax and the capping remains. The Treasurer has been quite clear about that. It will not increase as a result of moving to site value.

Clause 7, as read, agreed to.

Clauses 8 to 325—

Mr ROBERTSON (9.11 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr ROBERTSON: I move the following amendments—

1 Clause 10 (Zoned rural land)

Page 22, line 8, '53'—

omit, insert—

'54'.

2 Clause 158 (Late filing)

Page 95, line 23, 'filing the notice within the'—

omit, insert—

'not filing the notice within the appeal'.

- 3 Clause 207 (General functions and powers)**
Page 118, line 24, after 'valuations;'—
insert—
'and'.
- 4 Clause 207 (General functions and powers)**
Page 118, line 25, after 'appeals;'—
insert—
'and'.
- 5 Clause 207 (General functions and powers)**
Page 118, line 26, after 'roll;'—
insert—
'and'.
- 6 Clause 214 (Delegation)**
Page 122, lines 25 and 26, from 'to perform' to 'power.'—
omit, insert—
'for the functions.'
- 7 Clause 246 (Requirement to fix defective change of ownership notice)**
Page 138, line 7, 'change of ownership notice'—
omit, insert—
'ownership change notice'.
- 8 Clause 265 (Regulation-making power)**
Page 148, line 10, 'fixed'—
omit, insert—
'required'.

Amendments agreed to.

Clauses 8 to 325, as amended, agreed to.

Schedules 1 and 2—

Mr ROBERTSON (9.11 pm): I seek leave to move amendments en bloc.

Leave granted.

Mr ROBERTSON: I move the following amendments—

- 9 Schedule 1 (Consequential and minor amendments)**
Page 190, line 8, 'Section 6(1)'—
omit, insert—
'Sections 6(1)(a), 10A(1), (2) and (3), 10B(2)(a) and (3) and 15(1)'.
- 10 Schedule 1 (Consequential and minor amendments)**
Page 190, after line 10—
insert—
- '2 Section 15, 'chief executive's'—**
omit, insert—
'valuer-general's'.

Schedules 1 and 2, as amended, agreed to.

Third Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (9.11 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) (9.11 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

SPECIAL ADJOURNMENT

Hon. S ROBERTSON (Stretton—ALP) (Acting Leader of the House) (9.12 pm): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 5 October 2010.

Question put—That the motion be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. S ROBERTSON (Stretton—ALP) (Acting Leader of the House) (9.12 pm): I move—

That the House do now adjourn.

Aspley State School

Ms DAVIS (Aspley—LNP) (9.12 pm): In 1889 three local residents from a small agricultural community on the outer reaches of Brisbane's north approached the department of public instruction about establishing a state school in the area. After a number of meetings, some land quarrels and a bit of local factionalism, the community finally agreed on a location and subsequently the department approved the site for the establishment of the Little Cabbage Tree Creek School. The school opened on 6 August 1890 with 40 students enrolled. The first head teacher was an Englishman, Mr Archibald Robert Wing, who, having been sent out by the Agent-General with good testimonials, was subsequently admitted into the Queensland education service and took up his appointment at the school in 1890. The new school consisted of one school building, the head teacher's residence and later a play shed was erected. It was a very exciting time for the community as their vision had finally become a reality.

That was over a century ago. Although the location of the school remains on the same parcel of land at the corner of Horn Road and Maundrell Terrace, it is now known in our community as Aspley State School. On Friday, 3 September, I had the very great pleasure of joining the Aspley State School family when it celebrated 120 years of quality education with a birthday festival. The event was officially opened in the assembly hall and I was delighted to help cut the birthday cake with Councillor Norm Wyndham and a very special guest, Talia Fowler, ex-Aspley State School student and winner of *So You Think You Can Dance* in 2009. The school band played and the choir sang and it got everyone in the mood for a great evening. Out on the oval the children had a wonderful time on the many rides. There were specialty stalls, foods from around the world and terrific entertainment. A spectacular fireworks display lit up the skies and provided a magnificent finale to the occasion.

I would like to make mention of some very special people who worked tirelessly to bring this event together—firstly, Acting Principal Mr Andrew Duncan. Andrew's stewardship has provided stability for the school and his genuine passion for the students and the school community has been gratefully welcomed. I know the school community hopes he stays for many years to come. I would also like to congratulate overall event coordinator Janelle Lee; P&C President Tony Lee; Amanda Martel; Karen McAllister; Emily Nagel; Simone Muller; Wendy Springfield; Elizabeth Alexander; Kyran Hynes; and Russell Parry, who wrote a special birthday song which was performed at the opening of the festival. I would like to acknowledge all of the teaching staff but in particular Nelma Wright, grade 5 teacher Sally Agnew, grade 4 teacher Paul Robertson, music teachers Christine Jabs and Briony McIntyre, and, of course, finally and most importantly, the amazing Aspley State School students. Aspley State School has a long and proud history. May the school continue to offer outstanding education for many more years to come.

Greenslopes Electorate, Community Safety Forums

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (9.16 pm): Community safety is an issue of great importance to people who live in the electorate of Greenslopes. It is also important to me, not only as the local state member for Greenslopes but also as the Attorney-General of Queensland. As a result of the community's interest in this topic, I arranged two events in recent months to help raise awareness and provide vital information about safety issues for the residents of Greenslopes. Firstly, in late July, I hosted a community safety forum for every Neighbourhood Watch group within the Greenslopes electorate at the Holland Park Bowls Club. This event was extremely well supported by local police, including the Commissioner himself, Bob Atkinson APM. On behalf of the residents of Greenslopes I thank Commissioner Atkinson for giving up a couple of hours of his valuable time on a Saturday afternoon to speak with our Neighbourhood Watch representatives. Commissioner Atkinson's support for the forum was matched by many local police officers who also attended.

They included Inspector Owen Elloy from the recently refurbished Upper Mount Gravatt Police Station; Senior Sergeant Craig Smith from the Holland Park Police Station; Senior Sergeant Kev Fitzgibbon from the Coorparoo Police Station; Sergeant Ross Frassetto and Senior Constable Michelle Mullen, who are district crime prevention coordinators; and Detective Senior Constable Rod Shelton of the Fraud and Corporate Crime Group. I thank them for attending and I thank them for serving our local community. We also enjoyed the company of Sergeant Sean Bexandall from the Dog Squad and his offsider, police dog Wolf, who was without doubt the star of the afternoon, as well as Mr Alex Wright and Ms Robyn McDonough from the Volunteer in Policing program. They all provided valuable insights and information about crime and safety in the Greenslopes electorate to the audience, which included Neighbourhood Watch coordinators Gary Thorpe; Kevin O'Neill; Keith Reichmann; Peter Williams; and Roy Rickuss. I thank them, as well as another Neighbourhood Watch coordinator, Del Kent, who was unable to attend the forum due to family illness, for their leadership role in community safety. I must also thank Holland Park Bowls Club president Selwyn Fryer and the members of the Ladies Bowls Club for their hospitality and assistance on the day with refreshments.

It should be noted that despite some of the claims regularly bandied about in this chamber, Queensland in general, and the electorate of Greenslopes in particular, is a safe place to live and work. Thanks to the hard work of the government and the Queensland Police Service, crime rates are down by more than 20 per cent since Labor came to power and clearance rates are up. I was also pleased to work with Sergeant David Beard from the Carindale PCYC to host an online security forum for seniors last month. This forum, which attracted about 50 attendees, was designed to help Greenslopes' senior citizens improve their knowledge of the internet and to take appropriate precautions against scams and other pitfalls while operating online.

Among the interesting speakers who gave presentations were Dr Cassandra Cross, a research analyst from the Queensland Police Service's Crime Prevention Unit; Detective Senior Constable Graham Edwards from the Fraud Squad; Ms Melissa Clarke from the Westpac branch at Carindale; and Mr Chris Moffatt, director of computer company SuperGeek. Once again we enjoyed great hospitality from our hosts at the Holland Park-Mt Gravatt RSL Club, Sonja and Alan Hellier, and delicious catering from Helen Tully and Holland Park Meals on Wheels. Both of these forums were extremely valuable and informative exercises and I thank everyone who contributed to their success.

Gold Coast Parklands

Dr DOUGLAS (Gaven—LNP) (9.19 pm): Most showgrounds are valued very highly by their community, council and government. The land is usually held as deed in trust which for many is better than freehold land. But this has not stopped this rapacious, asset-grabbing state government from announcing last week that the Parklands show would close in 2013 and there would be an 8,000-person high-density ecovillage built on its site. No new site has been allocated for the show society and other groups. To leave the show society and others empty handed, with nothing to offer all their exhibitors and horse lovers, is disgraceful.

Parklands, which recently hosted the Inter Dominion Trotting Championships, has already lost its greyhound track. If closed, we will lose one of the best harness racing tracks in Queensland and one of the top five in Australia. If Parklands is lost, there are only two other major harness racing tracks left in Queensland. Big Day Out, Parklife and Good Vibrations will relocate to New South Wales because there is no comparable alternative venue in South-East Queensland, turning away all other large tourist-attracting festivals.

Furthermore, to build a village of 8,000 people immediately next door to the new Gold Coast University Hospital makes no sense. Hospitals need clear space on all sides, particularly when there are 1,000-plus beds at Parklands on site, with a 750-bed general and maternity public hospital and a 400-bed private hospital, which also includes a children's hospital.

The ecovillage will be in breach of local planning laws and will require ministerial intervention for redevelopment as a 'site of special state significance'. As such, the government cannot then claim exception from the council infrastructure charges of \$200 million, as the government had done with the Gold Coast University Hospital. Ratepayers had to foot the bill for the hospital infrastructure charges. So the big question is: are ratepayers going to pay for another round of imposed infrastructure charges incurred by the state government for the ecovillage?

There are better alternative sites for the 2018 Commonwealth Games village proposals than Parklands. What is the government planning to do with the existing master planned 42-hectare block adjoining the Griffith University along Olsen Avenue and Smith Street? Did it ever occur to the Premier that this site is planned for the purpose, and has been so since 1996? The Premier should withdraw her demands. The Parklands site must be retained as it is. Athletes can be housed closer to roads and services.

Nick Nichols was spot-on in his article 'Behind Parklands sham' in the *Gold Coast Bulletin* on 8 September 2010. He stated 'This is a sham,' and 'Effectively, it is just another government asset sale.' I table the article.

Tabled paper: Article in Gold Coast Bulletin, dated 8 September 2010, by Nick Nichols titled 'Behind Parklands sham' [2998].

Gold Coast city must have an event precinct with good road access and good public transport. Smith Street and the light rail delivers this requirement. The Gold Coast is the sixth largest city in Australia, so how can the government just keep ripping out the heart of our arts, culture and sport and close down this major venue—our Gold Coast showground at Parklands? The capacity and functionality of Parklands is what sets us apart from all other regional areas. The Gold Coast needs the showgrounds at Parklands and we will fight to keep it.

Well-known show ring announcer Angus Lane, who travels Australia announcing at over 60 shows including the Royal Easter Show in Sydney, says that Parklands is the best showground in Australia, and we need to keep it.

Townsville, Greek Community

Ms NELSON-CARR (Mundingburra—ALP) (9.22 pm): The Greek community in Australia is estimated at 600,000 to 700,000 people and, while 47 per cent of the Greek Australian community lives in Melbourne, we in Townsville boast a very active, vigorous Greek culture. Greek history goes back thousands of years and is well known for its tremendous advances in government, philosophy and the arts. Greek civilisation has been immensely influential on the language, politics, educational systems, philosophy, arts and architecture of the modern world.

There are some unofficial reports of the earliest migration to Australia on board the First Fleet and a sailor George Pappas, who left ship, married an Aboriginal woman and settled in Sydney in 1814. The first official record of Greek arrivals is seven young sailors from Hydra in 1829.

Throughout the period of Greek settlement in Australia, the Greek Orthodox Church and many other community organisations have played an important role in meeting the cultural settlement and welfare needs of their people. Greek Australians have become established members of the Australian society, having a major influence on the development of Australia's food, service, construction, real estate, tourism and wine industries. While maintaining a strong cultural and religious identity, they play a prominent part in Australian mainstream society and politics, the arts, tertiary education, business and sport.

There has been a Greek presence for over 100 years in Townsville. They have been a vibrant and dynamic part of our community. There are over 2,000 Greeks living in Townsville, many of whom came as immigrants after the Second World War to work in the tobacco and cane industries. Today, the Townsville Greeks are relatively young. They still hold strong to the language, customs and traditions of Greece and they are proud to be Greek but also proud to be Queenslanders and particularly proud Townsvillians.

Festivals and nation building are second to none to the Greeks—they are the Olympics and it is no different today in Townsville. Mundingburra-Aitkenvale Olympic United Soccer Club was founded by the Greek community and they still proudly wear the white and blue of Greece. The Townsville Greek Festival, under the clear direction of Bill Malandris and Peter Giannoulis, is here again. This is a fabulous celebration of all things family, capturing the hearts and minds and tastebuds of the Townsville community, providing fabulous food stalls, thousands of honey puffs, hundreds of volunteers, stars of dance and entertainment as well as sights, sounds, characters and culture.

The very best in Hellenic hospitality is about to be experienced for the 10th year on the banks of the Ross River at Riverway. This is a fabulous precinct, which the state government helped to fund with \$17.5 million. From its very auspicious start in Flinders Street, for the very first time the Premier of Queensland will open the festival, where over 30,000 people will be tasting the delights of Greek culture. I congratulate the Greek community in Townsville for once again bringing a bit of Greece to the heart of the north, and this time in the presence of the Premier.

Beekeepers

Mrs PRATT (Nanango—Ind) (9.25 pm): I rise to speak about an issue that continues to be raised in my office, and that is to do with beekeepers, particularly smaller beekeepers. Many of them feel that by 2024 they will be non-existent. When I talk about the smaller beekeepers, I am talking about those who have roughly 600 hives. Although that might seem a lot to members in this House, it is not many in the scheme of things. Two-thirds of these beekeepers' living is made from harvesting the pollen from state forests, and that is in any one year. So imagine how these people are going to survive after 2024. Their income from the forests roughly comes to about \$80,000 to \$100,000 per year. If you take two-thirds of that away, there really is not much to live on, and they will find it very, very difficult.

A lot of the arguments that were put forward during the debate I remember quite well. One of the arguments was the damage that the honey bees were doing to native bees. Recently I visited a very small beekeeper out at Kumbia. At his house block at Kumbia, which is roughly a quarter of an acre, he had five native beehives plus a dozen or so normal honey beehives in an area probably the size of this corner of the chamber. They lived quite happily together—neither invaded the other. The bees visited different plants and different blossoms, so there was no competition. So that argument has been refuted just by this very small example of one gentleman who loves his bees.

A lot of issues surrounding the bees are quite frightening for these beekeepers. They have families to support. They are a dying breed. There is value in honey—a 200-litre drum can fetch \$1,000. People have been murdered for that honey. By 2024, the fear of these smaller beekeepers is that many of them will actually go out of business because their bees will not be able to access enough blossoms, so there will be a shortage of honey and that shortage of honey will result in very, very high prices to the consumer.

A government member interjected.

Mrs PRATT: I believe it is a very sticky situation, as was just stated by a member of the government, and it is one that I hope he will remember when he starts paying extortionate prices for his honey.

(Time expired)

Sumners Road, Lights

Mrs ATTWOOD (Mount Ommaney—ALP) (9.28 pm): In the week of 18 August, the *Satellite* newspaper published a story in relation to the bikeway lights on Sumners Road titled 'Lights Out'. This story was about more politicking by the local LNP councillor for Jamboree in relation to keeping the safety traffic lights off. The minister, Main Roads, council officers and parents say, however, that if the lights are not turned on at this crossing then a tragedy will occur. In April this year a Brisbane City Council newsletter was distributed locally and asked for feedback on the 'Temporary pedestrian/cyclist crossing'. It read—

As it will be some time before the new traffic lights are installed at the Sumners Road/Dandenong Road intersection, DTMR (Dept of Transport and Main Roads) and Council have agreed on the following three stage approach to provide a safe pedestrian/cyclist crossing on Sumners Road for the Centenary Motorway shared pathway.

- DTMR to install a temporary signalised crossing on Sumners Road, between Dandenong Road and the interchange (linking to the shared pathway).
- Council to install new traffic lights with signalised crossings at the Sumners Road/Dandenong Road intersection and extend concrete pathways to link to the intersection. Temporary crossing to be removed and materials salvaged for use elsewhere.
- DTMR to provide a new, more direct crossing along the motorway corridor (exact location to be determined). Signalised crossings at the Sumners Road/Dandenong Road intersection will remain.

Despite the local councillor's knowledge of this plan, four months later came the 'Lights Out' article, then several form letters sent to my office to which I responded, and then the same people writing letters to the editor. The local councillor claimed in a letter to the editor that he wrote to the minister on 6 August about the issue. A letter did not arrive until 17 August—the week of the 'Lights Out' media story—placing full responsibility on the state government and ignoring council co-ownership of the decision. The irony is that, because of the local councillor's media campaign, I received more calls from mothers absolutely distressed that the local councillor wanted to keep the lights off. Shouldn't children's safety be paramount in all of this? If the lights are kept off, who is going to be responsible when vulnerable children cross the road unprotected?

This is just another thoughtless political campaign which is typical of the local LNP councillor who cares more about publicity than making council roads safer. Despite the councillor's politicking, I had several conversations with Main Roads engineers who stressed the importance of the temporary lights to protect the safety of children when crossing—and that is the paramount issue here. Notwithstanding a previous safety audit being undertaken and agreed to by council on a council road, I have asked them to work together to investigate and undertake traffic modelling in that area, flashing warning lights before the crossing and lowering the 60 kilometre speed limit coming up the off-ramp as an extra precaution.

***Courier-Mail* Spelling Bee; Glass House Electorate, Schools**

Mr POWELL (Glass House—LNP) (9.30 pm): I would like to begin by congratulating seven-year-old Matthew Gaske from Wamuran State School who won the year 1 to 3 category of the *Courier-Mail* spelling bee. Top stuff, Matthew, and congrats to all at Wamuran State School.

On numerous occasions now, I have raised the Woodford community's calls for a full high school. My requests have been met with the same pat answer from the Minister for Education: 'Give us 1,100 students, guaranteed for 20 years, and we'll give you the school'—as if all high schools in Queensland achieve that magical figure. Tonight I would like to give the minister further food for thought. I would like to share the concerns of Mrs Annette Cannon of Delaneys Creek.

Like many parents, in conjunction with the desires of their children, Annette has made the decision to send her year 11 son to Kilcoy State High School for his final two years. Each day, her son catches a bus from Delaneys Creek to Woodford and then the Department of Transport bus to Kilcoy at a total cost of \$15 a day, or \$75 a week. Concerned at this exorbitant cost, Annette contacted both the education and transport departments. The education department confirmed that the Woodford P-10 state school feeds into various schools and that there is no catchment area defined for Woodford State School, Kilcoy State High School or Tullawong State High School. The Department of Transport, on the other hand, decreed that because her address was Delaneys Creek her son must pay for transport to Kilcoy—he would get no subsidised travel, regardless of the fact that he was making his own way to Woodford to catch the 'subsidised school bus'.

The Department of Transport stated that Tullawong State High School is the feeder school for the Cannons' address. What madness is this? The education department has no defined catchment area and offers parents and students choice, but the Department of Transport takes away that choice by defining feeder schools. Who is in charge here? In the absence of a full high school at Woodford, the education department's no catchment policy is the only sensible option and most parents and students will therefore choose Kilcoy. It is smaller, it is rural, like Woodford, and it offers—

Mrs Pratt: It's a very good school.

Mr POWELL: I take that interjection from the member for Nanango. It offers a range of subjects many Woodford students are looking for. It also allows for an easier transition from year 10 at Woodford. So why is that option being taken away from parents, not by the education department but by the transport department? What happened to choice? Why can the transport department dictate where students attend school? Why is advice from the two departments contradictory? Why must this contradiction cost my constituents?

I will be writing to both ministers seeking an explanation. To make the point, I call on the Minister for Education to reconsider his decision not to expand Woodford State School to year 12. Let us do away with the problem altogether and offer senior schooling locally. While he does that, I ask the Minister for Education to resolve this ridiculous situation that is costing Woodford families and costing Woodford students.

Cross River Rail

Mr FINN (Yeerongpilly—ALP) (9.33 pm): Yesterday the southern portal or tunnel entrance location of the Cross River Rail project was announced for Yeerongpilly. This project provides the undergrounding of train lines from the south to the north of Brisbane with a tunnel under the Brisbane River and greatly increases the capacity of the rail network. Governments must prioritise infrastructure that manages growth, tackles congestion and is climate smart. This project—the biggest transport project ever in Brisbane—is about delivering on these priorities. With every infrastructure project, however, there are property impacts of some sort—whether they be residential, industrial or state owned or crown land. The portal construction at Yeerongpilly is no exception, with property impacts between the portal and Salisbury.

When this project was first proposed to government, there were no options for the portal location; it was at Fairfield, a location that would have caused massive community disruption. The project team were tasked by the government to investigate other portal options. I argued that the portal needed to be as far south as possible, and it is no secret that I preferred the tunnel location to be located at the Clapham rail yards in Moorooka. I spoke of my support for Clapham in this parliament and tabled petitions. I directly mailed residents in the investigation area. I spoke directly with the Premier and the transport minister of my support for Clapham, and the project team have been told of that many times. I also met with local residents and community activists, addressed public meetings and attended the weekend consultation events held in my area.

Unfortunately, the Clapham proposal was not able to stack up and was not recommended by the project team. This was due to greatly increased engineering costs because of the flood profile of the land, the lack of an ability to link the Tennyson loop into the tunnel if future demands required and the need to utilise the rail yards for train stabling or find an alternative location, requiring further property resumption. Let there be no mistake: the Clapham option was not property resumption free. The Clapham option impacts 38 properties, along with an unknown number of resumptions when a 15-hectare stabling site needed to be found elsewhere.

The Yeerongpilly option, as announced yesterday, whilst requiring an additional 28 properties, will deliver significant benefit to the wider local area. This option enables construction of a new station at Yeerongpilly and brings with it world-class transport servicing—a train every five minutes in the morning peak and every 15 minutes in the day off-peak and a slashing of the journey time to the city down to 10 minutes. This option contributes greatly to managing local growth, tackling local congestion and delivering climate smart planning in our community.

I know there are some residents facing difficulty over the property resumption demands of the project. I assure residents that the process allows for fair market compensation and support for relocation expenses. The project team started meeting with affected residents today. I encourage any resident impacted by the project to contact me for assistance as soon as possible. I will continue to stand up for local transport options in my community and help support residents through tough times.

Sherwood Police Station

Mr EMERSON (Indooroopilly—LNP) (9.36 pm): More than six years after the state Labor government claimed to have opened a 24-hour police station at Sherwood, the station remains closed at night. When then police minister, Judy Spence, opened the station in 2004, Labor told parliament it was a 24-hour station, but this station has never operated as a 24-hour station and anyone trying to get into the station at night would be met by a shut door. This is just another example of Labor being all spin but failing to deliver.

While the local police in Sherwood are doing a great job, the local community is being let down by the Bligh government. The failure of Labor to keep its promise of a 24-hour station at Sherwood is of even more concern because the Bligh government is intent on squeezing more and more people into the local area under its South East Queensland Regional Plan. Labor's higher density plan will create an even greater need for a 24-hour station in the area.

If Labor has broken its promise on the Sherwood Police Station, how can anyone believe Labor will be able to deal with other issues fuelled by its high-density plan? Can you believe Labor will ensure there are sufficient classroom places for local kids at local schools? Already, the education minister has bizarrely and wrongly claimed that families with children are not moving into the area. Can you believe Labor will ensure there will be sufficient beds at nearby hospitals? Labor has demonstrated over and over again that it cannot manage our hospitals. Can you believe Labor will be able to fight the congestion caused by its high-density plan? Labor's infrastructure minister has already said the congestion on streets like Oxley Road and Honour Avenue is not his concern. Now Labor is failing to meet its promises to provide appropriate policing.

Labor once again has let down the Indooroopilly electorate community. Labor should now keep its promise to have a police station open around the clock at Sherwood, even if it is six years too late. Sadly, Indooroopilly can have no faith that it will keep this promise or any other.

Sandgate, Small Businesses

Ms DARLING (Sandgate—ALP) (9.39 pm): Sandgate is not only a beautiful Brisbane suburb on the doorstep of Moreton Bay, it is also becoming a destination of choice for people seeking a friendly neighbourhood with a variety of local businesses set in an historic village atmosphere. Tonight I pay tribute to Sandgate's small businesses that are helping to change the face of the Brighton Road shopping strip and the many local clusters of corner stores throughout the entire Sandgate electorate. During the last year or so there have been many vacant shopfronts in Sandgate, which has concerned a lot of the businesses in the Sandgate village area. The shops are now filling up due, in part, to the tremendous efforts of the Sandgate and District Chamber of Commerce, which raises awareness about the great range of businesses through events like the Sandgate Village Fair and the famous Bluewater Festival, which coincides with the start of the Brisbane to Gladstone Yacht Race at Easter each year.

One shop, however, has been vacant for some time and all the residents and business owners in Sandgate are very keen to see it tenanted soon. Sandgate Woolworths relocated to a new shop as part of the Ibis Central development last year. Ibis Central really filled in a missing piece in the village design and now the Sandgate Post Office has been given a new lease of life with 4017 Bar and Grill having recently opened.

Chris from Terry White Chemist runs a great business and has invested in an expanded refurbished shopfront to improve his excellent service to the community. Chris is one of our local business owners who is helping increase the appeal of this shopping strip and is responding to the changing needs of local customers. He has expressed his keen interest to see the old Woolies site tenanted to help attract more shoppers. Refurbished local bank branches and new coffee shops have also helped breathe new life into the Brighton Road shops. So I urge anyone thinking of setting up shop in Brisbane to come to Sandgate. Our community welcomes you.

Other local shopping centres like the Brighton Village Shopping Centre and Deagon Market Square have had a facelift in recent years to the benefit of the local businesses in their centres. The new medical centre at Brighton Village Shopping Centre is also a very welcome addition to the area and I acknowledge the determination of Ros from Brighton Pharmacy in making the medical centre a reality.

Another local icon, George's Cabbage Patch, is the first business that people will see as they drive down Sandgate Road into Deagon. George's loyal customers come and go all day. While I am glad his business is doing well, I understand that some customers have been frustrated by new bollards installed by the Department of Main Roads. I table a non-conforming petition with over 2,700 signatures asking for these guide posts to be removed. While I understand the customers' concern, Main Roads was responding to complaints from local residents that some customers were parking across the footpath and some vehicles were protruding onto the road. Safety must come first and I ask everyone to be careful and understanding while we look at the best and safest solution for all.

Tabled paper: Non-conforming petition relating to guide posts along Braun Street outside George's Cabbage Patch [\[2999\]](#).

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.42 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, 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, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson