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Subject **FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT** Page

Wednesday, 6 April 2011

J MICKEL
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

L J OSMOND
CHIEF HANSARD REPORTER

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WEDNESDAY, 6 APRIL 2011

The Legislative Assembly met at 9.30 am.

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

SPEAKER'S STATEMENT

Photograph in Chamber

Mr SPEAKER: Honourable members, as I advised the House yesterday, the official photograph of the members in the chamber will be taken at 10.20 this morning. I ask the whips to ensure that if somebody is outside they are reminded to be back in here at 10.20 am. Once the photograph is taken, we will go back to the order of business before us. I suggest that government business et cetera conclude at about 10.15 am.

PETITIONS

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

Endeavour Valley Road, Upgrade

Mr O'Brien, 3 petitions, from 338 petitioners in total, requesting the House to upgrade the remaining 13 km of Endeavour Valley Road between Cooktown and Hope Vale to an all weather, bitumen-sealed road [4217], [4218], [4219].

Petitions received.

TABLED PAPERS

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)—

4220 Urban Land Development Authority Act 2007: Document by the Urban Land Development Authority titled 'Andergrove Urban Development Area Development Scheme', dated 3 December 2010 (Refer Subordinate Legislation No. 340 of 2010)

4221 Urban Land Development Authority Act 2007: Document by the Urban Land Development Authority titled 'Clinton Urban Development Area Development Scheme', dated 3 December 2010 (Refer Subordinate Legislation No. 340 of 2010)

MINISTERIAL STATEMENTS

Natural Disasters, Recovery Assistance

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.32 am): People across the world have seen the heartbreaking images of Queensland communities devastated by our summer of floods and cyclones. Those pictures speak volumes about the scope of destruction that was wrought across the state, but there are many stories that pictures simply cannot tell. Behind every image of devastation, there are hundreds of heartbreaking stories as Queenslanders attempt to rebuild their lives as they rebuild their homes. Today, our government will join with the federal government to launch a $39 million package of disaster care and recovery to help reach those thousands of people who need a little extra personal support.

As I outlined yesterday, from international research we know that around three months after a major disaster is a particularly vulnerable time for the emotional and psychological wellbeing of people who have been personally affected. It is around that time that the reality really starts to sink in and people begin to understand just how long is the journey in front of them. This makes the upcoming Easter break a potentially difficult time for thousands of Queenslanders. That is why the disaster care package that we are announcing today encompasses $10 million of new targeted mental health services in addition to the $1.2 million already announced. It includes a $20 million community recovery program, a $5.8 million financial counselling service and a $2 million disabilities care plan.

These Easter holidays will be particularly tough for those people who are still living in temporary accommodation or staying with family and friends, and we want them to know that they are not alone. In early March our government announced $1.2 million towards mental health services, including the funding of two mental health carers support hubs in the south-west and Far North Queensland. Today,

with the federal government, we will add $10 million to that mental health services funding. Grants will be made available to local, non-government organisations such as Lifeline to deliver assistance, counselling services, respite and expert referral to other support services. Those local groups will also provide additional individual and family counselling, personalised support and group support to those who need it. This means that people who are experiencing distress or mental health problems and who need support will have access to additional individual and family services. I know that some members of this chamber know personally people who will need those kind of support services. It is important that people make themselves familiar with these grants, because they will make a difference in local communities.

Under this funding, carers themselves will get extra access to information, counselling and other support services. The funding package will be able to offer on-the-ground support to around 5,500 people, including carers and families of people with a mental illness, to help them to come to terms with and recover from the disasters. The disaster care package also supports community activities, community events and memorials in affected areas. These initiatives were developed in consultation with organisations such as the Australian Red Cross, Lifeline and the Queensland Alliance of Mental Illness. I thank them all for their input.

The package includes $20 million over two years in joint state and federal funding to support community planning and engagement activities in the worst affected communities. That includes $10.4 million for the employment of community development officers on the ground to work with the Reconstruction Authority and local governments as they plan and involve their community in going forward. It also includes $9.6 million for local governments and not-for-profit community groups to support community activities, community events and memorials. Part of the healing process for some of those very traumatised communities will be ceremonies and memorials that mark the event and allow people some closure and an opportunity to move on in their lives.

The overarching package includes $5.8 million over the next two years for financial counselling to ensure that financial pressure does not become financial crisis. Many of the people affected by these events—and, again, members of this parliament will know personally constituents in this circumstance—have always been financially independent. They have never had to rely on government support. They are very proud, practical and hardworking people. They may now find themselves in financial circumstances that mean they will need financial counselling and assistance to make the right decisions to get themselves and their families back on their feet. That is what these funds will be applied to. In addition to this, $2 million will be distributed to a number of non-government organisations across Queensland to help them do what they do best, which is to deliver crisis accommodation and respite care for people with a disability. Many of the families that are affected are families caring for an adult or a child with a disability. Their ability to get on with their lives means that they need a little bit of extra care at the moment so that they can do all they have to do with insurance companies, banks, builders, et cetera.

It is imperative that we rebuild Queensland and we are determined to rebuild it stronger and better. However, at the same time, we need to always remember that bricks and mortar are only part of the equation. Right at the heart of our recovery and rebuilding effort is people. It is people who will put us back on our feet and we need to support them in that process.

Premier's Disaster Relief Appeal; Fox, Mr L

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.37 am): Operation Queenslander is a huge task and, as I said yesterday, we cannot do it all on our own. I was very pleased to report yesterday on the work of the Queensland Reconstruction Authority's joint forces program and a generous donation from the National Australia Bank. Today I am pleased to outline the work of a member of the business community who has really gone the extra mile to help the victims of the Queensland floods and Cyclone Yasi. Members will recall that not long after the event the Prime Minister established a Prime Minister's business task force to make sure that top Australian companies were pulling their weight and being partners in the recovery effort. One of the members of that task force is Lindsay Fox. He will be well known to members on all sides of the House as a very prominent Australian businessman, a very large employer and a very big player in corporate Australia.

As part of Lindsay Fox's role as president of the German-Australian Chamber of Industry and Commerce, he has arranged a special dinner and auction to be held at the Brisbane Convention and Exhibition Centre this Friday, with all proceeds going to the Premier's Disaster Relief Appeal. Some of the items that have been donated to be auctioned include a $180,000 Mercedes G-class, an Audi A4, the new Polo VW and a $190,000 truck. Business class tickets to New York, London and Phuket are also on offer during this very special event to support victims of our disasters. I understand that there are already 450 RSVPs for the event and, at $5,000 a table, I am sure that the event will be a big boost. Channel 7's *Sunrise* host David Koch will act as emcee and world renowned trumpet virtuoso James Morrison will provide entertainment for the evening.

The success of this event is due to the personal drive of Lindsay Fox and I want to put on the record our gratitude for his efforts. Lindsay enthusiastically accepted the Prime Minister's invitation to join the task force and has been very active ever since. His company responded to a call from residents in the Lockyer Valley for somewhere safe to store their remaining belongings while their houses are rebuilt. Lindsay responded to that by supplying shipping containers. If honourable members now travel through the Grantham area they will see those shipping containers sitting in people's yards. They are safely locked up and give people a great sense of security. I notice the member for Lockyer nodding his head. He knows the difference that that has made. I certainly thank Lindsay Fox for that.

Lindsay Fox has personally secured the donations of the auction items. Anybody who has ever followed Lindsay Fox's career or has spoken to him would know that he has his own particular ways of persuading people to do certain things. He managed to secure the donation of prestige cars and travel packages. Most of the tables have been bought by companies who received a personal phone call from Lindsay extending the invitation. The event is hoping to raise somewhere around the $1.5 million mark. If that happens, it will be a terrific result. We are very grateful for the personal efforts of Mr Fox.

Toward Q2

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.41 am): While Queensland undergoes our recovery and we rebuild, one of our guiding missions is to ensure that we do it in a way that means we get on with that task but we also continue to focus on all of the other things that are important to Queenslanders. Two and a half years ago we launched our government's vision for Queensland in 2020, our Q2 vision. My determination is to make sure that, when in 2020 we look back at these disasters, they will be seen as nothing more than a speed bump in our progress to achieve what we believe Queensland can be.

When I released Q2 I gave a commitment that we would not only be setting ourselves measurable targets, but we would also be ensuring that we published our progress against those targets so people could see where we were moving ahead. Under our goals for a strong Queensland, obviously we determined that we would aspire to be the strongest economy, measured by economic growth, in the nation by 2020. Our expectation is that we have the capability to overtake Western Australia in that regard. Obviously, the last couple of months has put a dent in our economic performance, but we are well on track to realising our goals for that economic sector in the next 12 months, particularly in the next financial year. So we are making Queensland stronger.

We are also determined to make Queensland greener. With our investment in the solar industry and in solar energy efficiency in Queensland state schools, we have seen the average household carbon footprint fall from 13.77 tonnes in 2006 to 13.2 tonnes in 2008-09. We have also seen more than 8.1 million hectares of the national park estate be protected, as we set out to do.

We continue to build up Queensland as the Smart State of Australia. We now have 32 per cent of our 3½ to 4½ year-olds in kindergarten. This will improve as the 240 additional kindergarten services that we are delivering come on line. We have also boosted the proportion of Queenslanders with a post school qualification from 50.3 per cent in 2007 to 54.1 per cent in 2010. So we are achieving our goals.

We have also made progress in our goal for Queenslanders to be the healthiest Australians. In 2009-10 Queensland had the shortest waiting times nationally for elective surgery. When it comes to the lifestyle challenges of being healthy, we are making significant progress in the area of smoking, with fewer Queenslanders smoking today than two or three years ago. However, I have to say that obesity is the one target that we are failing to meet. It is the one area—

Mr Wallace interjected.

Ms BLIGH: Despite the terrific efforts of the member for Thuringowa in this regard, it is the one area in which Queensland, like other jurisdictions around the world, is really struggling to make inroads. It is a very serious issue for our health system. I am being very upfront here; we are not meeting our targets in that area. Between now and 2020 we need to feel a great sense of determination to spur ourselves on and do better in that regard.

When it comes to having a fairer Queensland, we now have the lowest proportion of children living in jobless households in Australia. However, at 10.9 per cent, that is still far too high and we continue to be driven by the desire to give children the best chance of success and see that number continue to drop. I table the annual progress report for the benefit of the House.

Tabled paper: Report titled 'Toward Q2: Tomorrow's Queensland 2009-10 Annual Progress Report' [4222].

It not only reports on progress but also outlines a range of very interesting facts about Queensland's progress in a number of economic and social areas. I commend it to the House.

Buy Smart

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (9.44 am): It is my great pleasure to announce that the annual Office of Fair Trading Buy Smart competition is now open for entrants. This popular and successful competition, now in its 10th year, is designed to encourage young people to sharpen their consumer and financial literacy skills, thereby helping them to save money and spend wisely.

With young people using mobile phones, debit cards and credit cards at a much earlier age these days, the Office of Fair Trading is keen to help them avoid trouble or future debt. For instance, each year about eight per cent of Queenslanders applying for bankruptcy are under the age of 25. In addition, the average age at which young people begin using mobile phones is 13—and don't we know about that, Mr Speaker—and 20 per cent of people under 18 say that phone debt has caused them major problems. It is our responsibility to arm our kids with know-how early on so that later in life, when it comes to buying a car, getting a loan or renting a home, they are clever consumers and are not flying blind. This is the sort of know-how that the annual Buy Smart competition wants to encourage and develop—real skills for real life situations.

The aim is to equip young people with the skills and knowledge that they will need when transacting in the marketplace. Working individually or in teams, students in the competition are required to research a consumer or financial issue and then make a creative presentation which demonstrates what they have learned. Potential topics include mobile phones, spending wisely, budgeting, buying and running a car, shopping online, saving and credit. Last year, 679 students from 42 schools entered the competition and their entries took the form of board games, PowerPoint presentations, DVDs, songs, brochures, a magazine, a children's book and more on subjects such as scams, refunds, online shopping, debt and credit cards. For example, one of the winning teams developed a board game which encourages students to save by teaching the difference between wants and needs. Another team used a PowerPoint presentation to create an interactive story experience involving three characters who succumbed to a mobile phone scam, a credit card scam and a computer bug received from entering an unsecured site. The quality of last year's entries was very high and the imaginative use of different media to fulfil the judging requirements was very impressive. The judges had a very tough time. Last year's competition winners were from Mackay, the Gold Coast and the Brisbane region, and I hope even more regional students will enter this year.

This year, a total prize pool of $10,000 is up for grabs which will be awarded across three age categories: school years 5 to 7, years 8 to 9 and years 10 to 12. The competition closes on Friday, 16 September 2011. Entries will be judged on creativity, quality, ability to communicate a consumer message and relevance to classmates, with the winners to be announced in October. I wish everyone who enters the best of luck. On that subject, today I am wearing a Wynnum State High School wristband. It is a great school in my electorate of which I am very proud. I might point out that it is the alma mater of the utilities minister; the Police Commissioner, Bob Atkinson; and also Sam Riley, Olympic silver medallist.

Commonwealth Grants Commission, GST

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for State Development and Trade) (9.48 am): I will deliver my ministerial statement on behalf of Proserpine State High School. Yesterday the Reserve Bank made the decision to leave interest rates on hold. This decision will be welcomed throughout Queensland.

Opposition members interjected.

Mr FRASER: Those on the other side might be well advised to know that the state political editor of the *Courier-Mail* also went to Proserpine State High School.

Mr Nicholls: Typical Labor Party and the old school tie.

Mr Lucas: Says the man with the old school cravat.

Mr FRASER: I seek your protection, Mr Speaker.

Mr SPEAKER: The last interjection came from someone who went to Villanova. Let us get back to the ministerial statement.

Mr FRASER: Yesterday, the Reserve Bank made the decision to leave interest rates on hold. This decision will be welcomed throughout Queensland. In its statement, the RBA noted that, while national income is growing, 'households continue to display caution in spending and borrowing'. In the ongoing debate over household costs, we should be mindful that the greatest expense for the average family is its mortgage. As a state in the middle of a rebuilding phase, with thousands of Queenslanders facing the task of either having to repair their home or build a completely new one, a hold on interest rates will be a welcome reprieve for many families.

The decision by the RBA provides further evidence that the national economy, and in particular the Queensland economy, remain delicately poised. Just as a mortgage is a family's largest and most expensive outlay, GST revenue is each state's largest revenue source. Therefore, it is absolutely crucial that we get the distribution of the GST right. It is not just in our interest as a state but in the nation's interest. The distribution needs to recognise and reward growth, not frustrate it.

Earlier this year I called in a major speech at CEDA for this issue to be urgently reviewed. The case I had put to the Commonwealth Grants Commission was proposed by them to be addressed in the next scheduled five-yearly review. I said then that this is an issue that could not wait that long. This is also an issue that transcends the political divide—the need for an urgent review was also supported by the Liberal government of Western Australia. That is why last week's announcement by the federal government that it would review the GST distribution methodology of the Commonwealth Grants Commission is a welcome move for our state, as indeed it is for Western Australia. It is a mark of the advocacy of this Labor government in Queensland and the Liberal government in Western Australia that a wholesale distribution review is being undertaken just a year after the last review in 2010.

As Christian Porter, the Western Australian Treasurer, will attest, the current methodology is burgling the mining states and inexplicably propping up the two big southern states. As the so-called 'resources boom mark II' takes hold, this issue becomes even more urgent. Both Western Australia and Queensland accept the responsibility of supporting the smaller states and territories—the hallmark of our federation. What we do not accept is a need to shovel funds towards Victoria and New South Wales. This afternoon we will get the opportunity to put those views directly to the other state and territory treasurers in Canberra, ahead of tomorrow's Ministerial Council for Federal Financial Relations.

The plain fact is that mining revenue comprises seven per cent of all revenue collected by all states, yet it constitutes 76 per cent of all the redistributed revenue based on states' revenue-raising capacities. The grossly disproportionate situation means Victorians and New South Welshmen get more out of the resource sector than Queenslanders and Western Australians.

The way the current methodology works is that Queensland ends up keeping funds which amount to $228 per person in revenue from mining, while the figure is $316 per person in New South Wales and $343 per person in Victoria. The last time I checked Victoria did not have a resources industry to speak of. This is an imbalance that has to end. The resource states have done the heavy lifting in supporting the nation's growth, and our export success, and we deserve a fairer share of the GST.

There will be five new treasurers in attendance at tomorrow's meeting, and they will join in an age old debate. That battle for the resource states to get a fairer deal begins in earnest today.

Government Response to CMC Report

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (9.52 am): In June 2006, new laws were introduced to expand the use of move-on powers to all public places in Queensland. A requirement of the introduction of the new laws was that the Crime and Misconduct Commission would review the use of the powers as soon as practicable after 31 December 2007. The CMC's report on its review was tabled in December 2010 and contained 11 recommendations. The government has considered the CMC's 11 recommendations. The government supports two recommendations in full and a further three in principle, has noted one recommendation and not supported five recommendations. I seek leave to table the government's response.

Leave granted.

Tabled paper: Queensland government response to Crime and Misconduct Commission's report titled 'Police move-on powers: A CMC review of their use' [4223].

The government introduced move-on powers to enable police to quickly and efficiently divert people from the criminal justice system—without using formal police powers—to prevent antisocial behaviour or criminal offences before they occur. Amongst other things, the CMC has proposed to restrict the circumstances in which move-on powers could be exercised and to raise the threshold for their use. The government does not support this approach. Such restrictions would significantly reduce the ability of police to intervene at an early stage in situations which might otherwise escalate into more serious public order offences. It would also reduce the importance of move-on powers as an alternative to commencing prosecution against a person for minor offences.

The CMC report identifies concerns about the overrepresentation and the potential impact of move-on powers on vulnerable groups—for example, young people, homeless persons and Indigenous people—and also that the review was hampered by a lack of data related to the use of move-on powers. In response, the Queensland Police Service will continue to improve data collection to better record the use of move-on powers. Additionally, the Queensland Police Service will conduct an annual, state-wide operational performance review for policing public order which will include representatives from relevant government and non-government agencies with an interest in vulnerable groups.

The government believes move-on powers are a useful tool for police to de-escalate and diffuse potential public order problems within the community. The government response to the CMC's report draws an appropriate balance between the need for police to have appropriate powers to deal with public order issues and the rights of individuals to use public space.

Natural Disasters, Multicultural Community

Hon. A PALASZCZUK (Inala—ALP) (Minister for Transport and Multicultural Affairs) (9.55 am): As the Premier has said, Operation Queenslander is well underway. Across Queensland we are seeing communities roll up their sleeves and get down to work. People have been working side by side to help families, friends and strangers in their hour of need. A great example of this can be seen in the generosity of our many multicultural communities right across our great state.

Members of the Indoz Sikh Community Centre have recently raised money which will be presented to the Queensland government at the centre's first anniversary on 17 April. I thank the Sikh community for their generosity and kindness. I also had the pleasure to accept a donation from the Indian Australia Society of Queensland of funds that were raised from a dinner and musical function held in January at St Lucia Uniting Church. I would like to express my gratitude to the Indian community for their contributions.

A multicultural community fundraising event, which was organised by a hardworking committee including representatives of the state's Vietnamese, Singaporean, Taiwanese, Indian, Sri Lankan, Tamil and Muslim communities, was held at Oxley on 5 March. I would like to thank those who donated funds and also those who donated goods and services for the charity auction.

The Tongan community of Queensland also hosted multiple fundraising events in the month of February, featuring the Tongan youth of Virginia. Last week the Vietnamese community in Darra presented me with a cheque for the Premier's Disaster Relief Appeal. I would also like to acknowledge the Chinese, African and Italian communities for their specific fundraising activities, and all other multicultural communities that have contributed in so many ways.

Today the Vietnamese Buddhists are going to be present with us during question time here in Parliament House and following will hand over a cheque to the Premier's appeal this afternoon. I think all members would join with me in thanking all of our communities.

These events are a reminder of how privileged we are to live in a society that is rich in cultural diversity shared by some 200 different cultures, speaking more than 220 languages and following more than 100 religions. On behalf of the Queensland government, I once again thank our multicultural communities for their concerns and their generosity in contributing to the Queensland Premier's Disaster Relief Appeal. It has been encouraging how Queensland's diverse communities have come together as one to support and to encourage each other.

Road Infrastructure

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads, Fisheries and Marine Infrastructure) (9.57 am): One of the largest pothole repair operations in recent times is occurring across Queensland. Crews are out all across our state doing emergency and longer term repairs to an estimated 10,000 potholes. They are working around the clock to get roads repaired and reopened for our communities and industry.

There are many thousands of potholes out there, and recently repaired potholes have again been weakened by further rain and flooding, making further repairs necessary. A massive 4,000 kilometres of road have been devastated again in just the past few weeks. On many of our roads, speeds have been cut to reduce the danger to vehicles from potholes. Many longer term repairs cannot be done until we fix existing potholes.

Today I am asking for the community's help to identify potholes and get them repaired. We want road users to dob in a pothole to ensure that no pothole escapes the asphalt of our repair crews. Of course, the state government is only responsible for state roads, and local councils and the Commonwealth are responsible for smaller roads and our national highways respectively. Where potholes are not on state government roads, our staff will refer these potholes to local councils, while we will look after Commonwealth repair work.

Mr Robertson: Tough on potholes. Tough on the causes of potholes.

Mr WALLACE: I take that interjection from the honourable minister—tough on potholes and tough on the causes of potholes. I ask for road users to call Main Roads on 131940 and listen to the prompts to report any potholes which they encounter.

We all hate potholes and I ask people to dob them in, when and where they find them. Operation Queenslander is well underway across the state. In North Queensland, we have repaired 4,000 potholes since November last year. We have also cleared debris from around 1,100 kilometres of roads and we have repaired 5,000 square metres of damaged pavement. In the Far North, RoadTek has used 1,500 tonnes of asphalt mix, 25 tonnes of bucket mix and 800 tonnes of pre-mix to fix potholes and repair road surfaces and shoulders. In the Fitzroy, 500 potholes have been repaired after 1,500 kilometres of that network were affected by flooding. In Mackay, 16 RoadTek crews are working around the clock assessing roads and doing emergency repairs as weather permits.

In the Central West, Main Roads is fixing potholes at 500 sites. Approximately 1,000 kilometres of road have been repaired in that area. On the Sunshine Coast, Main Roads is doing urgent repairs at 240 sites, fixing potholes, landslips and damaged bridges. On the Warrego Highway, around 100,000 tonnes of heavy asphalt patching has been done between Withcott and the Brisbane Valley Highway. We are getting on with the job. I call on the people of Queensland to dob in that pothole.

Queensland Health, Jobs

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Health) (10.00 am): While we rebuild Queensland, we are also getting on with the job of delivering more health services sooner. At the last election, the Bligh government set a target to employ at least 3,500 doctors, nurses and allied health workers within three years. Today I am pleased to confirm to the House that not only have we met our election commitment on creating healthcare jobs but we have exceeded it. In June last year, we made a further commitment on staff to employ an additional 1,200 doctors, nurses and allied health professionals. That is a total commitment of 4,700 health sector jobs created by this government in this term.

I am pleased to advise the House that we have already delivered on our election commitment and now we have delivered on our subsequent commitment. This is a government that delivers on its election commitments. As of February this year, we have employed an extra 4,700 clinical staff. That is 4,700 extra doctors, nurses and allied health professionals working in our hospitals, treating patients and delivering more health services to Queenslanders sooner. We are hiring more health workers because we are delivering more services than ever before. We have introduced new cancer services and we are conducting more surgery and more emergency department treatments than at any time in Queensland's history.

These extra doctors, nurses and allied health professionals are working in the Torres Strait, in the Far West, in Central Queensland, on the Darling Downs, in Wide Bay, in Mount Isa as well as in the South-East. All of them, thanks to the commitment of the government, are now out working on the front line to make a difference for Queensland patients. This is on top of up to 50,000 people who will secure a construction job as part of our $7.33 billion program to build new and expanded hospitals right across the state.

This government is creating jobs and opportunities for Queensland workers by providing new services in our hospitals even while the reconstruction effort is underway. Compare this to the Liberal and National Party, which has abandoned every health policy. LNP members are even more confused about who their health spokesperson is than they are about their leader. They are disunited and confused on policy. Unlike those opposite, we stand by our commitments to this state. We do not cut and run from the commitments we made to the people of Queensland. We deliver on them and today I am pleased to be able to deliver this good news for Queensland as we rebuild the state after the disaster through Operation Queenslander. We are also getting on with the job of delivering on our other commitments. Today I announce that our commitment to deliver more services and more health sector jobs has been delivered a full year ahead of target.

Operation Queenslander, Schools

Hon. CR DICK (Greenslopes—ALP) (Minister for Education and Industrial Relations) (10.03 am): As part of Operation Queenslander, the Bligh government is continuing to work hard to rebuild Queensland schools following our summer of sorrow. Across the state, damaged resources are being replaced, classrooms are being repaired and students are returning to their normal school environments. We made it a priority to get schools back up and running so as to minimise disruption to the learning journeys of young Queenslanders. I am pleased to update the House today on the extraordinary progress that is being made.

Mr Speaker, 212 state schools were damaged when floodwaters swept through Central, South-West and South-East Queensland. Some schools required just minor work, such as new carpet, while others needed extensive repairs, but we ensured all students were able to attend classes on the first day of the school year on 24 January. Only three schools—Milton State School, Rocklea State School and Milperra State High School—were so badly damaged that they could not open. Classes at those schools were temporarily relocated to nearby facilities. Several year levels at Brassall, Jindalee and Corinda state schools were also shifted to allow for classroom repairs.

Since then, school life has been returning to normal—classroom by classroom, school by school. By next week, all flood affected schools bar one will be back in business. Students and staff will return to Rocklea State School this coming Monday, 11 April, while classes will resume for Brassall students in years 6 and 7 in their refurbished classrooms midweek. Repairs are still being carried out at Milperra State High School and I am advised that they will be completed during term 2.

A massive recovery effort is also taking place at schools following Cyclone Yasi. This category 5 storm caused damage to 196 schools across Central, North and Far North Queensland. The hardest hit school was Tully State High School which suffered significant structural damage. At this school, an entire classroom block will need to be demolished. Damage was also done to roofs, air-conditioning units, shade sails and play equipment. The Department of Education and Training is working closely with the school community on replacements and repairs. Departmental staff have visited the school and will continue to work with the principal and the P&C to determine a master plan for the rebuild. The Bligh government is committed to the rebuilding of Queensland schools. We are in it for the long haul. We will not cut and run when Queensland students, parents, principals and teachers need us the most.

Solar Energy

Hon. S ROBERTSON (Stretton—ALP) (Minister for Energy and Water Utilities) (10.05 am): Twelve months ago, the Bligh government committed to doubling Queensland's use of solar energy in five years. Town by town and city by city, Queenslanders are working together to build a virtual solar power station by installing solar rooftop panels or solar hot-water systems. When we started our campaign last April, Queensland was estimated to have around 250 megawatts of solar power installed. This represented approximately 180,000 household solar hot-water systems and the equivalent of 23,000 small scale solar panel systems. That is why I am pleased to inform the House today that Queensland is well on track to double our solar energy use in five years and possibly even earlier.

Today, installed solar power in Queensland has already climbed to 394 megawatts. That is a 57 per cent increase in just 12 months. This represents approximately 219,000 household solar hot-water systems and the equivalent of 88,000 small scale solar panel systems. Every time a house, business or government building installs solar, this contributes to building our virtual solar power station.

Queensland solar power is projected to hit 500 megawatts later this year—three years ahead of schedule. The government is doing its bit to boost solar energy use. We are installing solar systems in government buildings, kindergartens, universities and isolated communities and we are building solar farms in Hervey Bay and Cloncurry. We are also offering Queenslanders attractive incentives through the Solar Hot Water Rebate Scheme, the Solar Bonus Scheme and the Solar Sport and Community Group Grants.

Solar is a key part of the government's renewable energy strategy. Through the Queensland Renewable Energy Plan, we are increasing the use of renewable energy and delivering a clean energy future. Since 2008, Queensland's renewable energy capacity has already climbed 32 per cent, from 743 megawatts to 982 megawatts. That is enough to power more than 320,000 homes for a year and save more than 2.6 million tonnes of greenhouse gas emissions.

Queensland is blessed with an abundance of renewable energy resources, including solar, biomass, wind, hydroelectricity and geothermal, to generate cleaner electricity. These resources will play a keen role in meeting the energy demands of Queensland's growing population, creating a new green job space industry and helping to reduce greenhouse gas emissions.

Flood Inquiry Support Service

Hon. KL STRUTHERS (Algester—ALP) (Minister for Community Services and Housing and Minister for Women) (10.08 am): Premier Anna Bligh demonstrated strong leadership in setting up the flood inquiry so people could tell their stories, the community could learn about the management of these tragic events and we could all get answers. In February, we also funded Lifeline to set up the Flood Inquiry Support Service. This service is supporting people to have their say. We know that people will suffer emotionally when reliving these tragic events so Lifeline staff are offering practical and emotional help. Lifeline is also able to offer extended care to many of these people and their families. The flood support service has held over 30 interviews with people who have sought counselling or been referred on to other services more tailored to their needs.

One family who needed the personal support service had a baby and a toddler and had to escape the floods in a small boat. The children were traumatised and remain so by this experience and the parents have been placed under even greater pressure by returning to a very damaged home. Lifeline has offered ongoing support to this family. We have delivered these support services as part of the Flood Inquiry Support Service to people in Toowoomba, the Lockyer Valley, Rockhampton, Brisbane, the Western Downs and Theodore. I encourage all members to publicise the availability of this service in their local areas. Phoning Lifeline on 131114 will get people through to that service. We know that many people need a helping hand and many have not been used to asking for help, so Lifeline has been well placed to offer this support given its reputation and availability around the state. Also provided in the

disaster care package announced by the Premier today is an additional $5.8 million for Lifeline and other organisations to continue to extend financial counselling to people around the state over the next two years. Again, many people have seen goods that they are still paying for on a hire-purchase agreement or on their credit card go down riverbeds. They do not own them anymore but they are still paying for them. Many people are struggling with bills and with payments on credit cards and other things that are causing them great stress. Again, Lifeline and many other organisations are there to assist people. Our message is a very clear one: we are here to help and we are here for the long haul.

Natural Disasters, Building Services Authority

Hon. SD FINN (Yeerongpilly—ALP) (Minister for Government Services, Building Industry and Information and Communication Technology) (10.10 am): Operation Queensland is underway with a great mission to rebuild and to make Queensland better and stronger than before. Queensland homeowners rebuilding after the summer floods have enough on their plate without having to worry about unlicensed contractors. They need to know and have certainty that works on their damaged properties are being carried out by professional certified builders who can get the job done. I am pleased to announce that the state government is doing its bit to crack down on unlicensed contractors trying to cash in on the flood reconstruction work. Last week I joined a BSA audit team inspecting building sites on Brisbane's flood affected south side. This team was one of many fanning out across South-East and Central Queensland, with more than 2,600 building sites inspected to date.

The BSA teams are checking that contractors are licensed and that compliant contracts are in place. As a result of these inspections, 15 allegedly unlicensed contractors have been detected so far and they are now facing infringement notices and fines of up to $2,000. These audits ensure reconstruction work is done by tradies who meet the BSA's standards of qualifications and experience and that compliant contracts are in place to protect homeowners. These audits are supported by the major building industry associations because the checks carried out protect licensed contractors from unfair competition whilst also helping to maintain building standards. They also help to ensure homeowners are covered by the Queensland Home Warranty Scheme, the best home warranty insurance scheme in Australia.

Overwhelmingly, our local building contractors are doing the right thing. Queensland has a strong small business sector which is helping people rebuild after the natural disasters. But we need to maintain vigilance and ensure homeowners are getting the protection they need, and we will not stand idly by as licensed builders get undercut by rogue operators. That is why I want to urge all homeowners to follow a few simple rules as they rebuild: always use a contract; always use licensed contractors; get at least two quotes; do a free licence number check on the BSA's website; never pay cash; never pay more than the contract stipulates; never pay for incomplete work; and, most of all, if a builder cannot show you a licence, then show them the door. Queensland homeowners and licensed builders deserve protection from dodgy operators. This government is getting on with the job of providing that protection.

Koala Protection

Hon. KJ JONES (Ashgrove—ALP) (Minister for Environment and Resource Management) (10.13 am): Our government is taking real action to boost koala habitat in South-East Queensland. We are investing $55 million in a whole-of-government Koala Response Strategy to secure more habitat and also protect koalas in existing areas. These were the key recommendations of the independent koala task force which advised that our priorities should be habitat protection and expansion. Already we have bought close to 140 hectares of land for koala habitat and applied nature refuges to 10 privately-held properties. Today I am pleased to announce that a further six new koala nature refuges have been finalised, covering more than 32 hectares. These refuges are the result of the agreements between members of our community and the government to protect important areas of koala habitat.

The refuges include a five-hectare reserve in the member for Lytton's electorate owned by the Moreton Bay Boys' College; Gumnut nature refuge on Old Mount Samson Road in the member for Ferny Grove's electorate covering 2.3 hectares; two hectares of land known as Keurong near Narangba in the member for Kallangur's electorate; 13.3 hectares of land known as Jilumbar adjoining Maleny National Park in the member for Glass House's electorate, and I know he will be very pleased with that; eight hectares known as Tir Na Crann on the banks of Warrill Creek west of Ipswich in the member for Lockyer's electorate; and 2.2 hectares known as Yaniguban just north of Dayboro in the member for Pine River's electorate, and I know that she would be very happy with that because she is a very strong advocate for koalas.

The landholders providing these refuges will share in more than $174,000 in funding to plant new koala food trees, remove weeds and create koala-friendly fencing, amongst other activities. Every single one of these new refuges is on private land under a voluntary agreement between landholders and the state government, demonstrating a strong interest among private landholders to play their part in koala conservation, and I want to recognise those great Queenslanders here today. Today's announcement brings the total amount of land protected through these kinds of nature refuges to over 100 hectares.

We have set some ambitious targets for koala protection, but we are serious about ensuring the survival of the koala in South-East Queensland.

INTEGRITY, ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Report

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (10.15 am): I want to update the House on the proposed course of action in relation to matters raised in the Integrity, Ethics and Parliamentary Privileges Committee report No. 105 regarding Mr Nuttall. As members are aware, one of the reasons the government has not acted to date on this matter is that the trials of Mr Shand and Mr Nuttall had not been completed. As members are also aware, late last year the Premier wrote to Mr Speaker requesting that matters regarding nondisclosure of payments from Mr Brendan McKennariey to Mr Nuttall be referred to the IEPPC for consideration. While these matters were referred to the IEPPC last year, the committee is yet to report on this matter. Therefore, while the trials of Mr Shand and Mr Nuttall have now been completed, as the IEPPC is yet to report on this issue, the government considers it prudent to deal with any recommendations that may arise from this report at the same time as the outstanding matters from report No. 105. I can assure members that the government would like this issue resolved as soon as possible and will take action in this regard as soon as possible following the IEPPC report.

ABSENCE OF MINISTER

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (10.17 am): I advise the House that the Treasurer and Minister for State Development and Trade will be absent from the House for the remainder of the week following question time today. Minister Fraser is attending a Ministerial Council for Federal Financial Relations in Canberra.

Mr MESSENGER: I rise to a point of order under standing orders 248 and 274 in relation to a person charged with contempt to be summoned. Standing order 274 states—

When the ethics committee reports to the House that a person has committed a contempt and recommends that the person be charged with that contempt by the House, a question shall be put, that such person be ordered to attend at the Bar of the House, at a specified date and time.

Mr Speaker, in relation to IEPPC report No. 105 which found Mr Nuttall in contempt of this place 36 times, standing order 274 backed by standing order 275 applies. This question of Mr Nuttall's appearance before this place must and shall be put. Under standing orders this is not a discretionary provision for this government or the Leader of the House to comply with. If the Leader of the House fails to follow the standing orders of this place, I will be forced to refer the Leader of the House to you and the IEPPC for being in contempt of standing orders of this place.

Mr SPEAKER: I understand there was a resolution last year. What I want to do is take advice rather than rule on your point of order. As soon as question time is over, I will get together with the Clerk and then I will come back to you with a ruling on your point of order. I just want to see that resolution of the House which, as I understand, was made last October. I am just not in a position right now to have a look at that, but that is my undertaking to the honourable member.

PUBLIC ACCOUNTS AND PUBLIC WORKS COMMITTEE

Report and Submissions

Mr WENDT (Ipswich West—ALP) (10.19 am): I lay upon the table of the House report No. 9 of the Public Accounts and Public Works Committee titled *William McCormack Place—stage 2—project*. I also table a copy of the submissions received.

Tabled paper: Public Accounts and Public Works Committee—Report No. 9—William McCormack Place—Stage 2—Project [4224].

Tabled paper: Public Accounts and Public Works Committee—Report No. 9—William McCormack Place—Stage 2—Project—Submissions 1 to 6 received in relation to the inquiry [4225].

This inquiry was commenced by the Public Works Committee of the 52nd Parliament, which sought public submissions and held a public hearing on the inquiry's terms of reference. The Public Accounts and Public Works Committee has completed the inquiry.

William McCormack Place stage 2 is the second building constructed on the site situated on the corner of Hartley and Sheridan streets in Cairns. This building's construction enables the provision of a single point of contact to cater for a range of government services. The building has also achieved a six-star green star rating from the Green Building Council of Australia.

The committee is satisfied that the project is necessary, is suitable for its purpose and meets functional, technical and environmental requirements. The committee is also satisfied with the procurement method and process and with the balance of public and private sector involvement in the work.

I am sure I speak on behalf of both committees in thanking those organisations and individuals who took the time to provide submissions and who met with and provided information to the committee during the course of this inquiry. Finally, I would like to thank the other members of the committee and also our hardworking research team for their valuable contribution to the work of the committee. I commend the report to the House.

NOTICES OF MOTION

Carbon Tax

Mr SEENEY (Callide—LNPLeader of the Opposition) (10.20 am): I give notice that I shall move—

That this House calls on the Bligh government to strongly defend Queensland families and Queensland industries against the federal Labor government's destructive carbon tax.

Groves, Mr J

Mr MESSENGER (Burnett—Ind) (10.20 am): I give notice that I shall move—

That this House notes that:

1) Under the Criminal Code of Queensland section 92 'any person who, being employed in the public service, does or directs to be done, in abuse of the authority of the person's office, any arbitrary act prejudicial to the rights of another is guilty of a misdemeanour, and is liable to imprisonment for 2 years'.

2) Mr Jim Groves head of Fisheries Queensland is employed in the public service.

3) Despite official scientific research assessed by the independent Spencer committee indicating that 'the exact status of Snapper stocks in Queensland is not clear', Mr Groves has recommended to the Fisheries Minister that a snapper fishing ban nevertheless be put in place.

4) This recommendation for a ban on snapper fishing without clear scientific evidence, is an abuse of the authority of Mr Groves's office and has clearly prejudiced the rights of recreational and professional fishers of Queensland

And calls on Fisheries Minister to stand Mr Groves aside pending the results of an official police investigation with regard to section 92 of the Criminal Code, for abuse of office.

Mr SPEAKER: The honourable the Leader of the House, I now have eight notices of motion on the *Notice Paper* and I have two this morning.

Ms SPENCE: The government will accept the notice of motion put forward by the Leader of the Opposition this morning.

Mr MESSENGER: I rise to a point of order under standing order 128. Mr Speaker, I draw your attention to standing order 128(8), which states—

After the member who presented a Bill completes their second reading speech further debate on the question 'That the Bill be now read a second time' shall be adjourned for a period of at least 13 whole calendar days.

Mr Speaker, I also draw to your attention government business orders of the day, which indicate that the third order of the day is the Parliament of Queensland (Reform and Modernisation) Amendment Bill, which the Premier introduced only last night. Our Independent whip has been told that this legislation will be debated at 2 pm today.

This House has had barely 13 hours, let alone 13 days, to consider and consult on this legislation. Quite obviously, the government will have to move to suspend standing orders and declare this legislation urgent.

Ms SPENCE: Mr Speaker, I think the member is now debating the point. He is wrong in his information that this bill is going to be debated at 2 pm today. I am happy to talk to him privately and to the other Independents. If they have been given that information, it is incorrect. So the whole premise of the member's point of order is actually incorrect.

Mr MESSENGER: Mr Speaker, can I finish my point of order?

Mr SPEAKER: Order! Let me rule on your point of order.

Mr MESSENGER: I ask that you make a ruling under standing order 128.

Mr SPEAKER: I will make a ruling under standing order 61, titled 'Order of matters during Government Business', which states—

The Leader of the House may place any Government Business notices of motion or orders of the day upon the Notice Paper.

As I understand it, that is what the Leader of the House did and that is my ruling.

Honourable members interjected.

Mr SPEAKER: Order! Any member is entitled to take a point of order. I understand that. I have made that ruling. I thank the Leader of the House.

SPEAKER'S STATEMENTS

Photograph in Chamber

Mr SPEAKER: Honourable members, we are going to pause to get an official photograph and we are going to smile sweetly while we do it. The photograph will be taken from the gallery above my chair. I ask all honourable members to do a few things as well as do their hair: push their microphones down, remove any papers from their desk and sit up straight. When the photographer is ready, a green card will be raised to signal that the photo is about to be taken. So at that point please look up to the camera and say 'holidays'.

School Group Tours

Mr SPEAKER: Before we start question time, today we will be visited by the students, teachers and parents from Coopers Plains State School in the electorate of Sunnybank, Northgate State School in the electorate of Nudgee, Buddina State School in the electorate of Kawana and the Mount Warren Park State School in the electorate of Albert. Question time today will end at 11.27 am.

QUESTIONS WITHOUT NOTICE

Electricity Prices

Mr SEENEY (10.27 am): My first question without notice is to the Premier. I refer to the state Labor government's electricity sector reforms and to the Premier's ministerial statement about those reforms in this House in September 2005, when the Premier said—

... it does not matter where you live, nobody—not one Queenslander—will be worse off under the government's proposal.

I also refer to the 119 per cent increase in electricity prices since the Premier made that infamous claim, and I ask: does the Premier understand that Queensland families struggling today with increased costs of living would find her earlier reassurances about electricity prices misleading and dishonest?

Ms BLIGH: What we have is a dishonest and misleading question, as you would expect from the member for Callide. I do not have the full document in front of me of course—and I will get it—but my recollection of my comments were in the context of a uniform tariff.

Under our electricity system in Queensland, a uniform tariff prevails. The quote comes from our determination to make sure that whatever arrangements were put in place, the community service obligation that makes sure that the people of Mount Isa pay the same rate for electricity as the people in Coolangatta would continue. It is under our government's initiative that we have ensured, unlike those initiatives in other states, that a community service obligation prevails and regional Queenslanders are looked after.

Of course, what we have opposite is about 14 different positions on privatisation. We not only have the shadow Treasurer's view that the retailers were not enough, we should have sold all of the poles, all of the wires and all of the distribution network but also have the electoral leader of the LNP, Mr Newman, in the *Weekend Australian* newspaper two weeks ago saying that in his view—

Mr SEENEY: I rise to a point of order.

Mr SPEAKER: Stop the clock. I will hear the point of order.

Government members interjected.

Mr SPEAKER: Those on my right will cease interjecting.

Mr SEENEY: My question was about Queensland's electricity reforms and the effect that they are having on Queensland families. I table for the benefit of the Premier her ministerial statement from 25 September 2005 where she gave an assurance that no Queenslander would be worse off. My question is directed to that. Standing orders at least require the Premier to address that issue.

Tabled paper: Copy of ministerial statement, dated 28 September 2005, by Hon. Anna Bligh MP relating to electricity retail competition [4226].

Mr SPEAKER: The question has been asked. I have been listening to the answer. The Premier has been answering in relation to electricity. I would ask her to stick to that topic.

Ms BLIGH: I am very happy to repeat again for the honourable member that the comments to which he referred were comments about our reforms ensuring and guaranteeing that there would be a community service obligation system prevailing to ensure that it did not matter where you lived in Queensland you would be able to pay the same price. Just to underscore the dishonesty from the member opposite, let me read the sentence that follows the quote that he has referred to—

The government remains committed to maintaining a uniform tariff for all Queenslanders.

Mr SEENEY: I rise to a point of order. I find the Premier's dishonesty offensive. I ask that she read the paragraph that contains the quote, not the one after the quote. I find the Premier's comments that I was being dishonest offensive and I ask that they be withdrawn.

Mr SPEAKER: The honourable member has asked for a withdrawal. I ask the Premier to withdraw that.

Ms BLIGH: I am happy to withdraw anything that the member has found offensive. What is absolutely clear is that 24 hours is about as long as the member for Callide can follow instructions and behave himself. The minute the boy at the end of the chain is out of town he is off the leash again. He cannot help himself. He cannot behave for more than one day.

The Queensland Labor government is committed to ensuring that regional Queenslanders are not disadvantaged by the fact that their electricity has to travel thousands of kilometres to get to them. We cross-subsidise right across the system to ensure that Queenslanders, wherever they live, are not disadvantaged. That is what a uniform tariff means.

Economic Management

Mr SEENEY: My second question without notice is also to the Premier. I refer to the state Labor government's total debt this year, which constitutes 122 per cent of its annual budget, and I refer to the health crisis, the water crisis and the Traveston Dam bungle. I contrast that record to the Brisbane City Council where the debt level—

Government members interjected.

Mr SPEAKER: Stop the clock. Those on my right, the Leader of the Opposition has the call. He is asking a question. I would ask you to show courtesy to the Leader of the Opposition.

Mr SEENEY: As I said, I contrast that appalling record to the Brisbane City Council where the debt level is 37 per cent of its total budget, as compared to 122 per cent, and to the tunnels and the bridges that have been delivered on time and on budget, and I ask—

Government members interjected.

Mr SPEAKER: Again, those on my right will cease interjecting.

Mr SEENEY: I ask: does the Premier understand that Queenslanders would recognise that the financial management record of the state Labor government has been a disaster when compared with the financial management record of Brisbane City Council led by Campbell Newman?

Government members interjected.

Mr SPEAKER: I will wait for the House to come to order. The House will come to order!

Ms BLIGH: Gee, I wonder who could have written that question. The person who wrote the question might well remember that selfpraise is no recommendation. I am very happy to talk about the issue of debt. I am even happier to have the chance to talk about the debt at the Brisbane City Council.

An opposition member interjected.

Ms BLIGH: I do believe that was the question.

Mr SPEAKER: The Premier has been asked about debt. The interjection about the AAA credit rating is therefore irrelevant. I would ask the Premier to answer the question that was directed to her and those on my left can hear the answer and give her the same dignity that I insisted on for the Leader of the Opposition.

Ms BLIGH: The plain fact is that in 2008 the Queensland state government gave the Brisbane City Council $1 billion in return for its water assets. What did that allow it to do? It allowed it to retire all of its debt. So, in 2008 the state taxpayers provided $1 billion to the Brisbane City Council that allowed it to wipe the slate clean.

Mr Hobbs: That was for the asset. It was their asset.

Mr Horan: For buying assets that had an income.

Mr Lucas interjected.

Mr SPEAKER: Order! The member for Warrego, the member for Toowoomba South and the Deputy Premier will cease interjecting.

Ms BLIGH: I take the interjections. Yes, the $1 billion was for the sale of the water assets of Brisbane City Council to put it into the South-East Queensland water grid. What did the $1 billion allow it to do? It allowed it to wipe the slate clean of its debt. What has happened since then? The former mayor of Brisbane has been out borrowing, borrowing, borrowing—committing money forward for his pet projects. What does it mean? It means that between 2008 and 2015 the debt levels of the Brisbane City

Council will rise by 427 per cent. So the debt levels of the Brisbane City Council under the decisions of the former mayor will rise by 427 per cent. And why are those debt levels there? Because he put $750 million of ratepayers' money into a tunnel that nobody wants to drive in—a tunnel that is in receivership. We will put our economic record—

Honourable members interjected.

Mr SPEAKER: Order!

Ms BLIGH: We have a higher credit rating; we have sound economic management that is delivering jobs and delivering infrastructure. Members will note that in the question those opposite did not have the hide to say that they came in on budget. I do not know of a single project that came in on budget from the Brisbane City Council. It is plagued by blowouts and funded by debt.

Natural Disasters, Visits by Foreign Dignitaries

Mr KILBURN: My question without notice is to the Premier. Can the Premier update the House on the visit to Queensland by foreign ambassadors and the importance of this visit to the recovery effort?

Ms BLIGH: I thank the member for his question and for his interest in the ongoing efforts to ensure that we not only recover the buildings, the roads, the railways, and people's lives but we also recover economies that have been damaged by these disasters. This morning in Brisbane we have a little bit of Canberra over in the State Library. We have 57 ambassadors visiting the state and a number of deputy heads of missions and consuls general. This is a trip that, I think people will know, has been organised by the foreign minister, Kevin Rudd, with a very clear purpose. That purpose is to make sure that all of those foreign representatives here in Australia see for themselves what is happening in Queensland.

This morning they will be hearing presentations from a number of state government agencies about the pace of recovery, about how many places are open for business, about the value of ensuring that their country knows that our tourism destinations are looking as beautiful as they have ever been and offering a holiday second to none in the world.

The ambassadors will visit Government House for lunch and then tour some of the worst affected places in Brisbane. This evening I will host a reception where a number of Queensland business representatives, who are creating jobs by exporting their products to the world, will be able to meet firsthand with the ambassadors, to talk to them about their current plans for expansion and the opportunities for their countries to invest in Queensland through joint ventures. Tomorrow the mayors of South-East Queensland will meet the foreign representatives to outline how they can involve themselves in the local governments that have been affected in South-East Queensland. The ambassadors will travel to Cairns where they will see firsthand that Cairns is ready and open for business and that it will welcome visitors with open arms. A number of them will stay over the weekend for a private opportunity to see the Great Barrier Reef. This creates ambassadors for Queensland. We will send people back to their countries of origin to promote and talk up what is happening here in our state.

Of course, ambassadors get briefings about what is happening in Queensland, but there is simply no substitute for seeing something with your own eyes. This morning I spoke to them over a cup of tea. It was clear that they were very impressed with the rate of recovery, the spirit of Queenslanders and the way that we are getting back on our feet. There is a long journey ahead and much of what is damaged is now behind closed doors. That does not mean we have forgotten about it, but it does mean that we need to tell the world, 'We are ready to do business with you. Please come and visit Queensland. It is the best way that you can help us right now.'

Economic Management

Mr NICHOLLS: My question is to the Treasurer. I refer to the state government's debt, which, at almost $52 billion, equates to 122 per cent of the total budget, with the capital spend-to-debt ratio being a paltry 33 per cent. I contrast that appalling figure with the Brisbane City Council's debt, which equates to only 37 per cent of its total budget, with a capital spend-to-debt ratio of a whopping 98 per cent. I ask: why is this government's track record of financial management so appalling when compared to the financial management record of the Brisbane City Council under Campbell Newman?

Mr FRASER: I thank the Deputy Leader of the Opposition for the question. This draws into sharp contrast the economic agenda pursued by this side of the House and the same old dismal agenda being promoted by tories in this state. At a time when this economy needed it most, we stood up and committed to a building program that kept more than 100,000 people in work in this state. When we did that we built the infrastructure for the future: the duplication of the Gateway Bridge; the Northern Busway that is under construction and the Inner Northern Busway that has opened; projects right

around the state; hospital upgrades in Cairns, Mackay, Rockhampton, Bundaberg and Hervey Bay; the new Queensland Children's Hospital; and the rolling out of new schools. All of those projects were funded because we wanted to provide the infrastructure for the future and the jobs that were needed in the economy at that time.

For anyone to pretend that what has gone on at City Hall over the past couple of years is, by any measure, a standard or hallmark shows a gross misunderstanding of proper financial management. He was so incapable of delivering his unfunded, uncosted TransApex plan that we had to step in and take over the whole of the Airport Link project. We had to deliver one of the four big signature projects. Last time I checked, and I check every night—

Opposition members interjected.

Mr SPEAKER: Order! As I understand it, the Treasurer is answering the question. I would ask you to show him the same dignity.

Mr FRASER: We are delivering one of the four projects. The second of the four projects was a tunnel that was to go from Milton to South Brisbane. Last time I checked—and I check every night because that is the way I drive home—no tunnel runs from Milton to South Brisbane. However, there is a bridge and there is never really anyone on it. Did the Go Between Bridge meet its budget? No! Did it miss it by 20 per cent or 50 per cent? No! It missed it by more than 100 per cent. The costs doubled. Did it meet traffic projections? No! Did it miss them by five per cent or 10 per cent? No! Again, it missed them by a mile. It is a bridge from nowhere to nowhere that no-one drives on. What did the Lord Mayor say would happen once it was built? He said that they would be sending a big fat cheque to the ratepayers of Brisbane every year. Of course, the ratepayers of Brisbane are getting a big fat bill from the Go Between Bridge.

The point is that what we see from the Brisbane City Council under Campbell Newman is $774 million of ratepayers' money sunk into the Clem7, which has collapsed financially and is in receivership. We see a bike program that no-one is using, that blew out in cost and that is not paying for itself. We see a Go Between Bridge that blew out in cost by more than 100 per cent and is not paying for itself. To the people of Queensland, especially the people of Townsville and Cairns who see Campbell Newman coming their way, I say: do not let Campbell Newman do to Cairns and Townsville what he has done to Brisbane.

Insurance Companies

Mr O'BRIEN: My question without notice is to the Premier and Minister for Reconstruction. Can the Premier and Minister for Reconstruction please inform the House about the steps the government is taking to make sure that insurance companies are doing the right thing by Queenslanders?

Ms BLIGH: I thank the honourable member for the question. I have been in regular contact with the Insurance Council of Australia on a number of issues that have been raised with me, either by members of parliament or directly by individuals who have been affected. Yesterday afternoon I met with senior representatives of the Insurance Council of Australia who travelled to Brisbane at my request. I am pleased to answer the question from the member for Cook because he knows, probably better than anybody, just how tough the construction industry and the building industry have been doing it in Far-Northern Queensland.

As we go through a massive reconstruction effort, it is an opportunity for our building sector to get back on its feet after the global financial crisis. This is an opportunity to lift the construction sector and to provide jobs for tradies, jobs for building companies and jobs for building suppliers in each of our regions. That is why we are absolutely determined to do everything we can to see those jobs go to local companies, local firms and local tradespeople: so that the economic recovery can boost and stimulate jobs in each one of those areas.

Many people will know that the major insurance companies have panels of prequalified builders and they are required to maintain those panels in order for their reinsurers to reinsure them. We need to ensure that Queensland builders get a fair slice of membership on those panels and that the process for accrediting them and getting them on the panels is as fast-tracked as it can be. To that end, I am very pleased to say that, as a result of my meeting yesterday, the Insurance Council of Australia has agreed that it will meet next week with the Master Builders Association, the Building Services Authority, the Department of Public Works and the new Minister for the Building Industry, Mr Finn. We are determined to get as much local work for local builders out of this rebuilding effort as we can. I said in Cairns—and I repeat it here on the record for all insurance companies—that if this fails we will not hesitate to name them in this parliament as companies that are not using Queensland builders.

Yesterday afternoon we also had an opportunity to talk about the very slow turnaround times in some areas between assessment of a claim and a decision on that claim. Obviously some of those decisions are very complex, but some are straightforward and they need to happen faster to put people's minds at ease. Similarly, I talked to the Insurance Council about a number of customer service issues. Some companies are not even sending out an assessor. They are telling people over the phone

that, on the basis of a map they have seen, they will not be paying a claim. I have spoken to people in my own electorate who have paid premiums for 25 years and who are making their first claim. They expect someone to come out and have the decency to look at what has happened. The Insurance Council has taken that up with some of its members and customer service has changed as a result.

Queensland Health, Payroll System

Mr McARDLE: My question is to the Minister for Health. Will the minister confirm that his department is now employing in excess of 400 full-time equivalent staff to fix the disastrous payroll system that is costing taxpayers $210 million?

Mr WILSON: I thank the honourable member for the question. This government is committed to implementing, lock, stock and barrel, the recommendations of the Auditor-General and Ernst & Young under the payroll stabilisation program. That is what is happening right now. Why are we doing that?

Mr McArdle: Is 400 right? Answer the question.

Mr SPEAKER: Those on my left, a question has been asked. The honourable minister is answering the question. I want to hear the answer.

Mr WILSON: Why are we doing that? Because it is our obligation to implement those Auditor-General recommendations. We also took on the recommendations of the Ernst & Young report to ensure that all employees of Queensland Health receive the right pay at the right time with no default arising from the new program that was introduced. Why should we do that? Because that is what they are entitled to. That is why Queensland Health—

Mr McArdle: From March 2010 they are entitled to that.

Mr WILSON: The member opposite does not want to hear it. That is why Queensland Health—

Opposition members interjected.

Mr SPEAKER: Those on my left will cease interjecting.

Mr WILSON: That is why Queensland Health is employing an appropriate number of staff to ensure that the payroll stabilisation project stays on track to conform with the Auditor-General's and Ernst & Young's recommendations. Because of that we now have one of the lowest numbers of no pays operating in any payroll system of comparable size. It is a $200 million payroll every fortnight for 80,000 staff across 15 to 20 EBAs or awards working 24 hours, seven days a week and the number of no pays is at the unprecedented low level of approximately 0.03 per cent of the total workforce. That is what we have. Compare that with Campbell Newman's record.

Opposition members interjected.

Ms Bligh: Three years and he couldn't fix it.

Mr WILSON: He totally stuffed the payroll system for Brisbane City Council workers for three years. That cost him $30 million.

Honourable members interjected.

Mr SPEAKER: Those on both sides of the House. The honourable Minister for Health has the call.

Mr WILSON: He spent three years defaulting on the entitlement of Brisbane City Council workers, costing him $4,000 per worker to fix the problem. During that time 1,000 council employees received no pay.

Opposition members interjected.

Mr SPEAKER: Those on my left!

Mr WILSON: They do not like it when they find out what Campbell Newman can't do. That is what they do not like. They do not like it when they find out what Campbell Newman can't do, and that is that he can't pay his workers the right amount.

Construction Industry

Mr MOORHEAD: My question is to the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State. Can the Deputy Premier please inform the House how the Bligh government is helping the building industry and helping Queenslanders achieve the great Australian dream of owning their own home?

Mr LUCAS: I thank the honourable member for the question. The issue of housing affordability is a matter for all Queenslanders. This government makes no apology for working to take the role of the ULDA seriously when it comes to the issue of housing affordability for Queenslanders. Local government also has a role in relation to that.

It is worthwhile making a couple of observations about the Local Government Act. Under the Local Government Act the power of mayors, who are directly elected, and their role are quite different from that of a Premier or a Prime Minister. Under the Westminster system, a Premier or a Prime Minister is first among equals.

Yesterday we saw some discussion from Campbell Newman about what he thought should happen in parliament and what he might do in relation to the standards here. I thought it worthwhile to compare this chamber with how the Brisbane City Council operated under the last few years of Mr Newman's administration. I think it is quite appropriate to do that.

In recent times we have seen an LNP member in the Brisbane City Council chamber removed 11 times. In this place we have not even seen people such as the member for Burnett, as disruptive as he is, removed that many times. I have never seen that during my time in parliament under Speakers of either political spectrum. We also saw a police officer having to remove a councillor. That, again, is something that I have never ever seen happen during my time in this chamber in relation to an elected member.

We saw probably the worst of all. We saw the then Deputy Mayor, now Acting Mayor, future Lord Mayor, Graham Quirk, texting the chair of council directing that a member of the council be thrown out. Imagine if that happened here. That is the standard that we can come to expect from Campbell Newman. So when members opposite get up and laud him as they talk about his record, members ought to remember that we are viewed in terms of how well these chambers are run. We can look at the Brisbane City Council and it is a very clear comparison. In this House, whether it be under a conservative or, indeed, a Labor administration, we have seen it treated appropriately. We know that it is crystal clear how Campbell Newman treats people who dissent, and that is how members opposite would treat people if they were ever to hold the treasury bench in this House.

Queensland Driver's Licence

Ms SIMPSON: My question is to the Minister for Transport. Minister, I table allegations from an IT consultant of her department who claims that the $110 million new Queensland driver's licence has incompatible security standards and delayed smart card reader deployment, and I ask: as taxpayers already face increased costs of living, how can this government defend doubling the price of its driver's licence—yet another bungled IT rollout?

Tabled paper: Document titled 'Queensland smartcard rollout hampered by security limitations' [4227].

Ms PALASZCZUK: I would like to thank the shadow minister very much for her question. Before answering the question, I acknowledge the Vietnamese Buddhists who are in the gallery. I thank them very much for the contribution they will be making today to the Premier's Disaster Relief Appeal.

The new driver's licence is being rolled out as we speak. It is a new, innovative product. In fact, it is considered to be one of the best Australia-wide. We are not rushing into this and we are making sure that every step is rolled out in a very pragmatic and serious way.

I was in Toowoomba recently and we started the trial there, and that is going very well. Every step of the way we are making sure that we receive a full tick by the management oversight committee before the trial moves to the next stage. As we speak, the next stage is being trialled at Spring Hill and then it will be trialled at Macgregor. This is a very comprehensive rollout. I have also met with the auditors, KPMG, to ensure that due process is taken into account.

In relation to the shadow minister's question, yes, I am aware of the allegations that a person has been making relating to issues around IT. This matter is currently being dealt with in a legal matter and it would be inappropriate for me to address those issues here. I can say to the House that the person involved in these IT considerations was previously contracted to the department. Therefore, there are legal implications to him speaking about certain aspects of the new driver's licence.

However, as we are talking about the record of the Brisbane City Council in parliament today, it would be remiss of me not to talk about the Brisbane City Council's record when it comes to transport in Brisbane. The former lord mayor talked about 500 new buses. I think all members would agree with me that 500 new buses is a very, very good initiative. But who paid for them? Who paid for the 500 new buses? The Queensland government.

What is the record of the former lord mayor in relation to public transport? What did he do? He cut public transport. He cut funding for public transport in the last financial year by $30 million—$30 million. What are we spending? Those opposite want to talk about the record today. I am more than happy to talk about the record. What are we doing? We are spending $1.3 billion on public transport infrastructure in South-East Queensland—the largest public transport infrastructure spend in Australia.

(Time expired)

Business Innovation

Ms CROFT: My question is to the Treasurer and Minister for State Development and Trade. Can the Treasurer inform the House of any programs the Bligh government has to promote innovation from Queensland businesses?

Mr FRASER: I thank the member for Broadwater for her question. She is a fantastic local member. I was in her electorate on Friday visiting the Animal Welfare League with her—an institution she supports wholeheartedly, as she does local businesses in her electorate.

What we have seen around the state in recent times is that the Bligh government's innovation voucher program What's Your Big Idea Queensland?—a $2.5 million initiative from last year's state budget—has been overwhelmed with applications. There have been 600 applications from around the state from across a range of industries. Today that has been short-listed to 48 ahead of the announcement of those businesses which will receive funding in a fortnight's time to progress their ideas, to progress their new products, to progress their innovations for the benefit of their own future prosperity and, indeed, the future prosperity of this economy.

On the other side of the chamber we have not seen any ideas for two years. If we were to ask 'what's your big idea on the other side of the chamber?', the answer so far would be zero. The only idea they have had over the last two years is to get an outsider into the leadership of the parliamentary team—an idea that is now rightfully before the CMC. Many decent minded Queenslanders—many decent Queenslanders, the sort of people whom the Liberal Party used to represent before they sold out and married their country cousins in the National Party—would have shuddered at the reported comments from billionaire LNP donor Clive Palmer when he sought to attack the integrity of the CMC and accuse it of political bias.

The CMC is merely doing its job. And it is doing its job, so it will be talking to people like Fraser Stephen, who works in Russell Trood's office. It will be talking to people like Seb Monsour, a former other famous candidate for Ashgrove, who is also dishonest—who had to resign his candidacy after pretending that he played for the Queensland Reds. But what is his other claim to fame? He of course is Campbell Newman's brother-in-law. Well might the CMC talk to both of those people, because the member for Moggill has already had his chance down there. The poor man's Robert Sparkes, Bruce McIver, has been down there to tell his story. I bet that evidence just might corroborate.

Who is missing from this equation? The leader. Campbell Newman should go down to the CMC and tell the CMC everything he knows. If he has nothing to hide, he should go down there. He should tell the CMC what he asked his brother-in-law to do on his behalf. But I bet he will not, because more and more this looks like Joh for PM mark 2. Clive Palmer was behind that in a big way as well. It is born of corruption, it traduces the institution of parliament and it is about the ego of one man with a Napoleonic complex who wants to move up a level of government. What you see here, Mr Speaker, is Joh for PM mark 2. It has all the hallmarks of it. It is born of corruption. That is why the CMC should be allowed to do its job, and Campbell Newman today should disown Clive Palmer's attack on the CMC.

Connecting SEQ 2031

Ms DAVIS: My question is to the Minister for Transport. I refer to the Connecting SEQ 2031 document, which shows that under this Labor government the public transport share of South-East Queensland's transport task has not increased since 1997. If it only took a timetable change, as announced yesterday, to create an extra 150,000 seats, can the minister explain why it was not done 10 years ago, or is this another example of Labor's failure to plan for the future?

Ms PALASZCZUK: I would like to thank the shadow minister for public transport for her question. In fact, I am very proud of the announcement yesterday of 150,000 extra seats on our public transport network in South-East Queensland. It has been very well received. In fact, Robert Dow from Rail Back on Track said that it was a huge transformation of the way in which people can commute in South-East Queensland.

What we have been able do is add frequency and reliability to our network. Last night in the House during the adjournment debate the member for Coomera asked when we were going to start to review the timetables on the Gold Coast line. I said to him at the time that I was under the impression it might be starting in a couple of months. What I would like to tell the member for Coomera today is that it is actually underway. The review of the other timetables is underway and will be in place by early 2012. Again, it is the Bligh government delivering on public transport in South-East Queensland. As I said in answer to a previous question, $1.3 billion is being spent on infrastructure and $200 million is being spent on station upgrades in South-East Queensland.

What did Newman do? He cut public transport funding by $30 million. While we are talking about the former lord mayor, let's talk about the Clem7, shall we? The Clem7 was supposed to be a congestion-busting initiative. What did the *Brisbane Times* say today? The *Brisbane Times* today said that patronage is down again and it is one-third less than it was predicted to be. $700 million of ratepayers' money is going towards paying off the Clem7. This is not the Brisbane City Council reinvesting in public transport. The Bligh government is reinvesting in public transport.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left. It is hard to hear the minister. The honourable the minister, you will direct your comments through the chair. That will help.

Ms PALASZCZUK: I will tell you what we used to have, Mr Speaker. We used to have a fifty-fifty contribution between the state and the council in relation to the running of the buses. Now what is it? Under Campbell Newman, we are now putting in 60 per cent and the Brisbane City Council is putting in 40 per cent—an absolute cut. What else did he do? He sold off the ferries.

Local Government, Roads

Mr WETTENHALL: My question is to the Minister for Main Roads, Fisheries and Marine Infrastructure. Can the minister advise the House about assistance provided by Main Roads to local governments coping with the worst floods in living memory?

Mr WALLACE: I thank the member for Barron River for his question. What a great advocate for the Far North he is. We are lending a hand to councils right across the state fighting the affect of this big wet on our roads. That is why I was pleased last week to join with the Deputy Premier and the member for Townsville in offering $12 million for the Townsville City Council or half the funding that is needed to fix the notorious Blakeys Crossing on Ingham Road. That is $12 million which Townsville ratepayers will not have to find to fix this local road that has flooded far too many times this wet season. I call on the Townsville City Council to take up this offer.

From Collinsville to Calen, from Gympie to Giru, the Bligh government is proud of the fact that we spend nearly twice as much on regional roads than we spend in South-East Queensland, and that is a good thing. But there is reason for us to fight further. The Bruce Highway report that I released last week showed that we have been ripped off for far too long from Canberra on our National Highway.

But there is another rip-off on the way. It comes in the form of a bloke who has admitted he has not driven the Bruce Highway for a quarter of a century. I repeat, he has not driven the Bruce Highway for a quarter of a century—this man Newman. Like Brisbane residents, whom he slugged with a 54 per cent tax increase, Newman will suck the life out of North Queensland taxpayers—

Mr Johnson interjected.

Mr WALLACE: And Gregory taxpayers as well. What does that mean in Mount Isa? The Newman tax will see householders in Mount Isa paying an extra $1,913—that is, $1,913 in Mount Isa for his failed pushbike scheme. What does it mean in Cairns and the member for Barron River's area? It means $1,594 for his failed tunnel. That is not fair. Why should we in the north pay for his mistakes down here in Brisbane? He cannot build but he can tax. What about Townsville? It means $1,995 in Townsville.

Mr SPEAKER: Put it down.

Mr WALLACE: It means $1,995 in Townsville. That is what we are going to pay if this Newman gets his way. We will not stand for it in the north. We had to fight the Brisbane line far too many times. We will take on this Newman. We will not stand for his $1,995. That council up there has ripped us off with water rates already. They will get some lessons from the deputy mayor about how to do it further. I will fight it every step of the way. I will not be paying his tax.

Small Business

Mrs STUCKEY: My question without notice is to the Minister for Small Business and Manufacturing. I refer to the Mandatory Code of Practice for Outworkers in the Clothing Industry 2011, which is another overly bureaucratic impost on small business.

Government members interjected.

Mr SPEAKER: Order! Those on my right will cease interjecting. I have asked the member for Currumbin to ask her question. She will be heard in silence.

Mrs STUCKEY: I refer to the Mandatory Code of Practice for Outworkers in the Clothing Industry 2011, which is another overly bureaucratic impost on small business. I ask the minister: why is her government putting more red tape around small business, which will drive up consumer costs and force local manufacturing offshore?

Ms JARRATT: I thank the honourable member for the question and her interest in small business in this state. As members would be aware, small businesses right around the state have actually had a few challenges this year—the high Australian dollar and the ongoing challenges to businesses through the floods and the cyclones—but this government has a very clear policy of supporting businesses in this state. We have multifaceted support assistance available for businesses to ensure that they can get back on top and back into the game of strengthening their bottom line.

We have heard the Premier talk about how we are fighting on many fronts in Queensland, including helping businesses to build their resilience. We are talking now about the clothing industry. This question is actually more correctly referred to the Minister for Industrial Relations, as this falls under his portfolio area, but let me say this—

Honourable members interjected.

Mr SPEAKER: Order! There is still too much audible conversation and too much interjection on both sides. I want to hear the minister. The minister has the call.

Ms JARRATT: Let me say this about workers in any industry in this state: this government will stand on its record for protecting workers in this state. We will never back away from protecting the most vulnerable workers in this state.

Opposition members interjected.

Mr Watt interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting and the member for Everton will cease interjecting. The minister has the call.

Ms JARRATT: This government will never make an apology for protecting vulnerable workers in this state from exploitation.

Mr Wallace: That is why we fought Work Choices.

Ms JARRATT: Indeed, I take the interjection from the honourable minister: that is why we fought Work Choices, that is why we fought the Howard government on Work Choices—because we believe in a worker's right to take home a fair pay and to work under fair conditions. We make no apologies for doing that.

Honourable members interjected.

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

Mr Dick interjected.

Mrs Stuckey interjected.

Mr SPEAKER: The Minister for Education will cease interjecting and the member for Currumbin will cease interjecting. I call the member for Rockhampton.

Mr Crandon interjected.

Mr SPEAKER: Order! Member for Coomera, I now warn you under the standing orders. I have been trying to get order so I warn you under standing order 253A(1).

Honourable members interjected.

Mr SPEAKER: The House will come to order. If there is another interjection, I will eject that member.

Economic Management

Mr SCHWARTEN: My first question in 14 years is to the Minister for Finance. Yesterday I heard the very frantic former lord mayor Campbell Newman ranting on ABC that Queensland was without debt 20 years ago. Unlike Campbell Newman, who was in Tasmania with silver spoons in his mouth at the time, I was in Queensland and that is certainly a foreign concept to me.

Mr SPEAKER: I would ask the honourable member to come to his question.

Mr SCHWARTEN: In fact, I believe it to be an untruth and a misleading of the Queensland public. I ask the finance minister to set that record right.

Ms NOLAN: I thank the humble member for Rockhampton for his question. Indeed his recollection, as someone who has been contributing to public life in Queensland for more than 20 years, is quite right. While the former lord mayor claimed yesterday that 20 years ago Queensland had no debt, the truth of the matter is in fact quite different. Indeed, the budget papers from 1990-91, which I lay on the table of the House, reveal that in that budget year Queensland had just on $9 billion of debt.

Tabled paper: Copy of extract from Treasurer's Annual Statement 1990-91 [4228].

While it was at the end of the Bjelke-Petersen era—and I note that, having now signed his life up to the National Party, Mr Newman might hark back to what that side of the House regards as golden days—I think it is important for the House to understand that this is a fundamental untruth. Why does that untruth about Queensland's financial history matter? It matters because in the months ahead the former mayor of Brisbane will argue that he is the person to manage debt and that he is the person to manage cost of living pressure. Of course the record also suggests that that is quite untrue.

Two years ago, this Labor government gave the Brisbane City Council sufficient funds to pay out all of its debt. What did Campbell Newman do with the golden balance sheet which this Labor government gifted him? What Campbell Newman did with that golden balance sheet—the gift of the Labor government—was to once again load it up with debt. In the first year alone, Campbell Newman added $389 million in debt and is now adding debt at such a rate that by 2015 he will have increased it by 426 per cent. What does that mean? In Brisbane it meant that many ratepayers saw a rates rise of 54 per cent in just two years—I repeat: a 54 per cent rates rise in two years. What does that mean if we

extend it across the state? In Rockhampton, if there had been a 54 per cent rates increase, the people of Rocky would be paying an extra $1,520 in rates every year. The Campbell Newman tax on the Gold Coast would cost $920 in extra rates a year and the Campbell Newman tax in Ipswich, where people right now can least afford it, would cost $817 a year. That is the BCC's record on debt. That is what Campbell Newman in office will do to the people of Queensland.

(Time expired)

Caloundra South Development, Affordable Housing

Mr WELLINGTON: My question without notice is to the Deputy Premier. One of the main reasons given by the government to justify the Caloundra South development was that it would provide significant new affordable housing opportunities not available on the Sunshine Coast. After the address last week by the Urban Land Development Authority representative, it is now clear that Nambour will continue to provide more affordable housing opportunities than Caloundra South, and I ask: why has the government not conditioned the Caloundra South development with a requirement, as announced last year, that a minimum of 30 per cent of all dwellings across the Caloundra South urban development area will continue to be available to purchase or rent by a family on the median household income for the Caloundra local government area?

Mr LUCAS: I thank the honourable member for his very genuine and important question about this issue. Housing affordability on the Sunshine Coast is everybody's business. Indeed, one of the great concerns is that, as the Bankwest data has successively shown, the Sunshine Coast is one of the most expensive areas for people to live in the South-East Queensland area. That is due to a number of reasons, including the fact that certain people there have an interest in withholding the supply of land and stopping land going to the market. The problem with that is that it prices young workers out of the market. People who want to live near their mums and dads and keep the family unit together are priced out of the market and forced to go out of their way. That might have been fine when Noosa council existed and people could live in Maroochydore or Caloundra, but when there is one council it cannot have that philosophy extending to the whole area. In fact, one of the advantages of the Sunshine Coast amalgamation is that it allows the council appropriately dealing with it to have that broad range of offering for people.

The council was requested to deal with the issue of the Caloundra South development in 2007 and it did not do much on it at all. Therefore, in October 2010 the state government stepped in and had an Urban Land Development Authority area declared over that area. Six months later the draft plan is out for people to comment on. The draft development scheme has a requirement of a 30 per cent commitment, including five per cent of social housing, of affordable housing for key workers and first-time homebuyers.

Mr Dickson: How much?

Mr LUCAS: That definition is in the band of $41,000 to $94,000 of household income. That is okay when we are talking about one income—of course, members of parliament are on significantly more than that—but there are a lot of people who are doing it tough when they are on two incomes in that range. That is why we want to encourage those teachers, those police and those health workers to be able to afford that, and of course there is a range of housing there. What I find peculiar, though—again, I am not talking about the member for Nicklin in this regard—are the comments of some people—people like the member for Caloundra, who said on 2 September in a great LNP quote that the people in the region have made it quite clear that they do not want that sort of development in the area. They do not want those sorts of people: they do not want coppers or nurses or police. I tell you what: I represent an electorate full of those sorts of people, and they are great people because they carry a lot of other people. I make no apology for supporting a scheme that encourages working people—the fair dinkum, salt-of-the-earth people such as teachers, nurses, coppers and public servants—to get a start in life. The Sunshine Coast is a great place. This is about making sure there is housing there for people in the future.

(Time expired)

Natural Disasters Jobs and Skills Package

Mrs MILLER: My question without notice is to the Minister for Employment, Skills and Mining, and I ask: could the minister please advise the House how people in the Ipswich region will benefit from the $83 million jobs and skills package to assist with flood recovery?

Mr HINCHLIFFE: I thank the member for Bundamba for her question. She has shown how important it is that we rebuild those vital communities and be responsive to the needs of people in the community, and that is what this $83 million skills and jobs package is doing for Queenslanders right across the length and breadth of the state and, I am particularly glad to report, in the city of Ipswich. The $83 million is a package of federal and state funding that is about meeting the needs around employment and skills development that will support the reconstruction of this state in areas affected by natural disasters.

Members might recall that I reported to the House recently that there was a $3 million grant for 160 Green Army participants in Ipswich. Today I am able to announce that Ipswich City Council is the first local government in the state to access a grant—in this case, in the order of $260,000—to support two job skills development officers. This is part of a $4 million program across the state as part of that $83 million jobs and skills package. This is about developing and supporting people and businesses to gain access to the work that is needed to reconstruct those communities.

This offer has been made by Skills Queensland to people right across the length and breadth of the state, particularly those 13 local government areas that have been the most severely affected by flooding and natural disaster. Paul Pisasale was quick off the mark. The good people of Ipswich were quick off the mark. His staff were on the phone straight after the letter was sent on 10 March from Skills Queensland. In stark contrast—and that is a phrase that we have heard today from people like the member for Callide and the member for Clayfield—Brisbane City Council, under the administration of the now outsourced leader of the Liberal National Party, has failed to reply. The Brisbane City Council has not replied to this offer. It has not even arranged for a meeting. Its obsession is not about jobs for Queensland and it is not about rebuilding. Campbell Newman has cut and run. Its obsession is about its own jobs. When the leadership is outsourced by the LNP, what we get is a contractor who comes up with all sorts of wacky ideas. His obsession, like so many contractors like that, is about the org chart. That is why he has dedicated the Leader of the Opposition to being the general manager of operations. He is obsessed with the org chart, not obsessed with policy and doing things for rebuilding Queensland.

(Time expired)

Vehicle Safety Certificates

Mr FOLEY: My question without notice is to the Minister for Transport. A constituent of mine bought a car on the Sunshine Coast with a very dodgy roadworthy. The car has started falling apart and she cannot afford to fix it. If a vehicle is sold privately with an authorised safety certificate and it proves to be unroadworthy, who is responsible for the audit of the approved inspection station that issued that safety certificate?

Ms PALASZCZUK: I thank the honourable member very much for the question, because vehicle safety is indeed everyone's responsibility. From memory, I think around 50,000 inspections were carried out in around 100 locations right across Queensland over the last year for passenger and freight vehicles. The safety certificate replaced the roadworthy certificate in 1999. The safety certificate does cover basic things that could affect the safe operation of the vehicle such as tyres, brakes, steering, suspension, body rust or damage, windscreen and lights. In fact, it is designed to give buyers better protection.

The government, through the Department of Transport and Main Roads, audits and accredits authorised inspection services across Queensland. If a vehicle receives a safety certificate yet the certificate is later found to be wrong or fraudulent, the certificate provider is liable. That is a very important point, because in fact it is the authorised service provider that is liable and not the Queensland taxpayer. If a complaint is received about an authorised inspection service, the Department of Transport and Main Roads can investigate. I will get more details from the member for Maryborough in relation to the specific case that he has raised today in order to thoroughly look into that issue, but I thank him very much for raising the very important issue of vehicle safety.

SPEAKER'S STATEMENT

School Group Tour

Mr SPEAKER: Later on today we will be visited by the St Thomas More school in the electorate of Toowoomba South.

PRIVATE MEMBERS' STATEMENTS

Queensland Economy

Mr SEENEY (Callide—LNPLeader of the Opposition) (11.29 am): One of the great legacies of this Labor government will be its failed financial management. The thing that this Labor government will be remembered for is that it was a government that went broke in a boom. This is a government that went broke at a time when all of those areas of state government revenue were at record levels. This is a government that gave the people of Queensland a level of debt that they will stagger under for generations to come. That is the track record that this government has tried to hide from today in this parliament. That is the track record that it can never wish away. It is a track record that it will be judged on when it finally goes to an election.

This government's record is best illustrated by a comparison with the major local government in South-East Queensland. If you look at the figures that we have illustrated today in the parliament, they stand in stark contrast. The performance of a failed Labor government and the performance of a successful Lord Mayor and a successful local government stand in stark contrast. Here, the state Labor government has given the people of Queensland a debt level of $85 billion, the loss of Queensland's AAA credit rating and a debt level that by 2014 will amount to $17,420 per person. In contrast, the debt level of the Brisbane City Council will be only $1,500 per person—a fraction of the government's debt. At the same time the city council has delivered a string of projects while the state Labor government has failed to deliver things like the Traveston Dam, which cost billions of dollars for Queenslanders. They stagger from one crisis to another.

(Time expired)

Wujal Wujal

Mr O'BRIEN (Cook—ALP) (11.31 am): One of the most northern communities affected by the ravages of Cyclone Yasi is the small community of Wujal Wujal. Wujal Wujal is located on the famous Bloomfield track, roughly halfway between Cairns and Cooktown. While Wujal Wujal was not damaged by the cyclonic winds of Yasi, the torrential rain that followed its path has washed away the old causeway, which provided access to the community and smaller towns to the north, such as Ayton. Access to Cooktown is still possible via the inland route, but many people, and particularly the many tourism operators who frequent the area, prefer to loop along the coastal road as it winds through some quite spectacular World Heritage listed rainforest. Operators like Mason's Tours and others also like to support the Indigenous businesspeople in the town like Walker's Tours.

The bitter irony of the Bloomfield causeway being washed away this year is that in last year's state budget the government announced that it would build a new $5.5 million bridge across the Bloomfield River. We just needed one more wet season out of it. Nevertheless, a number of authorities have snapped into action to put some short- and medium-term relief measures in place to assist the community until the bridge is constructed. A ferry service has been established to assist people living on the southern side of the river and in the locality of Degarra to access their workplace, school and health clinic. It operates in the morning and in the afternoon and in emergencies, if required. It is being funded by local, state and Commonwealth governments. I jumped on the ferry last week with its able operator, Tony, to gain firsthand experience of what the locals are dealing with while the crossing is out. The Cairns Regional Council is also stepping up to the plate to replace the causeway on a temporary basis until the bridge is built.

There are some great things happening in Wujal Wujal, including the completion of the new arts centre, funded nearly entirely by the Bligh Labor government. The people are keen to show the world their art, culture and hospitality. I will continue to work with the Wujal Wujal mayor, Desmond Tayley, and the community to ensure a speedy recovery for both them and the tourism industry in the region.

(Time expired)

SunCoast Power Project, Platypus Protection

Mr DICKSON (Buderim—LNP) (11.33 am): We are blessed on the Sunshine Coast with a fabulous array of flora and fauna. Some of these species are endangered and some of them are particularly sensitive. It is incumbent upon us that we take care of all our environment and our creatures within it.

Enter the member for Ashgrove. Minister Jones and soon-to-be-retired Minister Robertson are both now responsible for allowing the construction of the Sunshine Coast power project to destroy what they would have us all believe is off limits. Minister Jones is consistently pushing her environmental credentials. In answer to my question on notice lodged in October Minister Jones gave the following answer—

Iconic species such as Platypus are protected ... not only protecting that individual animal but also protecting its habitat.

On 21 February Minister Jones's office wrote to a constituent of mine regarding the platypus—

Under the Nature Conservation Act 1992, Energex has been granted an exemption for the clearing of least concern protected plants and a species management program for certain least concern protected animals.

I ask members to remember those two words, 'least concern'. I am sure that there would be none among us who would rate the poor old platypus as being of least concern—except for guess who? Minister Jones.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Buderim, it is not 'Minister Jones'. Would you please refer to persons in this House by their correct title.

Mr DICKSON: An examination of DERM's website—and let us not forget who is in charge of DERM—reveals—

This species is listed as Least Concern in Queensland and it is ranked as a low priority for conservation under the Department of Environment and Resource Management Back on Track species prioritisation framework.

So DERM rates the platypus as least concern low priority. Minister Jones' so-called green credentials are shot to bits.

Mr DEPUTY SPEAKER: Member for Buderim, I would remind every speaker in this House that there is a correct way to refer to members. Please do so.

Mr DICKSON: Minister Jones's so-called green credentials are shot to bits based on the exemption—

Mr DEPUTY SPEAKER: Member for Buderim! The member's time has expired and if you want to enter into disrespect for the chair in that way you will be out of this House.

(Time expired)

Mount Isa, Lead Levels

Mrs KIERNAN (Mount Isa—ALP) (11.36 am): On 17 March Queensland Health released the *Mount Isa community lead screening program 2010 report*, which was a follow-up to a similar study that was conducted in 2007. The report sampled 176 children aged one to four in Mount Isa for lead levels. The study undertaken between February and October 2010 showed an average lead level of 4.27 micrograms per decilitre. The report showed that eight children tested above the 10 micrograms per decilitre and those children are case managed by Queensland Health. The previous study of 400 children aged one to four years recorded 45 with elevated lead levels, which was 11.4 per cent.

The 2010 study was part of the commitment made by the state government to follow up a similar study that was conducted in 2007. It has been my main priority to continually work on health initiatives that are aimed at improving the education and awareness of lead within the Mount Isa community. I have vowed to be open and honest and transparent on so many occasions about lead in my city and I have again fully supported the latest study and the publication of the report.

Over the past three years the Living with Lead Alliance has worked extensively across the community to continue to reduce lead levels in children. We all maintain a strong commitment to our city's children and families. The alliance and its partners and the community have made significant progress in a relatively short period. As a community, we can be proud of the hard work and accomplishments we have made. We have successfully implemented some great programs for the community and, most importantly, we know that we have, can and will continue to live safely in our community.

Mining Industry, Workforce

Mr JOHNSON (Gregory—LNP) (11.38 am): I want to draw the attention of the House to the Blackwater mining camps that are a contagious running sore in that community. The people in those camps are the wealth generators, the real workers in the Queensland economy and they are treated with absolute contempt. There have been numerous deputations made to the Premier, and the former minister for infrastructure and planning and now the current Deputy Premier in relation to these camps.

In the short term, the ULDA was to fast-track the release of land, but that has proved an abysmal failure, as evidenced by a story in the *Blackwater Herald*. Local builders will be forced to pack up and leave before the ULDA's promised 200 lots emerge on the market. It is going to take a minimum of one or two years before any land is released under the housing plan.

It is simply not sustainable to continue to operate at this capacity using non-residential workers. The government knows or should know that QUT researchers have found a raft of negative effects on drive-in drive-out and fly-in fly-out workers, their families and their host communities, such as increases in violence and alcohol and substance abuse and road deaths. Professor Carrington has found that while workers may find the drive-in drive-out option initially appealing, within 12 months they would like to opt out, they are sick of living like battery chooks and they want to live with their families.

Last month the federal government demanded that coal projects above the $40 million mark address worker recruitment. I hope the state government does the same. The Central Highlands Regional Council disapproved of the continuance of the Rosewood Estate and now we find that DERM has approved this for another 12 months. This is an absolute slap in the face for those men and women who reside in these deplorable situations. They are the wealth generators of this state. This is where the real dollars are being generated for the economy of Queensland and Australia.

Liquor Industry Action Group

Ms STONE (Springwood—ALP) (11.40 am): I have spoken in this House many times about the good work being done by the Liquor Industry Action Group, LIAG, Logan Corridor, a group that I am proud to be actively working with as it implements programs and activities that give members the tools they need to minimise the risk of alcohol related violence and improve community safety. It comes as no surprise that its members were extremely interested in the Law, Justice and Safety Committee's report

into alcohol related violence and the government's drink-safe precincts that have been trialled since that report.

I am very pleased to tell the House that, through the leadership of our police and other LIAG members, they are now setting up a management plan for Fitzy's Loganholme with the aim of producing something very similar to a drink-safe precinct. Local police, after identifying a substantial number of public disorder and criminal assault events occurring in the vicinity of this outlet, have been working with management to implement the following strategies: an overhaul of their security management plan to include greater supervision of the establishment car park during and after trading hours; increased outdoor lighting; and a supervised taxi rank within the precincts of the car park to help facilitate movement of patrons after closing. These basic changes to work practices have seen an immediate reduction in the number of public disorder incidents and assaults in the area.

Across the road from the hotel is the Logan Hyperdome. The piazza houses Gilhooleys and a number of restaurants that have service of alcohol. I believe the next step is to work with the stakeholders in this area to set up a management plan and combine that with the good work of Fitzy's Loganholme. This is already happening, with Senior Sergeant Mike Pearson talking with Yellow Cabs and other relevant stakeholders to start looking at ways to increase safety in these two areas. I am looking forward to working with the LIAG members to assist them in this process.

I know that there are other establishments keen to work with government agencies, council, police, taxis and other relevant stakeholders to set up their management plans to have safer precincts. When I spoke on the report in debate on the government's legislation I said that I believe single premises could easily set up management plans unique to their circumstances to make it safer for patrons. I am pleased it has been the Liquor Industry Action Group, Logan Corridor that has commenced that process.

South-East Queensland Floods, Recovery Assistance

Mr EMERSON (Indooroopilly—LNP) (11.42 am): More than 3,500 homes and businesses in my electorate were affected during the devastating January floods. Many of those affected are still struggling with the mean-spirited, unfair insurance companies as well as trying to access financial support. In contrast, we have seen hardworking locals tirelessly supporting and rebuilding their community over the months since the floods. For example, as part of a local response in Graceville, a community flood appeal was launched to assist flood affected families living in and around Graceville and surrounding suburbs. This appeal was initiated by local people in partnership with Apex Australia to assist their local community and those who suffered significant hardship in a practical and significant way. The volunteer community effort to date has provided the following: significant early assistance in the early weeks of the disaster providing accommodation, assistance, bedding, food, clothing, personal items and clean-up assistance. With the assistance of 15 volunteer case workers, they were able to conduct a needs analysis to determine how we could assist our local families through this time. These generous volunteers have been offering ongoing support to these families in a great variety of ways since this time.

In response to this disaster, there was also distributed tonnes of donated second-hand items and new goods offered to families and much needed practical and compassionate support for families during the recovery through constant communication and important information. The proceeds of the community flood appeal now total approximately $180,000. These funds raised will now be distributed directly to over 200 people in the Chelmer, Graceville, Sherwood, Corinda and other suburbs through a needs analysis process. Distribution of funds is underway and will take the form of store credit or gift cards with project partners. Efforts like these and elsewhere in my electorate are inspirational and greatly appreciated by the community, those who were affected by the floods and those who support them.

Youth Parliament

Ms GRACE (Brisbane Central—ALP) (11.44 am): I am very happy to inform the House that the Bligh government has committed funding to the YMCA of over $46,000 per annum over three years to continue to run the very successful Queensland Youth Parliament Program. I would like to congratulate the state council of the YMCA, located in my electorate of Brisbane Central, which conducts the Queensland Youth Parliament in a professional, efficient and informative manner. I believe that anyone who has attended any part of the sittings of the youth parliament would agree that the organisation of the event is outstanding and that it is run with immense professionalism and enjoyment of the youth members.

The program provides a forum for young people to debate a number of regional and state-wide policy and legislative issues and to advocate for change on youth and other issues through a simulation of the Queensland parliamentary process. To demonstrate the often progressive policy decisions that are debated during the program, in 2010 the participants resolved through parliamentary debate that

future youth parliaments have four seats available for Indigenous participants. I commend them on this initiative. Over the last few years 20 to 25 per cent of the participants have been from culturally and linguistically diverse backgrounds in an attempt to reflect the community they represent. The inclusion of the four additional parliamentary seats for young people of Aboriginal and Torres Strait Islander descent is an admirable policy decision that allows better representation in the youth parliament, something that maybe all parliamentarians should take into consideration.

The program is held in such high regard that accreditation has been obtained with the Queensland Studies Authority which allows young people in years 11 and 12 participating in the youth parliament to receive one credit point towards their Senior Certificate of Education upon completion. This is a great program. It is run by young people for young people. It provides an important link for youth to influence government and the program is a fantastic opportunity for participants to improve their confidence. Maybe it could lead to a political career, as it did for current minister Kate Jones and the member for Beaudesert, who participated in the 1996 inaugural youth parliament as Premier and opposition leader respectively. Anything can happen. I congratulate Tom Fardoulys for being nominated as the 2011 Brisbane Central youth member and wish the program all the best for 2011.

Warrego Highway; Gatton, Transport Office; Water Allocations

Mr RICKUSS (Lockyer—LNP) (11.46 am): I rise to congratulate the RoadTek crews and other workers who have managed to move 100,000 tonnes of mill and fill off the Warrego Highway. The Warrego Highway is probably in the best condition it has been in for years. I now call on the Minister for Main Roads to ensure that we get a full reseal from Minden to Toowoomba. That is the sort of infrastructure that we require. The mill-and-fill work that has been done is great, but it only has a life expectancy of one to two years. I asked a question on notice this morning to find out what this will cost. It is what is required to provide decent infrastructure for the rural industries on the Downs and also the burgeoning gas and coal industries. It is imperative that this sort of infrastructure be put in place and maintained to a decent standard for the safety of the drivers and the people of the area. We really must improve our infrastructure. The second range crossing will come, I am sure, but we really must improve the infrastructure that is in place at the moment.

I also call on the Minister for Transport to open a Transport office in Gatton. This is one of the major transport hubs in our area and it is without a Transport office. There is a six-week wait at the Gatton driver licence testing centre. That is way too long. We have hundreds and hundreds of trucks based in Gatton or domiciled in the area. We need a Transport centre as soon as possible.

I call on the Minister for the Department of Environment and Resource Management to organise a meeting with my office in relation to the water allocations from some of the dams that are available. I have been calling for this meeting since before Christmas and it has not come to fruition. I call on the minister to organise this urgently. The member for Toowoomba North has just arrived in the chamber and I am sure that he would agree that we need that reseal of the Warrego Highway to Toowoomba.

Chatsworth Electorate, Public Transport

Mr KILBURN (Chatsworth—ALP) (11.48 am): I rise to speak on two issues that are important to the people of Chatsworth. The first is public transport for the residents who live in the Gumdale and Wakerley area. The suburb of Wakerley is a fast-growing area with a changing demographic and it is my belief that as the suburb has changed the public transport routes have not kept pace with the change. I have met with TransLink a number of times and I have also met with the minister. As a result of those meetings I can inform the residents of my electorate that TransLink is undertaking a review of passenger loadings on the bus services in the Gumdale and Wakerley area, in particular routes 240, 241 and 243, to look at getting better connections for the people of Wakerley and Gumdale to the bus interchange at Carindale and other areas. I look forward to this improvement.

TransLink is going to develop a feedback form on bus services for the local area. I encourage all residents of the Gumdale and Wakerley areas to take advantage of that opportunity and provide information so that I can work with Translink to continue to improve services in the area.

Another important issue for the people of my electorate is the new Carina police station, which we have been waiting for. I am happy to inform the House that there is progress on that issue. The new police station is expected to be completed in the middle of this year. It will provide a uniformed police presence for Carina and surrounding suburbs. Currently, the tenders are being reviewed. I look forward to the minister visiting the electorate next week to undertake a site visit, so that we can make sure that we keep progressing the issue. I look forward to the opening of the new police station, not only because it will have a more centralised location that will provide a more effective police response for the people of the Carindale and Carina area, but also because it will provide a much improved work environment for the hard-working police officers currently located at Camp Hill. I congratulate Senior Sergeant Darren Smith and his team for the fantastic work that they do. I look forward to the day when they can move into their new police station in the very near future.

Asian Honey Bees

Mr WELLINGTON (Nicklin—Ind) (11.50 am): I rise to speak about a potential major natural disaster that is quietly creeping up on all Queenslanders and Australians. I note that in this chamber and in the community the state minister has been speaking about this very important issue, which is a real concern. It is the potentially devastating impact that the Asian honey bee could have on food production, not just in Queensland but also throughout Australia. A working party has been working on this matter for some time, but the reality is that Queensland and the industry cannot tackle the problem or fund it alone. We need to ensure that our federal politicians, whether they are senators or members of the House of Representatives, get behind the call for a continuation of the joint partnership.

I remember a few years ago when there was an outbreak of the fire ant. Our minister came into this chamber and said, 'We will try to eradicate this. We will do what has not happened anywhere else in the world.' Others said, 'Don't waste your time. It's a waste of money. It won't happen.' But I believe that Queensland is leading the world in the eradication of the fire ant problem in Queensland. We should use that as a precedent to say to our federal politicians, who should be representing Queensland, 'We need the money on the table in the May budget this year. We need real money from the federal government, so that the fight to eradicate the Asian honey bee can continue.'

There is no doubt in my mind at all that, if we cannot eradicate the Asian honey bee in Queensland, it will spread throughout Australia and it will have a devastating effect on food production in this country. In Queensland and within the honey industry we have the capacity and we certainly have the will. We need our federal politicians. I do not care whether they are Independents, Liberal, National or Columbian; it does not matter.

A government member interjected.

Mr WELLINGTON: Or the Labor government, it does not matter. We need to work together to ensure that the May budget provides proper funding to help Queensland get on top of the Asian honey bee problem.

Building the Education Revolution, Seven Hills State School

Ms FARMER (Bulimba—ALP) (11.52 am): Last week, I had the great pleasure of opening the new library at the Seven Hills State School. In our local area this library is yet another example of the benefits of the federal government's Building the Education Revolution program and of the outstanding work of Education Queensland in administering that excellent program. Seven Hills State School received $2 million in BER funding for the library and an additional $125,000 in National School Pride funding.

The library is simply magnificent. Its outside undercover space provides the school with an assembly area and a space for other important school community functions. Its internal space reflects the input, so ably facilitated by principal Michelle Morrissey, of all members of the school community and, in particular, the very excited librarian, Andrea Anderson. There is an amphitheatre design for the student meeting area that maximises student engagement, thanks to the input of former P&C president Cameron Boon. There is a special room to keep the precious archives of the school, whose history is preserved under the careful stewardship of Eris Jolly. There is a green room that helps to develop media skills, quiet spaces for reading, student group spaces, spaces for teachers to work individually with students and a separate classroom with smart board facilities.

My local area is spotted with examples of the BER program, the majority of them now complete. The design of each of them very much reflects the character of the school, which in turn is a reflection of the consultative way in which the projects were managed. One of the really excellent aspects of the BER program is the outstanding work undertaken by the Queensland government in managing the scale, complexity and cost of the initiative in a relatively short period and in engaging the Queensland construction industry, which was commented on by the BER implementation task force.

This approach to the building industry in Queensland is going to save the state. It is seeing the implementation of the government's $18 billion infrastructure program across the state, providing 100,000 jobs to Queenslanders. It is the same approach that will see Queensland builders involved in the reconstruction efforts. This is about providing security to Queenslanders and getting on with the job of rebuilding our state. I am proud to take part in such a strong plan for Queensland.

Gold Coast, New Zealand and Pacific Island Communities

Dr DOUGLAS (Gaven—LNP) (11.54 am): I wish to highlight issues facing New Zealand and Pacific Island communities on the Gold Coast. We ignore this rapidly emerging problem at our own risk. Those groups are continuing to immigrate to the northern Gold Coast in massive numbers. Fifty per cent of all new school admissions to our hinterland state primary and secondary schools are either white or pakeha New Zealanders, Maoris or Pacific Islanders. Upper Coomera State College has an enrolment

of 2,600 students. Of its latest enrolments, 73 per cent are Maoris or Pacific Islanders. Thirty-eight per cent of students, that is, 988 students, are from Maori or Pacific Islander background. That equates to potentially 500-plus families. Currently, we are using cultural councillors to stop unacceptable behaviour that promotes bullying, gang behaviour and poor school performance. There have been significant problems. It is working well and it must continue.

Mr Moorhead interjected.

Dr DOUGLAS: Excuse me; the member has had his chance. Two councillors share the role at Nerang State High School, Southport State High School, Keebra Park State High School, Upper Coomera State College and Coombabah State High School. All of those schools have very large numbers of students who are Maoris or Pacific Islanders. With no access to HECS, most do not bother to pursue an OP, but do want to go to TAFE. I ask the minister to reconsider the decision to stop funding those positions as they are vital to the communities.

I highlight the plight of many New Zealanders on the Gold Coast, particularly youth, who are homeless and, as a result, have turned to petty and serious crime and unsolicited prostitution to support themselves. Those visa holders are being forced into poverty as they are ineligible for Centrelink and pensions other than the family tax benefit, assisted or emergency housing, HECS, assisted job search or access to disability services. So bad is the situation that the Nerang Neighbourhood Centre is seeking funding for a research project to detail the issue of non-protected visa holders from New Zealand. The centre wants the report distributed in New Zealand so that future migrants are fully informed of their rights and responsibilities before uprooting themselves and their families. It appears that they have been completely misinformed about their welfare eligibility and rights to social security before coming to our country.

Liberal National Party

Mr SCHWARTEN (Rockhampton—ALP) (11.56 am): Last month we saw the spectacle of every single member of the LNP voting unanimously for somebody who this morning the finance minister revealed could not tell the truth, unless by accident. We also saw each and every one of them expose their hypocrisy over the issue of privatisation. For two years I have sat here and listened to members opposite rail against privatisation, but on Monday what did they sign up for? They signed up for privatisation and an outsourcing agenda.

What is on the chopping block? First is the Port of Gladstone. It will be the No. 1 saddle blanket. They mentioned the coal handling ports in Queensland. There is only one left, which is the Port of Gladstone. It is on the chopping block. I hope that the member for Gladstone brings a motion before the parliament condemning that and I will support it.

Secondly, we have all of the business units in the Department of Public Works such as QBuild, QFleet, Goprint, CorpTech and CITEC. This morning, I heard the member for Lockyer talking about RoadTek. It will be a thing of the past, because it is also one of the things to be outsourced. When Borbidge was in power, the tories tried to outsource school cleaners. It is another area that can be outsourced. The tories also looked at outsourcing hospital cleaners under the Borbidge government.

Mr Wilson: TAFE.

Mr SCHWARTEN: Borbidge tried to get rid of TAFE. The unelected leader of the opposition has made this claim. I want those hypocrites who sit opposite, who for the past two years have railed against privatisation, to stand in this place and tell the people of Queensland exactly what is on the outsourcing agenda and exactly what is on the privatisation agenda, so that the people of Queensland are not duped into believing that there is anything other than a privatisation agenda.

An opposition member: Like they were at the last state election.

Mr SCHWARTEN: And the interjector is the chief hypocrite. I want to hear him disown that agenda.

(Time expired)

SunWater

Mrs MENKENS (Burdekin—LNP) (11.58 am): Yesterday at Clare the consultation meeting between the QCA and the Burdekin River irrigators discussed the systemic shortcomings in the SunWater pricing review. Last year, opposition and industry pressure forced the state government to back down on the Burdekin dam safety upgrade and capacity-to-pay factors that were to be part of the review. Now the Labor government has set a rigid timetable that will prove unworkable. During the meeting, the Queensland Competition Authority spokesperson stated that, to date, they had only received 40 to 60 per cent of useful SunWater data to analyse. The tight timeframes were such that the QCA may be forced to make a decision based on minimal data available.

This system is flawed. We are talking about a five-year price path for irrigators. With the time frame set, there is no opportunity to correctly analyse the data and meet the deadlines for a final report on 31 August 2011. This then has to be turned around for implementation by SunWater by 1 October 2011. This timetable needs to be revisited to ensure it is achievable. In addition to the rushed time frame, there is a major concern with the amendment of a ministerial direction of 17 December 2010. This ministerial direction states that irrigation prices cannot be reduced even if efficiencies are found. Naturally, local irrigators are up in arms about that particular amendment.

The QCA has also highlighted areas in renewal funding where more constructive consultation needs to be held with local irrigators. One irrigator stated, 'How can we be efficient when SunWater is not efficient?' Whilst the review is looking at SunWater efficiencies, it also has to ensure positive SunWater delivery outcomes at a local level for irrigators. It has to reflect positive outcomes at a local level.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! The time for private members' statements has expired.

GAS SECURITY AMENDMENT BILL

First Reading

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Employment, Skills and Mining) (12.00 pm): I present a bill for an act to amend the Mineral Resources Act 1989, the National Gas (Queensland) Act 2008, the Petroleum and Gas (Production and Safety) Act 2004 and the Petroleum and Gas (Production and Safety) Regulation 2004 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

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

Motion agreed to.

Bill read a first time.

Tabled paper: Gas Security Amendment Bill [4229].
Tabled paper: Gas Security Amendment Bill, explanatory notes [4230].

Second Reading

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Employment, Skills and Mining) (12.01 pm): I move—

That the bill be now read a second time.

In November 2009, the Queensland government announced a range of measures to enhance competition and promote transparency in the state's gas market in view of the emerging liquefied natural gas, LNG, export industry. The Gas Security Amendment Bill 2011 will deliver a number of these measures.

Queensland has had a small but growing and solidly regulated upstream gas industry to date. But what worked for a small gas production industry will not necessarily work for a large gas production industry. The success of Queensland's CSG-LNG production industry depends on finding the right balance between:

- the agricultural and petroleum production sectors;
- growth and the sustainability/affordability of regional communities;
- the need for gas for electricity generation and industrial and manufacturing uses; and
- gas supply for domestic, interstate local and export markets.

The government's response will ensure the regulatory framework supports a secure, transparent, competitive and accountable gas industry able to grow rapidly while balancing the competing interests.

The bill is a milestone achievement in bringing together a number of government initiatives that respond to the gas policy debate in Queensland that started in early 2009. Key outcomes expected from the bill are:

- a gas short-term trading market in Queensland with a Brisbane hub;
- a framework to implement a prospective gas production land reserve policy if domestic markets become supply constrained;
- a clear process for land access where the Coordinator-General has obtained an easement;
- clear processes for petroleum lease applicants at the time they make their applications and for exploration permit holders under the 1923 Petroleum Act; and
- clarity for operation of the Collingwood Park state guarantee.

The bill amends the National Gas (Queensland) Act 2008 to apply the short-term trading market provisions of the national gas law to Queensland. A key initiative of the national Ministerial Council on Energy, it will facilitate a reliable, competitive and secure natural gas market by establishing in Queensland a market for short-term trading of natural gas at the wholesale level. The Brisbane demand hub is scheduled to commence operation on 1 December 2011 and will be Australia's third market following the establishment of hubs in Sydney and Adelaide last September.

The short-term trading market operates by making available day-ahead gas price projections to signal to the market the nature and cost of supply or transmission constraints. This will encourage efficient contracting and investment in infrastructure to support further growth in the gas market. Other benefits include improved market access for users, the opportunity to promote increased use of gas and improved price transparency.

The government's prospective gas production land reserve policy was established in 2009 to ensure future security of supply for domestic gas users in light of the international demand for gas. This aligns with the government's commitment to ensure that sufficient gas will be available to meet demand from both the liquefied natural gas export industry and domestic users. Domestically, large industrial users and electricity generators must have access to high volumes of gas to underpin current operations and support future growth.

An amendment to the Petroleum and Gas (Production and Safety) Act 2004 provides a mechanism whereby future exploration tenure releases can be conditioned with a requirement for any gas produced from the area to only be consumed in the Australian gas market. Imposing the condition on future exploration tenure will only occur if recommended by the annual gas market review process, overseen by the Queensland Gas Commissioner.

The bill also provides certainty about access requirements for land subject to an easement obtained by the Coordinator-General. The amendment will clarify permission requirements for a pipeline licensee entering such easements to construct and operate a petroleum pipeline.

In 2009 the Coordinator-General took action to obtain an easement under the State Development and Public Works Organisation Act 1971 known as the Callide Infrastructure Corridor. This easement provides a common route for 75 kilometres from the Callide Range and will allow the co-location of gas pipelines to service liquefied natural gas projects at Gladstone. The bill amends the petroleum and gas act to clarify that in such circumstances a pipeline licence holder must obtain permission from the Coordinator-General before that company may enter land. It makes clear that the owner for the purposes of the petroleum and gas act in this circumstance is the Coordinator-General.

The amendment will not affect a landholder's rights to compensation for impacts arising from pipeline activity in such areas. For activities and disturbance not subject to the Coordinator-General's easement agreement, a landholder's right to consultation and compensation under the petroleum and gas act is maintained. The government remains committed to preserving the rights of landholders with respect to the resources industry. Recently established land access laws and the land access code provide landholders with improved protection and security in dealing with resource companies.

The bill also includes amendments to improve administration of petroleum tenure. The petroleum and gas act will be amended to require petroleum lease applications to include information that demonstrates a gas resource and sets out a plan to develop the resource. This information is required by the minister in making a decision about whether to grant a petroleum lease but is not specifically included in the application requirements. This has led to deficient applications being lodged. The petroleum and gas act has no clear process for dealing with deficient applications other than to proceed to assessment and request additional information. The assessment process is lengthy and deploys considerable technical expertise. As a result, departmental resources are being deployed for chasing up deficient applications, some of which are deliberately made, and, in turn, properly made applications are taking longer to assess.

Deficient applications can also impact overlapping resource holders who receive a copy of the application. If information about the resource and plans for how it will be developed are not included then the overlapping tenure holder is prevented from assessing the impact of this project on the work they are doing. The proposed amendments will require this information at the time the application is lodged and will enable deficient applications to be rejected.

A further amendment will make it easier for holders of an exploration permit under the Petroleum Act 1923 to convert their tenure to the preferred petroleum and gas act framework by removing a redundant provision.

The bill also amends the National Gas (Queensland) Act 2008 to preserve regulatory arrangements for the Carpentaria Gas Pipeline that are to apply until 30 April 2023. The relevant provisions formalise tariff arrangements agreed to by the Queensland government in 2008 during the transition to the new national access regime under the national gas law. The amendment moves the arrangements from a temporary regulation into primary legislation as per the long-term intent. All other provisions of the regulation will become redundant on 30 June 2011 when the regulation is due to expire.

The bill also amends the Mineral Resources Act 1989 to improve operation of this government's policy in the form of the Collingwood Park state guarantee. The amendments define a time frame for market value of an affected property and will clarify the application of the guarantee to residential, charitable or religious properties.

The bill also amends the petroleum and gas act and its underlying regulation. The amendments move provisions for frequency of lodgement for royalty returns from the act to the regulation which allows consistency with other resource legislation. Let me make it clear that there is no intention to change those reporting requirements and the frequency of lodgements, but this is regularising the petroleum and gas act with other, as I say, resource legislation.

The bill brings a number of positive benefits to the people of Queensland in this very important area addressing the sunrise industry of liquefied natural gas in this state. To that end, I commend the bill to the House.

Debate, on motion of Mr McArdle, adjourned.

BODY CORPORATE AND COMMUNITY MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 5 April (see p. 990), on motion of Mr Lawlor—

That the bill be now read a second time.

Mr McARDLE (Caloundra—LNP) (12.11 pm): I rise to make a contribution to the bill before the House. I start by congratulating the member for Currumbin on her speech in the second reading debate in this House. In that speech she dissected this bill excellently and gave an in-depth and thorough assessment of the pros and cons of the legislation before the House, and she should be congratulated for doing so.

The proposed changes make significant amendments to the Body Corporate and Community Management Act 1997 and consequential amendments to QCAT and the Queensland Civil and Administrative Tribunal Regulation. The bill purports to give certainty to lot owners and provide affordable housing to the marketplace. I note that there are some 39,000 schemes in Queensland covering 364,000 lots.

In summary, the amendments to the act being proposed by the government offer two main objectives. The first purpose is to provide for a new lot entitlements scheme. This will establish two principles for the setting of contribution schedule lot entitlements and also allow for a limited ability to apply for adjustment. It will also provide a mechanism to allow adjusted lot entitlements to revert to the original developer-set entitlements. The second purpose is to establish a management arrangement for residential community titles where there are two lots, called a two-lot-schemes module.

I want to touch upon a number of issues that should go together and exist within the terms of the bill and also the explanatory notes to advise and establish why it is solid legislation. To establish that a bill before the House should be passed, there are a number of issues that it should deal with. First of all, the bill should exist to rectify a current problem. We know that this bill amends the bill of 2003—amendments that were brought in by the then Labor government. It is by this bill that those amendments are now to be reversed. The odd thing about the 2003 bill, of course, is that in the shadow minister's speech at the second reading stage she outlined quite clearly that Labor members at that time were lining up out the back door to praise its virtues and to sing that this was going to be the golden chalice that would solve all the problems in relation to these matters. It would appear, though, from listening to members of the Labor Party in this House at the moment, that that bill does not even exist. They seem to be silent on it and there seems to be an unspoken agreement that they do not talk about the 2003 bill. It might well be that they are embarrassed by the fact that they are now overturning the amendments that they loudly cheered and endorsed just eight years ago.

In addition, we have now found that Labor members, with their rather infantile arguments in this House, have failed to put forward a cogent argument for reversing the 2003 bill. The simple reason is this: the bill before the House is nothing more than a grab for votes by this Labor government. Of course, we in this House are well versed in the Labor government pulling stunts and trying to grab votes. One only has to consider the desal plant on the Gold Coast and the accolades with which it was announced by this government, when several billions of dollars had to be spent on what was in fact a dud.

The second initiative that was applauded by this government as a stunt is of course the Traveston Dam—that debacle—and the hundreds of millions of dollars that were poured into that that could have been poured into the health system right across the state. Of course, the water pipeline is another charming example of a government trumpeting an initiative that has simply been a drain on resources.

Mr DEPUTY SPEAKER (Mr Kilburn): Order! This bill is about body corporate law. It is not about desalination plants. I ask you to stick to the point of the bill.

Mr McARDLE: Thank you, Mr Deputy Speaker.

Mr Wilson: I would expect him to know better. How long has he been here?

Mr McARDLE: Mr Deputy Speaker, please. The minister is interjecting across the chamber.

Mr DEPUTY SPEAKER: Order! We have dealt with the issue, Minister. The member has the call.

Mr Wilson: I expect higher standards from someone in your position.

Mr DEPUTY SPEAKER: Minister, we have dealt with the issue. The member for Caloundra has the call.

Mr McARDLE: We have got the standards we expect from you right now.

Mr DEPUTY SPEAKER: Order! Member for Caloundra, you will also stop having a conversation across the chamber.

Mr McARDLE: The second plank in relation to whether or not a bill is solid is that it should show a solid knowledge of the current position in as much as how many people will be affected and what the effect will be.

Mr Wilson: He's a lawyer and he doesn't know anything about relevance.

Mr Hoolihan: He does not know anything about the law.

Mr McARDLE: They can't take it. They can't take the truth.

Mr Wilson: He's irrelevant.

Mr McARDLE: Relevance—let's talk about relevance. Let's talk about the payroll disaster you still control. Let's talk about the 400 full-time equivalents that you are still paying on a daily basis because your mates—

Mr DEPUTY SPEAKER: Order! You have both had a fair go across the chamber. We will return to the bill that we are debating. The member for Caloundra has the floor.

Mr McARDLE: Mr Deputy Speaker, I thank you for your indulgence and, indeed, your protection from the hostile characters across the chamber.

The second plank in relation to whether or not a bill is a solid piece of legislation is that it should show a solid knowledge of the current position inasmuch as how many people will be affected and what the effect will be. The shadow minister made it quite clear that in the briefing the government said that there had been 120 adjustments since the 1997 bill came into effect, yet the Community Titles Institute of Queensland says that this figure is actually 350. I would have thought that, on a bill that is going to impact significantly upon a number of people, the government would have done its research and homework to understand what the impact is going to be—how many people it will impact upon and what the cost is going to be.

We know that the cost of making an application of this nature is between $10,000 and $20,000. A guesstimate is that there are perhaps 30 to 40 applications in the pipeline at this point in time. That is significant dollars for people who are in that process but, more importantly, it means two things: (1) this government can only guess at what the figure is; and (2) it has no real concern about the people who have put money into that process and who are before the tribunal at this point in time. It is a shameful situation that this government simply does not care and has not done its homework.

The third issue in relation to whether or not a bill is solid is whether the government has consulted widely about the impact of this bill, particularly with peak stakeholders. The Unit Owners Association of Queensland have made it quite clear that they had no idea about this. They were not consulted. A peak body that has 800 unit owners was not even asked for their opinion in relation to the bill—whether it was good, whether it was bad, whether it should be improved or what amendments should be made.

Mrs Stuckey: They put a submission in, but they ignored their submission.

Mr McARDLE: I have been advised by the shadow minister that a submission was put in by the Unit Owners Association but it was completely ignored. In addition to that, the Queensland Law Society have made it clear that they do not believe this bill is going to in any way improve the lot of unit owners. I would have thought that those two entities on their own would have caused a reasonable government to hesitate before putting a bill before the House. They have not in this case. The government again has not consulted widely or properly. Indeed, it put into this House a bill that does not meet the minimum standards required by peak stakeholders. That is a real concern, because again we see this government rushing through legislation without taking the appropriate course of action to ensure that the terms are correct and that it deals with all the issues that stakeholders put before it.

The other point which is more concerning than most is that the government should take submissions. In this case, the government did take submissions—in fact it took 216 submissions—but we cannot be told what those submissions said. We cannot be told what the people who wrote those submissions actually said should be or should not be in the bill or what their feelings are in regard to the content of the bill. You have to wonder why that is the case. Did the government make an error, or has it deliberately not released the submissions or the details of concern from these people?

It would appear as though the government has made a fundamental error in that it sought submissions but it is now not telling anybody what was in them. The reason for this might be that it did not matter what the submissions said because the government had already determined exactly what was going to happen. The best way to not open itself up to public scrutiny is to hide the submissions in the bottom draw so it does not have to tell anybody.

These fundamental four planks in relation to whether a bill is solid and should go forward have not occurred in any way across this bill. This bill is an indictment on a government which clearly set itself on a course of action for pure political motivation and a pure grab for votes. There is nothing simpler or plainer than that, unless we look at the ministry. There is nothing simpler or plainer than the fact that this government made up its mind as to what it was going to do and it did not matter what the people of Queensland wanted, what the stakeholders wanted, what the submissions said or what the opposition raised as cogent, relevant arguments to set aside this legislation. The government has determined—

Mr Wilson: You are not relevant.

Mr McARDLE: That was a witty comment, Minister. You are such a witty man—a halfwit, anyway. I will put it that way.

Mr DEPUTY SPEAKER (Mr Kilburn): Order! That is unparliamentary.

Mr McARDLE: I withdraw. I take that comment back about the minister being a halfwit. I will wrap up my comments by making this very clear statement. This bill was set in concrete at the time the government determined it was going to push it through. It did not matter what anybody said—the Law Society, the peak body groups or the public of Queensland. This was going to happen and it is nothing more than a grab for votes.

Mr LANGBROEK (Surfers Paradise—LNP) (12.22 pm): In rising to speak to the Body Corporate and Community Management and Other Legislation Amendment Bill 2010, I also want to commend the member for Currumbin—the shadow minister for small business, job creation, fair trading and industrial relations—on a very comprehensive review of the bill before the House which I was pleased to read this morning in the *Hansard*. I note also the contribution of other members on this side about the fact that this really does highlight that Labor members cannot do two things: they cannot be trusted to deliver when it comes to fixing a problem and they do not understand that this is also a cost of living issue, and I will come to that in my contribution later.

I acknowledge the contribution of the shadow health minister, the member for Caloundra, that this does not fix the problem. It clearly does not fix the problem that has been identified as the first objective of the bill, which is—

... to amend the Body Corporate and Community Management Act 1997 ... to provide a new lot entitlements system.

That is the problem—that it is another new lot entitlements system. The objective continues—

The new lot entitlements system provides two principles for the setting of contribution schedule lot entitlements and a limited ability to adjust contribution schedule lot entitlements.

The real problem is that this bill was supposed to deliver much but in reality it delivers little. It is a bill that was intended to satisfy many but will, if passed, satisfy few. It is a bill which was supposed to deliver certainty to unit residents and investors alike but which delivers only more uncertainty. That is the point that has been made by the shadow minister, the honourable member for Currumbin. We know that because we come from the Gold Coast and it is on the Gold Coast that we have one-third of the total units throughout Queensland, and owners have contacted us with their frustrations with lot entitlements issues over the last couple of years.

Given the Bligh government's dismal record, should we be surprised that it cannot deliver on its promise with this bill and end the uncertainty? Of course we should not be surprised because it is obvious that the Bligh government cannot be trusted to deliver on promises it made about solving problems. Government members clearly do not understand those cost of living issues, and this is just one of them. For people who have bought units and have then had their lot entitlements changed, this is just adding to the pain they are already feeling from increases in water, a 119 per cent increase in electricity over the last five years as well as the other increased costs, such as car registration. Add that to the uncertainty they will now have with lot entitlements. The system under this bill does not end the uncertainty.

I note the second policy objective of the bill, which is—

> ... to establish simplified management arrangements for residential community titles schemes containing only two lots and facilitate a new regulation module designed to make the day-to-day management of residential two-lot schemes less onerous and less complex for lot owners.

My main focus in my contribution today is to deal with the first objective of the bill. The shadow minister has indicated that we will not be supporting the bill because it does not meet the objective as declared.

Whilst the former minister and member for Southport does not have carriage of the bill now, I acknowledge his determination originally to get this problem fixed. We now have the Deputy Premier, the member for Lytton, as the minister and we obviously know that he has been a failure in Health. He wasted $210 million on a Health payroll system. Why would we have any confidence that the member for Lytton, the Deputy Premier, would have any knowledge of whether this bill actually achieves what it set out to do when it is obvious that he does not answer his emails and he does not read his briefing notes? He would have no knowledge of what this bill actually contains, given it was handballed to him from the former minister, the member for Southport.

I want to go to the history of the legislation. It was originally introduced by the member for Warrego in 1997. Following concerns about the fairness of developer set entitlements, the act was amended in 2003. I note that members in last night's debate talked about the fact that it was an interpretation of the 1997 bill that was at the heart of the Centrepoint case. I want to acknowledge that I am referring to the Queensland Parliamentary Library research brief by Renee Gastaldon from March 2011 titled *A 'New and More Flexible' System for Deciding Shared Costs in Community Titles Schemes*. That brief has a review of the Centrepoint case. Members might say that it was an interpretation of the 1997 bill, but when Justice Chesterman said that the evidence showed there was a degree of arbitrariness in the original allocation of lot entitlements, the question is why it has taken another eight years for us to resolve this issue of arbitrariness of lot entitlements—and, even then, this system still does not give certainty to the people who are facing changes to their lot entitlements.

Mr Shine: How many times did you bring it up?

Mr LANGBROEK: So now we have the unedifying spectacle of yet another Bligh Labor government backflip. I take the interjection from the member for Toowoomba North, because I have correspondence here that was written to me about those very issues when the member for Toowoomba North was the Attorney-General. I will refer to those issues from letters later in my contribution.

It is obvious that we have another Bligh Labor government backflip. Labor members are so sensitive to it that the minister and those opposite cannot even bring themselves to mention the 2003 amendments. Whilst we had the Centrepoint case in 2004 and we are now having unit owners all over the state changing their lot entitlements under the specialist adjudication that was brought in by the 2003 amendments, it is obvious that there are more on the way, and the easiest way they have seen to change this legislation is just to go back to what we had in the 1997 legislation. The original intent of the bill was to limit the ability for body corporate entitlement adjustments.

Queenslanders living in these body corporate arrangements want lot entitlements schedules to be just and equitable, to be predictable and for them to know, when they go into these body corporate arrangements, what their costs are going to be, because they are already wearing so many increases in terms of fuel and rego and water and electricity. Many of these people are on fixed incomes and many of them are self-funded retirees and many of them rely on the certainty that, when they go into these arrangements, they are going to be okay for the future. That does not happen with arrangements under the 2003 amendments which mean that unit owners have been able to change the lot entitlements program, and just throwing out the 2003 amendments does not fix the problem.

It should not be decided in an arbitrary way, which is what Justice Chesterman found in the Court of Appeal decision with regard to the Centrepoint case. In simple terms, the intention of this legislation is to stop developers and premium unit owners from cutting their body corporate fees and passing these costs on to other unit owners in the same complex. As I have already said, this bill gives them no certainty that this situation will not continue. As the member for Mermaid Beach has pointed out in this House before, some body corporate managers have manipulated ballots to achieve outcomes that favour the powerful few or, in the worst cases, themselves. The people who usually suffer are not from the big end of town; it is invariably the small investors, the frail, the elderly, those on fixed incomes, pensioners and those without the power to make their voices heard.

Mr Lawlor: And who you're ditching now!

Mr LANGBROEK: The reason we are not supporting this bill is that this does not give them any more certainty than they had before. There is nothing in this legislation to end the tactics used by some body corporate managers, unit owners and developers to line their own pockets at the expense of their fellow owners and tenants—legislative changes which the member for Mermaid Beach has passionately argued for before. No-one is denying that body corporate contribution schedule lot entitlements should be fair and certain for lot owners as much as possible, but, as I have already said, these proposed changes do not achieve that objective. That is the view expressed by the Queensland Law Society in its submission.

Unit owners simply want fairness, simplicity and certainty in the laws which control these matters. These amendments we are debating will allow for two sets of rules for those seeking adjustments to their body corporate contribution schedules—one set for pre commencement of the 2010 legislation and another set for post commencement. I would have thought that it would be patently obvious that the fundamental principle in any legislation should be that for any deliberative process there should be a single set of rules for the sake of fairness and clarity, if not simplicity. Where is the certainty in these dual rules for unit owners and investors who have been waiting in vain for this government to give them certainty? There is none.

My electorate of Surfers Paradise has amongst the highest concentration of unit complexes in Queensland, and there are other electorates where the numbers of unit complexes are increasing as well. The member for Brisbane Central is in the chamber and I know that there are an increasing number of bodies corporate in her electorate, as there are in the electorates of the member for Mermaid Beach and the honourable member for Southport. Many other areas throughout the state are experiencing an increased number of these unit type developments, and it is a trend that will only increase as we try to get more people into the finite space in those areas of Queensland where people want to live for access to employment, for services, for lifestyle and for the infill that is needed because we cannot just keep providing the services further and further from the main parts of cities.

As I talk to people in my electorate, I am constantly reminded that for many people the dream of unit living has turned into a nightmare. From constant representations made to my electorate office and the fact that my filing cabinets are overflowing with such complaints, the nightmare includes complaints of unethical practices by body corporate managers, manipulations of elections, failures to respond to reasonable requests by owners for financial accountability, and lack of cooperation from the body corporate commission. There are also complaints about the unfairness of body corporate charges, often for the cost of individual and shared use of water which, under Allconnex on the Gold Coast, has become a luxury rather than a basic necessity, and that is another very important aspect of this debate—that is, the individual and shared use of water. Because many of these people in these units are on fixed incomes or are pensioners, water has become an issue. A letter from my constituent Joy Schoenheimer says that the water bill was always split amongst the 32 units in her high-rise building at Main Beach. She is concerned about the cost of water rising. The reason she is concerned about it is that, whilst she may be frugal with water, her body corporate lot entitlements changing means that she has to find extra money to deal with the increased cost of water. That is where this is also a cost-of-living charge—a cost-of-living element that this Labor government just does not understand. None of those issues are adequately addressed by this legislation.

People bought into units with a clear understanding of what their future body corporate costs would be and they budgeted accordingly. Indeed, the price they paid for a particular unit was often related to where in the building the unit was situated and what the body corporate costs attached to that unit were. They are now fearful that this legislation could potentially increase their costs above what they have budgeted if their contribution lot entitlements revert to former higher settings. They are also concerned that the market value of their units will be affected by increased body corporate charges, meaning that it will be difficult to sell without taking a significant loss, making them economic prisoners of their original decision to buy.

Unit owners and particularly those who live in their units have been hurt financially by the economic incompetence of the Bligh Labor government. As I have said, many of them are retirees on fixed incomes who have been badly affected by the global financial crisis. After a lifetime of careful saving and investment to provide for their latter years, many are facing financial uncertainty. If that was not enough, they also have to deal with the cost-of-living increases forced on them by the Bligh Labor government with extra costs such as the fuel tax that the Premier said before the last election she would not introduce, increased registration and licence costs, increased costs for electricity and massive increases in the cost of water. They had not expected those. They had not budgeted for those, so now through no fault of their own many have had to make significant financial and often lifestyle adjustments. It is not just retirees who have been affected by these increases; retirees on fixed incomes have been particularly hard hit, with many of them struggling to survive.

Not only are they struggling to survive; they are struggling to have their views heard on this legislation. As we have heard already from the contributions from the shadow minister and the honourable member for Caloundra, when this bill went out for public consultation there were just 216 submissions received from a pool of more than 39,000 community titles schemes and 364,000 lots in Queensland. Queenslanders are used to the Bligh government's cover-ups, so it is not surprising the government will not reveal how many of those submissions were for and how many were against this legislation. The Unit Owners Association of Queensland, with a membership of 800 unit owners, says it was not consulted at all. Of those respondents who made their submissions public, all agreed that this bill does not meet its intent or expressed concerns. For example, the Queensland Law Society in its submission said—

There needs to be an appropriate balance struck between fairness for lot owners holistically and the comfort for individuals brought about by certainty.

In the Society's view the consultation amendment proposals do not achieve that balance.

I note that last night the minister, the Deputy Premier, was critical of the fact that reading letters was not seen as an appropriate way to provide some feedback to the government. I think it is important in this case for me to point out that there are a number of unit owners in different buildings around the electorate of Surfers Paradise who have pointed out to me their concerns—

Mr Lucas: There is no problem with reading a letter. It doesn't replace, as your shadow minister did, making a meaningful contribution to the debate. I have no problem with you reading letters.

Mr LANGBROEK: I think it is part of a meaningful contribution. I am happy to provide some of the details from unit owners in Atlantis West, from unit owners in the Pinnacle building, from unit owners in the Main Beach Tower, from unit owners in Sonata and from unit owners in Q1.

Mr Ryan: What level are they on? Are they in the penthouse? Are they in the subpenthouse?

Mr LANGBROEK: There are a range of them, because I hear the member for Morayfield asking me whether they are all rich penthouse owners. They have a significant range of issues which this government just refuses to deal with in this legislation. I have a letter from a constituent concerned that four owners who each own two adjoining lots in the building would amalgamate their two respective lots into one lot with the consequential halving of their contribution schedule lot entitlements. What does that mean? It means that the person who is writing to me is concerned that their own lot entitlements would subsequently go up. That was not a penthouse owner. Someone from the Pinnacle has concerns that 76 apartments and one river house have the ability to have lot entitlements changed that will affect all owners within that building without seeking any approval by way of the body corporate or the building unit owners.

But we also have other issues raised by Chris Buist, who wrote to me about Sonata, where there were seven commercial lots on the ground floor of the building, all of which were operating as bars and restaurants and all of which were approximately the same size. His lot 1 was being unjustly forced to pay a far higher contribution than the other six commercial lots. He is also concerned that under the legislation there is not going to be any right of appeal and that, should the situation revert to the scheme that it was, he has no recourse, no way of appealing to QCAT.

I could go on and on with other contributions from people in Surfers Paradise who are concerned that they bought their units knowing what their entitlements were going to be. Under this legislation, the 2003 amendments are being thrown out and we are not going to have any more certainty for people. The most important issue is that it introduces the element that, even when a body corporate has been the subject of an order adjusting the contribution schedule lot entitlements, it could be subject to a reversal of that order by one of three methods: by way of agreement of two or more lot owners, by resolution without dissent from the body corporate or through application to the District Court. There is that uncertainty again, because we still have the issue of lot owners getting together and being able to make a change to the lot entitlements without considering the other people who are involved.

The legislation does not give certainty about how lot entitlements are calculated. We need to have certainty about how lot entitlements are calculated, whether that be on equality or relativity principles. All it takes is for two unit owners in agreement, who feel aggrieved by an entitlement adjustment, to begin the process all over again. In practice, the simplest way for an aggrieved owner to force a reversal of adjustments to lot entitlements is to move a motion to the body corporate. An application for such a process can cost between $10,000 to $20,000, and we heard the member for Caloundra say that there may be 30 or 40 that are currently going through now. This is a sum that owners who are already struggling financially will find difficult to pay, even more so if they have previously had their entitlements adjusted. So the dilemma is: do they return to body corporate entitlements that they consider to be unfair or do they risk spending more money applying for an adjustment when they cannot confidently predict the outcome?

This legislation at its heart shows that Labor does not understand. This is a cost-of-living issue as well for Queenslanders who have been bearing the pain and it is coming to a zenith right now. It is a cost-of-living issue for many Queenslanders on fixed incomes, many people who want some certainty. This legislation does not provide confidence for people to have certainty about the issues raised within it. That is why we are opposing the bill.

Mrs SMITH (Burleigh—ALP) (12.42 pm): The amendments contained in this bill seek to achieve fairness and equity for all residents of multiunit developments. There are more than 39,000 community titles schemes across Queensland, comprising more than 364,000 lots. This amendment provides a new lot entitlements system for these schemes.

The massive levels of growth in South-East Queensland have resulted in a shift from the traditional three-bedroom house with a Hill's hoist and a couple of chooks in the backyard to life in a unit with its associated costs and responsibilities. Unit living also represents a more affordable option for a range of people—from first home owners and small families to pensioners and retirees. However, the current system of lot entitlements has created a situation where inequities can and do exist.

Over the years my office has received numerous complaints regarding the present system. Currently there exists a provision whereby a lot owner can make an application to alter a scheme's contribution schedule. The end result overwhelmingly results in drastic increases to the amount that other lot owners must pay for their annual body corporate fees. This increase is often borne by lot owners on low and fixed incomes.

During the course of this debate we have heard the perceived pros and cons of this legislation, but I want to put a human face to the debate. Some time ago a young schoolteacher came into my office. After much hard work, she had put herself through university, secured a teaching job and achieved her dream of owning her own few square feet of paradise in a unit complex. Things were tight, but she was willing to make sacrifices to get ahead. She knew what her commitments were and had budgeted accordingly. This young woman lived within her means, secure in the knowledge that she was making an investment in her future. Following an appeal to the courts by another unit owner to have his lot entitlement reduced, increased costs were passed on to other owners. In this particular case, my constituent's body corporate contribution increased by $5,000 per year. She could not stretch her budget any further and ultimately had to sell her unit. She is just one of many people who contacted me with similar stories of hardship. I congratulate the former minister, the member for Southport, for introducing this amendment. When I took my constituent's concerns to him he undertook to review the legislation and introduced a fairer playing field.

This bill limits the adjustments of lot entitlement schedules in a community titles scheme to particular circumstances and provides a far more equitable and open process for doing so. Most importantly, bodies corporate that have been subjected to one or more adjustment orders can now, in certain circumstances, apply to have lot entitlements revert to the original settings. This change in the legislation is too late for my constituent but will give some surety to those who currently own property in a community titles scheme.

This bill is about fairness, it is about equity and it is about ensuring that all Queenslanders have the opportunity to own a home. The Australian dream may have lost a few square feet for people who choose to live in a unit, but this legislation makes sure that the dream can still become a reality. I commend the bill to the House.

Mr RYAN (Morayfield—ALP) (12.45 pm): I rise to make a contribution to the debate on the Body Corporate and Community Management Amendment Bill. We have learned one thing from the debate today and last night—that is, the LNP has ditched all of those pensioners and people on fixed incomes who live in units. The LNP has sold out all of those pensioners in Currumbin, all of those pensioners in Surfers Paradise, all of those pensioners in Caloundra and all of those pensioners in Mermaid Beach who live in units. The LNP has kicked them in the guts and it has whacked them. The LNP has decided to turn its back on the people who will benefit the most from these legislative changes. This is in addition to the rate increases that the LNP has imposed on those unit owners in the Brisbane City Council area—400 per cent and 500 per cent rate increases. What else would we expect from the LNP? If you own a unit and you are on a fixed income, you are going to get whacked by the LNP. It does not care. It has sold them out.

This is a very difficult issue—there is no denying that—but doing nothing is not an option, because with every adjustment order many unit residents on lower incomes, mostly pensioners and people on fixed incomes, will have their lives made much more difficult and some will be forced out of their homes. But we should not expect any sympathy or assistance from the LNP. It has sold out those people and the parliamentary record will show that it has. During her contribution to the debate, the shadow minister said—

> Bewilderingly, the 2003 BCCM debate, which the former minister and honourable member for Southport actually spoke to, was not mentioned in his second reading speech and was not referred to in the explanatory notes. Therefore, it is a bit rich to try to buck-pass to the 1997 legislation, which was brought in by the conservatives.

I have spoken to the honourable member for Southport and he has told me that he has never denied that the 2003 legislation has contributed to the situation that we find ourselves in today. But it was the 1997 legislation, which was brought in by the conservatives, that first enabled applications to be made to adjust lot entitlements. That is where the problem started. The honourable member for Southport has also told me that he spoke in favour of the 2003 legislative changes, which were passed unopposed—supported by the conservatives. So they as well are fully aware of all the circumstances that have led to where we are today.

At times legislation can have unintended consequences, and these unintended consequences are often made apparent as a result of court cases that interpret legislation, which is how the system should work. The Centrepoint case of 2004 is just one example. Another example is the Bossichix case, which was decided by the Court of Appeal and which resulted in amending legislation introduced into this House in 2009. That legislation amended the Body Corporate and Community Management Act and was supported by the opposition.

Like this amending legislation, that amending legislation had a retrospective effect and it was not supported by the Law Society at the time. The opposition supported that legislation notwithstanding that it was retrospective. The difference here is that this bill deals with vulnerable people. It deals with pensioners and it deals with people on fixed incomes. That is one reason I think the opposition is not supporting this bill. They just want to kick those vulnerable people, kick them when they are down. It is very disappointing. In fact, it is shameful. I am very proud to support this bill. The bill that is before the parliament today is due to the very hard work of the member for Southport. This bill will be his legacy, and the many residential unit and townhouse owners who benefit from the protections and certainty established by this bill will be grateful for his pursuit of this matter.

We have disappointingly heard from members of the opposition that they will not be supporting this bill. Their contributions highlight their preference for a dog-eat-dog world. Their contributions emphasise their ideological fascination with protecting the powerful instead of the powerless, of protecting the strong instead of the weak, of protecting the untouchable instead of the vulnerable, of protecting the privileged instead of the vulnerable. These contributions from members of the opposition are downright shameful.

I am proud to support this bill because this bill articulates the concept of the safety net—that wonderful principle of support and protection for the most marginalised, most disadvantaged and most vulnerable in our communities. I joined the Australian Labor Party and became a member of this parliament because I fundamentally believe that the Australian Labor Party is the only political party with the capacity and willingness to deliver fair and equitable government for all people, but particularly for the most vulnerable, most marginalised and most disadvantaged in our communities. During this debate we have heard from opposition members about how they do not believe in the concept of the safety net, about how they do not believe in support and protections for the most vulnerable, most disadvantaged and most marginalised. This bill is about making the tough decisions to protect those people. This bill is about doing the right thing by the vast majority of individual lot owners, many of whom are pensioners and people on fixed incomes.

Last year I heard a real-life story about the real-life impact of not supporting this amending bill. This is a story about an eight-lot block made up of three- and four-bedroom units facing the Brisbane River and two-bedroom units facing the street. All owners purchased their lots based on contribution schedule lot entitlements that were established when the building was built approximately 10 years ago. The contribution schedule lot entitlements were based upon the number of bedrooms in the unit. This means that the owner of a four-bedroom unit contributes twice as much as the owner of a two-bedroom unit. Recently a new owner of a four-bedroom unit announced that he would apply to the court to have contributions equalised across all units. This is irrespective of the original arrangements when all unit owners purchased their respective units and is irrespective of the views of the other seven unit owners. The effect of this change to the contribution schedule lot entitlements would be an estimated 31 per cent increase in the body corporate contributions made by two-bedroom unit owners.

Mr Lucas: That is exactly the point.

Mr RYAN: I take the interjection from the Deputy Premier—and a 34 per cent reduction in the contributions made by the owner of the four-bedroom. It would be a 31 per cent increase for those who are least able to afford it at the expense of the new four-bedroom unit owner. What is more, the change in the contribution schedule lot entitlements is estimated to effectively reduce the capital value of a two-bedroom unit by $48,000, at the expense again of the four-bedroom unit owner. All the unit owners signed up to a specific contribution schedule lot entitlements arrangement when they purchased their respective units. They paid a specific price based on the information provided and agreed by them at the time. They made decisions about their ability to pay specific body corporate contributions.

Without a change to the current law, the majority of the people in this unit complex will see the value of their property devalued and their liability to pay body corporate contributions increased. This change will occur just because one owner wants to rely on the existing law to make a windfall capital gain at the expense of other unit owners. This is just one sad example of the many, many, many similar stories that exist around our state.

In my view, the current arrangements are manifestly unfair, yet the opposition will not support any change to the current law. The opposition would prefer to whack the pensioners and the young families and the other people on fixed incomes who live in units who will see their body corporate contributions increased to only benefit the owners of penthouses and subpenthouses—whack from the opposition! When these pensioners and young families and other people on fixed incomes have to sell out of the unit complex because their body corporate contributions have increased beyond their means and expectations, they find that the capital value of their property investment has been devalued to benefit again only the owners of penthouses and subpenthouses. They get whacked again by the opposition's opposition to this bill—whack!

The changes to the current law contained in this amending bill are about restoring certainty to owners of properties who are part of a community titles scheme. It is about protecting those people who have the most to lose—their homes. The people who are hurt by the current arrangements are those people who live in relatively less expensive and relatively smaller units and townhouses. People are taking advantage of the current arrangements and the impact of the current arrangements will continue to escalate if nothing is done to restore certainty and protections for people.

As an aside, it is interesting to note that the Property Council of Australia is also supportive of the proposed changes. In a letter dated 30 September 2010 to the then minister, the Property Council said that it welcomed the fact that the Queensland government is moving to ensure that there is as much certainty around body corporate costs as possible and that the proposed legislative changes would create a good outcome for the Queensland property industry and unit owners alike. It also thanked the Queensland government for taking decisive action and looked forward to the introduction of the amendments that will bring greater certainty for unit owners.

The changes to the current arrangements contained in this amending bill are indicative of the safety net in action. It is indicative of this Queensland Labor government acting to protect those who have most to lose. Interestingly and surprisingly, the opposition will not be supporting the changes in this bill and will be abandoning those people who need our help. Heaven help the vulnerable, marginalised and disadvantaged people of Queensland should the opposition ever sit on the treasury benches. Heaven help us all in the dog-eat-dog world that they would create if they were ever in government.

These amendments are good amendments. They will be welcomed by the majority of unit and townhouse owners around our state. These amendments provide certainty and promote protections for relatively vulnerable people in our state. I commend the former minister, the member for Southport, the Deputy Premier, ministerial staff and departmental staff for their hard work in respect of this bill. I commend the bill to the House and I encourage all members to support it.

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (12.59 pm), in reply: I thank all members for their contribution and support for the Body Corporate and Community Management and Other Legislation Amendment Bill. I thank particularly the member for Southport and the former minister for tourism and fair trading for introducing this important bill into the Legislative Assembly. To say that this was his labour of love would be an understatement. It is an area that is, of course, very, very complex. There has been discussion over the last two days about whose legislation this was, when it came about, whether it was 1997 legislation or 2004 legislation, whether it was LNP legislation and who opposed it, or whether it was Labor Party legislation and who opposed it. I think this does no credit to the shadow minister. I do not think the people of Queensland care whose legislation it was, particularly when both sides in relation to both pieces of legislation supported it. What they care about and expect of their legislators is that if matters are identified as needing amendment they are fixed up and sorted out. If I have to fix up a piece of legislation I passed last week then that is something I will do. To play that sort of low-grade politics is absolutely underground.

Mr DEPUTY SPEAKER (Mr Powell): Order! It being one o'clock and being reluctant to break down working conditions, we will recommence at 2.30.

Sitting suspended from 1.00 pm to 2.30 pm.

Mr LUCAS: Both yesterday and today, in this debate we have heard discussions about the issue of the 1997 legislation and the 2003 amendments to it, as well as the court case in which the ability to accelerate towards the equality principle was essentially enshrined. As I said before, I do not see that it takes the debate any further, from the point of view of those people who are expecting parliament to resolve the problems, to go into a stone-throwing exercise. The simple fact is that the current approach to lot entitlements has been a matter of anxiety for many people, particularly those who have bought into a community titles scheme with the lot entitlements schedule set according to one set of principles and later adjusted in accordance with a different set of principles. Let me ask, is that fair or right?

While this debate is about shifting the goalposts, there is a very important philosophical point. In the first place, owners almost exclusively of the higher valued properties in a scheme had the ability to go to QCAT to seek an order changing the contributions to equality. That original shifting of the goalposts was done for one purpose and one purpose only. It was so that they could pay less in outgoings. I remind every member here that you cannot create money in a body corporate, so the necessary effect of that reduction was that other people had to pay more. If someone had an adjustment made so that they paid less, other people necessarily had to pay more. Invariably, those who had to pay more were the people who could afford the less expensive accommodation with the lower outgoings. That was what they bought in on in the first place. Sometimes, for example in business, people take advantage of efficiencies to lower their outgoings and the like. In this case, the previously successful applicants did nothing more than exploit a loophole in the law and the only outlay they possibly could have had was, indeed, the costs involved in exploiting that loophole. The change in their position came about because they were able to exploit a loophole in the law to lower their outgoings, which necessarily meant that others had to pay higher outgoings. In fact, in the intervening period they have had the benefit of paying less outgoings so, if you like, have been able to credit the costs involved in exploiting the loophole in the first place.

The government is not seeking to shift the goalposts to a new position. To be more accurate, it is seeking to put the goalposts back to where they were when the game started. Significantly, the bill limits adjustments of contribution schedule lot entitlements to very particular circumstances and provides for reversions for those schemes that have been subject to contribution schedule lot entitlements adjustment orders. To date, I am advised that QCAT and its predecessor have seen approximately 120 applicants seeking contribution schedule lot entitlements adjustment orders for schemes right across Queensland. I am advised that those decisions have affected thousands of lot owners and there are thousands of schemes potentially subject to future contribution schedule lot entitlements adjustment orders that could impact upon further tens of thousands of lot owners. Those opposite ask who will have a say. If they were to say to people, 'Do you know that this potentially could happen to you?', people would be incredibly concerned. This is not just about people previously affected but also those who could be potentially affected.

The 2003 amendments to the act required the equality principle to be applied to community titles schemes upon establishment. Under the new amendments to the act, this requirement will be retained. However, a one-size-fits-all approach to setting contribution schedule lot entitlements does not suit all community titles schemes. Therefore, a second principle for setting contribution schedule lot entitlements, the relativity principle, also will be introduced to provide increased flexibility for schemes where the equality principle is not appropriate. The relativity principle provides that there must be a demonstrated relationship between the lots by reference to one or more prescribed relevant factors, which are outlined in the bill.

Interest schedule lot entitlements must reflect the respective market values of the lots, except to the extent to which it is just and equitable in the circumstances for the individual lot entitlements not to reflect the respective market values of the lots. The contribution schedule and interest schedule principles aim to promote more affordable housing solutions in today's difficult housing market. Having outlays that are reasonable is a critical aspect of affordability. It is not just the capital cost, but what you have to pay in body corporate fees and outgoings along the way. The government amendments allow developers who are seeking to have both capital and recurrent affordability as part of their development to be in a position to do so. Either way, with the enhanced disclosure provisions—which I might add are opposed by the opposition, although I cannot possibly understand why—people can come in with their eyes wide open, whether they are original owners or subsequent purchasers. If they are original owners and it is a new scheme that is developed, everything is known and they have disclosure. If it is a new scheme and people buy subsequently, that is fine. The difficulty here, which has always been a challenge, is in relation to people who came in under an older scheme that was changed under them. I am sympathetic to people who have purchased from others who purchased under the older scheme that was changed, even if they were the owners who took advantage of a reduction at the expense of others who had to pay more.

As part of a commitment to fairness, and even where the loophole has been exploited in the past with the consequence of making some owners pay more, only an owner who was an owner at the time the loophole was exploited can apply for a reversion under clause 379. In other words, even if an unfair adjustment has occurred, if you bought in later on you knew what it was. Therefore, in those circumstances you cannot take advantage of the automatic adjustment. Why? Because, to use the football analogy that we were using before, those people ran onto the football field in the middle of the game after the goalposts had already been shifted. They saw where the goalposts were and they chose to run onto the field. Subsequent purchasers, or players who ran in after the goalposts were shifted, do not have that right because they saw the layout of the field and they chose to run on. We are shifting the goalposts back for the people who had the posts shifted after they had run onto the field.

The bill enhances the disclosure requirements requiring developers to, firstly, explain the principles used to set the contribution and interest schedule lot entitlements; secondly, have the explanation form part of the community management statements; and, thirdly, attach the community management statements to contracts of sale. Significantly, the bill provides for the establishment of a new regulation module under the act, tailored to the specific needs of residential community titles schemes consisting of only two lots. Of course, the opposition opposes the bill. It will vote against it in the second reading, so it does not want that. Putting aside the question of its philosophical disagreement with the other amendments, it is opposing the second reading.

The bill recognises that the existing regulation models under the act have not adequately catered for the needs of residential schemes that have only two lots. People who live in duplexes do not want or need to be burdened by formal processes such as calling a meeting to make a decision or setting an annual budget. The bill makes it easier for people living in residential schemes with only two lots by removing the formal processes and substituting much simpler arrangements. The new regulation model is currently being developed and I expect it to be operational later this year. Once operational, this new regulation module could potentially be adopted by some 12,000 community titles schemes in Queensland, which represents almost one-third of community titles schemes in Queensland.

Before I respond to the particular comments of the member for Currumbin, I take this opportunity to remind her that by opposing the bill members opposite are opposing many important changes that unit owners across Queensland are calling for, particularly those amendments that assist unit owners in two-lot schemes. The member asked how the bill will enhance consumer protection. It will do that by requiring that developers explain the contribution schedule in plain English and by requiring that a copy of the community management statement be provided for contracts of sale. No-one will go into a community titles scheme unaware of the payments ahead of them or be at risk of having their outgoings disproportionately changed, which is what both the opposition amendments and its opposition to the second reading of the bill would necessarily cause.

There has been extensive consultation on this issue and on the bill. As the member for Currumbin noted, former Attorney-General the Hon. Kerry Shine initiated the process by releasing a discussion paper. The results of that consultation and consequential correspondence and discussions with peak industry bodies subsequently informed work on a draft consultation bill, which I am advised generated 216 submissions, many with multiple signatories in favour. The member for Currumbin did not think that was many. For a process of that kind, it is quite a lot. Having said that, there are many, many thousands of people who own units in Queensland. Further, the bill has been informed by over 10 years of letters and lot owners visiting members' offices, many in tears because they are unable to pay their body corporate fees and are unable to sell their units because they are locked in by the opportunity that the current adjustment provisions provided the affluent and informed to take advantage of.

This bill is not just about those schemes that have been the subject of adjustment orders; it is also about the many tens of thousands of schemes and possibly tens of thousands of lot owners who will benefit without knowing that this amendment bill will save them the grief and loss which flows from the right to unfettered adjustments. I am advised that the majority of responses to the draft exposure bill were in favour of the new measures and the reversion process. This includes—and I will name them for the benefit of the member for Currumbin—the Australian Resident Accommodation Managers Association and the Property Council of Australia.

In relation to the Retirement Villages Association, some retirement villages are bodies corporate but they have their own legislation in the form of the Retirement Villages Act. For the benefit of the member for Currumbin, I am also advised that the Office of the Commissioner of Body Corporate and Community Management holds quarterly stakeholder meetings at which lot entitlements have been discussed regularly, along with other issues. Those meetings were attended by the Community Titles Institute of Queensland, the Unit Owners Association of Queensland and the Australian Resident Accommodation Managers Association. These are the peak bodies. If the Retirement Villages Association would also like to engage in body corporate issues, it will be most welcome.

Yes, there have been criticisms but, as the member for Southport said in his second reading speech, difficult problems have tough solutions. I have no misapprehension that this is a difficult issue to deal with—none. So who informs the majority submitters who support the amendment to the bill? I am advised that mostly these are more vulnerable members of our community—those who are on low and fixed incomes and who are locked into rising costs and falling property prices. The easiest way to understand just how unfair is the present system is by way of an example.

A person who is perhaps on a pension or a fixed income makes inquiries about the purchase of a unit. He or she establishes that a body corporate levy of, say, $100 a week is affordable for them. They complete the purchase for, say, $350,000. Some time later another purchaser goes through the same process in respect of the penthouse. Their body corporate levies are $500 a week—five times the amount. The purchase is completed for, say, $1 million. Some time later—maybe many years later—under the present system the penthouse owner can make application to QCAT, which could reduce the penthouse levy from $500 to $300 per week and at the same time the levy for the other unit could go from, say, $100 to $200. The lower priced unit would then be unaffordable for a pensioner or a person on a fixed income. Because the value of the unit also takes into account the outgoings that have to be paid, this would have the second effect of reducing the value of the unit by maybe $30,000 to $40,000 but it would increase the value of the penthouse by $80,000 to $100,000.

What do those people say to their bank if they borrowed the money? They cannot afford it now because it becomes too expensive for them on a recurrent basis. So then they decide to sell but they will have to take a capital loss. Generally, these are people on lower incomes. So the owner of the lower cost unit can find themselves locked into an impossible situation in which they cannot afford to live in the unit because of the increased body corporate fees yet they cannot sell it at a reasonable price because of its reduced value.

The member for Currumbin quoted the Property Council of Australia. It stated—

> It is the Property Council's view that new section 380 and its associated provisions provides the greater good for the greater number of unit owners as opposed to the existing legislation which provided windfall benefits for a small number of wealthy penthouse owners.

The member for Currumbin took offence to this comment on behalf of penthouse owners in Queensland. She said—

Not all penthouse owners are wealthy. Some bought under favourable developer conditions. Not all have cash on hand. Some are on tight budgets and need to live frugally.

I do not dispute that at all. However, the very fact that she qualified her proposition clearly acknowledges that, by and large, she accepts the proposition that a penthouse owner has a greater capacity to meet those levies than someone who is on the bottom floor. It is self-evident or she would not have qualified the statement.

Mrs Stuckey: What's wrong with that?

Mr LUCAS: I do not take interjections from the member because she never takes them from anyone else. The principle of contribution in accordance with the ability to pay is not foreign to government. For example, we have differential rating systems that look to varying land values for residential properties in, say, Clayfield compared to Hemmant which governments of all persuasions say is justifiable. We have progressional taxation systems that apply higher income tax rates to higher income earners. The opposition of the LNP to this bill shows its philosophical commitment away from any system of fairness and ability to pay to one of exploiting a loophole and beggar thy neighbour.

The member for Currumbin made much of the 2003 amendments and that debate many years past. It is now 2011 and times have changed and the issues surrounding the legislation have evolved. The Centrepoint case in 2004 moved the goalposts and we have been playing a very different game ever since. It is just that some people originally signed on and the goalposts were shifted on them. We need certainty and stability across the industry.

The member for Gaven expressed concern that delays had increased the pain for these very vulnerable groups. He went on to say that the bill will be a massive relief for those facing costs that they never expected or budgeted for. So what is the LNP going to do about what it says is a delay in introducing this bill and what it says is grossly unfair and unconscionable to these very vulnerable groups? It is going to vote against it.

I now turn to the contribution of the member for Mermaid Beach. I was pleased to hear the member recognise and acknowledge the important work of QCAT. Yes, it is a busy tribunal, but it is widely acknowledged to be a very effective one. It is another successful Bligh government initiative.

The key for members opposite is that, by opposing the bill at the second reading stage, they are opposing two-lot scheme amendments and attempting to increase the pain, to coin a phrase used by the member for Gaven, for those who are most vulnerable. The two-lot module is a new approach and will monitor closely how these simplified arrangements will work. This is how good government operates. We will also watch closely the approach to contravention notices—and I want to make it clear that I will keep an eagle eye on that. We need to assist Queenslanders to act reasonably and limit avenues for abuse of legislation. So if we notice that a problem develops in relation to that, we will clearly have to look at it. However, the vast majority of people in duplexes clearly want that sort of reform.

We have been discussing complex public policy issues. Regrettably, there has not been enough discussion about the benefits which flow from this bill: more affordable accommodation solutions; simpler administrative arrangements for two-lot schemes; greater stability across this vital sector; and, most important of all, assistance for the most vulnerable members of this sector.

I thank honourable members on all sides of the House for their contribution, for their response to the people in their community who have raised the issues with them and for their response to the various stakeholders who have raised the issues with them. Sometimes in this House legislation is easy; it is legislation that everybody agrees with or it is legislation that has a very clear yes or no. This is legislation that is not so simple. However, with thought and prudence, one can understand that the course that the government has charted here is the one that is most fair and most appropriate in all the circumstances. I commend the bill to the House.

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

AYES, 49—Attwood, Boyle, Choi, Croft, Cunningham, Darling, Dick, Farmer, Finn, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, McLindon, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

NOES, 34—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hopper, Johnson, Knuth, Langbroek, McArdle, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Bill read a second time.

Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—

Mrs STUCKEY (2.54 pm): I move the following amendments—

1 Clause 2 (Commencement)

Page 8, line 11, ', (4) and (6)'—

omit, insert—

'and (3)'.

2 Clause 2 (Commencement)

Page 8, line 13, '392 and 393'—

omit, insert—

'378 and 379'.

I table the explanatory notes to my amendments.

Tabled paper: Explanatory notes to Ms Jann Stuckey's amendments to the Body Corporate and Community Management and Other Legislation Amendment Bill [4231].

As I speak to these amendments, I would like to thank all of the LNP members for their robust and intelligent contributions. I think it is very disappointing to note that government members could not mount a decent argument in support of this bill. They blindly followed the minister, totally disregarding any sane arguments from the industry stakeholders that I listened to. It is disappointing indeed that members displayed, what I would term, prejudiced views, promoting a class divide and talking down the value of unit complex living—something that will not be forgotten out there in this great state.

Amendment No. 1 is simply to renumber amended section 27 to ensure that it is covered by commencement. It is a consequential amendment to a renumbering of clause 27 that seeks to make the submissions of the new CMSs limited to the new schemes. Feedback from the stakeholders I spoke to strongly indicated that what the government is proposing is too onerous and burdensome when a significant amount of information is already being provided. I will speak more to this point when we get to that particular clause. Again, amendment No. 2 is a consequential amendment to a future amendment that I will be proposing that seeks to reaffirm adjustments that have already been made to existing schemes.

Mr LUCAS: The honourable member is correct; these are consequential amendments. Once the Committee of the Legislative Assembly is in place, one might suggest to the honourable member that she moves those amendments in a fashion that actually brings them together en bloc per issue, because we are going to have the ridiculous situation now where, because on the vote the government's numbers prevail, the consequential amendments will be knocked off before the substantive amendment and therefore she will moving a substantive amendment which will be illogical and ludicrous in the legislation. That is how she has chosen to do it, and she is not a person who is normally easy to negotiate with. The government opposes these amendments for the reasons indicated earlier in my reply to the second reading in relation to the importance of disclosure.

Non-government amendments (Mrs Stuckey) negatived.

Clause 2, as read, agreed to.

Clauses 3 and 4, as read, agreed to.

Clause 5—

Mrs STUCKEY (2.57 pm): I move the following amendment—

3 Clause 5 (Insertion of new ss 46A and 46B)

Page 10, lines 29 and 30—

omit, insert—

'the common property.'.

This amendment deletes the reference to market values of the lots. After much consultation—and I cannot stress again just how much consultation I have engaged in in the last few months—it has become very clear to me that the insertion of the term 'market value' has no grounded meaning and will in practice fail to meet the objectives of the bill. It will almost certainly set the amendments up to fail. I am sure that the minister would not want that to happen because, whilst the minister might say it has been many years since the last set of amendments were found to have a loophole, it would be indeed a pity if an amendment bill was brought before the House again to correct this bill, once passed, because the amendments had been set up to fail.

The LNP does not support the bill based on the clear fact that, whilst its objectives might be noble—and I have to say to the minister that had these objectives in our mind been able to be met then we would not be opposing this bill—we feel that this is bad legislation and it will not achieve the

objectives. That is the reason that we have put forward amendments as well. Considerable criticism has been raised about the use of market value and whether or not its subjective definition can meet the so-called objectives of the changes, being stability. As I have just said, we do want some stability with legislation that is brought before this parliament. We do not want to see it coming back and being changed every six or 12 months, as we have seen with other legislation.

The Queensland Law Society stated—

The Society has ... expressed concern about the use of market value alone to assess lot entitlements as it, like unimproved value, will yield inequitable results as it does not fairly take into account elements of commonality of reliance on shared infrastructure, fixed costs to the body corporate or shared expenses. It appears to be quite unfair to apply a metric which would unevenly apportion contributions between identical sized lots based solely on the location of the lot within the development.

This is an argument that we on this side of the House feel very strongly about. It is quite clear that members on the other side have not quite grasped that.

This amendment seeks to maintain fairness for those people who have already spent thousands of dollars through a legal process that was introduced by Labor in 2003 to supposedly get a fairer outcome in their contribution fees. Based on the information provided by the government, it is unclear as to what the definition of market value is. No-one wants to say what it means and how it will work in practice. I would ask if the minister could advise honourable members just how this market value will be decided and who in fact will decide it.

Mr LUCAS: This is an amendment moved by the opposition, not an amendment moved by the government, so the honourable member can answer her own questions in relation to her own amendments. I would just say this: she said that people have spent thousands of dollars to get a fairer contribution. She should have actually made this point: these people have spent thousands of dollars, if that is the amount they have spent, to get a contribution whereby they pay less and other people pay more. It is not a question of people spending money to pay less and everyone else staying the same. Let us be quite clear about this.

There are winners and losers from this, and that is the crux of this. To say that it is a fairer contribution for them without actually saying that it means other people pay more is sophistry at its worst, and the honourable member should not do that. Of course, she could not resist the opportunity again to make claims about this being because of Labor amendments. That is not correct but I will not go down that path. It does nothing for the dignity of parliament in relation to these matters. The government opposes her amendment.

We believe that market value being one of the factors that you might choose as a principle is appropriate. If opposition members are opposed to that as a principle then that is their right. However, to be consistent, they then should oppose any form of taxation or rating that is based upon anything that relates to the value of the property. So they should be saying that they believe that Queensland local government rates should be the same for everybody who is on a block of the same size. If they want to say that, that is fine. If that is their philosophical view, that is fine. I am happy to have that philosophical argument and debate with you any day of the week.

Mrs STUCKEY: I thank the minister for once again putting his point of view. I am not alone in objecting to market value being included in this bill. It is quite interesting that the Attorney, who is a former lawyer himself, has ignored the views of the Queensland Law Society, which actually put in what I thought was a very balanced and very fair submission that appears to have fallen on deaf ears. The Law Society said—

... we note that the term 'market value' is not defined in either the BCCMA or the proposed amendments. Regard to a pure sale value leads to inconsistent results as on initial sale of a scheme the market value of lots fluctuates with the prevailing economic conditions and the developer's imperative. Accordingly the actual sale value of two identical lots in identical positions may be quite different and therefore lead to an unsatisfactory basis for the setting of contribution schedule entitlements.

It is interesting that this was not included in previous legislation. I find it unfathomable that the minister cannot share our point of view here because as a lawyer he certainly would understand its implications. If the government wants to proceed with the inclusion of market value in this legislation then it needs to provide us with a guarantee that using such a subjective and fluid thing as market value will indeed bring stability.

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

AYES, 33—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, Malone, Menkens, Messenger, Powell, Pratt, Robinson, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

NOES, 50—Attwood, Bligh, Boyle, Choi, Croft, Cunningham, Darling, Dick, Farmer, Finn, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, McLindon, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

Resolved in the negative.

Non-government amendment (Mrs Stuckey) negatived.

Clause 5, as read, agreed to.

Clause 6, as read, agreed to.

Clause 7—

Mrs STUCKEY (3.12 pm): I move the following amendments—

4 Clause 7 (Insertion of new ss 47A and 47B)

Page 12, after line 34—

insert—

'(7) This section does not apply in relation to a community titles scheme established before the commencement of this section.

'(8) Subsection (7) does not prevent the body corporate for a community titles scheme established before the commencement of this section changing the contribution schedule lot entitlements for the lots included in the scheme as otherwise provided under this Act.'.

5 Clause 7 (Insertion of new ss 47A and 47B)

Page 13, lines 3 to 18—

omit, insert—

'(1) This section applies to a community titles scheme established before the commencement of this section.

'(2) Also, this section applies to a community titles scheme established after the commencement of this section if—

(a) the owner of a lot included in the scheme believes an adjustment of the contribution schedule for the scheme is necessary because of a material change that has happened since the last time the contribution schedule lot entitlements for the lots included in the scheme were decided; or

(b) the owner of a lot included in the scheme believes the contribution schedule lot entitlements for the lots included in the scheme are not consistent with the deciding principle for the lot entitlements.

'(3) The owner of a lot included in a community titles scheme mentioned in subsection (1), or the owner of a lot mentioned in subsection (2)(a) or (b), may apply—'.

6 Clause 7 (Insertion of new ss 47A and 47B)

Page 14, lines 16 to 21—

omit, insert—

'(a) for a community titles scheme established before the commencement of this section—be equal, except to the extent to which it is just and equitable in the circumstances for them not to be equal; or

(b) for a community titles scheme established after the commencement of this section—be consistent with the deciding principle for the existing contribution schedule lot entitlements, and be just and equitable to the extent the deciding principle allows.'.

7 Clause 7 (Insertion of new ss 47A and 47B)

Page 14, line 33, after 'entitlements'—

insert—

'for the lots included in a community titles scheme established after the commencement of this section'.

These amendments deal with the adjustment of contribution schedule by resolution without dissent. This is a particularly contentious aspect of this bill and it would certainly seem to be anything but fair if one looks at how this takes place compared to the way the other process was undertaken. The thrust of these amendments is to ensure that existing schemes are not affected by the changes being proposed by the government. It is completely unfair to expect unit owners who have already followed the rules implicitly, acted within the legislation passed by the Labor government in 2003, had their adjustments and spent significant amounts of money achieving those adjustments to have the rug pulled out from under them, and that is in effect what this bill is doing. It is very clear to me just how embarrassed members opposite are about the content of that legislation in 2003. I hope they are not only embarrassed but also ashamed to think of the costs that they are about to impose on not 120 different lots but some 350 lot entitlements, according to the Community Titles Institute Queensland.

The proposed changes that are put forward by this government could have the negative effect of destroying hard-fought adjustments—which I imagine is its intent—by low- and no-income unit owners in complexes and, as such, these amendments ensure that existing schemes are not subjected to the grossly unfair retrospective and arbitrary resolution amendment. I do not think there are too many members in this House who would say that retrospective legislation is good legislation. It is to be avoided where possible, and in this case it is going back for many years.

I ask the minister to consider these amendments in the context of objectives of the bill. If he would merely look at what this bill hopes to achieve, then surely this clause could be amended in a different way. I am sure the minister does not intend to punish people for following the legal process that his government implemented, but it certainly would look that way if these amendments are not adopted. How can Queenslanders trust that any bill that this government introduces and has passed will not be reverted, as I have said before, at its political whim in order to claw back a few disgruntled voters? The UOAQ raised concerns directly from the bill's explanatory notes that highlight the unfairness of this bill—not only the bill's unfairness but also the breaches of things that I thought we valued, and they are fundamental legislative principles.

The explanatory notes say that the ability to seek a specialist adjudicator or QCAT order to adjust contribution schedule lot entitlements will be removed for schemes established prior to the commencement of the bill. Providing lot owners with the right to seek adjustment was indeed the purpose of the provisions in the 2003 amendments now to be removed; they were such a critical part of the 2003 legislation and endorsed so wholeheartedly by Labor members—some who are still here. This is just an amazing summersault by so many who do not even have the intestinal fortitude to admit that they supported the legislation. In one of his numerous inane interjections yesterday, the minister said that 2003 was a long time ago. Why will the minister not admit that the honourable member for Southport is the driving force behind this, lobbying since 2008, as he has many units in his electorate?

The Queensland Law Society has raised concerns that the net effect of the proposed amendments is to create a two-tiered system of bodies corporate. Those who are established after the commencement will have their contribution schedule lot entitlements governed by a miasma of principles and arrangements and will never be able to have them adjusted unless there is a material change of the body corporate or there is complete unanimity amongst the body corporate. Those established after commencement will be drawn according to the new principles and will be in a far easier position to seek periodic adjustment. We anticipate that this will act as a disincentive to buyers from purchasing in older bodies corporate which have entrenched arrangements that are unfair between the lot owners. Knowing that all costs must be borne by the body corporate, which will further put pressure on each unit owner in their fees, I really wonder how the minister is able to allow these pressures to be passed on to unit owners who are already disadvantaged by Labor's scheme. Given that for this provision to take effect it would require unanimous agreement, I really cannot see how the minister expects this to work in reality, because who on earth would want to vote to increase how much they have to pay? It is going to be very interesting to see how the government intends to deal with the issue that its changes will create with this two-tiered body corporate system, or perhaps the minister does not really care.

Mr LUCAS: It would be really nice to actually debate someone in this chamber who thought they might be a parliamentarian or a legislator rather than the low-grade Peter Reith style of behaviour we see opposite, traducing people, verballing people. I said at the beginning—

Mrs STUCKEY: I rise to a point of order. I find the minister's language offensive and I ask him to withdraw.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Minister, it would assist the debate if you would withdraw.

Mr LUCAS: Yes, Mr Deputy Speaker; I withdraw. I indicated prior that people are not interested in the origin of this, but I will make it clear: the ability to reopen a transaction happened as a result of the 1997 amendments. That is what allowed a tribunal to do it. If they were not made, it would not have happened. Those amendments went through this parliament with both sides supporting them—as did the later amendments—so I am not going to get into this rubbish that the honourable member wants to perpetrate that does her no credit and does her party no credit, rather than acknowledging that there is an issue that we need to resolve as a parliament. It does nothing for the standing of this institution for the honourable member to do that.

The member says that this legislation is going to make some people pay more. Yes, some people will pay more—invariably those people who exploited a loophole in the legislation to do so. Some people will pay less. Of course, the member did not mention that because that does not suit her purpose. I am prepared to acknowledge that. The honourable member is not, because that is not how she conducts herself. Will the costs involved in the changes be passed on? Yes, of course. But the loophole allowed those who had the higher capacity to pay to pass on reductions in their payments to other people who had a lesser capacity to pay. That was the necessary effect.

Then, of course, we heard the great conspiracy theory that the member for Southport has his fingerprints all over this legislation. Wacky do! He was the minister. He moved it. He had carriage of it through cabinet. That is right. Of course he has. Of course he has copped that and there is nothing that I think would be particularly peculiar about that.

Let me make it very clear: this legislation is about returning to the situation that existed prior to people exploiting loopholes in the law. That is what the legislation allowed. This legislation is reverting to the original situation. What is the point of having a debate in a body corporate? We know that a number of bodies corporate have had a very acrimonious debate about this issue post the legislation. What is the point of having the acrimonious debate when it is about defending a principle?

In relation to the Law Society or, indeed, the honourable member talking about two-tiered systems, we always know that there are many legislative changes that are grandfathered or allow for two different situations depending on the different circumstances that apply at the time. To pretend that we do not is sheer bunkum. Obviously one might argue about what they are and whether they are justifiable, but for the honourable member to come in here and suggest that that is something unusual and the Law Society is shocked about some grandfathered system or a system that has two different applications is ridiculous. One might argue the merit of that—that is fine—but do not engage in wasting the time of this House with the sort of rubbish that you are going on with.

Mrs STUCKEY: It would appear that I have rattled the cage one time too many, but I will proceed anyway, because I am representing a lot of industry stakeholders. Unlike the government, we listened to those people and we are determined not to turn this debate into the social divide that those opposite seem determined to do. It is totally devoid of any evidence.

I would like to set the record straight. The 1997 legislation allowed a District Court only to be considered. Perhaps the minister could clarify his own advisers' view of the 1997 legislation, because at the time it was termed landmark legislation that received worldwide recognition. So before the minister criticises legislation that really set a benchmark for bodies corporate within an act, perhaps he should read it again.

Much has been said about the 2003 legislation. At that time the amendments brought by Labor, which it really feels very uncomfortable about, allowed a tribunal to make some of these decisions. So rather than try to wriggle out of this one, I suggest the minister re-read the legislation.

Additionally, clause 7, which is so heinous to so many people, requires bodies corporate to lodge a request to record a new community management statement following adjustments, as outlined in these clauses, as quickly as practicable. The Australian College of Community Association Lawyers—yet another group—in its submission stated that the college suggests that, for the sake of consistency, the BCCM Act and the amendment bill be amended to provide that in all the circumstances where a lot entitlement schedule is to be adjusted it must be recorded within three months after the relevant event. Surely the minister could consider this request, because the time frame of 'as soon as practicable' is going to be enforced. It is vague and it is open to interpretation. Given that there is a maximum penalty of 100 penalty units involved for breaching this provision, surely some consideration could be given to this college's suggestion.

Mr LUCAS: I find it very amusing that a number of legal groups would have problems with definitions such as 'reasonably practicable', or 'market value' or, indeed, the great definition 'reasonable'. Lawyers operate and thrive on those terms. That is how the legal system operates to provide appropriate flexibility. What a joke.

Division: Question put—That the member for Currumbin's amendments be agreed to.

AYES, 33—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, Malone, Menkens, Messenger, Powell, Pratt, Robinson, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

NOES, 50—Attwood, Bligh, Boyle, Choi, Croft, Cunningham, Darling, Dick, Farmer, Finn, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, McLindon, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

Resolved in the negative.

Non-government amendments (Mrs Stuckey) negatived.

Clause 7, as read, agreed to.

Clauses 8 to 10, as read, agreed to.

Clauses 11 and 12—

Mrs STUCKEY (3.31 pm): I seek leave to move the following amendments en bloc.

Leave granted.

Mrs STUCKEY: I move the following amendments—

8 Clause 11 (Amendment of s 51 (Limited adjustment of lot entitlement schedule—after formal acquisition of part of scheme land))

Page 17, lines 26 to 30 and page 18, lines 1 to 6—

omit, insert—

'(2A) Any required changes set out in the lot entitlement adjustment advice must—

(a) for a community titles scheme established before the commencement of this subsection—be just and equitable; or

(b) for a community titles scheme established after the commencement of this subsection—be consistent with the deciding principle for the lot entitlements, and be just and equitable to the extent the deciding principle allows.'.'.

9 Clause 12 (Insertion of new ss 51A–51C)

Page 19, lines 5 to 15—

omit, insert—

'(3) Any required changes set out in the lot entitlement adjustment advice must—

(a) for a community titles scheme established before the commencement of this subsection—be just and equitable; or

(b) for a community titles scheme established after the commencement of this subsection—be consistent with the deciding principle for the lot entitlements, and be just and equitable to the extent the deciding principle allows.'.

10 Clause 12 (Insertion of new ss 51A–51C)

Page 20, lines 7 to 14—

omit, insert—

'(i) for the contribution schedule lot entitlements for the lots included in a community titles scheme established before the commencement of this section—equally, except to the extent to which it is just and equitable in the circumstances for the individual lot entitlements not to be equal; or

(ii) for the interest schedule lot entitlements for the lots included in a community titles scheme established before the commencement of this section—according to the respective market values of the post-subdivision lots, except to the extent to which it is just and equitable in the circumstances for the individual lot entitlements not to reflect the respective market values of the lots; or

(iii) for a community titles scheme established after the commencement of this section—consistently with the deciding principle for the lot entitlement; and'.

These amendments to clauses 11 and 12—the three amendments that I am moving en bloc—each have the same objective. The opposition is of the same opinion as the Queensland Law Society, the Community Titles Institute Queensland, the Unit Owners Association of Queensland and others that this bill will not achieve its stated objectives and will in fact have the reverse effect of making the system wholly unfair and inequitable.

Each of these amendments seeks to protect existing schemes—that is, those people who have already gone through lengthy legal processes to seek adjustments and were successful. This legislation will affect many people in this state. Under these laws they will not be protected from retrospectivity. It is a dangerous imposition of a new proposal on existing schemes. I note that while this system has been operating here in Queensland it has worked successfully for a number of years for the majority of the 300,000-plus unit owners. It would seem that the government is intent on imposing a new way of setting entitlements to appease a small number at the expense of the majority, if not the huge bulk of unit owners, all to shore up a few votes in the former minister's electorate. We are talking here about more than 39,000 community titles schemes across Queensland, comprising over 364,000 lots, potentially affecting close to 900,000 people. There are more people living in units now than there were in 2003. That is why I have moved those amendments.

Mr LUCAS: The actions that the honourable member refers to are people relying on a loophole in the legislation identified by a court case. It is not a question of them going out and acquiring something, it is a question of people relying on a loophole which had the necessary effect—or else they would not have sought to do it—of reducing what they paid. The other effect of reducing what they paid is an increase to what someone else paid when that other person did nothing at all in their conduct or otherwise to warrant an increase in what they paid. That is the crux of the matter. The member thinks that is justifiable and we think that it is not. To suggest that it has not been a problem for the hundreds of thousands of people out there in schemes and therefore we do not need to change it does not take into account the fact that they have not been subject to applications. If they had been subject to applications we would have mass protests in the street. I would suggest that the vast majority of people think it is not fair that they have a go at their co-tenants, that if there is a relatively more expensive unit that they live in on the top floor that they think as a matter of equity and good conscience they would not seek to reduce what they pay at the expense of—I will say that again—at the expense of—and a third time—at the expense of other people in the block of units. We oppose the amendments.

Non-government amendments (Ms Stuckey) negatived.

Clauses 11 and 12, as read, agreed to.

Clauses 13 and 14, as read, agreed to.

Clause 15—

Mrs STUCKEY (3.36 pm): I move the following amendments—

11 Clause 15 (Amendment of s 66 (Requirements for community management statement))

Page 22, line 19 and page 23, line 4, 'or an adjusted scheme'—

omit.

12 Clause 15 (Amendment of s 66 (Requirements for community management statement))

Page 23, lines 28 to 32 and page 24, lines 1 to 13—

omit.

These amendments follow the guiding principle of the amendments and that is to protect existing unit owners from the changes being proposed under the legislation. Only new entitlements schemes will be covered by the changes put forward by the government. Amendment 12 is consequential to amendment 11 to protect the existing schemes and those already adjusted. Only new entitlements schemes will be covered by the changes put forward by the government. I really cannot see why the minister has an issue with that. We are going to close the loophole so that people do not operate under that, but we are going to allow the people who went through the legal system and paid their money—not all were successful in getting these applications approved—to stay in that situation unless, of course,

there is a challenge. These two amendments seek to remove the new requirements on the existing schemes. It really is beyond belief that the government would seek to change the goalposts now on those that are already in existence. Despite what the minister said, I do not think people have these evil thoughts about being able to get it cheaper. A lot of people would have thought that the entitlements were not fairly balanced in the first place. I would imagine there are a number that were not.

As I said before, there was a great concern that any number of pieces of legislation that have been debated here in this House will suddenly see a backflip from this government. How on earth can we consider what is before us fair when people bought into schemes knowing what to expect only to now have that reversed and changed. These are people who bought post 2003. I do not think someone buying an apartment would actually ask if an adjustment had been done on it. I know I would not have thought to find out if the property I owned had ever had an adjustment done on it. I do not believe it is something that the average person would do either. How can the government justify this to those who bought in with set expectations only to have them changed?

There is a whole block that I know of amongst a number of others, this one though happens to be a block of about 120 on the Gold Coast, where people are very upset because they changed their contribution schedules by consensus and then they had it ratified by the court and now the minister is saying under this legislation that one person—I repeat, one person—can reverse these legal decisions. Where is the fairness in this? I am disappointed that we have not seen how many stakeholders sought this change and we have not seen the content of these submissions because the government did not even seek a waiver so they could be disclosed. I do not understand why the minister will not divulge who put these submissions in and how many people were for this legislation and how many were against.

There was not even a list of those who were consulted, although the minister has supplied me with the names of a couple of stakeholders, including the Property Council. The bottom line is that we believe contracts already entered into should be allowed to continue through to completion under the existing system that is in place. Should we allow the government's amendments, we would be moving the goalposts. As we all know, in a game of footy that is pretty unfair. Buyers and sellers have entered into contracts that have cost up to $20,000, acting on advice from legal counsel and other parties as to their rights and responsibilities. If this clause is allowed to pass, those people would face additional costs. I place on record the LNP's opposition to the clause as it stands, which is why I have moved amendments to omit reference to existing schemes.

Mr LUCAS: The fundamental issue is that this closes a loophole. There was a loophole that people exploited. The honourable member suggests that people may have done that but not so that they would pay less in outgoings. She suggests that they might have thought the scheme was unfair but were not motivated by paying less in outgoings. According to the honourable member, they said, 'Gee, I am in this community titles scheme that I think is really unfair. I will go off to the tribunal and seek an order because I think it is unfair. I do not care whether I pay any more or less money on it.' I do not think I need to say any more about that. People can take that for the illogical argument that it is.

People exploited a loophole in the law to pay less and others necessarily had to pay more. It is one thing to do something to alter your position and not want the law to change back. I understand that point. In fact, some people would have bought high-value places subsequent to a change and I do have some sympathy for them. However, the people for whom we should have overwhelming sympathy are those who bought in and did nothing other than have an application brought against them—for want of a better term—and have had to pay more, although they did nothing wrong. We are seeking a correction for those people. If someone bought after an amendment to the equality principle, they cannot use the automatic reversion right because they bought with an understanding of the new rules. The people who can seek the automatic reversion right are those who had to pay more after others exploited a loophole in the law so that they could pay less.

Mr Schwarten: It is learning to swim by standing on somebody else's shoulders.

Mrs STUCKEY: That was a piece of wisdom from the honourable member for Rockhampton! I take that interjection, because that is a piece of wisdom from somebody who would know. It amazes me that the—

Mr Schwarten interjected.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Member for Rockhampton, if you wish to interject return to your seat.

Mrs STUCKEY: The Attorney-General seems very set on this course, but he has failed to show us any evidence. We hear constantly about this loophole. The loophole was allowed by the 2003 amendments. Unfortunately, the poor people who went down the path of applying for an adjustment did not realise that it was a loophole. Now they find the government reversing, backflipping and somersaulting on a decision that it made to its detriment. Surely the fairest thing would be to allow those people with existing schemes to maintain them, unless of course there is a challenge, as is available through the current legislation.

The LNP fully supports the government amendments relating to future cases. However, it is very difficult to support this bill because of the awful detriment it represents for those people who innocently and properly, and with their own money, followed the rules of a law of the government's own making. As I said earlier, if this was such a gaping loophole why did it take eight years to close? The question is: how will the government compensate those people who have already spent good money going through the process?

Mr Lucas: They have had a reduction in their outgoings at the expense of fellow owners.

Mr DEPUTY SPEAKER: Order! Minister, you will have an opportunity to respond in three minutes.

Mrs STUCKEY: The minister fails to see that we on this side of the House are genuinely concerned, which is why I have introduced these amendments. Unlike the government, we have consulted. We have an evidence base. It really disappoints me that there is no room for any movement on any of these amendments in any way that would show that the minister cares a tuppence about the imposition that he is about to place on another group of people, such is his social divide.

Mr LUCAS: In relation to compensation, I say this: we are talking about a group of people who exploited a loophole in the law. They have done nothing but exploit a loophole in the law so that, in many cases, they could pay tens of thousands of dollars less—in most cases the sum is not that great, but in many cases they were able to pay tens of thousands of dollars less—at the expense or subsidy of their fellow unit owners. I would have thought that was not bad compensation to get along the way.

Mr LAWLOR: I oppose the amendment proposed by the member for Currumbin, the shadow minister. She is proposing that her amendment be prospective, which ignores the fact that the present scheme would apply to some 360,000 unit owners. All of those people would have those sorts of applications hanging over their heads. I know several people who think the existing system is completely unfair. For instance, I know of someone who lives in Main Beach Tower and someone else who lives in Aqua. Such people have gone to the extent of taking up petitions opposing applications, made by penthouse owners and owners of more expensive units, that will disadvantage the great majority of unit owners.

In a building of 100 units, these types of applications would benefit probably about 10 per cent, about 30 per cent of residents would not care one way or the other and about 60 per cent would be disadvantaged, some of them severely disadvantaged. The member for Currumbin's amendment, which will make the proposal prospective, will not remove the threat that those people have hanging over their heads. That does not even take into account the 120-odd schemes for which an adjustment order has already been made. The honourable member's amendment defeats the purpose of the bill, which is to give protection to unit owners, particularly those who own lower priced units.

Mrs STUCKEY: I think what beggars belief—and I thank the member for Southport for his contribution—

Mr Schwarten: It's his legislation if you didn't know it.

Mrs STUCKEY: I also take that interjection so that the Attorney can no longer say that I do not take interjections.

Mr Lucas: One swallow does not a summer make.

Mrs STUCKEY: However, I did take some interjections last sitting and the Attorney missed them. He is a bit behind the bean.

I would like to speak to the honourable member for Southport. What really beggars belief here is that the honourable member says that petitions and comments were gathered from all of these disgruntled people, yet his own government will not make the submissions from these people who are upset available to anybody else. How do we know that this number is so great? Any number of disadvantage is to be discouraged. As the Attorney and I have both concurred, this bill is complex and there will be winners and losers. The Attorney-General has already acknowledged that. For him to come to the parliament with a bill and no supporting evidence at all for this argument because he will not show and tell is absolutely appalling. Of course it raises suspicions and of course it makes us wonder. On the other hand, I received about 100 comments on this and 80 per cent of those were from people who were against this.

Mr Finn: Table them.

Mrs STUCKEY: They were private correspondents. I would be more than happy to do that with the people's permission. This is lacking evidence. These are government members who are blindly following without a solid argument and with no consideration given to some 350 lot entitlements. The figures do not even stack up. We have not been given accurate data, as occurs with so many matters across other departments. Forgive me for being doubtful, but I do like to see some evidence on which to base my argument, and the evidence that I have suggests that this bill does not have enough for the LNP to support it.

Mr LUCAS: I make this one point: the honourable member recognised that a number of letters that she received were private correspondence and in the absence of permission from those people she could not provide them. In the absence of a clear awareness that those documents could potentially be made public, people who made submissions to the government should not be exposed by their submissions being released. If the honourable member wants to make an appropriate RTI request, have a privacy ruler put over them and all that sort of stuff in which people are asked whether they consent to their material coming out, then that is the way in which she should do it. On the matter of submissions, the government is in the same position as she for precisely the same reason: in the absence of it being made clear to the people when they make the submission that it will be put on the public record, we will not make those available.

Non-government amendments (Mrs Stuckey) negatived.

Clause 15, as read, agreed to.

Clause 16, as read, agreed to.

Clause 17—

Mrs STUCKEY (3.53 pm): The minister's last comments were twisting the situation a little. I was very happy to be honest about the private letters I received. That is very different to submissions to a government review. The government chose—

Mr Lucas: But not unless you tell them.

Mrs STUCKEY: The Attorney will have his turn. The government chose to not seek a waiver and yet in relation to subjects far more sensitive, such as altruistic surrogacy for example, those people's names were listed. The question is not whether or not it is private; the question, which I asked previously, was why a waiver was not given over the submission.

Clause 17 inserts new provisions to deal directly with specified two-lot schemes. The explanatory notes to the coalition's 1997 bill, which has been the subject of a little discussion, under Mr Hobbs as the minister, state—

... Small Schemes and will only be available for community title schemes which have six or less lots. It sets up very deregulated management processes which encourage the owners to self manage. There is no body corporate committee and decisions are made by the owners meeting informally.

I requested advice from the department and the former minister at the start of the year. I once again thank the former minister for allowing his staff to give me a briefing on 31 January.

Mr Lawlor: My pleasure.

Mrs STUCKEY: Thank you. I requested advice from the department and the former minister as to how this new specified two-lot scheme differs from the original small schemes module that was introduced in the landmark 1997 legislation. At the time the minister failed to address this in his correspondence. This was a fair question from me. I am very disappointed that I did not receive a reply because, in preparation for debate on this bill, I genuinely wanted to know the difference between the scheme that existed then and this current two-lot scheme. I would be very pleased if the minister would furnish me with a reply now. I would also be keen to know, if the minister is able to tell me, how much consultation was undertaken to represent some 12,000 two-lot schemes that would fall under these new provisions. The explanatory notes mention that a comprehensive review of regulations took place under the BCCM Act during 2006-07. How many two-lot schemes expressed concerns about the current scheme that led to this change?

Mr LUCAS: I do not think the honourable member's question is unreasonable. I will provide information insofar as I am advised at this point, although I would have preferred to be able to respond in more detail to the honourable member's question. It is not a criticism of the honourable member.

Amendments to the act will also be made to provide a simpler financial framework for bodies corporate. A two-lot scheme to which a specified two-lot-scheme module applies will no longer be required to maintain an administrative or sinking fund. Instead, lot owners may fund body corporate expenses in a way agreed between the owners.

The amendments to the act will also adopt a more practical approach to enforcing contraventions of by-laws for a scheme regulated by the specified two-lot-schemes module. Instead of requiring the body corporate to issue a contravention notice, for example, which for two-lot schemes requires the two owners to agree to issue the notice, an owner could give the owner or occupier of the other lot a written notice of a contravention of the by-laws. This provision provides a more effective and practical way to enforce by-laws and schemes which contain only two lots. If the honourable member requires a clause-by-clause explanation of itemised comparisons between this and the previous legislation, that is not something that I have in front of me at this point.

The honourable member earlier spoke of an issue relating to privacy. The simple point is this: if you collect data for a particular purpose and you tell people that it is going to be made public, that is fine. Then you are in a position to make it public on that basis. My understanding is that this was not necessarily the case and, therefore, that is the problem. Having said that, I want to comment on privacy. Of course, we saw the other day that on three occasions people who signed up for the Brisbane Lord Mayor's email notification service have received emails informing them that it has gone to the LNP. I wonder what the Privacy Act says about that. So the member opposite should not lecture us about privacy. Disgrace!

Mrs STUCKEY: I thought we were going so well there for a minute, too. I think the minister was almost about to offer to take my questions on notice to give me some more detail about the two-lot schemes. If he is willing to do that, I am genuinely interested to see those differences and to get the answers to the questions I have asked.

In relation to the other part of this clause, I had some correspondence from the UOAQ, the Unit Owners Association, raising concerns with the classification of building codes. The Building Code of Australia, the BCA, classifies buildings and structures according to the purpose for which they are designed, constructed and adapted to be used. The classification system determines the safety, health, amenity and sustainability requirements for these buildings. The UOAQ states—

Following the logic of the BCA derivation of building classification and use, the BCCM Bill 2010 definition of 'residential lot' cannot apply because residential is a long-term dwelling and accommodation is a short-term or transient and the two are not interchangeable unless they comply with the higher BCA building classification.

Would the minister explain how this conflict will not be of detriment to residents in buildings affected by the BCCM Act?

Mr LUCAS: I cannot comment on a document that the honourable member is reading from that I have not seen. If the honourable member wants to provide it to me, I will respond to it.

Mrs STUCKEY: The document I am referring to is the Building Code of Australia. It was correspondence that I was asked about. Perhaps staff in his department will be able to respond to that. The President of the ARQRV, Les Armstrong, also raised some concerns about the proposed specified two-lot-schemes module with regard to its application in retirement villages. This respected gentleman said that, while the body he represents supports in principle any simplification of the complex array of regulations that a prospective resident must consider before entering a village, there is some concern that the proposed simplification will be limited to two-lot schemes. He says—

Retirement villages, freehold or otherwise, are often developed in stages, with groups of units constructed and sold at discrete intervals. In a freehold retirement village, this can lead to a situation where there is a separate community titles scheme established for each stage in the village's construction. This can lead to some villages having a number of different community titles schemes, with the number of lots in each scheme varying from two up to 20. In such villages it could potentially cause inequalities if those residents in units forming part of a two-lot scheme were subject to different rules to residents in units that form part of a scheme with three or more units.

The ARQRV submits that, given the unique nature of retirement villages as compared to other community titles schemes, there should be a separate retirement village scheme module. This would allow for more consistency between the financial management requirements of the BCCM Act and the requirements of the Retirement Villages Act. He believes that the current discrepancies between the rules applicable under each act are a source of significant confusion for residents and scheme operators and the like, particularly for villages where the communal facilities are located both on the common property of the community titles scheme and on land owned by the village operator so that the financial management of those facilities must be split between the differing requirements of the BCCM Act and the Retirement Villages Act.

I would ask respectfully if the minister would give this very respected industry representative fair consideration, because, after all, we are talking about people on low incomes here for the main part in a lot of these retirement villages.

Mr LUCAS: I thank the honourable member for the question. For starters, there is specific legislation that applies to retirement villages. So I make that point, and the government acknowledges that. In the process of developing the regulations for the module in relation to the two-lot schemes, of course the government would be prepared and happy to speak with the association. We think it is appropriate that we deal with them. Maybe there are, but I cannot think of any retirement villages that I know of that have two-lot schemes. It would be an incredibly inefficient way to run the retirement village. You would have a layered system with all of these two-lot schemes around the place. I think that is drawing a bit of a longbow. Having said that, I do not have a problem with us talking about it.

The fact that there is more streamlining in relation to the two-unit scheme does not reflect how they then relate to the principal layered scheme, surely. In any event, the fact that it is more efficient for them does not penalise other people, I would have thought. Having said that, I am more that happy to consult with them as appropriate in relation to this. I have no problem with that whatsoever.

Clause 17, as read, agreed to.

Clauses 18 to 26, as read, agreed to.

Clause 27—

Mrs STUCKEY (4.05 pm): I move the following amendments—

13 Clause 27 (Amendment of s 206 (Information to be given by seller to buyer))

Page 37, lines 31 and 32—

omit.

14 Clause 27 (Amendment of s 206 (Information to be given by seller to buyer))

Page 38, line 1, '(4)'—

omit, insert—

'(3)'.

15 Clause 27 (Amendment of s 206 (Information to be given by seller to buyer))

Page 38, lines 9 to 14—

omit.

The next three amendments deal with the information to be given by the seller to the buyer. Based on the information required in new section 206B it is not necessary to provide the full community management statement, and that requirement is being deleted by amendment No. 13. Amendments Nos 14 and 15 follow on from the removal of the need to provide the buyer with the full community management statement.

During our consultation with key stakeholders it became apparent that it was too onerous and unrealistic to expect sellers to have to supply the whole community management statement as well as all of the requirements in clause 27(2). These documents are 60-plus pages. Locating the complete community management statement for some of these older existing unit lots would be almost impossible. As such, this amendment is designed to remove that burden on existing units. We feel that the requirements in 27(2) are sufficient. My office has received numerous complaints, as I have told honourable members. One of them even goes so far as to say that Sydney is a far more attractive place to retire in a unit than anywhere in Queensland because of the uncertainty that these changes being proposed will have and the overall cost of living in Queensland now rating as the worst in the country.

Mr Lucas: On what basis do you make that claim?

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Please. The member for Currumbin has the call.

Mrs STUCKEY: The Australian College of Community Association Lawyers suggests that this requirement be removed from section 206 because of the costs involved. This will involve the seller of a lot incurring additional costs in obtaining a copy of the community management statement to be given to the buyer of the lot. It is normal conveyancing practice for the buyer to obtain a copy of the community management statement as part of the usual conveyancing process. So the new provision will lead to a doubling-up of searches. That is what the Australian College of Community Association Lawyers says.

However, it has been estimated by the Community Titles Institute of Queensland—who put in a very detailed submission, I might add—that, based on current figures on sale of lots, the total cost to sellers of lots in respect of the amendments is proposed to be $3.18 million per annum. This is also expected to increase legal fees through conveyancing costs state-wide by approximately 19 per cent. As I have already stated, this clause deals with providing information by the seller to the buyer. I really wonder how the minister is going to monitor this. That is of great concern and one of the reasons we have moved this amendment. If, indeed, this is going to make buying a unit in Queensland unattractive, are we really happy to be incurring these high estimated costs? We on this side of the House are not prepared to allow already struggling Queenslanders to incur more costs.

Mr LUCAS: What a load of tripe. It is ridiculous to suggest that this would lead to that sort of an increase in fees for people. I am told that the average community management statement is about six to 10 pages.

I will tell you what happens in conveyancing. It is something I know a little bit about and I have probably done a bit more than you. What usually happens is that your clients turn up and have a contract and stick it in front of you, and then you are faced with the situation of dealing with it. It is actually a bit better if they have the material before them before they sign the contract. There is no doubt that an association of lawyers might prefer to have it afterwards so it is harder to deal with a contract in that regard.

I say to you that it would be great in life if people did all their searches before they signed contracts; we encourage people to have that information before them by that time. If someone is saying that that is going to increase the cost of their conveyancing by 19 per cent, they are going to the wrong lawyer and they ought to go to someone else because that lawyer is having a lend of them. How in providing a document of six to 10 pages—

Mrs Stuckey: It is 60.

Mr LUCAS: I am told it is six to 10 but, even if it were 60, you photocopy it. It is not a big thing. Do you know what lawyers used to call the photocopier? The silent partner. That was in the old days when they used to have a lend of people about it.

I just say this to people: this is ridiculous. One of the best consumer mechanisms is providing information to people upfront so then they cannot indicate that they were not aware of it. How often have we seen in our flood situation, for example, that people were not aware of what they were covered for when they took out things in good faith. I am at a loss to understand why you would not want to do it. All it does is encourage arguments or disputes later on.

Non-government amendments (Mrs Stuckey) negatived.

Clause 27, as read, agreed to.

Clause 28—

Mrs STUCKEY (4.12 pm): I have circulated amendment No. 16 which seeks to omit this clause. This amendment follows on as the overall removal of the requirement of the need to provide a seller the full community management statement. The community management statement can be anything from 50 to 100 pages long and this is a huge amount of paper to fax. I hear the comments from the Attorney: 'We just fax 50 or 100 pages.' Well, a lot of businesses have carbon issues and they would actually like to reduce their footprint and reduce the amount of paper. Some of them are actually paper free. So the fewer pages in a document for some of these, the better. When we add to this the contract for sale, the legislation does place a cumbersome task on people. All we are saying is that surely the minister could simplify this process. We talk a lot about cutting red tape and trying to reduce things that are time consuming, and I am sure this could be considered if the minister was willing.

In a nutshell, this new section is proposing that a seller must give a buyer a copy of the updated CMS within 14 days after it is recorded or the buyer may have grounds to terminate the sale contract. This does appear to be giving potential buyers a whimsical reason for which to terminate a contract. The Queensland Law Society has advised that there is anecdotal evidence to suggest that buyers rarely read this information anyway, which is a view probably supported by some people in this House.

When I was looking at this amendment, I really wondered why the minister would be introducing such onerous provisions here. Perhaps there has been an overwhelming number of cases where potential buyers have been materially prejudiced. If there are, it would be nice to know that.

Mr DEPUTY SPEAKER: Deputy Premier, do you have anything to add?

Mr LUCAS: No.

Mr DEPUTY SPEAKER: I call the member for Currumbin.

Mrs STUCKEY: In addition, the seller may have trouble finding their community management statement and might innocently hand over what they have on hand. If it is not current, no-one is any the wiser but the buyer can terminate the contract if they have some legal advice or look at it themselves. On the other hand, they might not realise it is out of date and therefore an invalid document. Surely the minister has an obligation to provide better consumer protection.

The issue here was also raised by the Queensland Law Society in its submission to the Scrutiny of Legislation Committee when it stated—

There is no statutory obligation on a body corporate following the recording of a CMS to provide a copy of the CMS to all lot owners. This proposed section imposes new obligations and liabilities on the average seller who is unlikely to know when a CMS is recorded and is unable to require the body corporate to inform him or her.

I really do not feel that this is going to take away from the other provisions in this bill. I would urge the minister to at least consider it.

Mr LUCAS: How could you possibly suggest that a mechanism that provides someone with the requirement to provide the most recent CMS is an anticonsumer protection mechanism? I have heard some bizarre claims in my time but you are suggesting that providing someone with the most current and accurate document is anticonsumer protection. The seller certainly has rights and the seller also has obligations in relation to a contract. The buyer has rights and the buyer surely has an entitlement to be advised if there is a material change in the matter that they should be made aware of. I really am at a loss to understand why you would not want to make sure that the people who are the parties to it, the purchaser, have that information available to them.

Clause 28, as read, agreed to.

Clause 29—

Mrs STUCKEY (4.17 pm): I have circulated amendment No. 17 which seeks to omit this clause. This is a consequential amendment to my previous amendment, since we were seeking to remove the requirement to supply the full CMS for existing unit schemes. I am not sure that the Attorney and minister actually heard me properly. We were saying that of course we need to supply documentation but to have to supply the full CMS we found too onerous. That is all I want to say about that one.

Clause 29, as read, agreed to.

Clauses 30 to 40, as read, agreed to.

Clause 41—

Mrs STUCKEY (4.18 pm): I move the following amendments—

18 Clause 41 (Insertion of new ch 8, pt 9)

Page 47, lines 1 to 24, page 48, lines 1 to 31, page 49, lines 1 to 33, page 50, lines 1 to 29, page 51, lines 1 to 33, page 52, lines 1 to 29, page 53, lines 1 to 34, page 54, lines 1 to 31, page 55, lines 1 to 35, page 56, lines 1 to 34, page 57, lines 1 to 31, page 58, lines 1 to 34, page 59, lines 1 to 32, page 60, lines 1 to 35, page 61, lines 1 to 33, page 62, lines 1 to 35 and page 63, lines 1 to 19—

omit, insert—

'Part 9 Transitional provisions for Body Corporate and Community Management and Other Legislation Amendment Act 2011

'374 Definition for pt 9

'In this part—

commencement means commencement of this section.

'375 Contribution schedules for particular schemes

'(1) This section applies to a community titles scheme established after the commencement if a contract for the sale of a lot intended to come into existence as a lot included in the scheme was entered into before the commencement.

'(2) Section 46(7) does not apply in relation to the contribution schedule for the community titles scheme.

'(3) The respective contribution schedule lot entitlements for the scheme must be equal, except to the extent to which it is just and equitable in the circumstances for them not to be equal.

'(4) In deciding the contribution schedule lot entitlements for the community titles scheme, regard must be had to—

(a) how the scheme is structured; and

(b) the nature, features and characteristics of the lots included in the scheme; and

(c) the purposes for which the lots are used.

Examples for subsection (4) of circumstances in which it may be just and equitable for contribution schedule lot entitlements not to be equal—

- a layered arrangement of community titles schemes, the lots of which have different uses (including, for example, car parking, commercial, hotel and residential uses) and different requirements for public access, maintenance or insurance
- a commercial community titles scheme in which the owner of 1 lot uses a larger volume of water or conducts a more dangerous or a higher risk industry than the owners of the other lots

'376 Interest schedules for particular schemes

'(1) This section applies to a community titles scheme established after the commencement if a contract for the sale of a lot intended to come into existence as a lot included in the scheme was entered into before the commencement.

'(2) Section 46(8) does not apply in relation to the interest schedule for the community titles scheme.

'(3) In deciding the interest schedule lot entitlements for the community titles scheme, regard must be had to—

(a) how the scheme is structured; and

(b) the nature, features and characteristics of the lots included in the scheme; and

(c) the purposes for which the lots are used.

'(4) Despite subsection (2), section 48(5) applies to an order of a specialist adjudicator or QCAT to adjust the interest schedule for the community titles scheme.

'377 Adjustments of contribution schedules for existing schemes

'(1) This section applies if—

(a) an owner of a lot in a community titles scheme established before the commencement has applied for an order of a specialist adjudicator or QCAT under section 48 as in force before the commencement; and

(b) the specialist adjudicator or QCAT has not decided the application.

'(2) The application must be decided under section 48 as in force before the commencement as if the *Body Corporate and Community Management and Other Legislation Amendment Act 2011* had not been enacted.

'(3) For subsection (2), sections 48 and 49 as in force before the commencement continue to apply as if the *Body Corporate and Community Management and Other Legislation Amendment Act 2011* had not been enacted.'.

19 Clause 41 (Insertion of new ch 8, pt 9)

Page 63, lines 20 to 22—

omit, insert—

'378 Continuing contravention notice given by body corporate before scheme becomes a specified two-lot scheme'.

20 Clause 41 (Insertion of new ch 8, pt 9)

Page 64, lines 3 and 4—

omit, insert—

'379 Future contravention notice given by body corporate before scheme becomes a specified two-lot scheme'.

21 Clause 41 (Insertion of new ch 8, pt 9)

Page 64, line 15—

omit, insert—

'380 Application of s 206'.

22 Clause 41 (Insertion of new ch 8, pt 9)

Page 65, line 14—

omit, insert—

'381 Application of s 213'.

23 Clause 41 (Insertion of new ch 8, pt 9)

Page 66, line 8—

omit, insert—

'382 Amendment of QCAT legislation'.

Amendment No. 18 to clause 41 is specifically designed to ensure existing title schemes and unit owners are protected from the changes being imposed through changes in this bill. The intent of the amendment is to protect the rights of unit owners who bought into the scheme and remove the retrospective nature of the bill. Amendments Nos. 19 to 23 are renumbering changes. Unlike the government, I and my colleagues consulted widely on the impact of this legislation.

Mr Bleijie: Because we can consult.

Mrs STUCKEY: I take the interjection from the honourable member for Kawana, who last night gave a very robust and meaningful presentation which reinforced the importance of consultation and how we on this side of the House embrace it because that is how we learn. Historically, the legislation provided for bodies corporate to be created with only one schedule—the contribution lot entitlement—and this determined each owner's share of the common property. I might add that this information comes from a submission from somebody who specialises in this industry and who is extremely upset by the provisions in this bill. The writer says that the contribution lot entitlement determined each owner's share of their common property, their share of contributions or levies, voting entitlements and their share of insurance premiums. Changes in 2003 saw the introduction of two entitlements—contribution schedules and interest schedules. New schemes being registered after that amendment were required to have contribution lot entitlements that were equal. Some exceptions were provided that they may not be equal but should be just and equitable.

The writer says that there was a once-only provision for a body corporate by ordinary resolution of owners at a general meeting—simple majority of those voting—to change the lot entitlements but only for a limited period of 15 months. Professional advice about the proposed changes and whether they equitably reflected the different maintenance requirements of the lots was required to be provided to owners. Failure to grasp the impact of the legislation and the short time frame meant that few bodies corporate took up this opportunity.

There was also an ongoing provision for any owner in an existing scheme to apply for an adjustment of the contribution lot entitlements which, after the amendments, determined only the share of contributions or levies and voting entitlement. The application could be made in the District Court or to a specialist adjudicator under the dispute resolution provisions. Such applications could only be considered based on how the scheme is structured and the nature, features and characteristics of the lots. They could not be considered based on the lack of knowledge of the applicant or any misunderstanding about the term 'lot entitlement' nor how the lot entitlement was used.

The writer says that most of the adjustments that have occurred would have involved lengthy and comprehensive submissions from appropriate professionals about the relative lot entitlements, the theory of just and equitable and consideration by judges or specialist adjudicators in these matters. In other words, it did not occur lightly or quickly or without all owners being provided full information and being kept fully informed of all of the developments during the whole process. The writer says that there still exists—and I repeat, there still exists—the provision for any owner to make such an application if they feel that a previous application has resulted in an unfair or inequitable situation. The writer says that the proposal in the draft legislation to provide for an almost automatic reversion of the current lot entitlements where they have been adjusted to the original ones of pre-2003 is out of step with the procedures that had to be undertaken to reach those new entitlements and is an embarrassment to the professional and judicial systems and persons who have acted on each of the adjustment cases.

The writer says that the proposal that only one owner in a building can have the right to challenge the existing entitlement structure, which may have been in place for in excess of six or so years and on which all purchases in that time have relied, and that the challenge will automatically cause the entitlements to revert to the old system is unfair and appears not to require any justification to the relative maintenance responsibilities. Many of the entitlements that were successfully adjusted had been grossly unfair as a result of poor planning of developers in developing staged schemes and

developers who wanted to retain penthouses and who allocated them very small entitlements and where the entitlements were based on values in the real estate market instead of a fair and equitable share of maintenance responsibilities. The writer says that it is easy to lose sight of the fact that we are talking about the maintenance responsibilities involved in this schedule.

While the current system is not perfect, it does not deal with the intention of the act to balance the rights of the individuals. The writer says that we have operated under the current legislation now for many years and purchasers who have bought since the adjustments should have the comfort that they have consumer protection with regard to their ongoing costs.

The writer says that they do not agree with the statement in the second reading speech that we have a problem in the marketplace. They say that that is incorrect. This industry representative says that prospective purchasers should make themselves aware of the lot entitlements and receive a disclosure certificate setting these details out. The problem that might exist is within a very small number of community schemes. The writer says that if we cannot rely on the wisdom of the judges and professionals and the judicial system that determines the adjustments or we believe that the current situation is not fair and equitable then we should change the system. They say that we should not go back to the unfair and unjust situation of previous legislation that government thought required changing when it made the amendments.

The writer says that bodies corporate need flexible administrative arrangements and if a situation exists that is unfair or inequitable the body corporate needs the avenue to change that situation. They say that if the impact of that is that a relatively small number of owners now have to pay their fair share, that is not the Australian way. They say that all owners in a community scheme have the opportunity to equally share in the recreational facilities, services and management structures and must contribute to those costs. They ask: in general, why should they not pay equally? The writer says that there is no justification that if one unit costs $300,000 and another costs $900,000 the owner of the more expensive unit should contribute three times as much to the maintenance of the whole scheme—three times as much for the pool chemicals, three times as much for the bank fees, three times as much for the common electricity, three times as much for on-site management, three times as much for the gardener, three times as much for the new pool chlorinator.

The writer says that going back to a system where the contribution lot entitlement is based on the values of the individual units is unjust and unfair, and if the current bill is passed this is the effect it will have. They say that a handful of owners who now have to contribute in an equitable manner will revert to having to contribute in an inequitable manner, to the detriment of other owners. The writer says that the whole proposal is preposterous, has not been thought through clearly, does not provide an equitable solution and will result in many bodies corporate being thrown into mayhem. The writer says that the bill does not provide a means as to how these proposed changes will be implemented and has not considered the vast number of unit owners who will be adversely affected. They are the comments from a very learned person in the industry to support—

Mr Lawlor: Who?

Mrs STUCKEY:—this amendment.

Mr LUCAS: As we say in law, the matter speaks for itself. The honourable member just read an entire letter into *Hansard* as her contribution. Having just read the whole lot in with no other argument is fine; that is a view. Having read the whole lot in, though, she then does it anonymously, after saying that the government should be providing the details of people who made submissions—eight minutes worth!

Mr Schwarten interjected.

Mr LUCAS: Yes. It brings into question not only itself but also all that went before it. The document that the honourable member read from said that the individual apparently indicated that prospective purchasers should be aware of the situation that they are getting themselves into. I want to make two points on that. Firstly, she just opposed these provisions that require extra disclosure. She says that one way now but on the previous clause she said something else. Secondly, clearly she does not believe—or, indeed, the person who wrote that letter that she is reading into the record does not believe—that that should apply to people who bought into the scheme years ago and relied on it and then have had it pulled out from under them on a technicality. No-one has argued anything other than the fact that this was an ability to bring an application in relation to a loophole in the law and that had the necessary effect of people paying less and other people paying more. It is not even a question of an application where there is a loophole and people pay less tax or something like that and the government has to wear it. That is a different argument. This is about people who live together in the same place.

Finally, in what she read into the record and clearly is adopting, the honourable member said, 'Well, they don't use three times the pool chemicals,' and all that sort of stuff. To be consistent, the honourable member should come into this chamber next week and move a private member's bill to outlaw progressive rating and progressive taxation and progressive payroll tax and all of that sort of stuff because, clearly, philosophically and ideologically she does not agree with it.

Mrs STUCKEY: I am very pleased to share the correspondence that I have received from people with the other members of this House. It is something that the government is not able to do—anonymously or otherwise. It just shows once again that we are prepared to put forward the views that people bring to us to form a wider argument and I am disappointed with the minister for taking it the way he did.

I turn to new clause 377, which relates to owners who currently have applications afoot in QCAT. Not one member of the government has said anything about compensating those people who have paid thousands of dollars to get the matter to the adjudicator only now to have the laws changed completely. This amendment seeks to ensure that those applications can continue under the existing scheme and stop the injustice that the government's amendments will cause to these people who are in the process of seeking an adjustment.

The government cannot even tell us how many people are caught up in this process. It does not care enough to get accurate data. How much money have people spent in a process that is going to be lost?

Mr Lucas: A fraction of what people have paid.

Mrs STUCKEY: It would appear from the reaction that there will be no compensation, that these people have just done their dough and they are going to be cut off halfway through a process that was approved by this government. The amendment bill proposes that existing adjustment actions be reversed. The Australian College of Community Association Lawyers is of the view that the amendment bill is deficient in both its methodology and in the need to take retrospective action of this nature. It is not consistent with a statutory regime that relies upon the integrity of voting among members of community title schemes and the integrity of resolutions passed under a stipulated process where they are deemed to be a passing of resolutions, let alone for that to occur simply where an owner proposes a motion be put before the meeting.

The Community Titles Institute of Queensland, which also put in a lengthy submission to the government, advised that the estimated cost of reverting to a preadjustment order under proposed sections 379 to 387 of this bill is $5,200 per affected scheme based on an average 60-lot scheme. That cost would include obtaining legal advice, liaising with body corporate committees, preparing and convening an extraordinary general meeting, preparing a new community management statement and having the statement executed and lodged for recording. On page 9 of its submission it says that these costs would have a significant impact on administration funds, given that many schemes have previously outlaid this amount and more to adjust their lot entitlements in recent schemes. 'But we will just throw all of that away,' says this government. It does not matter that families might have saved for people to be able to go through this process because the lot entitlements were unfair right from the start.

Additionally, the UOAQ provided me with an overview of the procedures involved with the proposed reversion provisions. That organisation said that costs would be incurred to receive advice from a solicitor on the revised CMS, then an AGM has to be called and minutes circulated 21 days before. Costs of up to $1,000 can be incurred from this step alone. When the meeting is held the body corporate manager attends and takes minutes. It is largely understood that they charge exorbitantly for this service. The minutes then need to be circulated to members of the body corporate, each being a lot owner. So while the minister can say that there will be no cost to his government from the commencement of this bill, I would ask him to consider the large costs that will be incurred by bodies corporate from this proposed reversion process alone.

The Queensland Law Society has expressed its concerns with new section 376. It is very concerned that this new section could potentially apply to matters before the courts, which are current proceedings, and pose a real risk that any legal fees already incurred would be thrown away. So that is more supporting evidence as to why this amendment should be supported by the government and the LNP.

Mr LUCAS: I am advised that there are about 40 pending applications. With the Australian college of whatever the member called them, can I say that in my time as a legal practitioner, which is a while now, I have been aware of very many different associations—the Family Law Practitioners Association, the Queensland Law Society, the Bar Association of Queensland—but I have never heard of a college of lawyers. I thought that the medical profession had learned colleges and the like. So it is quite an interesting name that it calls itself. I do not know: does it administer qualifications for people as a college would usually do, say in the field of medicine? In any event, that college can have its view. Of course, the Law Society would not be particularly enamoured with changing the law in relation to matters that are currently afoot. But that is not uncommon. That happens in relation to matters. Governments do that from time to time. It is more a question of what is the appropriate argument. The rest of the arguments have been adequately covered in the debate on this matter.

I am advised that the legislation does not require there to be a physical meeting of the body corporate. Those expenses and that inconvenience is not necessary. Let me make it clear: people who have gone off to QCAT on their own basis have gone on the basis to seek to reduce what they pay and make other people pay more. No more, no less.

Mr LAWLOR: I also oppose the amendments proposed by the shadow minister. She still goes on about the lack of consultation by the government, but there have been public meetings on this matter for several years. For instance, I went to one at Evandale. I cannot remember if the member for Surfers Paradise was there—he may well have been—but there were several hundred people at that meeting demanding that the government do something to rectify the situation where people were being forced out of their homes. In one instance a person had his body corporate levy quadrupled and some idiot in the crowd said, 'Why don't you just sell and get out?' and he said, 'Do you want to buy it?' Of course, what do members think the answer to that was?

There have been other public meetings. There was one organised by the member for Brisbane Central in Margaret Street, which I went to. There was a discussion paper put out by the minister at the time, the member for Toowoomba North. I made a public statement in February of last year at Pivotal, which was the subject of one of these adjustment orders. As a result, the animosity that was caused allegedly caused a bullet to go through the penthouse window, which was reported in the *Gold Coast Bulletin*. I then made a statement saying that, following further consultation—which we went through—we would be seeking to amend the legislation to rectify this situation. Anyone who went through the expense, time and effort to prepare an application after that did so at their own risk. Some of them did take that risk, because some of them never believed that we would reach the day where this rectification would take place.

The member for Currumbin refers to how unfair it is that one owner who was adversely affected by an adjustment order can now readjust all of those lot entitlements back to what they were. Obviously, she is missing the irony as to how that happened in the first place. That happened in the first place by one person making an application, which then adjusted all the lot entitlements. Under the present legislation, there is no requirement to even serve or to notify any other residents in the building. They just get a notification one day that says, 'By the way, your lot entitlements have doubled and, therefore, your body corporate levies have doubled also.' Very often those people were then forced out of their residences.

I do have—and I alluded to this in my contribution to the second reading debate—some sympathy for one category of people who may well be adversely affected by the legislation and that is those owners who purchased more expensive units—for instance, a subpenthouse or a penthouse—in good faith subsequent to an adjustment order. The member for Currumbin has alluded to this issue. Those people may now be adversely affected by the reversion of the lot entitlements to the original settings. But there are many thousands—possibly tens of thousands of people—on pensions and fixed incomes who could have, and in some cases have, gone through the same process and that will be hanging over their head were it not for this legislation that we are going to pass today.

The other category that I do not feel any sympathy for are those who purchased their units with their eyes wide open. They were well aware of what their bargain was. They have established that they can afford $500, or whatever the amount might be, and they get in there and decide they can take advantage of this legislation and make probably 60 per cent of the building pay considerably more—sometimes two and three times more—and thereby cut their levies by 50, 60 or 70 per cent. In other words, they can go from $500 to $300—as in an example given before—whereas the lower units go from $100 to $200. I do have some sympathy for those people but this is a difficult situation and it requires difficult solutions. This is the fairest solution. If we do not do it now, every time there is an adjustment order made the problem becomes more and more difficult.

Mrs STUCKEY: The LNP have made it very clear that we feel strongly about certain aspects in this bill. It is a pity that the middle ground has not been able to be found by the members opposite. I think we were offering something quite reasonable. The whole argument has been based on fairness and equity. I think it was dominated by a social divide created by members opposite which is the last thing that any of us should be doing in this situation.

The government have agreed that it is okay to do in reverse to those people exactly what they are complaining has happened. Two wrongs never make a right. I think it is appalling that the government are now punishing people whom they allowed to do this and are simply reversing the situation and tipping it straight back on them, at great cost and anxiety. I would suggest that there are many more people who will be affected by this in a negative manner than will be supported. The bill does not meet its objectives. I thank everybody who took part in the debate on this bill today.

Division: Question put—That the member for Currumbin's amendments be agreed to.

AYES, 34—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, McArdle, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

NOES, 49—Attwood, Bligh, Boyle, Choi, Croft, Cunningham, Darling, Dick, Farmer, Finn, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, McLindon, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszczuk, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

Resolved in the negative.

Non-government amendments (Mrs Stuckey) negatived.

Clause 41, as read, agreed to.

Clause 42, as read, agreed to.

Clause 43—

Mrs STUCKEY (4.48 pm): I move the following amendments—

24 Clause 43 (Amendment of sch 6 (Dictionary))

Page 67, lines 19 to 23—

omit, insert—

'***continuing contravention notice*** means a continuing'.

25 Clause 43 (Amendment of sch 6 (Dictionary))

Page 68, lines 8, 9, and 30 to 32, and page 69, lines 1 and 2—

omit.

These amendments make minor amendments to the dictionary. As we have been unsuccessful on the others, I think we can let those go now.

Mr DEPUTY SPEAKER: You are not actually moving those amendments?

Mrs STUCKEY: I will move them just for the sake of it.

Mr DEPUTY SPEAKER: But you are not going to speak to them?

Mrs STUCKEY: No, I am not. They are dictionary definitions.

Non-government amendments (Mrs Stuckey) negatived.

Clause 43, as read, agreed to.

Clauses 44 to 47, as read, agreed to.

Schedule, as read, agreed to.

Third Reading

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (4.49 pm): What a marathon! I move—

That the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (4.49 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.

NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY BILL

Second Reading

Resumed from 22 March (see p. 646), on motion of Ms Jones—

That the bill be now read a second time.

Mr DEMPSEY (Bundaberg—LNP) (4.50 pm): The North Stradbroke Island Protection and Sustainability Bill 2011 is, once again, a piece of legislation from a government that is more interested in spin than substance. Every person in Queensland knows that mining on North Stradbroke Island is going to cease and they deserve a transition plan that respects the environment, respects the traditional owners and respects the economical viability of the area. Instead, we get given a piece of legislation from a tired Labor government that is out of touch and has stopped listening to the people of Queensland and certainly is not listening to the people of North Stradbroke Island.

The use of the words 'sustainable' and 'balance' by this Labor government in relation to this bill is a travesty of justice and makes a mockery of the Oxford dictionary definition. In the course of pretending to make people think that they are giving people something, they are in fact taking away more and promising very little.

This comes from a stale state Labor government that has lost the trust of the people of Queensland and that is exhibited in this bill and by the way it has treated all North Stradbroke Island stakeholders. In a media statement dated 20 June 2010, the Premier stated—

> While we would like to protect more of the island more quickly, it's important to give the mining industry and the people it employs a transitional period.

We all know what happened to that. Further, she stated—

> Critical to our government's vision for North Stradbroke is the negotiation of an Indigenous Land Use Agreement with the Quandamooka People.
>
> ...
>
> We have agreed in principle with the Quandamooka People to negotiate an Indigenous Land Use Agreement over the next 12 months which will provide them with community land outcomes and financial and cultural benefits.

Today in the people's house, we are finalising legislation that will directly affect the traditional owners, yet we still do not have an ILUA in place. Once again, this exhibits a total lack of respect for the parliament and the Quandamooka people.

Certainly North Stradbroke Island is an island of remarkable beauty, with rich environmental features that many generations will enjoy. Like many Queenslanders, I have fond memories of day trips, weekend camping exhibitions and family holidays on the island during which I admired the beautiful beaches, the relaxed lifestyle and the beautiful views. I also have memories of a successful and active community that is proud of its island and what it has achieved over many years. That memory is not shared by this state Labor government, because the future vision of this government is a Bligh vision that is more interested in television ratings than the environment and the people of North Stradbroke Island. In its haste to win votes, this stale Labor government has lost the trust of the people of North Stradbroke Island. Many locals to whom I have spoken are sick of being used as political pawns whilst their future, their dreams and their children's dreams are put on hold and, in some ways, cast aside. Once again, we see poor planning, poor legislation and poor management from a stale Labor government that is more concerned with its political survival than the survival of North Stradbroke Island, its environment and its people.

From the start let us be clear and acknowledge that the original general consensus from all stakeholders, including this state government, was that mining leases were not to be renewed and mining was due to end on North Stradbroke Island by 2020. Then began the season of broken promises and half truths from this state government, which has continued to threaten the future of this beautiful island. On 22 March 2011, Premier Anna Bligh announced that all mineral sandmining on North Stradbroke Island would be shut down by 2019. That decision by the Queensland government broke a previous clear commitment that the Premier gave in June 2010. The Bligh government committed to allowing mining to continue on the island until 2027. However, it appears that, due to pressure from green groups and a desire to obtain green preferences, the government has gone back on its word and has placed in jeopardy the future of some 650 workers and over 2,000 island residents. This stale Labor government's announcement means that 94 per cent of mining operations will be shut down by 2019. Hundreds of mining jobs will disappear from the island and the Redlands shire, leading to local businesses, schools and infrastructure being left in limbo. The economic benefit of $130 million per year will be lost to all Queenslanders. That is many billions of dollars of lost funds over the original promised time of the mine.

This type of decision is typical of the government's waste, mismanagement and an overtly consistent approach of putting politics ahead of people. On 24 March in the local paper, Judith Kerr wrote—

> A STATE Government decision to fast-track phasing out sand mining on North Stradbroke Island has been hailed as "dirty politics" by the island's Aboriginal and mining communities and as a "joke" by environmentalists.

Judith Kerr also wrote—

> NORTH Stradbroke Island Aboriginal elders have condemned the North Stradbroke Island Protection and Sustainability Bill, introduced to Parliament this week.
>
> Environment Minister Kate Jones said the Bill recognised the importance of the island's traditional owners and the role of the Quandamooka people.
>
> Ms Jones said negotiations for a Land Use Agreement with Aboriginal elders were also under way.
>
> However, North Stradbroke Island elder ... said this week's announcement came as a "shock" and contradicted what the government had told island residents in June.

A *Courier-Mail* article dated 23 March 2011 highlights the need for a balanced resolution. It stated—

> To enshrine the timetable, Environment Minister Kate Jones introduced the North Stradbroke Island Protection and Sustainability Bill, which she said was a big win for conservation.
>
> Save Straddie campaign spokeswoman Nikki Parker said the Government move was a sham and it would accelerate rather than stop mining.

Different community groups give different feedback on the legislation. I know Nikki Parker has a great deal of passion and enthusiasm for the environment of North Stradbroke Island, but this government is simply not listening to her. We need to ensure that the government starts listening to the people of North Stradbroke Island.

This decision by the Queensland government breaks previous commitments in relation to the environmental management of the island. Since the June 2010 announcement, the mining operator has been in negotiations with the state government to determine the best way forward for the island and its residents. During those negotiations, the mine operator, Sibelco, promised an orderly and staged end to mining on the island by 2027. That time frame would allow alternative industries to develop and prosper for the benefit of the community and would allow for an environmentally responsible mine closure plan.

Sibelco states that it has been in good-faith negotiations with the government since early last year. Sibelco's version 1, which was presented to the government in March 2010, provided for continued investments and operations until 2050. This represented a loss in potential future earnings for 20 years of the mine's life in relation to mineral sands and 200 years in relation to silica sands. The first version was rejected by the government.

Sibelco presented a version 2, which provided for continued investments and operations until 2038. By compressing the time line of mineral sands operations at Enterprise down to 2038, Sibelco would forfeit revenue in the order of $1 billion in today's dollars. The second version was also rejected by the government. Sibelco had further discussions around a potential end date of 2032. Rather than concluding discussions, the Queensland government exited good-faith discussions in June 2010 by announcing its vision that all mining would cease by 2027.

In response to a call for public submissions, Sibelco released the *S*ustainable Stradbroke vision—version 3—detailing how the 2027 commitment could be met delivering an economically sound and environmentally and socially responsible solution. The government is now rescinding its June announcement by announcing the introduction of the North Stradbroke Island Protection and Sustainability Bill 2011. The bill provides that all mineral sands mining on North Stradbroke Island will end by 31 December 2019 and that all mining on North Stradbroke Island will end by 31 October 2025. This means that 94 per cent of all mining operations will shut down by 2019.

The bill overrides the Mineral Resources Act by legislating for North Stradbroke Island mining interests not to be renewed or to be renewed until a certain date with conditions imposed which progressively strip certain leases of their production rights. The bill also overrides the Environmental Protection Act by legislating for the Enterprise Mine environmental authority to be amended to require mining to take place on a restricted mine path only and not over certain restricted areas.

It must also be noted that since 1942 this environmentally award winning operation has worked with the local community and sandmining on North Stradbroke Island has underpinned the strong community and prosperity that we see today. The mining operators believe there is an economically sound, environmentally and socially responsible means of achieving a sustainable future for North Stradbroke Island up to 2027.

When making these statements we must also be reminded of the infrastructure that this mine has brought to the island over the years and the current mining operator's environmental credentials. Sibelco Australia is recognised as a world leader in rehabilitation processes and progressively rehabilitates landforms and native vegetation and reconstructs ecosystems to achieve long-term sustainability on North Stradbroke Island. Its extensive environmental management and monitoring program incorporates water quality, air quality, noise, fauna and flora. In 2008 the company was awarded the prestigious Queensland government Resource Industries Sustainability Award. This award was presented by the Environmental Protection Agency and recognises outstanding performance in environmental management and rehabilitation. Sibelco Australia was the first Queensland mine and the second mine in Australia to develop and implement approved rehabilitation criteria.

However, now that the goalposts have again been shifted, coupled with the continuation of broken promises from this state Labor government, Sibelco's sandmining operations will now become non-viable sooner than expected. Current productive limits will be taken away and mining will not be viable. We have also heard of one large barge operator moving to Gladstone due to an expected downturn as a result of this decision. How will this assist future tourism transport to the island?

We now have the ridiculous situation where DERM is playing the role of mine engineers and telling companies how and where they should use their equipment without showing any technical proficiency in workplace health and safety requirements.

Ms Jones: It is using their mine path. It is their mine path, Jack, not ours—their mine path. Do your homework.

Mr DEMPSEY: I understand that the Minister for Environment will override the mines minister. However, some form of increased information and support needs to be given to the people in relation to workplace health and safety requirements.

The deliberate blocking of the mine path will result in a very dangerous and unsafe work environment for the mine employees and will stop mining well before the due date. The environmental corridors that will block the path of mining equipment have been identified as endangered ecosystems, yet one has only to visit the site and view maps to observe that the previous mine sites were actually situated in these supposed pristine areas. They are located throughout the mine lease.

It is also interesting to note that there has been no engagement with the mining interests since the 2007 proposal was raised. It is further concerning that the mining operators have stated that there has been no consultation with the minister in relation to the current bill before this House. This type of behaviour is typical of this state Labor government's lack of consultation and once again exemplifies that it is unable to express the real understanding of openness, accountability and transparency.

As a result of this ill-thought-out and rushed decision, hundreds of mineworkers will soon be looking for employment and North Stradbroke Island residents and local businesses will not have adequate time to ensure the future economic viability of their island home. Without a strong, economically viable and sustainable industry to take the place of sandmining, North Stradbroke Island will be thrown into a needless economic depression, taking away the dreams of many local Indigenous families and residents. Currently, there is a direct $2.6 million benefit to at least 15 Indigenous families who work in this mining industry. All of that has been thrown away by this Labor government that still does not have an Indigenous land use agreement in place after years of bureaucratic negotiations. The deadline for the ILUA is 4 July 2011. We look forward to hopefully having an ILUA in place by then, even though this legislation will be passed prior to that date.

We are yet to observe the economic plan or its workings, the studies or the data that prove that the North Stradbroke Island environment and its businesses, residents and traditional owners will be better off because of this rushed and ill-thought-out legislation. We have only to go to the Scrutiny of Legislation Committee's *Legislation Alert* to see this. Page 3 states—

The committee notes that this legislation may impose appreciable economic and social costs on the community of North Stradbroke Island. A regulatory impact statement was not prepared for the bill. If a regulatory impact statement was prepared, consistent with the usual approach set out in section 44(g) of the *Statutory Instruments Act* for subordinate legislation and the administrative Regulatory Assessment Statement system, the community would have had an opportunity to discuss the benefits and costs to the community and the extent to which they can be quantified.

The issue of a regulatory impact statement was addressed in the submission of the Queensland Resources Council.

It goes on on page 4 to discuss Aboriginal tradition and Island custom. At point 34 on page 4 of the Scrutiny of Legislation Committee report, it states—

The explanatory notes state (at 5 and 8):

The land tenure model that the Bill establishes for the NSI Region is based on the Cape York model, which has the endorsement of all Cape York stakeholders, and could not be established other than by legislation.

In February 2011, the Quandamooka People were consulted on an exposure draft of the provisions of the Bill that amend the Aboriginal Land Act 1991 *and the* Nature Conservation Act 1992*.*

No significant issues were raised by the Quandamooka People in relation to the exposure draft of the Bill.

However, point 35 states—

The committee invites the minister to provide further information about the consistency of part 4 with Aboriginal tradition and Island custom including:

- who was consulted—

we still do not know—

- who made the decision as to who should be consulted;
- matters about which consultation was undertaken; and
- the extent of consultation undertaken.

The Scrutiny of Legislation Committee certainly has a number of questions that need to be answered in relation to people being properly consulted and the rights and liberties of all people involved.

One has to be very suspicious of information provided by this Labor government—a Labor government that recalled parliament and changed the laws to allow the former minister Gordon Nuttall to tell untruths. Unconfirmed part-time and casual jobs in hospitality, education and tourism are a far cry from real, fully paid jobs that now exist on North Stradbroke Island.

Let me raise some of the comments from stakeholders in relation to the economic stability of the island. They include comments from Brisbane tourism operators, who have consistently questioned the feasibility and timetable of the government's ecotourism model. Their two main reservations are the lack of resident mine staff willing to stay and retrain for work within the hospitality sector and the sheer task of replacing $130 million of economic value that Sibelco and sandmining have created. A spokesperson recently claimed North Stradbroke Island would need five Tangaloomas to replace mining adequately.

Further, in relation to comments from the Quandamooka people, some Quandamooka people are parties to a lengthy native title claim over Minjerribah, North Stradbroke Island, and would be signatories to the ILUA, the Indigenous land use agreement. There are local Indigenous people on both sides of the fence, although some supporters clearly feel as if their support has been taken for granted by this

government. A North Stradbroke Island elder has been in regular contact with Sibelco and has criticised the vision and the bill. The seven families were to decide whether or not to accept the terms of the Premier's ILUA. But Premier Bligh chose to introduce the bill and promote it beforehand. From that scant information provided, it is understood, as previously said, that the ILUA is still before the courts. So only the parties involved—mainly the government and the Indigenous landholders involved in the ILUA—are privy to that information.

In relation to comments by Sibelco Australia and their Sustainable Stradbroke vision, they were from by Paul Smith. Obviously his comments are just one side of the story, but he has seen the bill for what it is—a cynical grab for Green preferences in metropolitan seats that make Sibelco's North Stradbroke Island operation more or less untenable after Yarraman's closure in 2015. If Sibelco leave, they take their ILUA money and 40 per cent of the barge traffic with them—making tourism more expensive in the process. The community of North Stradbroke Island deserves more than pie in the sky promises to replace the 650 jobs that will be lost and it deserves a proper balance and respect for all involved.

While all this is happening, this government is just saying, 'Trust us. We have a proven record of financial management and planning,' with examples of debt and deficit scattered across this great state—the loss of our AAA rating; more taxes and fees; increased electricity charges, water charges and cost of living, just to name a few. Unlike Labor, the LNP is committed to the island's residents, its environmental sustainability and its economic future. This poorly planned and rushed legislation is nothing more than a blatant political stunt from a desperate Labor government that is quite at ease pushing away the rights of people on North Stradbroke Island. We have seen it before and we see it again in this legislation that this Labor government lacks integrity and will do or say anything to get elected.

The LNP does not support the bill as it does not address a balanced resolution to the objectives of the bill, these being: the end of mining on North Stradbroke Island, the protection and restoration of environmental values, and the manifestly inadequate response by this state government in addressing the needs of the local community and traditional owners of the land. As stated previously, every person in Queensland knows this mine is going to close, and they deserve a proper transitional plan that respects their environment, respects the traditional owners and respects the economic viability of the area.

Madam DEPUTY SPEAKER (Ms O'Neill): Order! I call the member for Cleveland.

Ms Jones: No alternative. No amendments. Nothing going on on that side.

Dr ROBINSON (Cleveland—LNP) (5.16 pm): Madam Deputy Speaker—

Ms Jones: You want to govern Queensland, have a policy.

Madam DEPUTY SPEAKER: Order!

Ms Jones: No policy—a policy-free zone. You stand for nothing.

Madam DEPUTY SPEAKER: Order! Minister, the member for Cleveland has the call.

Dr ROBINSON: Thank you, Madam Deputy Speaker, for your protection from an out-of-line minister.

Mr Horan: I used to have a cocky that sounded like that—squawk, squawk, squawk. Like a budgerigar.

Ms Jones: You stand for nothing—nothing at all. You don't even stand for yourselves.

Madam DEPUTY SPEAKER: Order, people! It's getting late. Now, the member for Cleveland has the call.

Dr ROBINSON: Thank you, Madam Deputy Speaker, for your protection. The minister seems to want another say. North Stradbroke Island is a beautiful and scenic island with a great local community of approximately 2,500 residents. I am privileged today to be the local member of parliament for the residents of North Stradbroke Island and to be charged with looking out for their interests and the environment in which they live.

Straddie is a place of immense scenic beauty, from the views from Point Lookout to Blue Lake and Keyhole Lake and golden beaches. But the most precious jewel of all on the island are its people—Indigenous and non-Indigenous, children, youth, parents, mums and dads, families, seniors, workers, local shop owners, miners, fishermen. All kinds of everyday people are the most precious asset of North Stradbroke Island.

Straddie has a sizeable local population, a significant local economy and substantial infrastructure including roads, schools, police stations, aged-care facilities et cetera. The continuation of these services and maintenance and further development of this infrastructure is vital to the island's future. The island also has regular ferry and barge services. Local residents are completely reliant on these services for transport related to work, buying goods and sending children to mainland schools—be that their choice. Tourism is also a significant aspect of Straddie life, with thousands of tourists visiting every year.

Simplistic comparisons of North Stradbroke Island to Fraser Island and Moreton Island have been made by this government and they only seek to blur an understanding of the uniqueness of North Stradbroke Island. North Stradbroke Island is equally beautiful and attractive to Fraser Island and Moreton Island. However, Straddie is different in that it has a sizeable local community and local economy. Further, its economy historically has been underpinned by, and its development dependent upon, sandmining. Sandmining provides more than 250 direct jobs, 350 indirect jobs and $130 million of economic benefit to the region.

Sibelco, formerly Unimin, and CRL have been good corporate, sociocultural and environmental citizens of the island such that today the vast majority of island residents have a positive view of the role of the sandmine.

Over the past two years I have regularly visited the island and spent much time listening to residents' concerns and views—from Cleveland and Toondah Harbour, Dunwich, Amity Point and Point Lookout, from prospective national park areas, camping grounds, beaches, whale-watching areas and as many different parts of the island as I could travel to. I have spent much time with all kinds of people from diverse walks of life so that I could do my best to understand their views and represent them and their interests when bills such as the North Stradbroke Island Protection and Sustainability Bill come before the House. It is a pity this government has not spent the same time and energy listening to local views.

It is interesting to note that the member for Ashgrove, in her occasional trips and visits out to the island, has not even visited one of the key stakeholders in this whole issue—that is, the mining company Sibelco. She has not even visited the mine. She has not gone with them with their permission to the rehabilitation sites. She has not stood in front of the miners and asked them, 'What do you think about losing your jobs?'

Over the past two years as their local MP I have consistently spoken about issues affecting the residents. I have come into this chamber on many occasions to represent them on matters that affect them as everyday Queenslanders and also on specific contextual island issues such as national parks, Indigenous rights, ecotourism, koalas and other wildlife, environmental issues, fishing and marine infrastructure, camping, local business issues, transport and various other areas. So I again rise today to represent the North Stradbroke Island community of 2,500 residents, both Indigenous and non-Indigenous people, because their cries have been completely ignored by this state government. I repeat: they have been completely ignored by this government, by the Premier and by the uncaring member for Ashgrove. Both the member for Ashgrove and the Premier have shown very little interest in what the people actually want and need. They have neglected the residents of North Stradbroke Island continuously. If that is the level of concern the member of Ashgrove shows towards—

Madam DEPUTY SPEAKER (Ms O'Neill): Order! You will refer to the minister by her correct title, please.

Dr ROBINSON: The member for Ashgrove?

Madam DEPUTY SPEAKER: She is the Minister for Environment.

Dr ROBINSON: Okay, the Minister for Environment. If the Minister for Environment treats the constituents of her electorate of Ashgrove in the way she has treated the members of North Stradbroke Island, I would encourage those people in Ashgrove to look for a better alternative—because they can do. There is a better alternative to the current member for Ashgrove, and I look forward to the day that he comes into this House as the member for Ashgrove.

The stated primary objective of the bill is to substantially end sandmining activities, including all heavy mineral sandmining, in the North Stradbroke Island region—which is North Stradbroke and Peel islands—by the end of 2013 and to end all mining in the region by 2025. The purpose of this is said to be to protect and restore the environmental values of the region and to facilitate the staged creation of areas that are to be jointly managed by the state and the traditional owners of the region.

The true purpose of the bill requires a third point that I would like to suggest, and I think this is really the overriding aim and objective of this bill. The third aim is to shore up Greens preferences in urban electorates, like Ashgrove, so that the Premier and Labor MPs can cling on to power. This is the true reason for the Straddie sell-out: dirty backyard deals with the extreme left of the Labor Party, the Greens—the Greens that are controlling many Labor policies at both state and federal level.

I cannot support the government's North Stradbroke Island Protection and Sustainability Bill 2011 for many reasons. First, it impacts negatively on all families who live and work on the island. Up to 600 jobs—both mining and other jobs—will be lost and not replaced under the government's current transition plan. That includes 50 Indigenous jobs, which are mainly local, and this impacts on 50 Indigenous families. Most of those who will lose their jobs will find it difficult to find other work on the island. It will be a challenging thing for people who have been involved in the mining industry for many years to transition to hospitality and tourism jobs. It will be a difficult ask for many and some will not want to do that at all. They will exchange high-paying jobs, good jobs, for jobs that are often more temporary, more casual and seasonal—even though many jobs in the tourism and hospitality industry are good jobs.

We as an opposition support ecotourism and support extending and expanding the hospitality and tourism industries on North Stradbroke Island. We will be big supporters of that, but you cannot say that miners will automatically make that transition. I have met a lot of miners over my time, and many of them would not really want to transfer from their industry that they know so well. For example, machine operators would perhaps have to get a job standing behind a desk and taking customers' details for whale-watching trips or something like that. That is a very good activity. However, many of them would feel unsuited, many of them would feel that they could not be trained to make that transition and some of them just would not want to do that.

This is not a good plan. It is not a well-thought-through plan in terms of jobs transition, and the member for Ashgrove could not care less. The member for Ashgrove could not care less about the men and women who are going to lose their jobs, who will not have an income, who will become welfare dependent. She does not care at all. She has not even visited the mine. She has not even visited the miners. She has not stood before them and explained to them why they will no longer have employment. I challenge the minister today to get out of her little Ashgrove centre and come out to the island, visit the mine, meet with the 250 miners and explain to them why their jobs are less important than hers. It is very clear today that the member for Ashgrove does not care about the jobs of miners. She sold out the blue-collar worker. She does not care about jobs.

Debate, on motion of Dr Robinson, adjourned.

SPEAKER'S RULING

Standing Order 274

Mr SPEAKER: This morning the honourable member for Burnett rose to a point of order under standing order 248 on a matter relating to standing order 274. The member's point of order is essentially that standing order 274 requires that when there is a report by the Integrity, Ethics and Parliamentary Privileges Committee that a person has committed a contempt, a question shall be put that the person be ordered to attend the bar. The member's complaint is that the requirements of the standing order are mandatory and that following IEPPC report No. 105 the question of Mr Nuttall's appearance at the bar must and shall be put. The member argues that the matter is not discretionary and that the Leader of the House must act in accordance with the standing order. I believe for the sake of the record it is important that I explain this matter in full.

On 10 June 2010, the Integrity, Ethics and Parliamentary Privileges Committee tabled report No. 105, which recommended charges of contempt against the former member. On 4 August 2010, I advised the House that, given then pending current criminal proceedings involving the former member, I had decided to obtain on behalf of the parliament separate legal advice from senior counsel as to whether the recommendations of the committee should be implemented prior to the criminal proceedings being concluded. The Leader of the House subsequently tabled advice from the Solicitor-General. In October last year, I received that advice and I provided copies of that advice to the government, the opposition and a representative of the Independents.

The advice from senior counsel engaged by the parliament was to the effect that pending trials, not appeals, should be concluded before proceeding further. Given that all trials relevant to the matter have now concluded, I now table the brief seeking advice and the advice provided by Peter Davis SC.

Tabled paper: Memorandum of advice, dated 20 October 2010, to the Clerk of the Parliament from Mr Peter Davis SC, barrister-at-law, relating to report No. 105 of the Integrity, Ethics and Parliamentary Privileges Committee [4234].

The final matter of note is that in the intervening period Mr Nuttall was convicted of further more serious matters that also involve issues similar to that canvassed in IEPPC report No. 105. The Premier then wrote to me and the Registrar of Members' Interests—that is, the Clerk—on 2 November 2010 requesting that the matters pertaining to the further conviction be referred to the IEPPC. The registrar referred the matter to the IEPPC in accordance with schedule 2 of the standing orders on 18 November 2010. This morning the Leader of the House indicated that it was believed to be prudent to await the IEPPC report on that matter before proceeding. Having regard to all of the matters, I agree with the Leader of the House on this point.

Turning to the issue, it is true that standing order 274 is drafted in mandatory terms, but it is not directed to the Leader of the House but to the House generally. The House as a whole is a master of its own destiny and makes decisions as they are put before it in accordance with its rules. I do not believe that there has been a wanton disregard for the rules of the House by any individual. Rather, there has been a prudent approach adopted by the House as an entity. If individual members disagree, then of course there are procedures they can follow. Accordingly, I have found that there is no point of order and there is also no matter of privilege. I table the information for honourable members.

Tabled paper: Brief to counsel, dated 10 October 2010, from the Clerk of the Parliament to Mr Peter Davis SC relating to report No. 105 of the Integrity, Ethics and Parliamentary Privileges Committee, together with supporting documentation [4235], [4236], [4237], [4238], [4239], [4240].

MOTION

Carbon Tax

Mr SEENEY (Callide—LNP) (Leader of the Opposition) (5.31 pm): I move—

That this House calls on the Bligh government to strongly defend Queensland families and Queensland industries against the federal Labor government's destructive carbon tax.

Tonight the LNP calls on the Labor government to stand up for Queenslanders. Tonight the LNP calls on Premier Anna Bligh to stand up for Queenslanders—to stand up for Queensland families and Queensland industries and indeed for Queensland's future. The federal government is proposing to introduce a tax next year that will hit Queensland families every single time they pay a bill. It will hit Queensland families every time they turn on a light, every time they buy food and every time they go to look for a job. The federal government's carbon tax will hit our industries. Queensland is a resource based economy. Our resources industries will be hit harder than most. They will be hit in terms of their international competitiveness and they will be hit in terms of the investment decisions that are made by international companies not to invest here.

Make no mistake: the federal government's new tax will close down Queensland's industries. It will close down the development of Queensland's resources industries, it will kill off the Queensland jobs that young Queenslanders are hoping to build a career with and it will push up the cost of living for our families. The proposed introduction of a carbon tax by the federal Labor government is a test for this Labor government here in Queensland. It is a test for Premier Anna Bligh as the leader of that Labor government, because already in Queensland every Queenslander is feeling the effect of the rising cost of living. But under this proposal every Queenslander will pay more for their groceries, they will pay more for their fuel, they will pay more for their electricity, they will pay more for their water and they will pay more for every one of their goods and services. This tax will be all encompassing and there will be no isolating or repairing the damage that it will do to the Queensland economy through some sort of compensation scheme. It will hit commuters on their daily journeys, with fuel and public transport fares inevitably forced higher. Petrol is anticipated to rise by 6½c for every litre that Queenslanders use, and people in Queensland are forced to use larger volumes of petrol than other parts of Australia simply because of the geography of the far-flung state in which we live.

It is estimated that the average household electricity bill will rise an additional $300 in the first year of the tax, with even more rises to follow. Most Queensland families will tell you now without any hesitation that they are already trying to reduce their electricity consumption following the massive cost rises brought about by this government's botched electricity reforms.

An incident having occurred in the public gallery—

Mr SPEAKER: Order! I would ask the person taking photos in the public gallery to desist. In fact, I would ask you to turn it off. If this persists, I will have you removed from the gallery. Sorry, Leader of the Opposition.

Mr SEENEY: Under the proposed tax regime, jobs will be lost as the price of electricity makes Queensland industry globally uncompetitive and business moves to countries with less stringent or no such taxes, thereby compounding the impact on the global environment. The price of gas is expected to rise by 10 per cent. Groceries will rise as food and fibre prices are pushed up as, by their nature, they are energy-intensive industries. In addition, this food and fibre must be transported to supermarkets and stores. The only way to do that is through fuel-consuming vehicles, and that cost too will rise. What little manufacturing industry that is left in Queensland after the last 20 years of Labor government neglect will be decimated as their global competitiveness is slashed.

It is a disgrace that this destructive tax is being introduced without the opportunity for Australians to vote on it. To make it worse, the Australian taxpayer was actively misled. Before the last election the Prime Minister promised—

There will be no carbon tax under the government I lead.

That is what Julia Gillard said—

There will be no carbon tax under the government I lead.

This promise was made just five days before the federal election. The Prime Minister followed up with a statement on the day before the election when she said—

I rule out a carbon tax.

She said, 'I rule out a carbon tax,' the day before the election. It boggles the mind how any politician can believe they can say something like that before the election and then seek to introduce a tax such as this immediately after the election. The federal Treasurer stated—

What we rejected is this hysterical allegation that somehow we are moving towards a carbon tax.

Then he said—

We have made our position very clear. We have ruled it out.

But what did federal Labor do? Something very similar to what Queensland Labor did: it said one thing before the election and it did another thing immediately after the election. It was a fundamental breach of trust with taxpayers and families across Australia. Queenslanders should be able to trust the leaders that they elect. It has become obvious that they have not been able to trust the leaders they elect at a state level or a federal level. Premier Bligh should be using every influence she has to protect Queenslanders, to stand up for Queenslanders, to ensure that this impact on the Queensland economy does not go unchallenged. But Premier Bligh, too, has a track record. At the last state election she promised not to impose a state fuel tax. As soon as she was elected, she did just that. The Premier introduced a 9.2c per litre state fuel tax. At the last state election there was no mention of any intention to undertake a fire sale of Queensland's assets. As soon as the government was elected, it did just that. It sold off our assets at a time when the market was at its lowest levels.

This motion tonight is about Queensland families. It is about the future for young Queenslanders. A Campbell Newman-led government will defend at all times the rights of Queenslanders to a job, the rights of Queenslanders to the lifestyle that we have become accustomed to and that is our birthright. We in the LNP care about our communities. We will act to protect the future of our environment, but we will not allow our economy to be destroyed along the way. We will stand up to the federal government for the sake of Queensland. The Gillard government is in the process of signing the death warrant of many of our regional towns and the resources industries on which they depend. The resources industries will be the hardest hit of all by this tax regime. When a carbon tax makes those resource-intensive industries unviable, when it shifts those industries overseas, it will be Queenslanders across regional Queensland who will be hit hardest of all.

Jobs will be lost and families will leave those regional towns. It is not just regional Queensland that will be hurt. Our tourism industry is heavily reliant on international tourists and its costs will rise. Brisbane's service industries are heavily reliant on the resources sector for business, both directly and indirectly. The same story is repeated across the state in cities such as Townsville, Cairns, Gladstone and Mackay. The resources industry drives those economies. Make no mistake: this tax is about destroying Queensland jobs.

In many respects the damage may already have been done. The damage that has been done in the international investment community in terms of its confidence to invest in the Australian economy may already be costing Queenslanders and Australians jobs. There seems to be a belief in the Labor government that companies can somehow absorb the cost of this tax. But it will be ordinary Queenslanders who will have to absorb the cost of the tax. It will be ordinary Queenslanders who will be the ones who will pay and they will pay in a hundred different ways as the cost filters down through the economy.

Ordinary Queenslanders will be hurt and hurt badly at a time when they can least afford to pay, because this tax comes on top of 10 years of gross mismanagement of the Queensland economy that has caused massive cost-of-living hikes that we are already experiencing and that every Queenslander knows too well. The track record of the Bligh Labor government is a disastrous one. Under its tenure, water charges will rise in South-East Queensland by up to 300 per cent, electricity charges will rise by 50 per cent, petrol prices have already gone up 9½c a litre because of their broken promises and driver's licences and so many other things have gone up in cost.

It is absolutely essential that this state Labor government makes the case to the federal Labor government that Queensland families, Queensland communities and Queensland industries cannot afford to pay federal Labor's carbon tax. It is a test for this government and it is a test for this Premier. It is a decision that will have far-reaching and profound effects on the people of Queensland for generations to come. They deserve a government that will stand up for them.

(Time expired)

Mr GIBSON (Gympie—LNP) (5.41 pm): It is a pleasure to second this motion and to stand up for Queensland families, to stand up for Queensland industry and to stand up for a Queensland future against this proposed carbon tax by this Labor government. We call on those opposite to have the same backbone, to have the same courage and to stand up.

This is not an environmental debate; it is an economic debate. We have heard that often, because a carbon tax sends a price signal. I thought I would take this moment to share with those opposite how a carbon tax impacts on the economy. Economics students learn very early that there are two important ways that changes in price influence consumption. The first is what is called an income effect. When you bring in a tax, you reduce a consumer's real income. It results in that consumer being poorer. There is nothing more basic than that. Bring in a tax, put your hand into the pockets of ordinary Queenslanders, and they have less money to spend.

There is a second way that higher prices influence consumption and economists call that the substitution effect. That is where a higher price for carbon-intensive products, such as electricity, should encourage consumers to change to less carbon-intensive products. That sounds great in theory. The problem we have is that Queenslanders have already been making those decisions. They have already switched off the beer fridge and they have already had to look at their electricity consumption, because a Labor government has driven up the price of electricity to such a degree that people now do not see electricity as a necessity; it is almost becoming a luxury. This is the problem we have when we look at a carbon tax being imposed by the federal Labor government, and we implore those Labor members opposite to stand up against the Gillard Labor government and its commitment to tax ordinary Queenslanders.

We have heard a great deal about the impact that this carbon tax will have. I want to focus on the comments of one individual who has blown the whistle on the futility and the stupidity of Australia unilaterally introducing a carbon tax. Who would that individual be? The Gillard government's own Climate Commissioner, Tim Flannery. Tim Flannery is out there criticising the carbon tax. Will those opposite listen to him or will they criticise him also?

Mr Dickson: They'll be deniers.

Mr GIBSON: Will they be deniers of Tim Flannery? Will they find themselves, like religious zealots, refusing to accept the information that is put forward? Labor is determined to impose a carbon tax before we see any global agreement. That is economically irrational as it will destroy the comparative advantage that we enjoy in Australia, specifically here in Queensland.

We heard from the Leader of the Opposition about the impacts that this carbon tax will have upon this state. I pose this question for those who mount the argument that we have to take the moral imperative and that we must move first. I pose this question to those who believe the mythology that somehow we have a responsibility to lead the world. What would have happened if the GST in Queensland was five per cent more than in the other states of Australia? What would have happened if we lost that level playing field? We would see businesses moving to Victoria, Western Australia and New South Wales because the tax environment in this state would be crippling them. What is being proposed is exactly that, except businesses will move, manufacturing will move, jobs will move and families will be worse off. Why? Because a Labor government does not stand up for ordinary people.

We are calling on this Labor government to stand up against the Gillard government and to stand up for Queensland families. We already know, thanks to former Prime Minister Kevin Rudd, that within the Labor Party in Canberra they were not even agreed on it. They are having their own divisions. They are internally wracked on it. What does Queensland Labor need to do? Queensland Labor needs to get a backbone and stand up for Queensland families. A key flaw in the Gillard government's decision to impose an $11.5 billion tax on Australians is the failure of the rest of the world to move. Why would we put this noose around the necks of Queenslanders? We must not allow that to happen.

(Time expired)

Hon. RG NOLAN (Ipswich—ALP) (Minister for Finance and the Arts) (5.46 pm): I acknowledge in the public gallery members of the Ipswich Central and Ipswich North branches of the ALP. I move—

That all words following 'House' be omitted and the following words inserted—

'acknowledges the serious impacts of climate change as a threat to Queensland's environment, economy and quality of life.

And notes the Premier's statements on the public record that the Queensland government will act to protect Queensland's interests, including adequate compensation and protection for industry and—

Mr Horan: You'll never have enough.

Ms NOLAN: You will never have enough—

households in the development of any federal scheme to reduce carbon emissions.'

I have been a member of this House for 10 years. In recent days we have seen in Queensland politics—

Mr SPEAKER: Where is the amendment?

Ms NOLAN: I just moved it, Mr Speaker.

Mr SPEAKER: No, it has not been circulated.

Ms NOLAN: I am happy to circulate it.

Mr SPEAKER: No, can we make sure that it is circulated in all fairness to the other speakers.

Ms NOLAN: Yes. I have been a member of this House for 10 years and in recent days we have been promised the winds of change. We have been promised that the LNP will be led by a golden haired boy and that for the first time in the last decade of Queensland's political debate we will see the winds of change, that we will see leadership and that we will see unity. But just two days in, today could be any regular day in Queensland politics, because we could shut our eyes and we could imagine the good old boys of the National Party not arguing this time about climate change but arguing about vegetation management. We could close our eyes and imagine that they were arguing for the right to keep polluting the Great Barrier Reef. We could close our eyes and imagine them not so long ago fighting against the protection of Fraser Island. There are no winds of change. This is the same old National Party, the same old rum-drinking, good old boys and the same old approach to environmental management that is 'leave it for someone else because it is nothing to do with us'.

Climate change is the great political and environmental challenge of our time. There is no doubt about the science. There is no doubt about the threat. Only those on the very fringes of Australian politics argue for a moment that the science is not real. The challenge for us is to move away from denial and to deal moderately and reasonably with a complex but critical debate. This is not a time for hysteria. This is not a time for Tea Party politics. This is a time for moderation, for forethought and for considered debate. That is what we on this side of the House are going to do.

The science is compelling. Sixty per cent of Australians agree that this issue needs to be responded to. In that regard the Queensland Premier has led. When the federal government has acknowledged the science and put a proposition on the table, Anna Bligh has said that we will ensure that households are compensated properly. We will ensure that our emissions-intensive trade exposed industries will be protected properly. We, the Queensland government, will ensure that the polluter not the ordinary person pays. That is the contribution that we will make in this critical federal debate. Right now we have an opportunity to get this right, but we need leadership, not this wrecking nonsense, not the same old approach that we saw on vegetation management and the Great Barrier Reef. This is a challenge and it is a challenge for leadership. That is a challenge that we on the Labor side are more than able to manage. The best those opposite can manage is wrecking. The best those opposite can manage is to put their head in the sand. The best those opposite can manage is to leave it for the next generation. That is not something that we will do.

Hon. TS MULHERIN (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (5.52 pm): I second the amendment as proposed by the Minister for Finance and the Arts and member for Ipswich. As the Premier has previously outlined on a number of occasions, right now Australia does not have a carbon tax, nor does it have any finite details of one. What we currently have is a carbon change framework under which the matter of carbon pricing can be considered and such a proposition can be developed. When that has been developed by the federal government, and we as the Queensland government and the Australian public know what the details are, we will make a judgement about it. In that judgement we will put Queensland first. We will put Queensland first as we did with the previous proposal in relation to an emissions trading scheme. We will be seeking adequate protection for our export exposed industries, we will be seeking appropriate protection for consumers and householders and we will also be seeking appropriate protection for our agricultural sector.

From an agricultural perspective, it is important to note that when the federal government first announced the carbon change framework it confirmed that emissions from agricultural sources, legacy waste and forestry will be exempt from the carbon pricing mechanism. The federal government recognised that it is not practical to impose liabilities on emissions from these industries. It is also recognition that farmers and landholders can play a vital part in reducing our carbon pollution. The carbon farming initiative introduced into federal parliament last month will allow for abatement from eligible activities undertaken by farmers. It is a positive way for forest growers and landholders to be involved in the carbon market and potentially open additional income streams for primary producers.

We on this side of the House believe in climate change. We have always been clear about our position and take this issue very seriously. We believe that climate change is real and that it requires real action. It was unclear how those opposite stood on the position of climate change before all their policies were scrapped and are now null and void. Previously the member for Southern Downs has made claims that climate change is caused by volcanoes. In contradiction, the member for Surfers Paradise said climate change is the biggest challenge for the 21st century. Highlighting the hypocrisy of those opposite, the member for Moggill introduced a private member's bill for a voluntary carbon credit state based trading system in 2007 in which the member said that climate change calls for an immediate response. The member said carbon trading would be a measure that can be introduced now that would be effective in driving down emissions. We do not even know who is the shadow environment minister, let alone if they have spoken to Campbell Newman about what their policy position should be this afternoon.

It must be remembered that carbon pricing is a federal issue. On the federal level, the Leader of the Opposition, Tony Abbott, has described climate change as crap.

Mr SPEAKER: Order! That is unparliamentary. You cannot put unparliamentary language in someone else's mouth and use it here. You will withdraw it immediately.

Mr MULHERIN: I withdraw it immediately. On the federal level, the Leader of the Opposition, Tony Abbott, has described climate change as nonsense. However, Mr Abbott was part of the Howard government that agreed that an ETS would be part of the coalition's platform for the 2007 election. That is why they commissioned Peter Shergold and others in conservative business communities to develop the framework that they used in the 2007 election. Yesterday the Western Australian national member for an agricultural area, Philip Gardiner, who is behind a push for the Western Australian Nationals to support a price on carbon, said Mr Abbott, as a matter of urgency, must recognise the combination of realities of global warming and possible risk to climate change. He also said Mr Abbott's $11 billion alternative would neither change polluters' behaviour nor drive innovation in clean energy. Mr Abbott wants taxpayers to pay polluters to cut their emissions. The Prime Minister wants the polluters to pay and working families to be compensated. The federal government has said that every cent raised will assist families with household bills, help businesses make the transition to a clean energy economy and tackle climate change.

As the federal government moves towards finalising its framework, we will ensure all Queenslanders are afforded appropriate protections whilst also working towards the cheapest and fairest way to cut pollution and build a clean energy economy.

Mr CRIPPS (Hinchinbrook—LNP) (5.57 pm): The reason the LNP has tonight moved a motion calling on the Bligh Labor government to strongly defend Queensland families and industries against the federal Labor government's destructive carbon tax is because the Bligh Labor government has such an appalling record of defending Queensland families and industries from the malicious and perverse policies of federal Labor governments led by Kevin Rudd and Julia Gillard. For example, when Peter Garrett was the federal environment minister he proposed the closure of the Coral Sea without any concern for recreational or commercial fishers, charter boat operators or tourism operators. The Bligh Labor government did nothing. It rolled over. Peter Garrett was being manipulated by and kowtowing to the Pew Environment Group, a foreign environmental lobby group. Did the Bligh government object to this interference in our affairs or the impact that it would have on our local communities? No. It rolled over. What happened at the subsequent federal election? LNP candidates cleaned up Labor candidates up and down the east coast of Queensland. Notwithstanding that situation, the Gillard Labor government is still in bed with the Greens and now proposes a carbon tax that will burden Queensland households and businesses with higher costs and threaten jobs in many industries. The Bligh Labor government has not learnt its lesson. It is sitting over there mute and absurd, condemning Queenslanders to yet another tax.

We now know that every Australian household will face an annual carbon tax bill of about $863. What a diabolical proposition for the Gillard government to propose such a massive increase in the tax burden on families and small businesses, who are already struggling with the spiralling cost of living and the cost of doing business. The Gillard government has abandoned families and industry in Australia and is in favour of kowtowing to the Greens that support it in parliament. All the while, the Bligh Labor government collaborates and endorses this diabolical tax by its silence. Desperately hanging on to political power is the Gillard government's first priority. Supporting families with cost of living concerns and supporting jobs in regional and rural areas has gone out of the window in favour of this diabolical new tax. That is a familiar story for Labor governments, particularly in Queensland where the Bligh government has perfected the art of selling out and betraying people, jobs and communities in favour of preference deals with the Greens.

I cannot let this opportunity go by without saying a few words specifically on behalf of north Queenslanders. The costs of electricity, fuel and freight will go up under Labor's carbon tax. North Queenslanders already pay more, use more and rely more on those goods and services than do residents of metropolitan areas, so we stand to be hit harder under Labor's tax. North Queensland is suffering badly under the rule of governments delivered to power by the Labor/Greens alliance, both in Canberra and here in Queensland. I will not stand for it, the LNP will not stand for it and I know that north Queenslanders will not stand for it.

If I was a state Labor member of parliament for North Queensland, sitting over there bound and gagged, I would be polishing my resume. The same thing will happen to such members as happened to their federal colleagues if they do not stand up on behalf of North Queensland jobs and industries. Only the LNP has stood up and strongly and consistently opposed the carbon tax at both the state and federal levels. Before the last state election, the Premier ruled out a fuel tax and a fire sale of state owned assets. The Premier broke both of those promises. Before the last federal election, the Prime Minister ruled out a carbon tax. The Prime Minister has broken that promise. It is disgraceful, but it is not surprising because it is in Labor's DNA.

This policy is one of the most vague, one of the most speculative and one of the most seriously irresponsible pieces of public policy ever proposed in Australia. The policy objective has not been defined and the impact on Australian families and businesses has not been assessed. However, we do know one thing, which is that it is going to cost Queensland billions and the Labor Party is determined to do absolutely nothing about that. For that abdication of its responsibility and for that indifference to the welfare of Queensland families and industries, the Bligh Labor government should be embarrassed and ashamed of itself.

Mr WETTENHALL (Barron River—ALP) (6.02 pm): I rise to oppose the opposition motion and to support the government's amendment. This week in Cairns, 450 of Australia's top climate scientists are attending the CSIRO's Greenhouse 2011 conference to consider the latest research. They have chosen the best place in Australia to hold a conference. I note that yesterday during the course of the conference in Cairns, the CSIRO chief executive, Ms Megan Clark, is reported to have said that she backs a carbon price. Some very interesting findings have been revealed at the conference, which has heard that Australia's tropical oceans and seas are becoming warmer and more acidic; rising sea temperatures could kill off the Great Barrier Reef within decades unless carbon emissions are curtailed; sea levels are rising at the upper end of the predictions contained in the Intergovernmental Panel on Climate Change 2007 report, that is, between 60 to 80 centimetres by 2100 or 3.2 millimetres a year; studies are pointing to a likely increase in the proportion of intense cyclones, but a possible decrease in the overall number of cyclones per year; and carbon dioxide emissions and global average temperatures are tracking in the mid to upper range of the IPCC predictions.

For the people of Far North Queensland, these are no mere academic questions. We are still cleaning up from one of the most intense and damaging tropical cyclones in living memory. Significant numbers of people live in low-lying coastal areas and are vulnerable to sea level rises and storm surges associated with intense cyclones. Our economy depends on tourism, which in turn depends on a healthy reef.

What are we to make of the LNP's policy on climate change? The LNP website states that it will protect Queensland's natural heritage and environment from irresponsible degradation and accept its fair share of the global effort to mitigate climate change. However, the non-parliamentary leader of the parliamentary LNP has said that that policy is null and void. What is the policy of the LNP? This is what we do know: they oppose a carbon tax, they oppose an emissions trading scheme, they oppose Labor's tree clearing laws and they oppose limiting land based pollutants running off into the sea. In effect, they oppose any effective measure whatsoever to limit greenhouse pollution or even help our environment adapt to its effects.

The opposition motion shows the Queensland LNP to be a party of climate change deniers or disingenuous opportunists. I think the LNP has its fair share of climate change deniers and climate change sceptics. I do not agree with them, but I suppose at least it can be said that they have an honest if naive belief. However, I suspect probably there are members of the LNP opposition who do believe in climate change and who do believe that establishing a price on carbon is the best way to boost the renewable energy sector, boost energy efficiency and drive new technology. However, today they will not be seen or heard as they dance to the tune of Tony Abbott's scare campaign and wait for instructions from their absent leader. As they have shown many times before, they will put their partisan political interests before the interests of Queenslanders or the national interest. Members opposite should take a leaf out of the book of their National Party colleague in Western Australia, Mr Tony Crook MP. He is reported to have an open mind about voting for the federal government's proposed carbon tax.

There is no doubt that there is concern in our community about the impact of the tax, but Queenslanders can and will see through the scare campaign of Tony Abbott and the LNP. Most Queenslanders want action on climate change. The Premier has consistently said, and I support her, that she will be looking for substantial compensation for households to protect them from any increases. On this side of the House we know, understand and accept that the cost of doing nothing is just as high or higher than taking some action. The many heads of the LNP remain buried in the sand.

Mr DICKSON (Buderim—LNP) (6.07 pm): In the Labor ranks they are all running around like headless chooks. Yes, the debate on the carbon tax is really starting to heat up. Across the entire country, Labor members of parliament are feeling the heat and now it appears that the pro-carbon tax lobbyists cannot even reach a consensus. Ross Garnaut, the former chairman of serial polluter Lihir Gold, has told the federal government that a fuel tax must be included in the carbon price and subsequent ETS, but Wayne Swan does not want to buy into that one. However, my personal favourite comes from Tim Flannery, whom we will all remember. This is the same Tim Flannery who, a couple of years ago, told us that we risk becoming a dust bowl. Two weeks ago, a radio program broadcast an interview with Tim Flannery. In replying to a question about world temperature changes and the consequences of a carbon tax, he stated—

If we cut emissions today, global temperatures are not likely to drop for about a thousand years.

If those opposite think that that remark is taken out of context, in response to a further question Tim Flannery said—

Just let me finish and say this. If the world as a whole cut all emissions tomorrow the average temperature of the planet is not going to drop in several hundred years, perhaps as much as a thousand years...

How will the carbon tax affect the family budget? I have said previously that Labor's carbon tax is going to turn every power point and light switch in this country into a Taxation Office branch. That is where all the money will go. It is not only the wage and salary earners who will be hurt by this carbon tax; out in our electorates we are hearing that pensioners are terrified because they do not know how it is going to affect them. It is a waiting game to see whether or not pensioners will receive the assistance that has been promised. What is this assistance going to amount to? The federal Treasurer, Wayne Swan, has provided no detail.

I am also hearing the question, 'Why should we have to pay this carbon tax when countries like China that pollute freely do not pay one?' We hear the Prime Minister, Julia Gillard, spouting off about China closing down coal fired power stations at the rate of two a week. That is true, but it is also opening new and more efficient power stations every time it closes one. The Prime Minister wants Australians to believe that the Chinese landscape is a sea of solar panels and wind turbines, but that is not true and it never will be.

Poll after poll has been conducted on this issue of a carbon tax. The message is loud and clear from Australians: leave us out of this ludicrous scheme that is all about wealth redistribution and nothing to do with pollution reduction. Yesterday the federal member for Capricornia, Kirsten Livermore, told ABC that the carbon tax was essential and that jobs will not be lost within the mining industry. The member said—

I think people in Mackay and the Bowen Basin have just got to believe their own eyes ... because there is just no sign of any slowdown.

The member for Capricornia obviously has not worked out that there has not been a slowdown because we do not have a carbon tax yet. The member told ABC that the carbon tax will not come as a surprise to mining companies so they should be prepared and thus will not be forced to reduce their workforce. The member for Capricornia said—

So yes we are going to hear all these arguments from the companies about doom and gloom ... They're going to say all that because they want to get as big a slice of that money ...

If the member for Capricornia and Labor members genuinely believe that the mining industry in Queensland will come around to their way of thinking on the carbon tax, they had better take a closer look. Two weeks ago in New South Wales the message was sent to Labor in mining seats and it was all because of the carbon tax. I say to the Prime Minister and Premier Bligh: bring it on; call a federal election, call a Queensland election. I want Labor to campaign on this carbon tax because I can assure it that the can-do Liberal National Party will be campaigning against this carbon tax.

The reality is very clear. The price of electricity, the price of power, the price of water and the cost of living generally are not going to go down with the carbon tax; they are going to go through the roof. Do members opposite think pensioners can go out and work another day? No, they cannot, and I think the people on the other side of the House do not care.

My advice to the people of Queensland is very clear: when you go to the next election, take that bill along with you—take your power bill, take your food bill and take your water bill. They are only going to amount to one thing: a how-to-vote card—how to vote Labor out. There is one way to solve this problem in Australia and particularly here in Queensland and that is to vote this lot out and vote in the can-do team. We will not let a carbon tax be introduced.

Ms FARMER (Bulimba—ALP) (6.12 pm): It gives me great pleasure to speak on such an important question and, of course, to support the amendment moved by the Minister for Finance and the Arts. But where do I start? Do I start with the LNP's miserable record on environmental issues; with the complete confusion we all experience whenever we try to work out whether the LNP believes in climate change; with Campbell Newman's record on complex policy issues such as traffic congestion and public transport, where real gains could be made on reducing our carbon footprint but where he cannot resist feeding his addiction to unprofitable tunnels instead; or with the Bligh Labor government's excellent track record on practical initiatives to work with businesses and industry to manage their consumption or to help householders reduce their energy consumption and cut costs at the same time? We know that 75 per cent of all Queenslanders believe that it is important to reduce their energy consumption. Should I simply start with what the Premier has already put on the record about the proposed carbon tax and how she wants to make sure that whatever happens and whatever she commits to is the best thing for Queensland?

The Bligh Labor government has a clear position on climate change. Yes—shock, horror—we believe in it. We do not believe, as the member for Southern Downs does, that the greatest emitter of greenhouse emissions is volcanoes. We do not draw parallels, as Barnaby Joyce does, between environmentalists and Nazis. We do not believe, as Tony Abbott does, that the argument for climate change is 'absolute you know what' or that 'we want to be careful that we're not jumping on a bandwagon or being taken by a fad'. We did not queue up, as the opposition spokesperson for the environment did, to hear climate change sceptic Lord Monckton.

We do believe that proactive steps must be taken by governments to address climate change and that the best way to achieve deep cuts in emissions is to put a cap on them and to put a price on carbon. That is why we welcomed the Prime Minister's announcement last month about a proposed carbon price mechanism. We believe in the scientific evidence that a proposed carbon price as a transition to a trading scheme is an effective way to drive long-term market investment in the emerging technologies needed to significantly reduce emissions. However, at the same time, Premier Anna Bligh has made it very clear that she will not settle for just anything for Queensland.

The proposed new scheme must be the best thing for our state, and we have a track record of arguing the best case for Queensland. During the development of the proposed Carbon Pollution Reduction Scheme, for instance, Queensland negotiated amendments to smooth the transition for the Queensland economy and communities. For example, we sought and received enhanced assistance to industries, such as coal and LNG, to smooth the impact on our economy, and we called for assistance for the coalmining industry for more accurate measurements of open-cut mines. The scheme subsequently included $750 million in such assistance.

Let us see whether Campbell Newman puts his money where his mouth is regarding climate change. I know he has said that he will be starting afresh with any LNP policies and that anything that is currently in place will now be scrapped. Frankly, that will not be a big problem for climate change policy since there is not any policy to speak of to scrap in the first place.

Let us have a look at some decisions that he has made on policy that could make a difference to our carbon emissions. I would like to talk particularly about active transport and public transport. There is no doubt whatsoever that active and public transport programs can make a difference. Quite simply, they reduce the number of vehicles—well-known carbon emitters for those on the other side who do not realise—on our roads. I will give some examples. One standard bus equals 54 vehicles. One CityCat equals 138 vehicles. A six-car train equals 625 vehicles. One busway has a carrying capacity of up to 30,000 passengers per hour in peak, the equivalent of 12 traffic lanes.

What is it that Campbell can and can't do in these areas? He can establish a bike hire scheme, but he can't establish one that anyone uses because he can't think beforehand to put the infrastructure in place to support it. He can cut funding for public transport in the BCC budget from $231 million in 2009-10 to $205 million for 2010-11—one of the only councils in South-East Queensland, which is the corner of the state where the population is exploding and public transport needs are increasing along with it. He can spend lots of money, using his 107 PR staff, implying to Brisbane ratepayers that he is responsible for all the new buses in Brisbane, but he can't truthfully claim that he paid for the 500 buses that he promised to deliver because the state government paid for those. He can't match the state government's commitment to public transport, which is the most significant of any state in Australia. Campbell Newman has said—

If we're in government, we will have very clear policies about how we'll protect the environment ...

I think Queenslanders will want to see something well before then. It is all very well to grandstand with private members' motions about carbon taxes and to attack every single policy that state and federal governments put in place. That is a ruse to cover up the fact that you have no policies at all or that you have a bad track record if you do have them. Queenslanders deserve better than that and that is exactly what the Bligh Labor government is delivering for them.

Mr NICHOLLS (Clayfield—LNP) (Deputy Leader of the Opposition) (6.17 pm): That was a power of carbon dioxide if I ever heard it! If we whacked a tax on the member for Bulimba we would be riding some public and active transport all the way home without having to put gas in the tank!

Government members interjected.

Mr NICHOLLS: They can run but they cannot hide. I rise to support the motion moved by the Leader of the Opposition. Let us recap that motion. It states—

That this House calls on the Bligh government to strongly defend Queensland families and Queensland industries against the federal Labor government's destructive carbon tax.

I certainly oppose the government's supercilious and pious amendment moved here tonight. When we read that supercilious amendment moved by the Labor government tonight we realise how vacuous this long-term Labor government has become. It simply restates the rote formula used by the Minister for Finance on 8 March—and honourable members can read it on page 334 of *Hansard*—when she was asked whether she understood what Wayne Swan was talking about and whether what Julia Gillard was proposing was really a carbon tax.

No-one should be really surprised that this government has moved such a silly and pious amendment because, when it comes to being supercilious and pious, this government has form—a government that has continually failed Queensland families and Queensland businesses ever since it was elected tragically two years ago. Labor failed them on petrol prices after promising not to kick Queenslanders when they were down and imposed a fuel tax. Labor failed them on electricity prices after promising no-one would be worse off after electricity reform and seeing prices rise by over 55 per cent over the past five years. Labor failed them on water reform after blowing billions of dollars on water equipment that is not used, pipelines that are not needed and price increases of over 100 per cent. Labor failed them on health reform that has not delivered better access to hospitals and health services. Crucially Labor has failed Queenslanders on the fundamental question of being open and accountable to the people of Queensland.

No-one should be surprised at this Labor government, led by the infamous BLF troika—Premier and ALP Federal President Bligh, Deputy Premier Lucas and Treasurer Fraser—failing to take on their federal mates over Labor's carbon tax. It is an interesting thing that as I sat through this afternoon's debate and listened to each of the speakers—the finance minister, the agricultural minister, the member for Barron River, the member for Bulimba—not one of them was able to say the words 'carbon tax'. It is a tax whose name they dare not speak. They hang around little dark corners and they go into their little rooms and bunkers and they talk about it quietly amongst themselves. Underneath the bridge at South Brisbane outside Trades Hall, they get the comrades together and say, 'We'll just have a little whisper about the carbon tax. We don't want to say it because we know what the reaction will be. We know the political trouble we are in. We believe in a little bit of carbon tax but we don't believe in it enough to actually say it.' In this place they have again shown themselves, as they did when we had the debate about asset sales and all the members then refused to say the word 'asset sales'. It is the beast whose name they dare not say—a carbon tax, federal Labor's carbon tax, supported by Queensland Labor.

This Labor tax is bad for Queenslanders. It is bad for Queensland families. It is time this long-term Labor government stood up for Queenslanders, stood up for Queensland families, backed away from their champagne chardonnay sipping elite and opposed this carbon tax. Queenslanders need a government that will work for Queenslanders, not themselves—a government that will save Queenslanders' money and deliver more by action on the basics and by cutting waste. Queenslanders need a Campbell Newman government, not a long-term, tired Labor government.

(Time expired)

Hon. KJ JONES (Ashgrove—ALP) (Minister for Environment and Resource Management) (6.22 pm): Late last month when Campbell Newman said that he was going to take over the LNP as an unelected member outside of Queensland parliament, that he would now lead this shallow cabinet in front of us, do you know what he said? Campbell Newman said, 'It's a new start and a new beginning.' That is what he said, that it would be a new start and a new beginning, that we would see a new era on the conservative side of politics that was about action, that was about doing things, that was about tackling the big issues that Queenslanders and Queensland face looking forward.

Mr Horan: The Speaker doesn't sit up there.

Ms JONES: I am talking to the people.

Mr SPEAKER: That's great but you will talk to the Speaker.

Ms JONES: I am addressing you, but I am talking to the people. Mr Speaker, what we have seen here tonight is far, far, far from what Campbell Newman promised—which was a new start and a new beginning on the conservative side of politics. What we have seen here tonight—which is what I have observed from this mob for the last 10 years that I have been active in this place; I have been the elected member for Ashgrove for the last five years—is an LNP that denies and denies and denies that there is any such thing as climate change.

I thought I had seen it all. They have never been above scaremongering. They have never been above hurting people or going out there and telling little tales. But tonight they actually went to great lengths trying to misquote an Australian of the Year—one of the most honourable Australians that we can be proud of as fellow Australian citizens, the honourable Tim Flannery. What did Tim Flannery say in a letter to the editor to the *Australian* clarifying what he said—he is a very smart man; he knew that people like those opposite would try to misquote him. What did he say?

Opposition members interjected.

Ms JONES: This is important. You quoted him. Let me quote him. He said—

The Australian reported correctly that I responded by saying that if humanity ceased emitting greenhouse gases tomorrow, it would take centuries for their concentration in the atmosphere to return to pre-industrial (1800 AD) levels. This is, however, not an argument for complacency, or abandoning the target—

or for a shallow cabinet—

Rather, it highlights the importance of avoiding every kilogram of greenhouse gas emissions we can, for once in the atmosphere, they are extremely difficult to get out, and have long-term consequences.

The importance of turning emissions trends downwards—

Opposition members interjected.

Ms JONES: Mr Speaker?

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

Ms JONES: Thank you, Mr Speaker. Tim Flannery said—

The importance of turning emissions trends downwards as soon as possible is emphasised by the relationship between emissions and temperature. If all major emitters adopt a similar level of effort to our 5% reduction target in 2020 (or better) and continue to decarbonise thereafter, we'll cap the temperature rise to no more than 2 degrees later this century and temperature will begin to drop at the end of this century. If we fail to achieve these targets, we'll likely see temperature rising to 4 degrees towards the end of the century and it will still be going up at 2100.

The reason I wanted that on the public record is that I want every Queenslander to understand the science in regard to what that means for Queensland. What that means for Queensland is that we are the custodians of the Great Barrier Reef—one of the most special places in the whole world.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left I have asked to cease interjecting. I called the minister. The minister has the call and therefore deserves the courtesy of the House. The honourable the minister.

Ms JONES: As I said, Mr Flannery was saying we would see a four-degree increase by 2100. What does that mean for Queensland? That means that every single person—whether you sit in this chamber or outside—would hear the death knell for the Great Barrier Reef. I, for one, will not stand by—

Opposition members interjected.

Mr SPEAKER: Stop the clock. I will wait for the House to come to order. I issue a general warning to those on my left. The minister has the call.

Ms JONES: Thank you. I, for one, will not stand by and let the Great Barrier Reef die because we failed to act. I will ensure—

Mr Cripps: Two years ago you said it was the farmers. Now you think it's climate change.

Mr SPEAKER: The honourable member for Hinchinbrook. I have been very tolerant. I now warn you under the standing orders. If you persist with that line of interjection, you will be having an early dinner. I call the honourable the minister.

Ms JONES: Mr Speaker, I really want to get this point across because we have members in this parliament who are meant to represent those communities which rely on the Great Barrier Reef for their jobs, which rely on the Great Barrier Reef for their income. It is worth $6.5 billion to the Queensland economy, and you put your head in the sand and pretend it is not happening. Campbell Newman promised a new start and a new beginning. All you have is the same LNP that does not believe in climate change and a shallow cabinet.

Division: Question put—That the minister's amendment be agreed to.

AYES, 47—Attwood, Boyle, Choi, Croft, Dick, Farmer, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

NOES, 36—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

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

Mr SPEAKER: Ring the bells for one minute under the standing orders.

AYES, 47—Attwood, Boyle, Choi, Croft, Dick, Farmer, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

NOES, 36—Bates, Bleijie, Crandon, Cripps, Cunningham, Davis, Dempsey, Dickson, Douglas, Elmes, Emerson, Flegg, Foley, Gibson, Hobbs, Hopper, Johnson, Knuth, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Motion, as agreed—

That this House acknowledges the serious impacts of climate change as a threat to Queensland's environment, economy and quality of life.

And notes the Premier's statements on the public record that the Queensland government will act to protect Queensland's interests, including adequate compensation and protection for industry and households in the development of any federal scheme to reduce carbon emissions.

Sitting suspended from 6.38 pm to 7.40 pm.

MOTION

Order of Business

Hon. NS ROBERTS (Nudgee—ALP) (Acting Leader of the House) (7.40 pm): I move—

That general business orders of the day Nos 1 to 4 and government business orders of the day Nos 2 to 4 be postponed.

Question put—That the motion be agreed to.

Motion agreed to.

CHILD PROTECTION (OFFENDER REPORTING) AND OTHER LEGISLATION AMENDMENT BILL

CHILD PROTECTION (MORE STRINGENT OFFENDER REPORTING) AMENDMENT BILL

Second Reading (Cognate Debate)

Child Protection (Offender Reporting) and Other Legislation Amendment Bill resumed from 23 March (see p. 797), on motion of Mr Roberts, and Child Protection (More Stringent Offender Reporting) Amendment Bill resumed from 23 March (see p. 797), on motion of Mr Johnson—

That the bills be now read a second time.

Mr MESSENGER (Burnett—Ind) (7.41 pm): I rise to speak in the cognate debate of the Child Protection (More Stringent Offender Reporting) Amendment Bill and the Child Protection (Offender Reporting) and Other Legislation Amendment Bill. At the outset, I have to congratulate the LNP opposition for forcing the government to produce this legislation in response to its own legislation. When this legislation passes this House it will mean that the level of legislative protection for Queensland children will increase. Therefore, I will not be opposing this legislation.

I acknowledge that the police will be able to better protect Queensland children from sex offenders and dangerous sex offenders, from both categories. The police will be able to name them if they go missing after they are released from jail and placed on the official register; they will be able to better manage them. I understand that. However, I do not want the government or indeed the opposition to think that by not opposing this legislation I endorse the policy and the strategy that this government has regarding the management of dangerous sex offenders and sex offenders. I believe that the government policy and the existing legislation are fundamentally flawed. I think tonight will be a small step in the right direction; however, I would like to outline a vision for the better management of child sex offenders.

In short, I believe that Queensland parents are being denied a fundamental right, and that fundamental right is to know whether the government has moved a dangerous sex offender and a repeat child rapist into their neighbourhood or street. Let us be very, very clear about this. As the law exists in Queensland right now, Queensland parents and Queensland families do not have the right to know if the government decides to move a dangerous sex offender into their neighbourhood—indeed, into the house beside them. I think Queensland parents and grandparents deserve that right. Tonight I foreshadow some private member's legislation that I am currently working on that will rectify that situation. Many people, many legislators here, would know that law by its common name in America; it is called Megan's Law or the Megan style of law.

In both of these bills there are some fundamental problems. I believe that ordinary Queenslanders have the right to know whether the government has taken a dangerous sex offender out of jail—and, let us face it, they are released from jail. As much as we would like to see them locked up and the key thrown away, there are circumstances which exist whereby those particular offenders are released back into the community. This legislation is about better managing that. If we had a fundamental change of the laws in Queensland, we would be able to better protect our children.

Currently, as I have repeated, parents do not have the right to know if there is another Dennis Ferguson living next door to them. Parents do not have the right to say to their children, 'See that man. He's a bad man. Stay away from him.' That is all we are asking for. We are not asking for the right to know the identity of someone whom vigilante action could be taken against.

Government members interjected.

Mr MESSENGER: We do not want that. Those members opposite who are whingeing and complaining now seem to think more about the rights, freedoms and liberties of dangerous sex offenders than about the rights, freedoms and liberties of the children of Queensland. For too long in this state the balance has been in favour of the offender rather than the victims. We need to introduce legislation into this place to better manage the dangerous sex offenders—

Mr DEPUTY SPEAKER (Mr Hoolihan): Or perhaps, member for Burnett, you could deal with the current legislation, which purports to do exactly that, instead of straying. Please come back to the bill.

Mr MESSENGER: Thank you for your direction, Mr Deputy Speaker. I refer back to the Child Protection (Offender Reporting) and Other Legislation Amendment Bill and the Child Protection (More Stringent Offender Reporting) Amendment Bill. I note what is written in the explanatory notes for the latter bill under 'Reasons for the amendment'. It states—

It was revealed in 2009-10 Estimates Hearings that eight sex offenders were missing from the Sex Offender register and that at least one offender had been missing for more than nine months.

The response to Question on Notice 310 of 2010 revealed that almost every week for the past two years, a sex offender known to the system has committed further sexual offences. Ninety-nine dangerous sex offenders on the Child Protection (Offender Reporting) register have committed further sex crimes since being released back into the community.

It was reported during 2009 that of the more than 3100 sex offenders on the 'register' more than 1000 prosecutions have been commenced against registered sex offenders for breaching laws associated with their registration.

This brings up the subject of recidivism rates. We know that there are very, very sick and dangerous people within the dangerous sex offender community and that often they are incurable. We have seen different psychological approaches to these people throughout the years and most have failed. Most offenders go on to commit offences again.

I bring to the attention of members tonight a series of tests conducted in America whereby a group of non-child rapists and a group of child rapists were asked a question. From memory, they were asked: how many rapes did you commit that you were not caught and convicted for? Amongst the non-child rapists, the average was around seven. So for every rape and molestation that they were caught and convicted for there were seven victims at the bottom of that pyramid; there were seven victims who did not have their day in court, who did not receive justice. That was in the non-child-rape category. When it came to the child-rape category, the control group found that the average figure rose from seven to over 70. So for every victim they saw there were at least 70 other victims who did not have their day in court, who did not receive justice.

That is one of the reasons I believe the laws are fundamentally wrong in that the balance has to be skewed towards the victims and protecting future victims rather than engaging and worrying too much about the rights, freedoms and liberties of repeat child rapists and dangerous sex offenders. This has been a fundamental issue that I have been pursuing in my electorate. On 23 March 2010 I asked this question on notice of the Minister for Police, Corrective Services and Emergency Services—

With reference to a letter and recorded transcripts I sent last week to him, the Police Commissioner and the Premier, outlining concerns and allegations from senior members of the Burnett/Bundaberg Indigenous community regarding paedophilia and police inaction regarding those allegations:

(1) Has the Minister had discussions with the Police Commissioner and Premier regarding these allegations?

(2) Will the Minister detail the number of known and convicted paedophiles, dangerous sex offenders and/or repeat child rapists who have been allowed to relocate to the Burnett/Bundaberg region from other states and regions of Queensland (reported separately for the last five years)?

The police minister replied—

There are strong laws in place in Queensland under which those who commit crimes against children can be charged and prosecuted.

The Queensland Police Service is committed to investigating all reports relating to abuse against children and appropriate action will be taken, including prosecution if applicable where sufficient evidence exists.

As outlined in my response of 19 April 2010 to the Member, this matter has been referred to the Queensland Police Service and is currently under investigation by the Bundaberg Police District Child Protection Investigation Unit.

I thank the police minister because those allegations were dealt with in a very serious manner and in a timely manner, and I thank the police minister for that. With regard to the lady who came to me with the allegations and detailed the appalling situation, I applaud her for her courage in coming forward. It is always very difficult. The minister continues in his answer—

Queensland is at the forefront of the Australian National Child Offender Register (ANCOR) scheme to monitor the whereabouts and activities of convicted paedophiles. The Child Protection (Offender Reporting) Act 2004 gives police the power to monitor child sex offenders for the protection of children in this state. The aim of the register is to reduce the likelihood that convicted child sex offenders will re-offend.

The minister continues—

I am advised it would not be appropriate to publicly disclose, even by region, the locations of these offenders. The Commissioner has determined that to do so would not be in the interest of the proper management of Reportable Offenders in accordance with the requirements of the Act.

I find that reply offensive. Once again, it takes away the rights of Queensland parents to know if there is a Dennis Ferguson living next to them.

Mr DEPUTY SPEAKER (Mr Hoolihan): Member for Burnett, I have already drawn your attention to the fact that this deals with reporting, not notification of where people live. Perhaps you could come back to the terms of both bills.

Mr MESSENGER: Thank you for your direction, Mr Deputy Speaker. As part of the reporting process, the police obviously monitor the dangerous sex offenders on their register. What would help them monitor and better manage those dangerous sex offenders mentioned in this legislation would be a better form of electronic monitoring. Let us take a practical example of those sex offenders who have disappeared off the register. Say there are 99 dangerous sex offenders under the child protection offender reporting legislation and they go missing. How can we help the police better manage those people and locate those people in an appropriate period of time? One of the ways is to have, as I said, appropriate electronic monitoring.

Many people in Queensland are fooled into thinking that we have the best technical solution to the monitoring of sex offenders on these registers. They are fooled into thinking that because the minister, any other minister and the Premier have come out and said, 'Those people are electronically monitored.' When we say that they are electronically monitored, there is an assumption that those people are electronically monitored using the latest technology. In fact, most people would assume that it is very similar to the technology in our phones or GPSs—that is, a GPS tracking device. These days most people understand just how GPS tracking devices work. There are GPS tracking devices on turtles, sharks and all manner of animals. The Queensland government used GPS tracking devices on crocodiles.

Mr McLindon: The microchipping of pets.

Mr MESSENGER: There is microchipping and everything like that; I take the interjection. However, the electronic monitoring that this government uses on dangerous sex offenders and other people is antiquated technology. It essentially means that they wear a bracelet—that is, they go into a house that they must be in by a particular curfew and then the electronic device interrogates the braclet and sends a message down the telephone line to a control centre which basically says that they are home. When that person leaves that house, it sends another electronic message which says that they are not at home. Therefore, the practical difficulties facing police occur when those people do not abide by their curfew. It is not actually the police who take the signal, but officers of Corrective Services ring the police and say, 'This dangerous sex offender hasn't been at his house when he should have been.' The police then ask, 'Well, where is he?' Then the Corrective Services officer says to the police officer, 'Well, we don't know because it's not a GPS tracking device that's on this particular person.' In fact, would the minister care to detail how many dangerous sex offenders have GPS tracking devices on them? I would be very surprised if he even said one. Going back to the problem for police officers mentioned in this legislation, often these dangerous sex offenders have access to vehicles. They drive around in cars. The Corrective Services officer says, 'Well, he's been gone for four hours and he's got a car, so four hours drive from his house.'

Mr DEPUTY SPEAKER (Mr Hoolihan): Member for Burnett, this is the third time. I would draw your attention to the fact that the bill deals with an obligation which is placed on the offender. Could you please deal with the bill. Thank you.

Mr MESSENGER: Mr Deputy Speaker, I refer to the Child Protection (Offender Reporting) and Other Legislation Amendment Bill amending the Child Protection (Offender Reporting) Act. It goes on to say in part 2 relating to offender reporting orders that when the initial report is made personal details are to be recorded. My contention is that those personal details should be electronically recorded. They should be on the GPS devices. There should be a foolproof system for this reporting, and at the moment there is not. It is a totally inadequate system. I know that I am shaming those people across the House because they have perpetrated this great mistruth that they are looking after and properly protecting the children of Queensland, but they are not because the electronic details of where that person is would make the police's job a lot easier. Instead of relying on the honesty of a dangerous sex offender, having a GPS tracking device on that person would 100 per cent rock sure tell the police monitoring those dangerous sex offenders exactly where they are. Those GPS tracking devices are able to track those people online live. As we have seen with GPS devices in our phones and the like, it would be able to be done live and the job of the police would be made a lot easier.

Those devices are coming down in price more and more but, as we have seen, this government is not really good with IT. In fact, it is horrific with IT. In particular, the police have the QPRIME management program for electronic data. It is absolutely appalling. It combines 274 computer programs into one. It started out costing $100 million and, just like the debacle that happened to the Health payroll, the cost has exploded. The government has not been able to handle it.

In closing, I would simply say that this legislation is a very small step in the right direction. A lot more needs to be done and a lot more can be done to better protect children and restore to the parents of Queensland their right to be able to make decisions to better protect their children.

Mr McLINDON (Beaudesert—TQP) (8.00 pm): I would like to make a contribution to the debate on the Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010, which is being debated cognately with the Child Protection (More Stringent Offender Reporting) Amendment Bill 2010. I congratulate the opposition on bringing its bill forward. No doubt it was a catalyst for the government bringing its legislation forward. I know that the former 'shallow' minister for police and corrective

services, the member for Gregory, has been a strong advocate to ensure that victims are protected and that offenders bear responsibility for the crimes they have committed. Indeed, victims should be protected in legislation.

Of course, one of the key things in the legislation we are debating relates to the responsibilities of the Minister for Child Safety. The Queensland Party will be announcing a revamp of the current portfolio system to ensure that Child Safety—

Mrs Sullivan interjected.

Mr McLINDON: It will not be a shallow cabinet, I can assure the member. I believe that the Sport portfolio should be separated from the Child Safety portfolio. That way a dedicated amount of time can be given to the Child Safety portfolio. I think the Sport portfolio should be joined with the Tourism portfolio, given the debacle of the department currently. I am not sure where the 'leader of no position' or the 'shallow minister' stand on that issue, but I will certainly be announcing that proposal in the coming weeks to ensure that the safety of every single child across this great state is a paramount consideration. I see that the member for Gregory—

Mr O'Brien: I'll stop the presses for that.

Mr McLINDON: It may well do. I see that the member for Gregory announced that one in three—

Mr O'Brien: The earth will stop when you make that announcement.

Mr McLINDON: The earth may not shake, but the electorate of Cook may well.

Currently, one in three sex offenders is breaching their orders. That is completely unacceptable. This legislation is designed to ensure that we tighten the reporting of sex offenders. Over the past two years we have had almost one sex offender a week commit repeat offences. So this legislation is well due.

I am happy to support this legislation and to see goodwill between both the government and the opposition, and undoubtedly the crossbenches, on this legislation. It is common-sense legislation, and that is often lacking in the people's house. But I certainly give this legislation a tick. It is a step in the right direction.

I thank the member for Burnett, who foreshadowed the possibility of introducing legislation that mirrors Megan's Law in the United States. Having been a father for some short seven weeks, like every single member of this parliament I certainly cannot imagine the pain that Mr and Mrs Morcombe are going through in terms of the ordeal they have suffered since the disappearance of their son Daniel.

This is a serious matter. Often people who resort to this kind of behaviour have psychological problems. As a society, regardless of our political allegiances we need to take the matter extremely seriously. I think over the years we have seen the incidence of these crimes increase. It is certainly overdue to capture Megan's Law in our legislation. I thank the member for Burnett for that and I certainly look forward to that bill being introduced into the House. I have spoken to him about it on numerous occasions and I will support unequivocally the legislation that he is currently drafting. I thank him for championing the cause. No doubt the government and the opposition will follow in providing common-sense legislation.

As I said, as a father for some seven weeks I would certainly support that legislation. As a father I would certainly want to know if I was living next door to a sex offender—not to chastise or judge that person but to be able to make a judgement on the home front as to who is living next door. Legislation that does not encapsulate that freedom of information that every single parent across Queensland deserves is extremely inadequate and irresponsible. The government should introduce legislation that every one of us and our family and friends would expect to have. The member for Burnett ought to be congratulated on taking that step forward and making Queensland the blueprint for what should be happening in Australia. Obviously, people who commit these crimes need help and rehabilitation. They are human beings like us, but at the same time the victim needs to be protected.

I look forward to releasing The Queensland Party law and order policy in Townsville next Wednesday. That policy will certainly address the disparity between the protection of victims and the rights of the offender. I look forward to introducing some innovative policy, which will be announced next Wednesday night before the crime forum that I am aware the minister will be attending. I look forward to seeing the minister there. There is no better time than now to address this issue. It is a step in the right direction, but there will be more steps to take. We are certainly not going to settle, tick the box and sit quietly on this matter for the next five or 10 years.

As I said, I look forward to not only introducing The Queensland Party's law and order policy initiative but also proposing a revamp of the current portfolio system. There is inconsistency and an overlapping of responsibilities. It is almost frivolous to have the Sport portfolio linked with the Child Safety portfolio. I think that is completely unacceptable. The Sport portfolio should be with the Tourism portfolio. I will certainly be flagging that The Queensland Party will make Child Safety a stand-alone portfolio.

I am aware that in February last year the reporting time for those in foster care was halved. So instead of reporting one hour every month, the time has been decreased to 30 minutes every month. We should be protecting the most vulnerable in our society. Young Queenslanders deserve the same opportunity that every single one of us has had. No doubt, many of us have been through ordeals in our childhoods and we would not want anything like that to occur to the next generation.

I look forward to announcing that law and order policy next Wednesday. Also, on 15 May at the Irish Club The Queensland Party will be launching the new portfolio make-up. I think that the Child Safety portfolio certainly needs to receive due attention as a stand-alone portfolio. I would hope that the 'leader of the no position'—or the 'no-position'—and the 'shallow minister' as well as the government follow The Queensland Party's course.

Ms DAVIS (Aspley—LNP) (8.07 pm): I rise to contribute to the cognate debate on the Child Protection (More Stringent Offender Reporting) Amendment bill 2010 and the Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010. Both bills seek to make various changes to the current legislation dealing with the reporting of those who commit sex offences against children, primarily the Child Protection (Offender Reporting) Act 2004.

The current act establishes the Queensland component of the Australian National Child Offender Register which requires that child sex offenders keep police informed of certain personal details, including their whereabouts, for a period of time after their release into the community. It is crucial that such offenders be monitored with requirements of the utmost strictness so as to uphold the safety of the broader community.

I would first like to speak to how these bills have come before us. Both bills speak towards a common intention that is of paramount concern, and that is the protection of the community from those who commit sexual offences against children. Both bills have come to be debated at a time when the government has finally admitted that the current legislation which it introduced leaves dangerous flaws in the reporting process, flaws that have the potential to strike at the heart of community protection. It was alarmingly revealed in the 2009-10 budget estimates hearing that eight registered sex offenders were missing, with at least one such offender having been untraceable for nine months. It was revealed in question on notice 310 in 2010, asked of the Minister for Police and Corrective Services by the honourable member for Gregory, that for two years at least once almost every week a sex offender on the Queensland Child Protection Register had committed further sexual offences. Ninety-nine registered offenders released back into the community have subsequently committed further sex crimes.

These statistics shine a light on a system in dire need of reform. Queensland children deserve better protection from these offenders. There are some striking similarities between the honourable member for Gregory's proposed amendments and those subsequently offered by the minister. This is yet another example of LNP initiatives being regurgitated by this government, but nonetheless our party remains firmly committed to getting it right. Both bills propose to amend section 50 of the existing legislation for the purposes of ensuring that failure to comply with reporting obligations will constitute a crime. A legislative confirmation of the criminal seriousness of such an offence is to be supported and I welcome the inclusion of this amendment in both bills. Under the Child Protection (More Stringent Offender Reporting) Amendment BIll it is proposed that registered offenders report to police every three months as opposed to the 12 months stipulated by section 18 of the current legislation. Such an amendment would make Queensland's offender reporting laws the toughest in the country. In response, Labor's amendments propose to reduce the time period in which offenders have to make their initial report from 28 days to seven days. Making sure that the reporting process commences soon after the obligation arises is certainly a matter of importance but unless you can keep tabs on these potentially dangerous individuals on a sufficiently regular basis the interests of the community are not fully served.

In other aspects the differences between the two bills debated before the House are quite substantial. I will comment here on the proposed insertion of a new section 70A into the reporting legislation. The new section 70A would allow police to publish the details of an offender who has failed to report within three months after the relevant time limits. This is a commonsense amendment with a two-fold purpose. It alerts the community and gives our police greater scope in their duties. The dedication shown by the Queensland Police Force in their duties should never be taken for granted. However, dedication must be coupled with adequate resources to ensure that our police can carry out their duties to the fullest extent. Under the current system such resources are lacking. According to the Queensland Police Union spokesman, Ian Leavers, there are simply not enough police or resources to monitor sex offenders. Mr Leavers has said—

Some police are doing it with their current duties and they are at braking point. They simply cannot monitor the people on the registers as they should be and what the community would expect.

This is a troubling thought. Where even one of these offenders has the ability to slip back into the community, untraceable and able to re-offend, an immediate response is needed. The proposal to clear up a legislative anomaly that will allow information to be shared among police of other Australian jurisdictions is welcome. While this information is already shared, I believe that our police should have absolute clarity in their duties. This alone is not enough. Our police force must have every capability necessary to monitor these offenders. Queenslanders have a right to feel safe and secure knowing that this is so.

We need to look at these bills with not only common sense but also conscience. Both bills contain amendments that strengthen the sexual offender reporting process. However, Labor's bill does not go far enough. Good intentions alone will not protect children. Reporting periods do need to be shortened. Our police do need more resources and a wider scope to properly track registered sex offenders. This bill will bring Queensland level with national reporting standards. However, we can and should go further. Under the honourable member for Gregory's bill we can and we will. The protection of children against sex offenders should not be open to compromise.

Mr ELMES (Noosa—LNP) (8.13 pm), in reply: The debate on these bills has proven to be a very educative experience to be a part of and to observe. Government members have clearly followed the party line to try to distract from their most current failure. I acknowledge what the members for Woodridge, Mount Isa and Mount Ommaney said in their six-minute contributions; what the member for Brisbane Central said in her nine- minute contribution; and what the member for Mundingburra said in her four-minute contribution. Essentially that was that a Labor government introduced the Child Protection (Offender Reporting) Act 2004, the Dangerous Prisoners (Sexual Offenders) Act 2003 and the Child Protection (Offender Prohibition Order) Act 2008. They were seven, eight and three years ago respectively. It was particularly interesting that the member for Brisbane Central claimed that it was this government that introduced this legislation. I wonder if she asked the Premier, who has distanced herself and distinguished herself from her predecessor so harshly and so often, if she could, as a current member, come into this place and admit what we all know, and that is that a leopard never changes its spots and that all of the Beattie Labor government failures continue to adhere like barnacles to a pier, the pier being the Labor government which, of course, has added a long list of home-grown failures to those of the Premier's predecessor.

The member for Toowoomba North distinguished between convicted dangerous child sex offenders under the Dangerous Prisoners (Sexual Offenders) Act 2003 and convicted serious child sex offenders under the legislation now before the House. He spoke, as befitting a former Attorney-General, of the balance to protect the rights of our children and the rights of certain of those convicted under the Child Protection (Offender Reporting) Act 2004. It is abundantly self-evident to everyone that the government introduced its Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010 only because of the introduction of the Child Protection (More Stringent Offender Reporting) Amendment Bill 2010 by the former shadow minister, the member for Gregory, because of the probing by the LNP during estimates in 2009 and from the work of the national Ministerial Council for Police and Emergency Management in seeking improved national standards.

Why was that necessary? It was because this is now 2011 and the shortcomings in the now old existing legislation have been evidenced and these failures need to be fixed. Everybody in this chamber acknowledges that. It is not in dispute. The age of the legislation is not the issue. The effectiveness of that legislation to protect our children is the issue. If the Bligh Labor government wants to champion itself with the title of the authors of the oldest child sex protection legislation, then I will not fight it for it. It surprises me that that is how it wants to be seen: as artefacts living in the past. It is not a legacy to which I aspire. What I aspire to is to promote legislation that enhances the safety of our children from monsters.

I also want to talk about the speech by the member for Nanango who, during her contribution, belittled somewhat my contribution and that of government members to this vital debate. If the member was to look at *Hansard* she will find recorded that I welcomed the government's bill and that I would not oppose it. She would find that I had detailed many of those elements that I welcomed in the government's bill and acknowledged where the government had gone further than our bill. She would also find that I urged the minister to go beyond what he was prepared to with his own legislation and adopt the excellent ideas contained in our bill in a true spirit of bipartisanship on behalf of our children.

The member would also find that I urged the minister to resource the Queensland Police Service appropriately to monitor the compliance of these sexual predators. I reject the member's unfounded criticism of me and other members of the House. If the member is as interested in the protection of our children as she claimed in her outburst, then why has she not introduced a private member's bill of her own to set out those concerns and, more importantly, how to solve the problems she sees? I am reminded of my preferred version of the old truism that those who can, do; those who can't, preach. It is, I suggest, much, much easier to preach than to do.

To ensure that the member cannot misconstrue my intentions again, I will add to the list of improvements to the existing legislation that the government's amendment bill provides and that I welcome. The member for Brisbane Central cited as progress the reporting of telephone carriage services, internet service providers, email addresses and other electronic identifiers used or intended to be used by a reportable offender. She is correct. I welcome the changes. She also cited improvements to the existing legislation concerning travel documents, including passports, that have a deterrent effect on child sex tourism. Again, she is correct. Those represent progress and I welcome them. The member cited a number of other aspects that improve the existing legislation. Again, I welcome those.

What is the real picture here? I will provide a snapshot. In March 2011, there were 12,596 offenders on the Child Protection Offender Register. As at 30 June 2010, the Bligh Labor government held the details of 3,543 convicted serious child sex offenders. With less than 19 per cent of the national population but more than 28 per cent of convicted registered serious child sex offenders within its jurisdiction, disproportionately Queensland has the greatest number of convicted registered serious child sex offenders of any state in Australia. Therefore, it has an obligation to lead in providing the solution to this dreadful problem—not lagging and not playing catch-up. While the member for Brisbane Central claimed that this government introduced into Queensland some of the toughest sex offender laws in the country, she would admit that we have a greater problem than most. She would also acknowledge that by introducing its bill the government recognises that we now need to go further. As the opportunities to avoid the requirements of the existing legislation become apparent, it is essential that we act to negate them.

As at 31 December 2005 only 18 offenders had breached their reporting conditions. On 31 December 2009 there were 545, which is a 3,000 per cent increase. Of the 2006 offenders charged in relation to reporting conditions, there were 1,523 convictions. Queensland's record is not distinguished, despite the alleged strength of the legislation. The government has sought to hide this debate from scrutiny. The timing of the debate has not worked exactly in our favour as it has been brought on at night and only a few government members will speak to the bill. As it stands at the moment, I think this is the third sitting Wednesday night, over a six-week period, that the bill has come up for debate. The government knows that it is soft on crime and it wants as few opportunities as possible to have that softness made more obvious to the community.

During this debate some interesting proposals have been put forward. I have raised for consideration the Colorado safe reintegration program for sex offenders, the circles of accountability and the support volunteer program. My colleague the shadow Attorney-General and member for Kawana has raised the sex offender education program, SOEP, and the sex offender treatment program practised in Texas in the United States of America. Like me, he sees the need not only for strong protective legislation for the sake of our children but also for integrated and consistent approaches to the rehabilitation of those convicted serious child sex offenders who want to reform. While not advocating American programs for use here, the important point is the need for rehabilitation measures as an integral part of the arsenal that we have at our disposal.

I wish to acknowledge the strong contribution of the member for Gregory, as well as the contribution of the member for Gaven, which was based on research and career experience. The House is indebted to the member for Caloundra for his instructive analysis of the appalling life sentence that accrues from a childhood sexual attack. The dissertation that he provided was particularly chilling. Prior to a vote being taken on these two bills all members, but particularly the minister, should re-read *Hansard* to refresh themselves of the lifelong consequences arising from attacks by convicted serious child sex offenders which we are jointly trying to constrain by these two pieces of legislation. The member for Glass House, recognising the extensive detailing across a range of the other serious consequences resulting from childhood sexual attacks, focused our attention on the economic cost.

My summation would be incomplete without acknowledging the contribution from the crossbenches. The member for Gladstone provided us with one of her usual measured and thoughtful contributions. I cannot help but contrast her content with a comment that my colleague the member for Burdekin made. Mrs Menkens drew attention to the lack of community consultation by the government on its bill. On the other hand, the speech by the member for Gladstone, Mrs Cunningham, indicated the extent to which she has consulted in her electorate. It is no wonder she is such a popular local member. The members for Maryborough and Nicklin delivered viewpoints full of personal experience. It is quite a while since I have seen such passion as the member for Nicklin displayed in this place.

I am very disappointed that the government has chosen not to be serious about these amendments. In choosing not to amend section 18 of the act as we propose, it has missed a vital opportunity to require convicted serious child sex offenders to report more frequently than annually. It reminds me of the childhood game of hidey, where one child covers their eyes and counts to 100 by ones before commencing the chase. In the real world, the government is asking that the police potentially give convicted child sex offenders not 100 by ones but a one-year start.

I ask the House to reflect on the reality of these monsters. These convicted serious child sex offenders have often invested more than 20 years of their lives hiding their real personas, hiding from detection by family, friends and most importantly the police, and honing their craft in the manipulation of children to satisfy their deviant pleasure. The proposal from the government is that when these felons are released from prison they are to report within seven days once the Police Commissioner has advised them of that obligation but then are not required to report again for a further 12 months. Would it not be sensible to make these convicted serious child sex offenders earn the community's trust by having them report monthly for one year after release and then, if they do not breach, extend that reporting to three-monthly for a further year? Again, if no breach occurs, perhaps then they might be required to report annually.

At the moment, our trust is provided in advance of any demonstration of socially acceptable behaviour. This approach is not logical. The approach I have suggested makes the convicted child sex offender more responsible both for their actions and for their rehabilitation. The LNP approach partners the convicted child sex offender in their rehabilitation but at the same time restricts their opportunity to reoffend by knowing more certainly where they are and, coupled with the government's amendments that we support, what they are doing and using and with whom.

I draw attention to another opportunity that seems to have been missed. The government's emphasis has been on consistency. The member for Brisbane Central particularly emphasised this. However, by not amending section 22(2) of the act so that it is consistent with new section 15(4), a potential loophole has been created for offenders to skip over the border and back, thus buying an extra week in which to delay their reporting obligations. I ask the minister to confirm that the shared register is available to be updated quickly enough to warrant the change to the legislation suggested here. Everywhere else in the bill it is seven days.

The government's bill will amend section 50 of the act to make it even stronger than the provision proposed by this side of the House. I congratulate it on that measure and I support it. The government has increased the fine that can be imposed under this section to 300 penalty units. That doubles it. Even more importantly, the government has agreed with our proposal that failure to comply with reporting obligations will, in future, be a crime.

I suggest that, as we are debating this bill, it would be instructive for members to have the minister detail for the House the procedures to track down these offenders who are on the register and go missing. The minister interjected during the speech of the member for Burdekin that there were zero offenders missing on 23 March 2011. Through you, Madam Deputy Speaker, I ask the minister: how many convicted child sex offenders were, in fact, missing on that night, given that there is a delay in updating the register, particularly in relation to interstate felons?

Mr WELLINGTON: I rise to a point of order. I am having difficulty hearing the shadow minister speak.

Madam DEPUTY SPEAKER (Ms O'Neill): Order! Thank you, member. Obviously, people, your conversation is way too loud, so be quiet.

Mr ELMES: Thank you, Madam Deputy Speaker. I thank the member for Nicklin. Further, what are the procedures in place, including a time line, to find out where they are?

I agree with the member for Brisbane Central that consistency is a good thing. It also concerns me greatly that in an act of gross inconsistency the government has dropped the ball. If the Queensland Police Service were to chase a rapist, a mugger, a bank robber or even an armed person in a public place—somebody immediately perceived to be a risk to the community—how often do we see on the nightly TV news a photofit, that is a sketch artist representation of the criminal? The clear intention is to invite the public to assist the police apprehend the felon as soon as possible to make safer the community in which they live. I return to the comments made only a few minutes ago by the member for Burnett. One of the things that he said in the early part of his presentation tonight was that there are people out in the community who will rob a bank, hold up a service station or assault someone in the street. If the particular offence happened inside a store and the store's video surveillance captured an image of that person, it would be shown on the nightly television news for everyone in the world to see. If it happened outside where an image could not be captured, some sort of a comfit sketch would be put together and that, too, would be shown on the television or placed in the newspapers. Anyone who saw the television news or read the newspaper would be able to assist the police in tracking down that dangerous criminal.

Here we are talking about convicted child sex offenders. With the exception of murder, I do not understand a more serious crime and I certainly do not understand the situation whereby, if those people continue to commit such crimes that do not allow their photo to appear on the television news or in the newspapers, we cannot assist the public in putting them where they belong—and that is behind bars. That is contained in our proposed new section 70A of our bill.

A cynic might conclude from the government's position in this regard that it is putting in place legislation, by way of its bill before the House, designed to protect convicted child sex offenders. In not supporting our insertion of the proposed new section 70A into the existing act, as I have just outlined, that is exactly the effect of the government's position. The government permits, allows, encourages and perhaps even supports the publication on TV and in the media generally of the images of people who have not been convicted of any crime. Certainly, they are suspects, but due process is yet to be followed. They have not been apprehended, interviewed, charged, had their day in court, convicted or incarcerated. While they might be persons of interest, at that stage they have been found guilty of nothing. Contrast that to the situation that we have before us. Here we have a convicted serious child sex offender, a person convicted of a serious sexual offence against a child or children and who has been incarcerated for it. That same person has committed a further crime because he has failed to comply with his reporting conditions. Further, on the balance of probabilities that people in this group will often commit repeat offences, this person will probably—possibly—commit a further serious sexual

offence against a child. It is ludicrous that the community is specifically not allowed to assist the police apprehend this deviant. The police are specifically not permitted to publish an image of this convicted felon—not a photofit, not even a real mugshot—by which to seek the community's help in apprehending this danger to the most vulnerable in our society.

In his contribution, my colleague the member for Buderim drew to the attention of the House the case of a missing United Kingdom person arrested in Dublin because of a tip-off from a member of the public who recognised the villain from a photograph on an online most wanted list. That could not happen in Queensland. I ask the minister: what is the justification for such a glaringly inconsistent approach to use wanted posters, photos in newspapers, photos on television stations and so forth to enlist the help of the public to catch these subjects but those methods cannot be used for these types of offenders who have broken their reporting obligations and who, if they are caught, will go back behind bars where they belong?

Let me deal also with the final issue of grave concern to us on this side of the chamber and then the minister can deal with all the matters that I have raised. That other matter is in relation to DNA. Once a convicted serious child sex offender has completed his reporting obligations, any DNA sample taken from him must be destroyed.

Mr Roberts: That is not true.

Mr ELMES: I will look forward to the minister's explanation. It seems to me that, with the significant rate of repeat offending among convicted serious child sex offenders, the work of the police in keeping our children safe should be assisted whenever possible. One such aid would be the retention of any record which might assist the speedy apprehension of a criminal or the elimination from police inquiries of anyone who was suspected but is innocent. Accordingly, I ask the minister to reconsider his position on this and explain why these DNA records should be destroyed. Why should future police investigations be impeded and protracted and scarce police resources wasted when retention of the DNA samples for a further five or 10 years—or, preferably, in perpetuity—would be advantageous?

Mr Roberts: They will be retained.

Mr ELMES: I look forward to hearing about that. When a convicted serious child sex offender is released into the community, two courses of action are open to them in relation to their disease. They can return to their old ways and commit further offences of a sexual nature against children or they can do everything they possibly can to overcome their affliction. We as a parliament must put into the hands of our police and other entities involved with these particular people every opportunity to help them get on to the straight and narrow, so to speak, and give them every assistance in that respect. However, if that does not happen, as I have said many times during this debate, there is only one place for them.

I wish to refer now to the minister's comments about there being some difference with these DNA samples. In the case that that DNA sample is at some stage destroyed, that person who is trying to do the right thing and happens to live in an area where a child is sexually molested undeservedly will be a suspect in that crime. Inevitably, they will be visited by the police and their past, which they have so desperately tried to put behind them, will be front and centre in their lives once again. That then brings them to the attention of neighbours and other people in the community. The retention—if that is what the government intends to do—of this person's DNA sample could avoid that entire problem. With the introduction of this legislation, the government seems to be respecting the rights of the convicted criminal, but here is a genuine opportunity to aid their rehabilitation. I hope the minister will make that very clear in a couple of minutes.

I ask the minister to reconsider this decision in accordance with what I am saying and either not proceed with the insertion of new section 490A, which is our preferred position, or amend the 'reasonably practicable' time for destruction of the DNA sample to be a minimum of five years and preferably 10 years if it cannot be forever. If the minister does not take up our proposal or explain the government's position adequately, then we will be opposing that section of the bill to ensure that we are consistent in our approach to punish where necessary and support where possible.

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (8.40 pm), in reply: I start by thanking members on both sides of the House for their contributions. This is an issue which does evoke strong passion in members from all sides. I do believe that members on all sides of the House genuinely believe that the laws relating to child sex offenders need to be strengthened, and I think that is probably the part where there is some consistency. Beyond that, there is obviously disagreement on how that should occur.

The LNP bill is a poor attempt to strengthen the laws relating to sex offenders. I will detail throughout my response some of the more embarrassing omissions in the LNP bill which have been not only corrected but also expanded upon quite substantially through the Labor Party's bill. One of the key principles with these laws which ministers across the country have endeavoured to pursue is national consistency. The shadow minister touched on that a moment ago.

The ministerial council for police agreed to work towards national consistency some time ago, particularly in relation to monitoring and compliance measures. In addition to the work that the ministerial council undertook, there was work undertaken by the Queensland Police Service to identify additional measures which have been included in this bill. In response to some of the claims made by LNP members that their bill has prompted the government into action, the ministerial council began its work in terms of developing the principles long before the LNP bill. So the work of the ministerial council and, indeed, the work of the Queensland Police Service collectively underpins the proposals contained in the government bill.

The principles endorsed by the ministerial council and included in the bill which I introduced increase penalties across all offences for failing to comply with reporting obligations but also for false information that is provided, which the LNP does not address. It looks at strengthening reporting requirements in a range of areas. Also, contrary to the claims of a number of LNP members, it expands the range of offences which will require mandatory reporting by convicted child sex offenders. Creating legislation which is out of sync with the other states does have the potential to create forum shopping amongst offenders which would undermine a lot of the good work that police here in Queensland, and indeed in other states, are undertaking to monitor the whereabouts of these offenders.

At the outset I want to say that members of the LNP are absolute hypocrites when it comes to the issue of sex offenders. I have sat in this parliament and listened on numerous occasions to them beating their chests about law and order issues, but when the LNP was last in government sex offenders walked free at the end of their sentence—no supervision, no monitoring and no controls. They could join kids clubs and do what they liked on the internet. There was no monitoring or supervision at all. Labor governments have introduced not just the ANCOR legislation for reporting but also the dangerous sex offenders legislation. So the hypocritical comments of the shadow minister and his colleagues are beyond the pale in terms of the work that the Labor government has done to address this issue. The laws that we introduced have been criticised by the United Nations as being too tough. They have been challenged in the High Court. But this government stands by those laws and, indeed, in this instance is strengthening them with some sensible amendments.

I want to address some of the specific measures in the opposition bill and also outline measures contained in the government's bill in more detail. The opposition bill proposes to increase the reporting requirement from annual reports to quarterly reports and in some instances monthly reports. There is absolutely no evidence anywhere which suggests that increasing the frequency of reporting will improve the compliance rates for these offenders. Offenders are already required to report any change in their circumstances within 14 days, and they face penalties if they fail to do so. So, in effect, we already have a continuous reporting obligation—not monthly, not three-monthly, not 12-monthly. We have a daily reporting obligation in particular if the existing reported factors change.

Mr Elmes: If they stay at the same address you don't hear from them for one year.

Mr ROBERTS: If they change their address they are required to report within 14 days. That is a continuous reporting obligation. Requiring police officers to stand at a counter on a quarterly basis, on a monthly basis, simply to record the details of an offender who is already required to report any change will take officers away from the important work they do in ensuring offenders comply with their obligations.

The Queensland Police Service is a national leader in compliance. I pay tribute to and congratulate the officers within the service for the fantastic and very professional work they do in this area. The service has developed a range of compliance management strategies which enable a graduated allocation of resources to target those offenders most at risk of reoffending. The Police Service has tools which are used to identify those offenders who pose the greatest risk to the community.

Under amendments that the Labor government brought in in 2008, police can also seek additional orders, referred to as offender prohibition orders, to restrict where sex offenders can live, the places they can visit, club memberships, who they can associate with and the circumstances of their employment. To date, nine of those have been applied for in the courts and nine have been granted. Failure to comply with those orders can have significant consequences. In December 2010 police prosecuted a reportable offender who contravened one of these offender prohibition orders because they provided a false residential address to police as part of their reporting obligations. In February this year the offender pleaded guilty and was subsequently sentenced to 12 months in jail. So the courts, and indeed the Police Service, proactively enforce these orders, and if offenders breach them they are taken before the courts and the courts deal with them appropriately.

Clause 7 of the opposition bill proposes to increase the maximum penalty for failure to comply with three-monthly reporting to five years imprisonment. A significant flaw in the opposition bill is that it fails to increase the penalty units. So whereas it proposes to increase the number of years that can be applied from two to five, it forgets to increase the penalty units, as the Labor bill does, from 150 up to 300. In addition to that, the opposition bill forgets to increase the penalty for those who provide false and misleading information. So there are some embarrassing and glaring omissions in the opposition bill—critical omissions which the government bill not only addresses but addresses in a very comprehensive way.

The opposition bill also seeks to introduce a form of Megan's Law, whereby details of sex offenders will be posted on the police website. In fact, there is no discretion. If an offender fails to report, the Police Commissioner must publish those details on the website. International experience in the UK and the United States clearly shows that these naming-and-shaming websites drive offenders underground. It achieves that which is contrary to the actual objective, which is knowing where these offenders are now.

Mr Messenger interjected.

Mr ROBERTS: There are some reports suggesting the figures can be as high as 30 per cent. In answer to that question, the advice I have is that there are no offenders in Queensland with their whereabouts unknown at this stage. I will address some of the claims that have been made about the estimates hearing shortly. As I have indicated, the latest advice as of tonight from the Police Service is that there are no offenders who fit the category of whereabouts unknown in Queensland. If the National Party bill were to be passed and the names, photographs and details of offenders were put on the website through laws such as Megan's law, it would drive offenders underground. As I have indicated, in some states of the United States up to 30 per cent of offenders fail to register.

The other issue is that the police can already publish those details and photographs if they wish, and that is provided for already in the Police Powers and Responsibilities Act. The opposition members have spoken nonsense about that here tonight. If the Police Commissioner and his officers determine that it is in the public interest or in the interests of apprehending that offender, those details can already be published in the public arena.

Before I respond to some of the issues raised by opposition members, I will again summarise some of the key elements of the government's bill and why the LNP's bill falls far short of that. The government's bill substantially increases all penalties, not just a few, as the opposition bill does; it expands reporting obligations quite substantially; it tightens the reporting time frames for offenders; it introduces a requirement to provide DNA samples and copies of passports, and I will address the issue of DNA which has been raised in a moment; it expands the range of offences which trigger the requirement for offenders to report; and it also puts in place provisions to protect reportable persons with special needs.

I want to again take the opportunity to acknowledge the work of the officers in the Child Safety and Sexual Crime Group, some of whom are here tonight in the chamber listening to this debate. They are a professional and dedicated team who are focused on protecting the interests of children in this state. I am tremendously proud of the work that they do and they should be commended for that. On behalf of all Queenslanders, I thank them for their dedication to this really important task.

I will respond now to some of the issues raised by members opposite. At the outset, I collectively thank again members from both sides of the House for their contributions. The member for Noosa and a number of other LNP members suggested that the LNP provoked the government into action. As I have already indicated, the ministerial council and police had been working on these national consistent principles well before the LNP sprung into action and they had agreed on the basic principles, so that is just an absolute nonsense. There was a claim by the member for Noosa that the system the government has in place fails to know the whereabouts of convicted sex offenders on a regular basis. There is absolutely no truth in that. As I indicated earlier, as of tonight there are currently no offenders whose whereabouts are unknown.

There was an additional claim that an offender was missing for a period of nine months. That again is an absolute nonsense. The actual fact of the matter is that this offender was actually recorded as whereabouts unknown for a nine-month period. However, that person fell into that category because of definitional issues. This particular offender had in fact transferred to another state. The QPS knew that the offender had moved interstate and knew the locality of the offender; however, it could not transfer the offender from the Queensland register to the other jurisdiction's register until that state had confirmed the reportable offender's address. It was that delay which enabled that person to remain on the Queensland register as whereabouts unknown—not the fact that the location of the person was not known. It was simply a technicality that they are not taken off your register as whereabouts unknown until the other jurisdiction actually records their address. So that claim that the person was running loose for nine months is an absolute nonsense.

The member for Kawana said that the Labor bill substantially dealt with the same issues as the LNP bill. Let us just have a look at some of the differences. Labor's bill increases penalties for failure to comply with reporting obligations and the giving of false information, increases penalties from two years to five years and increases penalty units from 150 to 300. The LNP fails dismally in an embarrassing way. The LNP forgot to increase penalties and to increase the maximum penalty for false and misleading information. This was a glaring omission which I find quite embarrassing to even mention in this place.

The government bill expands the matters to be reported by offenders, and they have been quite extensively detailed; the LNP bill does not expand any of the items required to be reported by offenders. Labor's bill tightens the reporting time frames related to completing initial reports; the LNP bill fails to do that. Labor requires offenders to provide DNA samples; there is no mention of that in the LNP bill. Labor's bill expands the range of offences which will require offenders to report; the LNP bill does not do that. The LNP bill has so many omissions that it is quite embarrassing for them. I understand that the member for Noosa did not introduce the bill, but it has got so many omissions. To say that it is similar to the Labor bill and that it has prompted the government into action is an absolute nonsense.

The members for Gaven and Burdekin also raised the issue of naming registered sex offenders who have breached the reporting obligations. Again, as I have indicated, the Police Commissioner can already do that. For those who are interested, that is covered in section 10.2 of the Police Service Administration Act. It is far more appropriate for the commissioner to have the discretion as to when to disclose a reportable offender's information rather than being compelled to do it, as is the case under the LNP bill. For example, there may be a very sensitive investigation underway in terms of a paedophile network. Under the LNP bill, as soon as that person failed to report, the commissioner would have to publish the details of that offender and that may compromise a very sensitive investigation.

It is absolutely critical that the Police Commissioner retains discretion, as he does now, as to when the details, photographs, descriptions et cetera of an offender are published. As I have indicated and just to reiterate the point, in some states in the United States where Megan's law applies or a Megan's type of law applies, up to 30 per cent of people just simply fail to register and go underground.

The members for Gregory, Glass House, Burdekin, Nicklin and others made the claim that the amendments under Labor's bill regarding the collection of DNA samples require the early destruction of those samples. I am going to be a little bit kind here because it does actually require you to read the bill more than once to get the answer. I refer members to clause 31, and this is where you have to read the fine print but it is actually quite prominent in between the two subclauses. It says—

A DNA sample taken from a reportable offender ... must be destroyed within a reasonably practicable time after the person stops being a reportable offender.

That is where everyone stopped reading and went on to suggest that that means we are going to destroy the DNA samples and we will lose all this evidence that might be used in future crimes. I suggest those members actually read the note which is printed underneath that particular clause because it says—

For when a person stops being a reportable offender, see the *Child Protection (Offender Reporting) Act 2004*, section 5(4).

That says, in effect, that you only stop being a reportable offender if a finding of guilt is quashed or set aside by the court or it is quashed on appeal. So the only time that your DNA would be destroyed within a reasonable period is if you are found not guilty of the offence. It is absolute nonsense to say that we are going to destroy the DNA of those people. It is only in those instances where the conviction is overturned by the court. Therefore, the DNA will be retained and this bill gives the Queensland police an opportunity to acquire the DNA of offenders that they previously were not able to get.

The other erroneous claim made by numerous members and repeated over and over again is that Labor's bill will potentially decrease the number of offenders required to report. Again, this is just an absolute nonsense. The government bill actually expands the number of offences that make it a requirement for an offender to report. It actually increases the number of offences and introduces new class 1 and class 2 offences into the act. The other thing it does in the case of non-familial offences such as kidnapping or child stealing is lower the threshold for the court to make an order for a person to report. So not only does our bill expand the range of offences; for non-familial offences such as kidnapping and child stealing it also lowers the threshold, which in fact makes it easier for the courts to require offenders in those circumstances to report. Again, there is a failure on the part of many LNP members to read the bill and understand some of its key provisions.

The members for Gladstone, Maryborough and Nicklin raised the point that offenders should not be able to change their name. In general I think most people would agree with that, but there will be circumstances in which it might be desirable to enable an offender to change their name. For example, if a person becomes a witness and is prepared to give evidence against a paedophile network which might result in the conviction of multiple persons, it may be perfectly legitimate that the commissioner would agree that, in order to keep that person safe, that person could change their name, for the purpose of ensuring appropriate convictions are achieved.

The bill does provide that discretion to the commissioner. The commissioner must exercise that discretion carefully. The bill actually outlines some very strict criteria to determine whether or not permission should be granted. They include the safety of the reportable offender—in that instance it may be a person who is prepared to roll over and give evidence against a paedophile network; the reportable offender's rehabilitation or care or treatment; whether the proposed name change could be used to further an unlawful activity; and whether the proposed name change could be considered offensive to a victim of a crime or an immediate family member of a deceased victim of crime. There are a number of things that the Police Commissioner must take into account before agreeing to allow an offender to change their name. In addition, if an offender provides false information the penalties are increased from two to five years.

The member for Gladstone raised a question about the methodology police use to ensure that an offender does actually give all of the information to the agency to which they have to report. Again, all I can say is that the Queensland Police Service has developed a very rigorous compliance regime to ensure that reportable offenders comply. That is achieved through a range of means, including police officers periodically attending at the residence of the reportable offender to ensure they are reporting the details that they need to. In addition, of course, offenders who fail to report all of the details face penalties, and under this bill a significantly increased penalty—from two to five years, or penalty units from 150 up to 300.

The member for Maryborough asked how the Queensland Police Service keeps track of reportable offenders who come to Queensland from other states. The Queensland Police Service, in partnership with every Australian jurisdiction, has established formal national protocols which are supported by strong informal relationships—these people actually talk to each other quite regularly—to effectively manage reportable offenders who choose to travel between jurisdictions either on a permanent basis or on holidays. The Australian National Child Offender Register information management system is used to immediately advise and transfer case file information between jurisdictions when a reportable offender is known to be travelling across state borders. So there is a range of legislative understandings, agreements and protocols between the states which ensure that information is transferred in an effective and efficient way.

One additional issue which some members raised is that police are cognisant of the fact that, particularly with high-risk people, including reportable offenders, these people may be displaced from their usual place of residence during disasters, and there have been instances of that particularly recently. In the instance of reportable offenders, targeted compliance checks may be conducted to identify an offender's whereabouts and ensure that he or she does not have unsupervised access to children during those times. In short, police proactively enforce the register and when risks are identified, for example the recent natural disasters, additional measures will be put in place.

I conclude by thanking all members for their contributions. Before concluding I refer to the fact that the member for Burnett raised the issue of GPS monitoring and also raised the issue of the offender who was allegedly missing for nine months, and I think I have addressed that. GPS monitoring is not a silver bullet. The government is not opposed to GPS monitoring. New South Wales is the only state in Australia which has GPS monitoring. There are about 20 offenders involved there. The overwhelming majority in New South Wales use the electronic-monitoring system that Queensland uses. As I have said, I and indeed the government are not opposed to it. We continue to examine the technology. But I think it is a fair comment to make—and I stand to be corrected—that the majority, if not the overwhelming majority, of sex offences are committed by people who do not have a previous record. If we put it into that context in terms of risk to children, obviously people who have committed offences are a high risk but the greatest risk is from people whom children know and who have not committed sex offences. Putting GPS monitoring on 3,500 offenders is not going to solve the problem and is not going to protect the children of this state.

I again thank all members for their contributions. I do genuinely believe that all members who have spoken in this place have a genuine interest and desire to see sex offenders appropriately dealt with by the courts and appropriately monitored and supervised in the community, and I know that their contributions have been with that in mind. As I have indicated, we simply have a significant difference of opinion about how best to achieve that. With those few words, I commend the bill to the House.

Question put—That the Child Protection (Offender Reporting) and Other Legislation Amendment Bill be now read a second time.

Motion agreed to.

Bill read a second time.

Question put—That the Child Protection (More Stringent Offender Reporting) Amendment Bill be now read a second time.

Resolved in the negative.

Consideration in Detail

Clause 1—

Mr ELMES (9.08 pm): As I indicated during the course of my summing-up, this is a debate which has now gone on over three parliamentary weeks and six weeks altogether. I thought it was important to go very briefly through clause 1 to keep everything in perspective. Clause 1 is the short title. It states—

This Act may be cited as the *Child Protection (Offender Reporting) and Other Legislation Amendment Act 2010*.

It is a bill to amend the Child Protection (Offender Reporting) Act 2004, the Births, Deaths and Marriages Registration Act 2003 and the Police Powers and Responsibilities Act 2000. The laudable aims of the legislation are to require the convicted serious child sex offenders to keep police informed of their whereabouts so as to assist the compliance monitoring of reportable offenders at a national level.

During the minister's summation I recall that he was going to great pains to talk about national consistency. I understand in a great many areas of law that cover all the states and territories in Australia and the Commonwealth that there is a great need for minimum national consistency. I do not understand why in many cases, although we have adopted the minimum consistencies, we cannot be looking to strengthen the laws in our own state. They match what other jurisdictions are doing, but in some of these cases at least we are showing that we are a damn sight more serious about keeping some of these villains behind bars than may be the case in other areas.

The objective is to be achieved through reducing the time limits for initial reports; the expansion of personal details reported; restricting access to both local children and children overseas; increasing penalties, including to crime status, for nonreporting; adding to the ranges of class 1 and 2 offences; and to declare the disclosure of information under the Australian National Child Offender Register—ANCOR—as lawful.

The proposed amendment to the Births, Deaths and Marriages Registration Act 2003 enables the Police Commissioner to disallow any change of name of any reportable offender which has not been approved. There has been considerable disquiet during the debate about whether any name change should be permitted at all.

The amendments proposed to the Police Powers and Responsibilities Act 2000 enable a DNA sample to be taken where none has been taken previously. Owing to an explanation that the minister gave in his summation, we will no longer be calling for a division on clause 31. I thank him for that explanation.

Clause 1, as read, agreed to.

Clauses 2 to 4, as read, agreed to.

Clause 5—

Mr ELMES (9.12 pm): We are concerned about this clause because we believe that it reduces the effectiveness of the legislation. It gives the courts a wider discretion than exists now to make an offender reporting order for any non-familial offences of child kidnapping, child stealing or abduction of a child under 16 years. In particular, the clause lowers the threshold from the current risk to life or sexual safety to one simply where the court considers the order appropriate. To ensure that we can be comfortable that this amendment to the legislation will not reduce its effectiveness, I ask the minister to inform the House how many convicted serious child sex offenders have not been placed on the Child Protection Offender Register and to detail for the House an example of how a convicted serious child sex offender would not be placed on the register?

Mr ROBERTS: I do not understand the relevance of the numbers, but let me just clarify the point. The fundamental point that the member is making is absolutely wrong. The lowering of the threshold means that the court has a wider discretion to require people to report. In fact, as I made the point earlier in my summation, not only have we increased the range of offences where people will be required to report; when it comes to non-familial—that is outside the family—kidnapping and child stealing this particular provision gives the court more discretion and a lower threshold to enable the court to require people to report. So the provision is increasing the opportunity to bring people into the reporting framework. I think that is the point that the member is missing. This clause is not about weakening it; it is giving the court more power to bring more people into the reporting framework.

Clause 5, as read, agreed to.

Clause 6—

Mr ELMES (9.14 pm): The amendments proposed in clause 6 are particularly welcome as the initial report for a first or repeat offender must be made within seven days of receiving a section 59 notice for a first offender or being sentenced for a second offence. This is a reduction from the current 28 days, which is a significant step forward.

To ensure that we can be reassured that this amendment to the legislation will enhance its effectiveness, I ask the minister to inform the House how long it takes from the time of the offender reporting until the register is updated. Is the updating carried out online in real time, or is the updating one of those cumbersome administrative processes that needs modernising so as not to diminish the effectiveness of the changes to the legislation now being carried out?

I am not suggesting anything untoward here. We on this side of the House are seeking to partner with the government to get the best possible outcome for this legislation while the opportunity is presented to us all here tonight. I have pointed out now on two occasions during the debates over these past number of weeks that we have something like a melange of 3,543 convicted serious child sex offenders on the Queensland register as at 30 June 2010 and 1,500 or so convictions from 2,006 charges of breaching the reporting conditions. It is important from my point of view to know that the updating of the register can be done in real time through the department's computer system so that it is there in black and white for all to see. From my point of view it would certainly be concerning if there was some cumbersome internal process that took some time before the information was instantly available to the people who need to have the information,

Mr ROBERTS: The advice I have received is that the standard protocol is that it is entered immediately. As soon as it is entered on to the database electronically, then it is accessible basically across the country.

I just want touch on the issue that has been raised by a number of members about the number of breaches. One of the reasons there are a significant number of breaches is the proactive compliance strategy employed by the Police Service. We can reduce the number of breaches quite easily by telling police to back off. But they do not give these people any quarter. If they do not report, if they do not tell them what their car registration is, they breach them. That is why we have a significant number of breaches—because police proactively go out there and enforce this law.

Clause 6, as read, agreed to.

Clauses 7 and 8, as read, agreed to.

Clause 9—

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (9.18 pm): I move the following amendment—

1 Clause 9 (Amendment of s 19 (Reportable offender must report changes to relevant personal details))

Page 8, line 15, 'mentioned in subsection (2)'—

omit, insert—

'in personal details'.

I table the explanatory notes to my amendments. In short, these are technical amendments. The first one clarifies precisely that, but for the matters that are mentioned above it, all other personal details need to be reported within the 14 days when there is a change. The other change simply corrects an error, where the increased penalty is reflected as '100' in the bill. It should have been '200' and these amendments correct that.

Tabled paper: Explanatory notes to Hon. Neil Roberts's amendments to the Child Protection (Offender Reporting) and Other Legislation Amendment Bill [4232].

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 to 14, as read, agreed to.

Clause 15—

Mr MESSENGER (9.19 pm): Clause 15 is the amendment of section 50, 'Failure to comply with reporting obligations'. There are probably two reasons offenders fail to comply with reporting obligations: firstly, the offenders think they can get away with it; and, secondly, if they do get caught after trying to get away with it they get a slap on the wrist. I will deal with those two things.

If those dangerous sex offenders had to wear GPS tracking devices then there would be fewer offenders who fail to comply with their reporting obligations. I would like to comment on the minister's point that it would be difficult to put GPS tracking devices on 3,000 offenders. Yes, I concede that and I am very heartened by the minister's response that they are considering GPS tracking devices. However, I would not expect the minister or his department to initially come out with 3,000 GPS tracking devices. Let us think about that special category of dangerous sex offender, the worst of the worst. We are talking about the Fardons, the Fergusons, the Buckbys—those dangerous sex offenders. I would be interested to find out first of all whether all of those dangerous sex offenders had the old, antiquated electronic bracelets they are currently using and, secondly, why the minister could not put GPS devices on the worst of the worst, the people who have committed the most heinous of crimes. That would be the place to start.

The next point I make is that, as the minister also said, the courts do not always deal with sex offenders in a manner that is just or, I believe, reflects community standards or expectations. By way of a reminder to the minister, Bundaberg businessman John Greenalsh pleaded guilty to two charges of sexually assaulting a teenage boy. He was given 10 months probation and a two-month suspended prison sentence and was ordered to pay $500 compensation. I believe that this gentleman actually got to keep his blue card. When the minister puts his faith in the judiciary I think that it is a little bit misplaced at the moment because the judiciary is not handing down fines that reflect community opinion.

Clause 15 sets out the penalty units that can be imposed. I would like the minister to make comment on this. The minister rightly gave the LNP a little legislative slap over the penalty points in its legislation. It had only 150 penalty points. The minister made a virtue of his government having 300 penalty points. At that point I would like the minister to note what sorts of penalty points apply to other offences. This government is saying that it considers that a dangerous sex offender failing to report his whereabouts is not as serious as a person transgressing the Fisheries Act by repairing a riverbank in a declared fish habitat area. The penalty there is not 300 penalty points; it is 3,000 penalty points. The government is saying that Fardon failing to turn up and report is not as bad as a person removing seagrass from a beach. Will the minister tell this place how they came to the miserly 300 penalty points, a slap over the wrist with, dare I say it, wet seagrass to a dangerous sex offender? There are other glaring examples within his government's legislative framework whereby people who damage a marine park are treated much worse.

Mr ROBERTS: As the member knows, this amendment increases the penalties in two ways. It is not just the penalty points that have been increased; there has also been a significant increase in the maximum penalty in terms of jail time from two years to five years. In order to maintain consistency with the other states, both the penalty and the penalty points have been drawn at a level which remains as consistent as appropriate with the other states.

Mr MESSENGER: I am glad that the minister mentioned jail sentences and consistency with other states, because I would contend that we have an obligation to maintain a consistency not only with other states but also with other items of legislation. For example, I bring to the minister's attention the restrictions related to flying foxes and flying fox roosts. 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 1,000 penalty units, or one year's imprisonment. Indeed, if you kill a flying fox you are up for 3,000 penalty points, or a two-year jail sentence. Where is the consistency? The government is once again saying that dangerous sex offenders—people like Buckby and Fardon—who fail to report face a maximum fine that is not monetarily as great as the maximum fine faced by a person who scares a flying fox out of its roost or, indeed, kills a flying fox in the course of protecting their crops and saving their livelihoods. This is clear evidence and proof that this government is soft on sex offenders.

Mr Shine interjected.

Mr MESSENGER: It is in black and white. It is proven beyond doubt. When the bill states that the maximum penalty is 300 penalty units or five years imprisonment, why has it not inserted 'and/or five years'? Why must the judge have a discretionary power? The way I read it, he can hand down a $30,000 maximum penalty or five years imprisonment. Why can it not be both? Let us increase it tenfold to get the best possible result. Let us have a $300,000 maximum penalty and/or five years imprisonment. In fact, we could go a little bit further and have a minimum jail term for a dangerous sex offender not turning up to report. That would be quite a deterrent. If an offender breached his condition by failing to report to the police then that would be it. There would be no get-out-of-jail-free card, just a jail term. That way we would crack down immediately on these dangerous sex offenders.

Mr Shine interjected.

Mr MESSENGER: I can hear the member for Toowoomba North squawking. The rights that he has advocated for and given to dangerous sex offenders over the victims is just shameful. He should be saying, 'Let's support this.' It is an easy amendment. The minister let the cat out of bag in his reply a moment ago when he said 'if they do not tell the police their registration number'. He has admitted to this place that dangerous sex offenders have vehicles. Why would a government allow a dangerous sex offender to have a vehicle? That is one of the restrictions that should be immediately applied to a dangerous sex offender. In most dangerous sex offender cases that is where they committed the crime that made them dangerous sex offenders, yet this government is allowing them to have vehicles.

Mr Roberts: They travel on the train.

Mr MESSENGER: They do travel on the train, Minister, but we are talking about cars. I have seen footage of dangerous sex offenders, in their vehicles, stalking children in residential estates. We all know the vision that I am talking about. It was on Channel 10. They are allowed to do that, but the government should prevent it from happening. How can a dangerous sex offender even afford the registration for a car, let alone have one?

Clause 15, as read, agreed to.

Clause 16—

Mr MESSENGER (9.30 pm): I am disappointed that the minister did not use his time to reply. Perhaps the cat has his tongue. He does not want to reply because he knows that the government's policy is indefensible. Clause 16 refers to a maximum penalty of, once again, 300 penalty units. If a Vietnam vet damages the marine habitat on the riverbank of the Gregory, he faces a $300,000 fine. A dangerous sex offender faces a $30,000 fine. I invite the minister to please explain why his government allows dangerous sex offenders to have cars. Why does it allow them to cruise around in station wagons and stalk children in their time off, while they are away from their houses of residence and wearing their little antiquated electronic bracelets, and Corrective Services officers and police officers have absolutely no idea where they are. There are very good examples of that occurring.

The minister talks about the United States and England. There are examples of schoolchildren wearing little GPS tracking devices in their collars, so their parents can track them on the internet. They can check on them. There are programs that can manage 200 dangerous sex offenders at once and every five minutes they will give an update of exactly where they are. There is electronic information that can be interrogated. They can see who they are and where they are. Crime programs exist so that if a sex offence happens they can overlay the movements of a dangerous sex offender with the scene of the crime and see immediately whether the dangerous sex offender was in the location at the time of the sexual offence.

That is all 21st century policing. It should be in Queensland right now. However, we have a police force that is under-resourced. It is operating with 20th century technology, rather than 21st technology. Just to prove that point, we do not even have a police helicopter, which could be used to track dangerous sex offenders. The police could find them when they are on the loose. Instead of relying on chance to find these people, the police could use a helicopter to track them. Imagine that resource!

Mr ROBERTS: Clause 16 deals with increasing penalties for providing false and misleading information. The government's bill provides for an increased penalty from two years to five years and an increased monetary penalty from 150 to 300 penalty units. I have nothing further to add to my previous comments.

Mr MESSENGER: This is a very serious issue. I have been ridiculing the government and using irony to try to provoke a response, but this is very serious. It is time that this government puts in place penalties that are real deterrents. A fine of 300 penalty units is not a real deterrent compared with the penalties contained in other legislation, such as those relating to flying foxes and marine habitat. This is not a deterrent, it is a farce. It is an insult to parents whose children have been abused and raped by these people. It is an insult to future victims. I cannot believe that it is actually like this.

The silence of the police minister on this government's policies speaks volumes. Any pretence that this government is strong or tough on sex offenders must surely have been disproved in the debate on the last few clauses. The way that this government has shaped its policy towards dangerous sex offenders is an absolute outrage. The policy is shaped and focused on the rights, privileges and freedoms of dangerous sex offenders, rather than on the victims and their families. I am absolutely ashamed and disgusted that this government will not change its ways.

I say to the LNP shadow minister that we need alternative policies, we need stiffer penalties and we need dramatically increased penalty points for these offences. I would like the shadow minister to make a commitment to implementing GPS tracking. It would be a real advantage. Instead of just 300 penalty units or five years jail, let us have 3,000 penalty units and a mandatory minimum jail sentence as part of the penalties for providing false and misleading information and other penalties for crimes under this act.

Mr ROBERTS: I have a final point on this matter. As I have indicated, this is about increasing the penalty. The member for Burnett has contradicted the argument he is trying to run. He raised the fact that a number of other offences might have increased monetary penalties, but the ones he cited have lesser penalties in terms of imprisonment. This clause increases the possible maximum term of imprisonment from two years to five years and, as an additional component of that, increases the monetary penalty as well.

Clause 16, as read, agreed to.

Clause 17—

Mr ROBERTS (9.37 pm): I move the following amendment—

2 Clause 17 (Insertion of new ss 52A and 52B)

Page 13, line 20, '100'—

omit, insert—

'200'.

Earlier, I spoke too soon. This amendment amends a technical error where the penalty was 100. It should have been increased to 200 in that instance.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18—

Mr ELMES (9.37 pm): For some time I have been listening to the honourable member for Burnett, who talked about GPS tracking and so forth. I understand the difficulty of that. One of the main differences between the bill that was presented to the parliament by the LNP and the government's bill is the reporting conditions that were associated with them. The government's legislation does nothing to alter the 12-month reporting requirement that applies. From our point of view, we are looking at much more stringent reporting procedures.

Again, I would like to read into the record the fact that, from our point of view, it seems that there is a far more valuable avenue to go down here. When convicted child sex offenders have been released, they should have to report initially on a monthly basis. Then, after a qualifying period, they should move to a three-monthly reporting procedure and then, after another period, to a 12-month reporting procedure. That was not covered in the government's bill. It was an integral part of what we presented. I do not expect the minister to go over old ground, but once again I make the point that it seems to be around the wrong way. There needs to be a system in place whereby these people are rewarded for good behaviour, rather than receiving first prize as soon as they get out of prison.

Clause 18, as read, agreed to.

Clause 19—

Mr ELMES (9.39 pm): Very briefly, at face value the amendment to insert a new section 74A does not seem to be greatly effective in dealing with convicted serious child sex offenders. Given that a more likely scenario is for the recalcitrant to steal an identity than to change his own, I ask the minister to detail to the House the control benefits that arise here.

Mr Roberts: The what benefits?

Mr ELMES: The control benefits in the case of sex offenders who, for one reason or another, change their identities. It is under new section 74A.

Mr ROBERTS: Proposed new section 74A is about changing the name of an offender. It requires a person to gain the permission of the Police Commissioner. I have outlined the reasons and the instances in which that might occur. If a person changes their appearance they are required to report to police. Markings et cetera of an individual are required to be reported. So if they change, they would be reporting that to police.

Clause 19, as read, agreed to.

Clauses 20 to 32, as read, agreed to.

Third Reading

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (9.41 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. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (9.41 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.

ADJOURNMENT

Hon. NS ROBERTS (Nudgee—ALP) (Acting Leader of the House) (9.42 pm): I move—

That the House do now adjourn.

Sudden Arrhythmic Death Syndrome

Ms DAVIS (Aspley—LNP) (9.42 pm): In Australia approximately 400 unexplained deaths in usually healthy, fit young people are attributable to sudden arrhythmic death syndrome, or SADS. Late last year I attended a function at St Paul's School in my electorate at which SADS Australia was launched. I learned at that launch that when my own children attended St Paul's two students lost their lives to SADS and that the parents of these two young women were the driving force behind the establishment of the organisation. The launch was attended by the girls' families, other parents who were seeking answers to the unexplained and sudden death of their own children and, of course, medical professionals.

This insidious silent killer collectively describes a group of inherited cardiac disorders that potentially stop the heart, resulting in sudden death. The sudden death of a young person, who may suddenly collapse on a sports field, not wake from a night's sleep or collapse at the wheel of a car, is both tragic and bewildering for the individual's family. It is important to recognise, however, that the complication of sudden cardiac death is preventable with early diagnosis, appropriate clinical management and the availability of semiautomatic defibrillators.

SADS Australia is a non-profit organisation committed to providing support for families and those diagnosed with a SADS associated disorder and setting a benchmark for all unexplained sudden deaths of young people to be investigated promptly. The organisation provides community education into the signs and symptoms of SADS and access to resources and literature. There has been a network of dedicated health professionals and specialists for appropriate referral here within South-East Queensland. SADS Australia provides information and direction through its online forum and associated website. There is also a Facebook discussion site, which received 500 messages in its first week and clearly identified the need to provide direction and support for those affected by SADS.

Globally, there has been much discussion and research on the condition. The United Kingdom, Italy and United States are all very proactive with early detection and prevention. These countries have established clinical guidelines and screening procedures for SADS, including pathology protocols on autopsy, preparticipation screening of athletes and random screening of young adults. SADS Australia's vision is for a full-time clinical nurse specialist to be provided who will attend to the coordination and compiling of broadscale community education, preventative screening and the collection of research data. This early detection and education would help reduce the preventable incidence of sudden cardiac death in otherwise fit, healthy young people. I offer my heartfelt sympathies to those who have lost loved ones to this insidious, silent killer. I wish SADS Australia all the very best in achieving its vision.

Pyjama Foundation

Mr CHOI (Capalaba—ALP) (9.45 pm): It is not often that a grown man is seen wandering about in broad daylight in his pyjamas, but that is exactly how I found myself last week. No, I was not sleepwalking; I was wide awake and excited to take part in promoting the Pyjama Foundation's PJ drive. I have to say, however, that being photographed by my local newspaper with another woman also in her PJs does not come naturally to me, particularly when I have only known the woman for less than 10 minutes. Nonetheless, duty called and at the end both of us had a bit of explaining to do at home, but we both firmly believed that this was for a good cause.

The Pyjama Foundation provides an invaluable service to Queensland children. Its volunteers, known as PJ angels, spend time each week with children in foster care, reading out loud and helping them with literacy. The PJ drive was held throughout March and encouraged locals to help Queensland's most vulnerable children by donating pyjamas. In my view, it is a very sad fact that in some cases children arrive at their foster placement with just the clothes they are wearing. I agree with the foundation that every child deserves a comfy pair of PJs. In 2010 the foundation collected more than 7,000 pairs of pyjamas. I hope they reach their target of providing 10,000 pairs of pyjamas for children by Easter this year. The Bligh government is a proud supporter of the Pyjama Foundation. We provide more than $240,000 in funding to help the foundation brighten the lives of children and young people in care.

One of our local PJ angels, Michelle Field, was also spotted in her PJs last week. I have to agree with Michelle, who says that our children are adorable and deserve to feel important. Clearly, children need more than a comfortable pair of PJs and that is why PJ angels play an important role in the wellbeing of children in foster care. The story that Michelle shared with me was heartwarming. She spoke about the wonderful relationship she had built with a foster child and says that reading to this little girl is the highlight of her week. They have great fun together and, most importantly, this little girl is provided with someone reliable in her life who turns up every week, come rain, hail or shine, to spend one-on-one time with her and to make her feel special.

It is with heartfelt gratitude that I thank Michelle and other pyjama angels like her who bring smiles to the faces of Queensland's most vulnerable children. The strong partnership between the Bligh government and community based organisations such as the Pyjama Foundation are giving the most vulnerable children in our society a far better life.

Bowen

Mrs MENKENS (Burdekin—LNP) (9.48 pm): This month the town of Bowen reaches the significant milestone of 150 years since its foundation. Captain Henry Daniel Sinclair had actually discovered this area known as Port Denison in 1859. Two years later, Sinclair returned leading a group of settlers to Port Denison by sea on the vessels *Santa Barbara* and *Jeannie Dove*. Another party, led by George Elphinstone Dalrymple, travelled overland from Rockhampton under the protection of a detachment of native police. These two parties met at Port Denison, and on 13 April 1861 Queensland's northernmost town was founded. It was named Bowen after Queensland's first colonial Governor, Sir George Ferguson Bowen.

For the first two or three years Bowen was a canvas town, with its population growing from 120 to 1,192 in its first four years. With an increasing population and a heavy wet season, residents saw a need for timber to construct houses, buildings and furniture. With a lack of suitable local timber, the Whitsunday islands were used as a source. They had an abundance source of first-class timber, especially pine, which was very suitable.

Bowen can lay claim to being the base for pastoral expansion across North Queensland. All roads led to Bowen in those first few years of settlement due to its port access and its growing infrastructure included the northern Supreme Court. Further development to the north saw some rivalry. However, the largest threat to the growth of Bowen were the wet seasons when the Burdekin River flood plains become impassable to the north.

Townsville was beginning to grow and take more trade. However, even in 1868, it had still only one-third of the population of Bowen. The pendulum started to swing, however, with areas such as Ravenswood yielding gold and favouring Townsville as its port. Bowen laid claims to a better port but development to the north of the Burdekin River saw Townsville grow. Sugar and cotton were trialled in the Bowen area with little long-term success. Maize and fruit and vegetables were also trialled, but these met a similar fate with a lack of markets.

In 1895, cattle property owners near and far were serviced by the establishment of a freezing works at Merinda. Many drove their stock to these works for a better return than that offered at the two Townsville meatworks. Our first Queensland born Premier, Thomas Byrnes, was educated at Bowen Primary School. He was an exceptional student, and in 1873 he was appointed a pupil-teacher and the next year he received a government scholarship to Brisbane Grammar School where his journey continued.

Bowen and its geographical surrounds remain critically important to the Queensland economy. It is the food bowl of Australia during winter months, producing in excess of 36,000 tonnes of vegetables per annum. Just as those first settlers availed themselves of superb port access 150 years ago, so today Queensland looks to increase coal export capacity with its significant Abbot Point port facility lying just to the north of Bowen.

(Time expired)

Mr DEPUTY SPEAKER (Mr Ryan): Order! There is too much noise in the chamber. It is not only disrespectful to the standing orders but also disrespectful to the member who is speaking. I will wait for the House to come to order. I call the member for Keppel.

Gondwana Voices Choir

Mr HOOLIHAN (Keppel—ALP) (9.51 pm): We have all seen the Qantas ads and we have all listened to superb choirs, but I think it is time that this House and the people of Queensland and Australia were aware that the Gondwana Voices Choir is going on an international tour to the USA and Canada from 3 to 24 April 2011. One of the reasons for mentioning this in the House tonight is that four of the girls who are singing in that choir come from Yeppoon. Two sisters, Lucy and Charlotte Boyd, and their friend Melanie Sheppard, who attend St Ursula's College, and Billy-Sue Thorne, who attends Rockhampton Grammar School, are all from Yeppoon. They all have a background in singing. Actually, the three girls from St Ursula's were part and parcel of the St Ursula's choir, which performed with other Australian choirs in Hobart about 18 months ago.

This tour will travel to Canada and the United States. In Canada they have been singing with the Northwest Girlchoir in Seattle and the Toronto Children's Chorus. When they get to Canada they will perform with those two choirs in Vancouver and Whistler. They will then travel to the United States. In the United States they will perform with the Anima Singers in Chicago and will end their tour at St Paul's Chapel at Ground Zero in New York. We all know of Ground Zero—that is the site of the former Twin Towers, which were the subject of the bombing in September 2001.

I was pleased to present to the girls promotional packs representing the great state of Queensland so that they can present them to their host families. They will reside with host families during their time in Canada and the United States. They will reside with up to five families. It is a great way for these girls to see the other parts of the world and also to represent Australia and they do such a good job. The whole Gondwana Voices Choir does Australia proud. I have to say congratulations, girls. I know you will do Yeppoon and Queensland proud.

Cyclone Yasi

Mr CRIPPS (Hinchinbrook—LNP) (9.54 pm): Nine weeks ago tonight, the furious winds from Cyclone Yasi were battering my electorate of Hinchinbrook. I want to discuss a range of issues relating to the recovery process that has been underway for the duration of those nine weeks. Firstly, I want to offer several compliments. The Ergon Energy crews that reconstructed, re-established and repaired the electricity distribution network throughout North Queensland following Cyclone Yasi were just terrific. Their efforts were extraordinary—in some cases brave—and I pay tribute to them.

I also thank the Minister for Community Services and Housing for taking on board my representations in the immediate aftermath of Cyclone Yasi that temporary affordable housing was one of the most pressing issues that my electorate would face. Significant resources have been allocated to establishing temporary affordable housing in cyclone affected communities. This has ensured that many local residents have been able to stay in their local communities.

I also welcome news that significant additional mental health support resources will be deployed to cyclone affected communities. I thank the Deputy Premier, who was the health minister at the time, who listened to me carefully and sympathetically when I met with him in Innisfail soon after the cyclone and stressed the need for enhanced mental health support services. This request has been responded to, and I am pleased that the enhanced mental health support services will be for up to two years, reflecting the gravity of the situation.

I regret that not everything associated with the cyclone recovery process has been so positive. The NDRRA support package for small businesses and primary producers has been a great disappointment. It took seven weeks for the state and federal governments to sign off on the regulations to deliver the package and the eligibility criteria. After waiting for far too long, many small businesses and primary producers have been advised that they are not eligible for the grants, or that they cannot access the low-interest loans. The eligibility criteria to access the grants and the loans are stricter than those that were in place for the support package after Cyclone Larry in 2006. I cannot fathom why the state and federal governments have disadvantaged cyclone affected communities when the damage was so much more widespread and so much more serious. Undoubtedly, this increased bureaucracy and red tape is slowing our recovery.

Lastly, several problems are now emerging in relation to applications regarding the Premier's Disaster Relief Appeal. I want to stress that I have no complaint in relation to the eligibility criteria placed on rounds 1 and 2 of the PDRA. My concerns relate to the obvious lack of ground truthing undertaken in relation to a number of decisions by the PDRA to reject applications by a number of my constituents when their individual circumstances clearly make them eligible. I thank the member for Gregory and the member for Rockhampton, who are helping me to correct these errors. However, I urge the PDRA to put more effort into ground truthing their decisions on applications from Queenslanders in cyclone affected areas.

(Time expired)

Cooktown-Hope Vale Road

Mr O'BRIEN (Cook—ALP) (9.57 pm): This year's heavy wet season in Far North Queensland has taken a particular heavy toll on the mostly gravel road network throughout the Cook electorate—no more so than on the road that connects Cooktown to the Aboriginal community of Hope Vale, about 60-odd kilometres to the north. Hope Vale, as many people know, is quite a famous community. Quite a number of famous people have come from Hope Vale, such as Matty Bowen and Noel Pearson. There remains about 12 or 13 kilometres of unsealed road connecting the two communities of Cooktown and Hope Vale.

This year's wet season has seen a lot of damage done to the road. It has been complicated as well by some heavy vehicles that have been allowed to continue driving on the road during the wet. However, I am determined to see that last 13 kilometres of road sealed between Cooktown and Hope Vale and will continue to advocate for that to occur. The state government has done a considerable amount of work in the last number of years to continue the sealing work, including some work out of Hope Vale itself which was done by that community. More recently, we built a $7 million bridge across the Endeavour River which improves access to the airport, to people along the Endeavour Valley Road and also to the Indigenous community of Hope Vale.

This morning I tabled a petition, signed by 338 people, calling for sealing work to continue. Tonight I table letters from the Cook Shire Council; from Mr Beckett Kluck; from Leanne Rayner, the acting principal of the Southern Cape Cluster of Education Queensland; from two bus drivers who take schoolkids on that road each day—Debbie Keeble, a Cooktown school bus driver, and Lexene Bowen, from the Hope Vale Bus Committee; and from my very good friend Willie Gordon and Dr Judy Bennett from Guurrbi Tours, who use that road for tourism purposes to run their business.

Tabled paper: Bundle of correspondence relating to the sealing of the remaining 13 kilometres of Endeavour Valley Road, between Cooktown and Hope Vale [4233].

This is an important connection between these communities. I think we need to do what we did with the Cooktown Road—that is, set a target of when we are going to fully bitumen that road and allocate funds over time to see that it is done. I have seen the improvement that has happened to the Cooktown community since we sealed that road between Cairns and Cooktown. It opened up all sorts of economic opportunities—for example, it allowed cheaper hire cars to get in there. This is also a safety concern for people in Hope Vale and along that road. It is very important to the school and the kids who have to travel on it. I will continue to advocate to have the Endeavour Valley Road fully sealed.

Tinnie and Tackle Show

Dr ROBINSON (Cleveland—LNP) (10.00 pm): The Tinnie and Tackle Show is again on in Brisbane over this weekend, at the RNA Showgrounds from 8 to 10 April. I would like to invite all of Brisbane, South-East Queensland and regional Queensland to come along for at least a day and to bring their families. Last year my young children attended with me and went through the children's program. It was a lot of family fun and the kids learned about fishing responsibly and sustainably. It is very important that, as adults, we bring our kids to such events with positive messages so that they learn the importance of the marine environment and how to be responsible with our wonderful marine life. It is so important that they learn not to be apologetic for living in and enjoying their environment, while at the same time protecting our marine environment and all marine life. The website states—

The 2011 Brisbane Tinnie and Tackle Show is pleased to be bringing you the much loved Fishing Expo featuring some of Queensland's most respected names in recreational fishing.

Presenters will be giving away the tips and tricks that work for them with plenty of opportunities to win some great prizes too—no wonder the fish are swimming scared!

Some of the key topics from Friday through to Sunday include big tailor from the surf beaches with Dave 'Nugget' Downie; refined techniques for large snapper; Yamaha supertank lure fishing, which is a lot of fun to watch and for the kids to see; charter fishing offshore in South-East Queensland; catching mulloway; trolling for Cape Moreton pelagics; the weigh-in for the Humminbird bream competition; luring for Moreton Bay bream; catching bass and red claw; Gold Coast spotties and spaniards; saratoga fishing in South-East Queensland; the Berkley kids fishing show; ultimate extreme fishing adventures; wild caught barra from Kakadu to the Pilbara; and a whole range of other fun things you can join in. I would like to encourage as many people as possible to take advantage of these events and topics over the weekend. Congratulations go to the Tinnie and Tackle Show for providing such a good, wholesome and positive fishing message and I look forward to it on the weekend.

In contrast, it is very disappointing that extreme Greens are peddling a message of guilt about fishing. The extreme Greens party and the far left of the Labor party—the likes of the member for Ashgrove—want to close down more good fishing areas in order to shore up Greens preferences ahead of the next election. That is why the government imposed a recent six-week ban on fishing for snapper. Bans, closures and lock-ups of good fishing spots are in Labor's DNA. Labor MPs, under the influence of the member for Ashgrove, have undergone a green mutation such that they are genetically predisposed to stop, ban and close fishing. They are currently working on two- to four-month-long snapper bans for later this year or in 2012 without having any hard data at all. We need a positive, can-do fishing message that says we 'can do' in Queensland so long as we fish sustainably.

North Pine Sports Club

Ms O'NEILL (Kallangur—ALP) (10.04 pm): Recently I was fortunate to attend the first soccer home game of the season at Bob Brock Park, home of the mighty Gorillas, otherwise known as the North Pine Sports Club in Dakabin. As I arrived at the club I was treated to the war chants of the senior team echoing from the dressing rooms, as I watched the families arrive for an evening of great family entertainment.

A government member interjected.

Ms O'NEILL: And the smell of Dencorub. This club is the pride and joy of the committee and the hardworking volunteers. There are teams of all ages, and I am happy to report that the home team, the premiers, won their first home game of the season 1-0 against Redlands, with a Shane Coffey goal coming in the last five minutes. The reserves also won 6-0.

One of the excellent programs they run at Bob Brock Park is the North Pine Gorilla Squirts. The program introduces three-, four- and five-year-old children to the basics of the world game of football through a series of exercises that develop their motor skills whilst introducing them to the basic dribbling and passing skills of the game. Training is one day a week and incorporates a small sided game at the end of every session. All training sessions are run under a specific structure to ensure that every player participates in a fun and rewarding way whilst learning football skills. As well as learning these basic skills, there is an introduction to the rules and regulations of the sport, exposure to team concepts and comradeship, and an introduction to the concept of respect for others and their space. It is extremely heartwarming watching these really little kids enjoying themselves. There are also two women's teams training at the club, and I look forward to watching them.

The fields looked very well kept, and I am advised that this is due to the hardworking committee and volunteers. In the week before I was there, they worked with domestic mowers, mostly due to the age of their tractor, and there was a hurried purchase of the biggest rakes available as well as lots of old-fashioned hard work.

The club has had some great news. They are one of a cluster of local clubs that together have received a local sport and recreation grant to employ a sport and recreation coordinator. This person will provide advice on governance and support avenues; develop networks and support collaboration; assist with grant seeking, sponsorship, fundraising and corporate partnerships; and give advice on effective marketing strategies and promotional activities

This is great news to president Alan Coffey, vice-president Dave Perrins, secretary Craig Hughes and treasurer Paul Simpson. We look forward to the club going from strength to strength with this fantastic resource. I know that the club has often applied for grants to upgrade their tractor and other equipment but they are yet to be successful. I hope that the coordinator will be able to assist them to finally get that grant so they can retire the new rakes that have been so diligently applied.

There is another distinct advantage to spending an evening watching great play on the field at Bob Brock Park, and that is the opportunity to enjoy a famous Gorilla burger. I am not privy to the exact ingredients, but I can tell you that it is an absolutely delicious hamburger. Congratulations to everyone in the canteen. The food presented was excellent. So if you like watching live sport, get on over to North Pine Sports Club, enjoy a cold drink and great food and cheer on the mighty Gorillas.

Worongary Road, Upgrade

Ms BATES (Mudgeeraba—LNP) (10.07 pm): I rise this evening to advise that the much awaited $2 million upgrade of Worongary Road commenced this week. Stage 1 includes the relocation of a commercial water carrier filling station 360 metres to the north—this will improve site distance and offer safer access for water trucks—together with realignment of the existing footpath on the northern side. The resurfacing of a seven-kilometre stretch between Eyrie Street and Mudgeeraba Road took place earlier this year, and residents have eagerly awaited this next stage in the upgrade of the road between Uplands Court and Brixton Court which includes cutting in two metres to change the dangerous profile of the road. Plans for a service road on the western side of Worongary Road for residents to access their properties are also included in the upgrade. This upgrade is long overdue and is only part of the solution to the patchwork quilt which is Worongary Road.

Negotiations continue between the Bligh government and the council to demain this road. However, I call on the minister to make it happen sooner rather than later. I have been campaigning for Worongary Road to be demained since March 2009. Residents have had enough of the buck-passing and it is time the minister got serious about the safety of motorists along this stretch of road.

This road has seen an increase in traffic of over 1,400 cars per day and it is a fatality waiting to happen. In any event, I would like to reassure residents that this upgrade will continue regardless of the ongoing discussions with the Gold Coast City Council to demain the rest of Worongary Road and hand it over to the council. Residents were left dumbfounded some months ago when the Minister for Main Roads insisted that $1.1 million of improvements to Worongary Road had started when in actual fact not one cent had been spent on this dangerous road since the 2009 election.

Local campaigner and longstanding resident Sue Zocchi was pleased that people power and sheer determination have resulted in this small win for local residents. Almost all of the residents who live on or near Worongary Road and who utilise it on a daily basis know just how dangerous this road has become. I have continued the fight to have this dangerous road handed over to the council in an asset swap to demain the road so that council can fix it once and for all. Residents and I were absolutely appalled when the Minister for Main Roads insisted on local television in September 2010 that this was all new money and that his department had already spent the $1 million on upgrading Worongary Road. Minister, neither I nor the residents could see any sign of where the government had spent this first million. However, this $2 million to fix the 0.3-kilometre stretch of road between Uplands and Brixton is only starting now and not in September last year, as the minister told Channel 9 Gold Coast news. There had been no work done on this section of road since it was first announced in the Roads Implementation Program 2008-2013 until now.

I want to take this opportunity to congratulate the many hundreds of locals who campaigned hard with me to see some improvements on this treacherous road. Over 75 per cent of the locals from Tallai and Worongary signed a postcard campaign during the election. It is good to see that at last we are getting some upgrades on this road.

Hills Coalition Leadership Day Forum

Mr WATT (Everton—ALP) (10.09 pm): In political life leadership is a term which is often bandied around. We all have views about what it involves. Some of us think that leadership means having big ideas. Others focus on having the courage to see those ideas through and stare down our critics. Still others think it is more about bringing others with us when pursuing big changes. Personally, I think leadership requires all of these characteristics. We see good and bad examples of leadership in this House and, more importantly, in our communities every day. We saw it during the recent natural disasters when average people stood up and helped their neighbours and even helped people they had never met.

I am pleased to report to the House that recently I have also seen great leadership on display among year 7 students from four of the primary schools in the electorate of Everton. A couple of weeks ago I had the pleasure of participating in the first Hills Coalition Leadership Day forum. This forum brought together the student leaders from Eatons Hill State School, Albany Creek State School, Albany Hills State School and McDowall State School. They spent a day listening to speeches about what good leadership involves and participating in workshops, coming up with ideas on leadership themselves. I think that taking on a student leadership role is one of the great opportunities that students in senior school years have. Taking on such a role gives students the chance to set goals, to develop the respect of their peers and to practise public speaking. All are valuable skills for life.

I had the privilege of being a guest speaker at the leadership forum, along with Young Queenslander of the Year from 2010 and founder of Youth Without Borders, Ms Yassmin Abdel-Magied, and young scientist and Queenslander of the Year Science Champion, Ms Katelin Haynes. It was interesting to note that each speaker had different ideas on what leadership involved, and this was reflected in the questions and comments made by students. Some students focused on the highlights

and achievements of leadership; others were more interested in the challenges and lowlights that leadership sometimes involves. I know that all students who participated came away with great ideas that they will implement for the rest of the year and in the years ahead.

I commend the administration teams at these schools for providing students with this wonderful opportunity. I also thank the student leaders for opening my eyes to the qualities of leadership that are in abundance in the schools at the Hills Coalition. It is yet another experience I have had as the member for Everton which gives me great confidence in the future of our suburbs, our state and our country.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.12 pm.

ATTENDANCE

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