



# RECORD OF PROCEEDINGS

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## THURSDAY, 7 APRIL 2011

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The Legislative Assembly met at 9.30 am.

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

### SPEAKER'S STATEMENTS

#### Diplomatic Corps



**Mr SPEAKER:** Honourable members, today we will be welcoming to the gallery the spouses of the diplomatic corps visiting Queensland this week. On behalf of all the members, when they arrive we will welcome them not just to Queensland but also to Parliament House.

#### Queensland Parliament Charity Club



**Mr SPEAKER:** Honourable members, the Queensland Parliament Charity Club will be launched on Monday, 9 May. The purpose of the Queensland Parliament Charity Club is to raise funds for charity, with all profits generated by the club during 2011 to be donated to assist flood relief in the Lockyer Valley. Further details about joining the Queensland Parliament Charity Club and attending the launch will soon be sent from my office to all members.

### PETITIONS

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

#### Gladstone Base Hospital

**Mrs Cunningham**, from 166 petitioners, requesting the House to significantly increase funding directly to the Gladstone Base Hospital to ensure the re-establishment of an Intensive Care Unit [\[4241\]](#).

#### Gladstone Base Hospital

**Mrs Cunningham**, from 1,610 petitioners, requesting the House to ensure funding is made available to the Gladstone Base Hospital to enable full dialysis services as a matter of priority [\[4242\]](#).

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

#### Mount Morgan Tipperary Point-Redhill, Suspension Bridge

**Mr Malone**, from 18 petitioners, requesting the House to support the Rockhampton Regional Council and local community organisations to rebuild the Mount Morgan Tipperary Point to Redhill Suspension Bridge [\[4243\]](#).

#### Cairns Hospital, Relocation

**Mr McLindon**, from 66 petitioners, requesting the House to ensure Far North Queensland has a hospital in times of disaster by identifying a new location for the Cairns Hospital [\[4244\]](#).

Petitions received.

### TABLED PAPER

#### MINISTERIAL PAPER TABLED BY THE CLERK


The following ministerial paper was tabled by the Clerk—

Premier and Minister for Reconstruction (Ms Bligh)—

[4245](#) Letter, dated 4 April 2011, from the Premier (Ms Bligh) to the Clerk of the Parliament enclosing a copy of correspondence from the Commonwealth Parliament's Joint Standing Committee on Treaties regarding proposed international treaty actions tabled in both houses of the Federal Parliament on 1 March 2011, and the treaty texts and national interest analyses for the proposed treaty actions listed in the letter.

## MINISTERIAL STATEMENTS

### Natural Disasters, Recovery Assistance

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.33 am): I know that all of Queensland, particularly the thousands who were affected by our devastating floods and cyclones, have been moved and humbled by the way the rest of the country, and indeed the world, came out to support us. The selfless way in which people have reached out in the wake of these disasters is best illustrated by the way the state, the nation and the international community has contributed to our Premier's Disaster Relief Appeal. It has been an astonishing effort, a moving reaction to the havoc that was wrought upon us and so far it has seen the fund swell to an amazing \$252 million and the money is continuing to come in. The sports world, the corporate world, the arts world and even international celebrities have given generously to our appeal but, more than this, it is the mums, the dads and the kids who have reached into their pockets and their piggy banks and given what they could.

To date, more than 31,500 applications for assistance to the fund for victims of both the flood and the cyclone have been received in round 1, which offers \$2,000 to every adult and \$1,000 to every child who experienced these disasters. Applications for the first round are still being received, particularly from those who experienced Cyclone Yasi. In fact, applications for round 1 do not close until the end of April. I think it is important to understand that for some people this has been such a traumatic and shocking event. They take time before they are ready to make these applications. A total of 28,295 applications have been processed and, of those, 24,431 round 1 claims have been paid, amounting to almost \$60 million from the appeal. It is a significant amount of money and it has given an initial helping hand to thousands of households.

But round 1 was only ever about providing some emergency relief as quickly as possible. It is the second and third rounds that will give people an opportunity to get greater assistance. The second round of funding from the relief appeal is addressing the great need of people whose homes have been completely destroyed or will be required to be demolished as they are unable to be repaired and those are grants of up to \$100,000. In many cases, \$100,000 will not rebuild a house, but it will go a long way towards providing some financial ability for people to start getting back on their feet. To date, 200 applications have been received under this round and I am pleased to report that payments have commenced. Initial payments of \$10,000 have now been issued to 17 applicants, with six of them already receiving further significant payments of up to \$90,000. People who are probably known to the member for Lockyer—people like Kenley and Frances Arndt of Grantham—have received a total assistance package of \$100,000 from the fund today.

We know that there are many hundreds more people out there who have lost their homes but who have not yet applied to the fund and I would encourage them to do so. Our advice is not to wait for their insurer. People in this circumstance—people whose homes have been completely destroyed—should lodge their claim to the fund while their insurance claim is still being settled. If they are eligible for assistance they will receive an immediate payment of \$10,000 while we then liaise with their insurance company over the final settlement of the claim.

There are thousands of other Queenslanders who, while their homes were not destroyed, sustained considerable damage and those are the people who will be targeted in round 3 of the fund, which I am pleased to announce today. The third funding round will extend to those people whose homes may not have been completely destroyed but who have experienced other major structural damage—people who, for instance, may be living without a kitchen or a bathroom, people who are unable to go back into their homes until electricity can be supplied with internal work being done on the house. As with the second funding round, the same generous income test will be applied to determine eligibility for assistance and the amount of assistance that an applicant may be able to receive.


Owner-occupied households with a combined income of up to \$150,000 a year will be eligible for payments from round 3. Everyone who is eligible will receive an initial payment of \$5,000, with further assistance of up to a maximum of \$80,000. Eligible applicants will receive \$5,000 for every \$10,000 worth of assessed damage. In the simplest terms, that means that a family with \$50,000 of assessed damage and without insurance would receive \$25,000 from the fund. Applicants will be required to provide two quotes to the fund to establish the level of damage and the assessed damage and they will then be processed. Insurance payments, ex gratia payments and any assistance provided under the community recovery structural assistance grants will be taken into account when deciding the actual level of assistance provided.

The Department of Communities will again be accepting and assessing applications on behalf of the government and application forms and full details of the funding round will be available from Monday, 11 April. The application form will be available for download from the Queensland government website, [www.qld.gov.au/floods](http://www.qld.gov.au/floods), and at local outlets, including the Department of Communities and QGAP offices. Applications for round 3 will close on 30 June. We have tried to provide a lengthy application period, because we again understand that some people will take some time. They are still getting assessments done. We are not trying to rush people, but we are in a position to start getting those grants out very quickly.

I know that there are a number of members of the House who know people who are waiting for round 3. I encourage them to make sure that those people know that it will be open on Monday. The forms will be there. They will need two quotes and many of them have already got that. So I think we are moving to an opportunity for many people who have been very badly affected and I encourage members to let their constituents know.

I also again take the opportunity to thank those members of the distribution panel. This is a very tough job. They are doing their best to make sure that these funds, donated in good faith by so many Australians, are being used in the best possible way and are going to those with the highest possible need. I thank particularly the member for Rockhampton and the member for Gregory for their very compassionate work in this endeavour.

### Commonwealth Games Bid

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.39 am): Operation Queenslander is in full swing across the state. As we recover from the recent disasters, it is important that we do not lose momentum but continue to seek out new opportunities for Queensland. That is why our government remains absolutely committed to our Gold Coast 2018 Commonwealth Games bid. It is salutary to remember that in 1982 the Commonwealth Games that transformed Brisbane were held just eight years after the devastating 1974 floods. If we are successful in our 2018 bid for the Gold Coast, the games will again be held just eight years after the disasters that we have suffered this summer. I believe that it is important at times like this for us to back ourselves, to believe in ourselves and to be out there and be competitive on the global stage.

The bid is gaining momentum and today I can advise the House that I will travel to Kuala Lumpur in May with the Australian Commonwealth Games Association to officially submit the bid book for the games bid on 11 May. The timing of the bid presentation means that I will miss at least one question time of parliament in the next sitting week, and that is a measure of just how important I think this bid process is for the Gold Coast and for Queensland. I do not make that decision lightly. As people will know, it is a very rare decision, but it is not without precedent. Premier Goss made a similar decision and missed a question time in 1991 and Premier Borbidge did the same in 1996 to attend an Indonesian trade summit. I will be joined in the bid presentation by Gold Coast Mayor Ron Clarke and representatives from the federal government and games executives. We will formally present the bid book at an official ceremony attended by guests from the Commonwealth Games Federation. We need to make it absolutely clear to the federation, which will be the ultimate determinant of the bid, that this bid has political support from all levels of government in Australia.

The 51,000-word, 240-page book is almost finished and the bid team is currently putting the final touches to our pitch. The bid has been delivered over the last 12 months and covers 15 themes from transport, health and security through to accommodation, sports and venues and, of course, the games village. I have been impressed with the enthusiasm and the contribution of so many stakeholders involved in the bid's publication. This is a very detailed and technical document outlining exactly how we would deliver the 2018 Commonwealth Games at the Gold Coast. The end product will be very impressive. Planning and coordinating the appropriate contributions from so many stakeholders for an event of this size and prestige in 2018 was thorough and professional and their collective support has been outstanding. It is indicative of the support in the community for the bid. I am excited and proud for Queensland and Australia. We see the potential to host the Commonwealth Games as a major catalyst for development, growth and international recognition and as a very positive move forward for the state—a games for all Queensland held on the stunning Gold Coast.


The bid book lodgement on 11 May this year will be closely followed by a visit to the Gold Coast by the Commonwealth Games Federation Evaluation Commission in June. The 71 Commonwealth Games Association representatives from Oceania, Europe, the Caribbean, Americas, Asia and Africa will commence their visits to assess the city's capabilities from July through to the end of October. I know that, with the assistance of the member for Broadwater, as the parliamentary secretary with responsibility for the Commonwealth Games, the Gold Coast will turn out its best to welcome the voting delegates in their visit to this wonderful city.

Our competition in this bid is Sri Lanka. Nobody should underestimate the determination of the Sri Lankan government, a government recovering from civil war.

**Mr Lucas:** They did all right in the World Cup.

**Ms BLIGH:** It did very well in the World Cup; I acknowledge that. It is a very competitive opponent and we are not taking one single vote for granted. If we do win the games—and I am confident that we can—it will be the only major international sporting event in Australia for the next decade and it will be held here. Like the rest of the state, the Gold Coast has been through its own difficult times and these games present the opportunity for a major boost in morale and confidence and are a clear indicator of the better times that are ahead.

## Water Reform

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.44 am): I want to say a few things this morning about water. In 2004 when South-East Queensland was entering into the worst drought in over a century, local governments across the region had control of planning, building and maintaining water infrastructure. Even Seqwater was majority owned by councils. These fractured arrangements meant that there was no long-term coordinated plan for water security in the south-east of our state. We did not share water in this region despite the fact that in South-East Queensland one local government area can be in drought while another is awash with water. In 2004 when the Gold Coast was running perilously short of water, there was no way to supplement its water supply from Brisbane's storages. Then in 2006 the Gold Coast enjoyed an abundance of water while Brisbane supplies were dropping daily. Our capital city was marooned and there was no water grid in place to move the water around the region.

We in South-East Queensland live in one of the fastest growing regions in the world and it had become clear that we needed a plan to secure water for the more than 2½ million people who call the south-east their home. It is a fact that local governments had been making revenue from water for decades. Many had their own water business companies. It is also a fact that they had shirked their responsibility to reinvest that revenue in their distribution infrastructure. Not one major dam, not one new water storage facility and not one new manufactured water source has been constructed by local government in more than 20 years in the south-east. This is a cold hard fact. That is how it was.

What was discovered as the drought slowly bore down on us was that South-East Queensland had a system of council owned pipes that had been so poorly maintained that they were losing 57 million litres of water a day in leaks alone. Our government had to spend \$33 million of state money to fix those pipes. That is again a cold hard fact. Some of these councils even failed to support the use of water tanks and water efficient devices. It was our government that then invested over \$200 million in rebates and saw rainwater tanks go from negligible levels to over one in five homes in South-East Queensland. Many councils had also completely failed to implement assistance programs to water users and it was our government that implemented the Home WaterWise program to over 220,000 homes in the south-east. Not only had local governments neglected to build any new water infrastructure or launch any new water initiatives; they had not even bothered to properly maintain the water infrastructure that they owned.

Until the state government established a clear planning authority in the Queensland Water Commission, local governments had no plan to secure water supply and state agencies found themselves in the position of trying to persuade them to participate in working groups. It was under these circumstances that the state government put forward a plan to secure water supply for the south-east of our state. Our plan was to make sure that the community would never again have to worry about running out of water. That meant building infrastructure to produce water when rainfall stopped. We did that with the desalination plant, which can produce 125 megalitres of water every day and which proved so vital during the recent disasters. During the recent flooding of the City of Brisbane, the desalination plant produced water; if we had not had it, that would have meant the capital city boiling water for weeks. Our plan meant building infrastructure to store water when it falls or is produced, and we did that with the Wyaralong Dam, which is now full, and we did it with the Western Corridor Recycled Water Project, which is supplying power stations. It meant building infrastructure to move water to where it is needed in the south-east across council boundaries. We did that with a 400-kilometre network of pipes between Brisbane, the Gold Coast and the Sunshine Coast. It can move 450 megalitres of water across the region daily.

This government stepped in to build the infrastructure at a cost of \$7 billion. That was a massive investment in the future of this state, because we needed to secure the future of the region and the safety and lifestyle of its citizens. We always said there would be a cost and we committed to making sure that that cost was spread over a 10-year price path for bulk water to soften the blow on people's water bills. We made a commitment that we will not take a commercial rate of return on that investment and we have not. In fact, we are taking a loss to ensure that we soften the blow of bulk water increases.

As is always the case with such large reforms, we consulted with local governments, mayors and their CEOs on the plan. At that time, the state proposed a single distribution business but, as a direct result of a submission from Campbell Newman, who was then the chair of the SEQ Council of Mayors, we implemented a system of three vertically integrated businesses. In a letter of May 2009, the Council of Mayors, led and chaired by Mr Newman, sought a structure that would deliver: firstly, three vertically integrated commercially oriented water businesses as separate legal entities with boards nominated by council owners comprising a majority of independent directors; secondly, the separation of water and sewerage bills from rate bills; and, thirdly, pricing for a transitional period to be the responsibility of the businesses, not an independent pricing authority. The state government listened to the South-East Queensland Council of Mayors and we delivered exactly what it asked for. The fact is that the three water utilities in South-East Queensland are a product of the architecture designed by Campbell Newman and the South-East Queensland Council of Mayors.



**Opposition members** interjected.

**Ms BLIGH:** They do not like it.

**Mr SPEAKER:** Premier, resume your seat. We will wait for the House to come to order. There is too much audible conversation.

**Ms BLIGH:** I repeat that the three water utilities in South-East Queensland are a product of the architecture designed by Campbell Newman and the South-East Queensland Council of Mayors. What followed the establishment of those utilities is now well known. Councils appointed boards to run the companies and then washed their hands of any responsibility. They washed their hands. Those companies then proceeded, unchecked and unrestrained, to act in the interests of the company and not in the interests of ratepayers. They set a course of action to remedy the years of underinvestment and neglect that had resulted from local government ownership. That resulted in a planned investment—

**Mr Hobbs** interjected.

**Mr Schwarten** interjected.

**Mr SPEAKER:** The member for Warrego and the member for Rockhampton, I am sure that is very interesting for both of you. Why don't you take the conversation outside so I can hear the Premier.

**Ms BLIGH:** This resulted in a planned water infrastructure investment by Allconnex of \$1.34 billion over the next three years, yet in the past two years, between them, those three councils have only invested \$5.41 million. That proposed expenditure can only have been to make up for years of neglect by those councils. As everyone knows, in many cases the water utilities then introduced huge price hikes. Many of us have talked to people affected by that and we all know the complaints that people have. Six weeks ago, the government held a community cabinet at the Gold Coast where many understandably angry residents expressed their views about water prices. Their anger is justified. It is not good enough that Allconnex is not offering any reasonable explanation for the size of the increase. It is not good enough that Allconnex has no price path and has hit ratepayers with a massive price shock with nothing to soften the blow. It is not good enough that this year the Brisbane City Council is forecast to receive \$197 million in profits from water but will not provide a rebate to its ratepayers. It is not good enough that councils continue to duck and weave, pocketing millions of dollars in water profits and spending ratepayers' money on campaigning and advertising to point the finger at anyone but themselves. They are blaming the system that they recommended be implemented.

While at the Gold Coast, I publicly announced—and I have repeated it in this chamber—that our government will look at the options available to us to limit price gouging by the council water utilities and we have done that work. We examined the options of capping prices and looked at a number of possible price caps. We looked at mandating council rebates of \$100 across the region. We looked at them in depth. However, in each of those cases there would have been unintended and sometimes quite perverse consequences that would have impacted each council in the south-east in very different ways and, in some cases, very unfairly. However, we said we would act on this situation and we will.

Today I can tell the House that the blame game on water in South-East Queensland ends. The government has decided to repeal the sections of the South-East Queensland Water (Distribution and Retail Restructuring) Act that required the distribution and retail entities to be established. This means that councils that wish to return to their previous structure will be able to do so and those that wish to retain the current entities can also do so. It will also leave it open for councils to get together. This means councils will be solely responsible for the price of water charged to their ratepayers. It means that they will no longer be able to justify the charade of blaming the legislation, the utilities they established or the boards they appointed for the price gouging experienced by their ratepayers. This means—

**Opposition members** interjected.

**Mr SPEAKER:** Order! The House will come to order. This is a ministerial statement that is of huge significance to the parliament. It should be treated with respect.

**Ms BLIGH:** This means that elected councils will have to take political responsibility for water pricing arrangements. Most importantly, it means that if ratepayers are unhappy with those arrangements they can deal with that through the ballot box. It means that the state government will continue to produce and treat the bulk water that is delivered to the water utilities. We will also continue to operate the water grid that shares water across the region and gives water security to all of its citizens.

This announcement means that SEQ councils will now be responsible for how water is distributed and retailed and, most importantly, how much they charge for it. Those decisions will rest with councils. It will be open to SEQ councils to opt out of their utility company and operate a distribution and retail business as a business unit of their council and set the price that way. Equally, it will be open to councils to opt to retain the utilities in their current form with the councils still holding absolute power to set the price of water bills. I hope that this means that the dishonesty and confusion that is being peddled by some councils will stop once and for all.

**Mr Seeney:** I wrote your policy on CSG and I can write it on water, too—any time at all.

**Mr Lucas:** No-one listens to you; not even your own side.

**Honourable members** interjected.

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

**Mr Lucas:** No-one listens to you.

**Mr Seeney:** A thankyou would be good.

**Honourable members** interjected.

**Mr SPEAKER:** Order! I was on my feet because I want the House to come to order. That I stood up was not a sign for the Leader of the Opposition and the Deputy Premier to resume the disorder. Therefore, I warn both the Leader of the Opposition and the Deputy Premier. If there is a repeat, both of you will be outside until 11.30.

**Ms BLIGH:** The government accepts that councils have many matters impacting ratepayers to take into consideration in coming to their decision on this matter. We accept that that may take some time and, equally, that implementing whatever decision they make will require some time. However, ratepayers are entitled to water pricing certainty during the transition period. For this reason, the government will also legislate to limit for the next two years the annual increases in water distribution and sewerage costs to the CPI, which currently stands at 2.7 per cent, as the transition to whatever new arrangements the councils choose to put into place.

For the community of the Gold Coast, where Allconnex was proposing a price increase this year of \$208 for a typical household, the price cap that we have announced today will mean the maximum increase to the average household for a council owned entity will be \$83—a reduction of \$125 for the people of the Gold Coast. For the greater Brisbane area, where Queensland Urban Utilities was proposing an increase of \$110 for a typical household, the price cap will mean a reduction of \$36. For the Sunshine Coast region, where Unitywater was proposing an increase of \$180 for a typical household, the cap announced today will mean a reduction of \$102.

People have the right to question whether the initial decision to establish the water entities under this structure was the correct decision. Working with South-East Queensland councils and implementing their preferred structure placed a great deal of responsibility on the shoulders of those councils to protect their ratepayers from massive price shocks. Clearly, they were not up to that responsibility. If we have erred, it is erring in believing that councils were capable of it. We have listened to ratepayers across the south-east. Ratepayers say enough is enough. We say enough is enough and are taking this action today.

### Water Reform



**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Energy and Water Utilities) (10.00 am): I rise today to confirm the bold new arrangements to end the blame game perpetrated by South-East Queensland councils on water pricing.

**Opposition members** interjected.

**Mr SPEAKER:** Those on my left will cease interjecting.

**Mr ROBERTSON:** It hurts, doesn't it?

**Mr SPEAKER:** Minister, it will help the control of the House today if you direct your comments through the chair. Carry on with your ministerial statement and I will make sure you are shown the dignity of the House.

**Mr ROBERTSON:** Mr Speaker, as you have heard from the Premier, the Bligh government will force local governments to reduce water price increases next year and allow councils to retire from or disband the current distributor-retailer water businesses. We have made the decision to take action where local governments have failed. Those councils that have been allowing customer bills to rise by over \$200 a year while they take millions of dollars in financial payments have got some bad news coming. They will no longer be allowed to slug ratepayers excessive water charges to line their own pockets. Under these changes, councils will no longer be required to participate in a joint distributor-retailer entity and they can return to operating their water and sewerage utilities within their own councils. Individual councils will be able to decide if they wish to remain owners under the new DR arrangements or to withdraw. If they withdraw, they will have their assets, rights and liabilities returned to them along with direct responsibility for these water and waste water services. Councils will need to submit their proposed approach before 1 July 2011, which will include a plan for how they intend to mitigate price impacts on customers in the future. Where the majority of councils wish to withdraw from the entities, then the state would expect to wind up and abolish those legal entities and the statutory authority.

I also want to clarify arrangements for the price cap to be put in place from 1 July 2011. We will introduce a CPI price cap for two years to protect consumers from excessive council water and sewerage charges. The price cap will be introduced on the council owned portion of water and waste water bills for householders and small businesses. For example, in 2011-12 this will slash \$125 off the typical water and waste water bill for Gold Coast residents using 200 kilolitres per annum. On the Sunshine Coast, residents will save \$102, and in the greater Brisbane area the saving will be \$36. Councils would not do this so the Bligh government has stepped in and delivered. We have delivered where councils have continued to fail and line their own pockets with the profits of ratepayers. As much as members opposite pretend otherwise, Campbell Newman, as chair of the South-East Queensland Council of Mayors, asked for the current structure of three independent businesses by way of a letter to the Treasurer and me dated May 2009. It is now time for local governments in South-East Queensland to be held accountable to their ratepayers, and it is the Bligh government that is delivering on that. It is time to stop the blame game and take appropriate action to reduce the increasing burden of water prices on average Queenslanders, and that is what this government is delivering today.

### Crime and Misconduct Commission



**Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (10.04 am): I should note that I am wearing my Autism Queensland tie today.

In the last 48 hours we have seen a concerted and coordinated attack on the independence of the CMC, the state's independent crime and corruption watchdog. Following the dismissal of the opposition leader by outside forces, this is another serious assault on the institution of parliamentary democracy. On Tuesday we saw Clive Palmer claim that the CMC was acting under political pressure because it is investigating allegations that certain LNP officials sought to improperly influence a member of parliament in relation to a seat in this House. Then yesterday Campbell Newman made the incredible suggestion that the CMC was providing briefings to the Treasurer on the conduct of ongoing investigations. Let me be clear: the CMC is fiercely independent. Allegations of misconduct or corruption should be fully investigated without attempts to influence or intimidate the investigators. The CMC's independence is unquestionable. We now have a former ALP minister rotting in jail, where he absolutely belongs, due to the good work and independence of the CMC. In fact, Gordon Nuttall was referred to the CMC by the Premier in her then capacity as Acting Premier.

This government has never attacked the CMC. We support the role of the CMC, because on this side of the chamber clean government comes first. We support it even though Labor governments have felt the sting of its accountability, as we must do. Of course, the Tories have never liked independent anticorruption watchdogs, or an independent judiciary for that matter. It harks back to the days of Sir Joh, who was asked in 1998 about his understanding of the doctrine of the separation of powers under the Westminster system. Sir Joh said, 'I don't know which doctrine you refer to.' All of this became gravely serious with the revelations of corruption and shady deals uncovered by the Fitzgerald inquiry, which ultimately led to the creation of the then CJC. Of course, the LNP has form more recently as well. Who could forget the MOU with the Police Union at the time of the Mundingburra by-election in which the coalition agreed to strip the CJC of the power—


**Mr Dempsey:** What did Fitzgerald say last year?

**Mr LUCAS:** He said a lot about the member's side last year. Who could forget the MOU with the Police Union at the time of the Mundingburra by-election in which the then coalition agreed to strip the CJC of the power to investigate police misconduct, or the piece de resistance—the aborted Connolly-Ryan inquiry which had one purpose and one purpose alone, and that was to get the then CJC? It is not just me saying that. So ham-fisted were the Liberals' and the Nationals' attempts to get the CJC, so desperate were their attempts to succeed, that they appointed as one of their commissioners a former state Liberal member of parliament in Peter Connolly. So eager was Mr Connolly to tackle his task that he could not resist statements such as—

Now that our side of politics is back in power we can do a proper critique of the Fitzgerald experiment.

What was the result? Their shonky 'get the CJC' inquiry was struck down by the Supreme Court for bias. So when we see people such as Clive Palmer with his line of history going right back to Joh Bjelke-Petersen and an LNP state election candidate such as Campbell Newman, also with form in kicking out Independent members of council, calling police to eject them and abusing council subscriber email lists, the Queensland public should be afraid—very afraid. Mr Newman has no experience in this parliament, and it shows. I remind him and everyone else that appointments to the Crime and Misconduct Commission are required to be approved by a majority of the bipartisan parliamentary committee and the CMC is subject to the accountability of that bipartisan committee. It is a bit like when we see children who show disrespect to the police; they normally get it from their parents. What does the attitude of the LNP to independent scrutiny by the watchdog say to the public if its leader conducts himself in this way? I say this to the opposition: let the CMC get on with its job.

### Public Hospitals, Case Reviews

 **Hon. GJ WILSON** (Ferry Grove—ALP) (Minister for Health) (10.08 am): Queenslanders can have confidence that Queensland hospitals are among the safest in the world. Errors can be made even by the best staff in the best hospitals. But, as a patient, I would want to know three things: that errors are extremely rare, that they are reported and investigated in a transparent way, and that when they occur lessons are learnt to avoid them being repeated in the future. Queenslanders can be assured that incidents such as these are very rare indeed.

I would trust the staff at our hospitals with my life, as thousands of Queenslanders do every day of the year without incident. Every day in Queensland more than 8,400 patients are admitted to public hospitals and every day staff provide 30,000 diagnostic outpatient and emergency services. Independent national reports show errors in Queensland hospitals are extremely rare. Out of 12 million treatments provided each year, fewer than 0.003 per cent go wrong. That is why the government proposes to publish case reviews from now on that demonstrate the errors in incidents that unfortunately arise in even the best run hospitals. I will consult with the relevant medical and nursing stakeholders on the best way to do this. It is proposed that de-identified case reviews be published alongside the patient safety statistics annual report already produced by the Centre for Healthcare Improvement.

The media has wanted access to publish these reviews for some time. Advice from patient safety experts and our front-line staff was that reviews should not be published for two reasons. The first reason is that staff were concerned that the reviews might identify patients. Patients are absolutely entitled to confidentiality and great care needs to be taken to avoid publishing any details that might make any patient identifiable. The second reason is that we need the active and open cooperation of staff reporting incidents. Groups such as the state-wide emergency physicians network, the Queensland Nurses Union and the Queensland Clinical Senate expressed grave concerns that publishing these reports without adequate safeguards in place to ensure staff are not identified would threaten the integrity of our patient safety regime.

Ultimately, we have been able to achieve an appropriate balance. The documents that have been released in my view are in the public interest. Patient and staff details have been removed. The first step in avoiding future errors is to learn from mistakes. That is why these reviews are conducted and the information from them compiled in the annual *Learning to action* report. Our hospitals learn what went wrong and act to prevent that in the future. Queensland Health has produced four *Learning to action* reports and will this year publish its fifth. Every one of those reports contain detailed data and analysis of clinical incidents and near misses. They also spell out the programs and initiatives that have been put in place to respond to significant adverse events and trends.

The safety performance of Queensland public hospitals has also been transparently reported by the federal Productivity Commission. In the annual *Report on Government Services*, the number of sentinel events of each state's public hospitals is compared. These are the most serious clinical accidents that occur. In the latest report, Queensland compared very favourably with the other states. The number of these events that occurred in our hospitals dropped by 50 per cent.

We are already seeing great results from new programs developed because staff are reporting more incidents and learning from past events. Two of the most common causes of harm while in care are pressure ulcers and falls. Together they make up around a quarter of all reported harm events. More than 20,000 Queenslanders each year have been saved from painful pressure ulcers as a result of a new program that is not only saving patients from pain but reducing their hospital stays by an average of three days. That reduction in bed days creates an equivalent capacity of an entire medium sized hospital. We have also seen a 55 per cent reduction in falls from elderly patients in Brisbane's north, thanks to a new falls prevention program currently being trialled.

These successful programs only came about because clinical staff are reporting, discussing and analysing incidents more often and, as a result, are finding new and better ways to treat patients. We are seeing a sharp rise in the number of reported incidents—around 115 per cent—and this is a good thing. It means more staff are reporting more often, providing more opportunities to study and develop better solutions to problems that emerge. But it is important to note that an increase in reporting does not automatically equate to an increase in actual incidents. In the past, staff only reported incidents if they caused actual harm to a patient. Now they are also reporting near misses and those incidents causing no harm to patients. In fact, in over 95 per cent of reported incidents there was no harm to the patient. This data and the results that we are seeing from the new programs developed as a result of it show the power of information. That is why Queensland has one of the most comprehensive reporting systems in the country.

That is why this government introduced proactive reporting of clinical incident data for the first time in Queensland's history and it is also why we have decided that these case reviews will now be available to the public every year from now on, with the method arising from consultation with our stakeholders. Our hospitals report mistakes, learn from them and act to avoid them in the future. Our patient safety regime is best practice in Australia. Queenslanders can be confident that we have the best doctors and nurses and that mistakes are very rare but when they do occur they are reported, analysed and acted upon.

### Road Safety



**Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (10.15 am): Nothing speaks more of the need and nothing speaks more of our determination to boost road safety than the road toll. As of this morning, the Queensland road toll stands at 60—seven above where it was at the same time last year but 31 lower than at the same time in 2009. Statistics like this are why the government welcomes the Economic Development Committee's report into the road safety benefits of fixed speed cameras. Today I table the government's response.

*Tabled paper:* Queensland government response to the Economic Development Committee Report No. 4, October 2010—Inquiry into the road safety benefits of fixed speed cameras [\[4246\]](#).

I note the committee was supportive of the fixed speed camera program and note that speed remains a significant road safety issue. The committee made 15 recommendations. Of those, the government is fully supporting 10 recommendations and partially supporting one recommendation. Four recommendations are not supported.

Those that will be fully supported include investigating using non-sworn officers in the mobile speed camera program to free up police hours; providing more information on fixed speed camera site locations, reason for the site placements and information on data collection, usage and storage on a web page and providing a link to this information on speed camera infringement notices; providing clearer information to local government bodies on the criteria for selecting speed camera sites and consulting more to leverage local knowledge to inform decisions on site selection.

I am pleased to inform the House that we are already taking action on some of these recommendations. Locations of fixed speed cameras and crash statistics that justify them are already available online, and we have already updated infringement notices to provide a link to information on the internet.

The greatest reward for driving safely on the road is staying alive. The greatest reward anyone can ever expect from driving safely on our roads is protecting themselves, their families, their friends and their fellow drivers. Irrespective of that, the government will investigate a rewards program targeting young drivers. The review will consider if a cost-effective scheme can be developed and implemented that results in fewer speed related crashes.

We will work harder than ever before on road safety education. We will soon roll out our Easter road safety campaign in an effort to drive the road toll down. I believe Queenslanders should be proud of this program. It is an important part of the many safety initiatives that are helping save lives on our roads.

### National Broadband Network



**Hon. SD FINN** (Yeerongpilly—ALP) (Minister for Government Services, Building Industry and Information and Communication Technology) (10.17 am): The state government is leading the way on ICT and delivering better broadband for all Queenslanders. Last week I released a discussion paper titled 'Queensland's approach to the National Broadband Network'. This discussion paper invites feedback from Queenslanders about the best way to use the NBN. Between now and 21 April, we want to hear what Queenslanders have to say about the new National Broadband Network.

We, as a government, recognise the importance of high-speed broadband for the Queensland economy. The NBN is essential for the state's economic future—and it will help to transform how we live and work in Queensland. The NBN will result in advances in health care, education and the way people do business. It will also help to keep people in rural, regional and remote communities connected with our major population centres. I want to encourage all Queenslanders to have their say on the way that they want to use the NBN in their homes, businesses, schools and communities.

The NBN is the biggest infrastructure project ever undertaken in Australia. We need to get it right and we need to ensure that all Queenslanders benefit from it. We will use the ideas, suggestions and comments received to help shape a state-wide master plan for the use of the new network. This master plan will take into account the expectations, ideas, visions and dreams of all Queenslanders. We will be listening to their views—those living in our major population centres, people in our regional towns and those from rural and remote parts of the state.

I am pleased to inform the House that the NBN is providing important jobs and investment throughout Queensland. The NBN rollout is worth \$9 billion to Queensland's economy, and it will support 5,550 construction jobs. We are full steam ahead with the NBN rollout in North Queensland. A digital business development officer has been appointed to help local businesses prepare for the NBN rollout in Townsville. Townsville is one of five NBN first release sites where local businesses and residents will be among the first in Australia to get the NBN. There are very exciting opportunities for Townsville to lead the way in the north with ICT. The Bligh Labor government has a vision for high-speed broadband. We are getting on with the job of delivering it for all Queenslanders.

### Queensland Coastal Plan



**Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (10.19 am): Queensland is home to a world-famous coastline—a place where people from around the world come to visit and where 85 per cent of Queenslanders choose to live. But the science is clearly telling us that our coast is extremely vulnerable to climate change. This is a message Queensland cannot afford to ignore.

So I am pleased to announce today the release of a new Queensland Coastal Plan that will direct the way we manage development along our precious Queensland coastline in the years ahead. In an Australian first, the new plan incorporates new coastal hazard maps based on digital technology that will allow councils to begin planning for the effects of anticipated future sea level rise along our coast.

With the powers of a state planning policy, the plan deals with the threats of coastal erosion, storm tide inundation and climate change impacts and seeks to safeguard areas of high ecological significance from development. The plan will significantly strengthen Queensland's resilience to tropical cyclones and other extreme weather events such as storm surges.

This year almost all of Queensland was declared a disaster zone after our communities were knocked for a six, first by record floods and then by a category 5 tropical cyclone. Overwhelming scientific evidence points to more severe cyclones in the future as well as increased unpredictability for other extreme weather events such as floods.

The Queensland Coastal Plan will allow state and local governments to work together to utilise climate science, advanced mapping technology and sound policy direction to prevent further community exposure to coastal hazards. The Bligh government has worked with local councils to deliver a consistent, universal approach to coastal planning. I thank those councils for their contribution and for working with us to ensure that better planning decisions now will protect Queensland into the future. The plan gives councils a comprehensive framework to help them manage growth and build more resilience to coastal hazards.

The new Coastal Councils Adaptation Task Force that has been set up by the Local Government Association of Queensland to collaboratively prepare, plan and adapt for sea level rise and other coastal impacts of climate change will be able to use these tools to deliver a better planning decision framework. By keeping an eye firmly on the long-term future of their communities, councils will be able to better plan for the impacts of climate change and extreme weather events, not just over the next few decades but over the next 100 years.

Ahead of all other governments in Australia, the new Queensland Coastal Plan clearly maps coastal hazard areas. Although many of the forecast sea level rises will not happen in our lifetime, this is about smart planning now for the future. That is why it is focused on new and future developments to ensure councils take into account the predicted challenges of climate change. The information this plan provides will, for the first time, allow councils to make planning decisions now that could help prevent harm, damage or devastation to lives and properties in the future.

### Operation Clean Up



**Hon. TS MULHERIN** (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (10.23 am): I am pleased to announce that 300 of the 500 paid positions under Operation Clean Up have now been allocated to employment services. Operation Clean Up is part of the \$20 million joint federal and state government Rural Resilience Fund which is assisting primary producers and local business with debris clearing in Cyclone Yasi affected areas.

The great advantage of this scheme is that it means those who might otherwise have been forced to leave their local communities in search of work can now stay and be part of the clean-up effort. Right across the state we are seeing communities rolling up their sleeves and getting on with the job. This is part of the reconstruction effort under Operation Queensland, getting impacted regions back in business. Operation Clean Up is just one example of how we are engaging in the mission of rebuilding Queensland better and stronger than before.

Cairns based Choice Management Australia will place workers into 200 jobs and Terrain Natural Resource Management, which operates from Innisfail, will place more than 50 employees. These 250 new positions are in addition to the previously announced 50 positions provided by Hinchinbrook Employment Services.


Participants will be transported to the various job sites to undertake 26 weeks of paid work clearing vegetation and debris caused by Cyclone Yasi on farmlands and tourism businesses. All unemployed people in the affected region are eligible to register for one of these job placements. I urge those in the regions in search of work to register.

The Choice Management Australia contract for 200 employment places is worth \$4.3 million. The two Terrain Natural Resource Management projects of 20 and 30 employment places comprise more than \$1 million in funding. These jobs will help provide work for locals and, as a result, help businesses and stimulate the local economy after the natural disaster.

Under Operation Clean Up over 600 properties and small businesses in the Yasi affected region have now registered for assistance. Yasi impacted on two of the Far North's most important industries—agriculture and tourism. The sooner we can clear farms and tourist operations, the sooner they can get back into business and rebuild Queensland better and stronger than before.

## PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE


### Parliamentary Crime and Misconduct Commissioner Report

 **Mr HOOLIHAN** (Keppel—ALP) (10.25 am): I lay upon the table of the House the report of the Parliamentary Crime and Misconduct Commissioner, Mr Gary Long SC, setting out the results of the eighth inspection of the CMC's records regarding surveillance device warrants. The inspection covers the period 1 May 2010 to 11 November 2010 and was conducted pursuant to section 362 of the Police Powers and Responsibilities Act 2000. Full details of the parliamentary commissioner's inspection and findings are set out in his report.

*Tabled paper:* Parliamentary Crime and Misconduct Commissioner: Report on the Results of the Inspection of the Records of the Crime and Misconduct Commission Pursuant to Section 362 of the Police Powers and Responsibilities Act 2000, dated March 2011 [\[4247\]](#).

## INTEGRITY, ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

### Reports


 **Mr SHINE** (Toowoomba North—ALP) (10.26 am): I table two reports of the Integrity, Ethics and Parliamentary Privileges Committee: report No. 114 titled *Matter of privilege referred by the registrar on 18 November 2010 relating to the alleged failure by a member to register an interest in the Register of Members' Interests*; and report No. 115 titled *Matter of privilege referred by the Speaker on 17 February 2011 relating to an alleged deliberate misleading of Estimates Committee F by a minister*. I commend the reports and committee's recommendations to the House.

*Tabled paper:* Integrity, Ethics and Parliamentary Privileges Committee: Report No. 114—Matter of Privilege Referred by the Registrar on 18 November 2010 Relating to the Alleged Failure by a Member to Register an Interest in the Register of Members' Interests [\[4248\]](#).

*Tabled paper:* Integrity, Ethics and Parliamentary Privileges Committee: Report No. 115—Matter of Privilege Referred by the Speaker on 17 February 2011 Relating to an Alleged Deliberate Misleading of Estimates Committee F by a Minister [\[4249\]](#).

## SCRUTINY OF LEGISLATION COMMITTEE

### Submission

 **Mrs MILLER** (Bundamba—ALP) (10.26 am): I table a copy of a submission received from the Friends of Stradbroke Island Association and the Stradbroke Island Management Organisation regarding the North Stradbroke Island Protection and Sustainability Bill 2011.

*Tabled paper:* Submission, dated 4 April 2011, from Sue Ellen Carew, President, Friends of Stradbroke Island, and Susan Martin, Stradbroke Island Management Organisation, to the Scrutiny of Legislation Committee, regarding the North Stradbroke Island Protection and Sustainability Bill 2011 [\[4250\]](#).



## NOTICES OF MOTION

### Patient Travel Subsidy Scheme



**Mr MESSENGER** (Burnett—Ind) (10.27 am): I give notice that I will move—

That this House notes that:

- 1) The Queensland Patient Travel Subsidy Scheme only compensates rural and regional patients \$30 per night for accommodation while they are forced, because of under resourced, staffed and over crowded country hospitals, to visit Brisbane hospitals for life saving medical treatment.
- 2) The PTSS compensates country patients only 15c per kilometre when travelling by their own car to receive lifesaving medical treatment.
- 3) Many sick country patients who rely on these payments cancel treatment or have to go without food and their carers are forced to sleep in cars because the payments have not been significantly increased in 20 years.

And calls on the Premier to immediately increase patient travel subsidies for all rural and regional Queenslanders so that they equal the travel and accommodation allowances paid to members of this House.

### Payroll Tax



**Mr McLINDON** (Beaudesert—TQP) (10.28 am): I give notice that will move—

That this House notes that:

The Chamber of Commerce and Industry Queensland proposed a reduction of the payroll tax rate in 2009 which has been ignored by both the Government and the Opposition.

And calls on the Premier to reduce the payroll tax rate from 4.75% to 4.5% for Queensland businesses.

## INTEGRITY, ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

### Report



**Hon. JC SPENCE** (Sunnybank—ALP) (10.28 am): I give advice that the government will consider and note the Integrity, Ethics and Parliamentary Privileges Committee report No. 114 that was tabled this morning. We will consider this report and consider the matter about Mr Gordon Nuttall and advise the House after lunch about that matter.

## SPEAKER'S STATEMENT

### School Group Tours

**Mr SPEAKER:** Visiting the House today, in addition to the spouses of diplomats whom I will formally welcome, will be students from the Coopers Plains State School in the electorate of Sunnybank, the Northgate State School in the electorate of Nudgee, the Buddina State School in the electorate of Kawana and the Mount Warren Park State School in the electorate of Albert.

## QUESTIONS WITHOUT NOTICE

### Water Reform



**Mr SEENEY** (10.29 am): My first question without notice is to the Premier. I refer to the Premier's panicked political backflip this morning and the government's adoption of our position to begin to address the water cost crisis in South-East Queensland. Will the Premier acknowledge that this announcement is the first big win in state politics for Campbell Newman?

**Ms BLIGH:** I thank the honourable member for the question. As I indicated in my statement to the House this morning, not only is this a matter that the government has been working on for a number of weeks; we actually indicated publicly that we were doing that. I table for the benefit of the House the report on page 1 of the *Gold Coast Bulletin* of 1 March this year to that effect—some six weeks ago.

*Tabled paper:* Article from the Gold Coast Bulletin, dated 1 March 2011, titled 'Bligh vow to curb profits' [[4251](#)].

Let us have a little think and a little talk about the various policies of the candidate for Ashgrove in relation to water. Campbell Newman does not want people to know about this next document. He wishes that it did not exist, because what this document puts beyond any doubt is that the three water utilities that are operating in South-East Queensland and ripping off ratepayers on water were designed by Campbell Newman. I think there are some parts of the letter that should be put on the public record, and I appreciate the opportunity to do so. As Mr Campbell Newman said—

Councils strongly support water businesses as separate legal entities, commercial in focus, and subject to appropriate asset and economic regulatory frameworks.



Key elements of the proposal are—

- 3 vertically integrated commercially orientated water businesses ...
- The separation of water and sewerage bills from rates ... and
- Pricing ... to be the responsibility of the businesses ...

So there it is—the Campbell Newman model for water in South-East Queensland. What did the former mayor of Brisbane then go on to say to the government? He had this to say—

The model has been endorsed by nine of the 10 Mayors representing 95% of residents in South East Queensland. We believe that the model can deliver the broad objectives of the State's reform model but at lower cost to ratepayers.

Campbell Newman sold this to the state government on the basis that Campbell Newman's water model would reduce the cost to ratepayers. It comprehensively failed because Campbell Newman and every other mayor in the south-east walked away from their responsibility to protect their ratepayers. We will step up.

**Honourable members** interjected.

**Mr SPEAKER:** Order! Both sides will come to order. The honourable the Premier has the call.

**Ms BLIGH:** As I said, we have been working on this issue for some six weeks. We will protect ratepayers from mayors and councils who have failed in their duty. We will cap it for two years at CPI.

### Queensland Health

**Mr SPEAKER:** I call the Deputy—sorry, the Leader of the Opposition.

**Mr Lucas:** Ha, ha!

**Mr SEENEY:** It is hard to keep up that forced laughter, isn't it?

**Government members** interjected.

**Mr SPEAKER:** Order! Wait. Those on my right will cease interjecting. The Leader of the Opposition has the call. Show him the courtesy.

**Mr SEENEY:** My second question without notice is also to the Premier. I refer to the latest crisis for Queensland Health, revealed this morning by the *Courier-Mail* after a two-year fight for information. I also refer to the Premier's comments on a previous crisis in Queensland Health in April 2010 when she said—

Ultimately, I think the minister has to take responsibility.

Who does the Premier believe should take responsibility for this latest debacle in Queensland Health—the current health minister, who has been in the job for two months, or the Deputy Premier, who presided over a long list of such debacles before he was replaced as health minister? How will the Premier ensure that one of these failed ministers takes responsibility, as she promised last year?

**Ms BLIGH:** As many members here understand, we are blessed in Queensland's health system with some of the best trained, the hardest working and the most talented health practitioners anywhere in the world. We have people who have spent more than a quarter or more of their lives training for the jobs that they do. As I have said many times and I say again here, if you are really sick in Australia you could not do better than being in a Queensland public hospital.

Every day in Queensland more than 8,400 patients are admitted, and every day staff provide more than 30,000 diagnostic or emergency procedures. This is an enormous volume. As we have seen in reports today and as we report publicly on a regular basis, out of the 12 million treatments every year sometimes unfortunately and often tragically human error is made. Out of 12 million treatments provided each year, fewer than 0.003 per cent go wrong.

We want a system where there is never anything that goes wrong, but is there a system in the world that is free of human error? No, there is not. Every time an error is made what we need to do is learn from it and the system needs to learn from it. Are errors like this reported and investigated in a transparent way? Yes, they are. Reviews are conducted. Queensland Health conducts these reviews and publishes a report. We are actually in the process of reporting our fifth report *From learning to action*, and these reports are publicly available. They go through these sorts of incidents. Is there more information that could be published in these reports? I believe there is. So does the minister, and he has indicated this morning that it is his intention to do that.

What we saw in the latest annual report on government services on sentinel incidents—that is, incidents where things go wrong—is that the number of incidents in our hospitals dropped by 50 per cent: I repeat, 50 per cent. That is a massive drop. I pay tribute to the doctors, nurses and health professionals who went through the professional process of sitting down, looking at every incident and working out what went wrong so that they could protect their patients better in the future from these sorts of events. You can only do that in an environment where staff understand that they will have the opportunity to frankly assess these things without becoming the victims of witch-hunts. You have to get the balance right. Can we provide more material? I believe so, and that is what the minister has committed to.

### Natural Disasters, Recovery Assistance

**Mr SHINE:** My question is to the Premier and Minister for Reconstruction. Can the Premier update the House on how timely planning decisions under Operation Queenslander and community generosity have combined to help with an important project in Grantham?

**Ms BLIGH:** I thank the member for his interest. Many people in his own community have suffered as a result of these disasters and I know that he understands how important repairing community infrastructure is in the process. Before the floods people knew Grantham as a town that had one shop, one petrol station and one pub. Before the floods, the shop was the Lucky 7. It was a thriving Grantham business run by Mike and Sandy Halliday. It employed eight full-time staff and seven part-time staff. It provided a grocery, take-away food and newsagency business. You can understand in a community the size of Grantham how important that business was. It employed 15 people, but more than that it was a popular local gathering place—a place where people would come, meet each other, discuss the news of the day, maybe exchange a bit of gossip, all of those things that make up community life. It was a very important part of the local economy.

The store was completely and utterly wiped out in the floods. But today I am very pleased to advise the House that a prefabricated building has arrived in Grantham to give the community back its convenience store. This is a story of great generosity and of communities pulling together. The store is also a symbol of the tremendous rebuilding spirit that exists out there. The 12- by nine-metre prefabricated building, worth \$100,000, has been donated by the Nomad Modular Building company. Metcash will stock the store with food and other grocery items for free. BDO Australia is providing pro bono business planning assistance to the Hallidays as they get their business back on track. Nearly everything—from the shelving to the refrigeration, the counters, the cash registers, the point-of-sale equipment through to the connection of essential services like water and electricity—is a result of goodwill and the support of the business community.

The development of the land has been fast-tracked. A development assessment for a store like this would normally take months. Instead, it took just days. The Queensland Reconstruction Authority and the Lockyer Valley Regional Council worked together to fast-track the process and get that approval. The building has arrived today. The distributors and suppliers will be on site on Tuesday to see what is needed for the fit-out and to start stocking the store. I know the member for Lockyer knows how important this is and how keen Sandy and Mike are to get back in business. It will make a big difference. I know from visiting Grantham and talking to people on a number of occasions that they will be very happy to see this shop. They also talk to me a lot about getting the pub back. I have not been able to deliver that yet, but I know that there are discussions occurring. We understand how important the pub is in the life of a community like Grantham as well as, obviously, the petrol station—although that is considerably more complex given the chemicals and other matters that have to be dealt with in restoring it to operation. The arrival of the corner store in Grantham is a very powerful symbol of a community getting back on its feet.

### Queensland Health

**Mr McARDLE:** My question is to the Minister for Health. I table the RTI document showing that a patient died in Nambour Hospital's emergency department before a doctor could see them.

*Tabled paper:* RTI Document No. 19—Emergency Department Death Audit Form [\[4252\]](#).

As this government cannot guarantee access to vital health services for Queenslanders, even in our emergency departments, does this minister accept the responsibility for this systemic failure—or is it his predecessor's responsibility?

**Mr WILSON:** I thank the honourable member for the question. It is good that he is talking about the quality of health care that is provided in Queensland hospitals. Why? Because in Queensland hospitals you get first-class, first-world public healthcare services from the best doctors and the best nurses that there are in Australia. Of course, in a big system, with 30,000 treatments a day and 12 million a year, despite having the best—

**Mr McArdle** interjected.

**Mr SPEAKER:** Order! Member for Caloundra, the minister is answering the question you have asked. I ask you to respect the dignity of the House and allow the honourable minister to answer.

**Mr WILSON:** The issue of the quality of health care in our public hospitals is an important public issue and it ought to be given the respect from the other side that it is due. That is why we have one of the most transparent reporting systems on the quality of our health care in our Queensland hospitals.

Of course, if there is a death from a medical error, that is an absolute tragedy. Any one death is one too many and any one patient who is not able to be seen in the most timely way is one patient too many. But even with the best doctors and nurses and the best hospital system that we have, sometimes in rare and exceptional circumstances—in extreme circumstances—there is not able to be given the

attention that ought to be given. The creed of the doctors and nurses is no harm to patients. They are committed to best practice in our hospitals. They want to learn out of whatever takes place so that new improvements can be instituted. What Queenslanders can be confident about is this: Queensland patients can know that medical errors are extremely rare in our public hospitals and there is a very strong system of learning from whatever errors take place so that those errors do not happen again in the future. If we had the other side in government right now, they would not be in any situation like this. They opposed our hospital building and expansion program. All of the emergency departments that are being expanded—the 96 beds that are being delivered at Nambour Hospital—would not have happened under the LNP because it opposed the building and the expansion of our hospital program.

*(Time expired)*

### Water Reform

**Ms STONE:** My question is to the Premier. Can the Premier outline the extent of the gouging by councils which SEQ households could have expected of their water bills without the changes announced today?

**Ms BLIGH:** I am pleased to see someone who takes such an interest in the cost-of-living pressures that her constituents are facing. I think it is important to put on the public record again some of the savings that will arise for households as a result of our decision to cap these prices at CPI for the next two years. On the Gold Coast Allconnex was proposing a price increase in the next financial year of \$208 per household on average. That means that with CPI on the water distribution retailers' companies, that price range will be cut to \$83—a reduction of \$125. Similarly, in the Brisbane area Queensland Urban Utilities was proposing an increase of \$110 for a typical household. The price cap announced today will mean that the maximum increase will be \$74—a reduction of \$36. But for the Sunshine Coast Unitywater was proposing an increase of \$180 per household on average. The price cap today will mean that that will be reduced to a price increase at a maximum of \$78—a reduction of \$102.

When we put in place the water grid we outlined openly and transparently that there would be a cost to that. We published a 10-year water price path. People understand what it is they are getting for that increase. For the increase on the bulk water charges they get a desalination plant that saved the city of Brisbane from boiling its water during the disasters. They get the Wyaralong Dam, which is storing water right now—in fact, it is full. They get 400 kilometres of pipeline that can move water around should any part go through a drought. They have a recycled water program that not only is providing water to power stations but is an insurance policy in our back pocket as good, long-term planning. So whether or not people agree with all parts of the water grid, they can know what they are paying for. What none of these utilities has done is explain why they are charging in some cases three and four times those increases with nothing to show for it—three and four times, amounts of 200 extra dollars a year. Are we changing Campbell Newman's water system? You bet we are! We are changing Campbell Newman's water system because it has failed the ratepayers of South-East Queensland, and that means fairer water pricing.

**Mr SPEAKER:** Honourable members, I would ask you to welcome in the public gallery the spouses of the diplomatic corps who are visiting Queensland this week as part of an initiative to show that Queensland is back on track after the recent disasters.

**Honourable members:** Hear, hear!

**Mr SPEAKER:** I thank the House very much.

### Queensland Health

**Ms Jones:** Ah!

**Mr NICHOLLS:** Mr Speaker, great anticipation!

**Mr SPEAKER:** It threw me.

**Mr NICHOLLS:** I can see them warming up up there. I thought the Premier was going to finish off. I was waiting for a bit more entertainment.

**Mr SPEAKER:** I will call you and you will ask your question. I call the honourable member for Clayfield.

**Mr NICHOLLS:** My question is also to the Minister for Health. Is this current minister responsible for the ongoing health crisis, or is he simply responsible for trying to cover it up? If he is not responsible, who is?

**Mr WILSON:** I thank the member for the fact of the question, not its content. Like every question that comes from the other side, it should be rejected outright, because I reject outright the allegation being made about the public health system in Queensland. We have one of the best public health systems in Australia. Under nationally recognised assessments, the emergency departments of

Queensland's hospitals have moved from No. 5 to No. 3 in the way in which patients are treated and the time frames. For example, triage category 1 patients are seen within one minute. Across all categories patients in Queensland are seen within an average of an hour. That compares very favourably with the rest of Australia.

**Ms Bligh:** In fact, we are the third best.

**Mr WILSON:** As I was saying before, we have moved from No. 5 to No. 3. For members of the opposition who hold public office to come into this House and denigrate the 80,000 workers in the public health system—denigrate not only the quality of the health care that they provide but also the administrators of the healthcare system—by identifying what happens in an exceptional circumstance and try to falsely portray that that is what is happening across the whole public health system is an utter disgrace. I think the public deserve a lot better from the opposition. They deserve from the opposition a public statement that if they had been elected to government in this state in 2009 the expansion of Nambour Hospital would not have taken place, nor would expansion have taken place in Caloundra, nor would \$244 million be spent in expanding the emergency department in Rockhampton, nor would the expansion of the emergency department be taking place in Cairns, nor would the significant expansion of the Logan emergency department take place. That is where the truth lies.

It is an absolute disgrace from the opposition and its spokesperson for health, who ought to accept a higher ethical condition upon his position and ensure that the truth is spoken about the public health system in Queensland. The thousands of doctors, whose credo is to do no harm and do their absolute very best, do exactly that—their very best.

### Urban Land Development Authority

**Ms DARLING:** My question is for the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State. Can the Deputy Premier please inform the House about how the ULDA is improving housing affordability and boosting land supply in South-East Queensland?

**Mr LUCAS:** I thank the honourable member for the question. She has been a great supporter of the great results that the ULDA has got out of the Fitzgibbon urban development area in her electorate. Delivering affordable housing to Queensland families is one of the most important tasks the Queensland government has in front of it. Despite the recent impacts of the GFC, many areas in Queensland are still under housing affordability pressures. The Bankwest data that is periodically released shows more than 56 per cent of greater Brisbane's local government area, on their definition, as unaffordable for key workers. That is not good enough. We do not want to be like Manhattan Island in New York. One of the most important tools for dealing with this is the Urban Land Development Authority. It fast-tracks planning, delivers and aggregates infrastructure and the like.

It is estimated that by 2012 the 14 current ULDA areas will have more than 5,650 lots of dwellings approved. They have a total end value of \$3 billion. Development is underway on 30 projects. Last week, in an Australian first, I was out at Ripley with the member for Ipswich West, the Minister for Finance and the mayor announcing four draft plans: Caloundra South, Yarrabilba, Flagstone and Ripley Valley. After six months with the ULDA those draft plans are out. That is an Australian first. What does the Queensland Conservation Council say about it? It is not always easy to get good marks from them. Toby Hutcheon, who has been a critic of the government from time to time, said—

The ULDA plans to implement sustainable living goals that set a new benchmark for Queensland and possibly Australia.

The ULDA, when commenting on what Campbell Newman said about it, said it would simply be irresponsible to wind back the powers of the ULDA from day one of a new government. Campbell Newman wants to kill the idea of an urban land development authority. Last week he said that he would slash its powers. That was pretty funny, I thought, because two days after he made that comment I was at the ULDA Hamilton Northshore and guess who was there? The member for Clayfield and Councillor David McLachlan. Not only were they there, they were there in a nice little picture with the developers. It is a great project. I was happy to have them there. They are not bad blokes to have a chat to and have a glass of wine with, but they were demonstrating by their presence what they thought of the ULDA.

In Flagstone, Yarrabilba, Ripley Valley, Moranbah, Blackwater and Roma the ULDA is there at the invitation and support of local councils. There is one difference: in places like Brisbane Campbell Newman does not want them and he wants to impose his ideological views on other places, even though his former council colleagues and indeed his shadow Treasurer were present.

*Tabled paper:* Property Council of Australia Queensland media release, dated 29 March 2011, titled 'ULDA good for Queensland' [4253].

*Tabled paper:* Queensland Conservation Council media release, dated 1 April 2011, titled 'ULDA sets New Benchmark for Sustainable Living' [4254].

*Tabled paper:* Photograph of attendees at the ULDA Hamilton Northshore [4255].

### Queensland Health

**Mr EMERSON:** My question is to the Minister for Health. Why is it that 400 full-time-equivalent staff and \$210 million are having to be diverted to fixing the former minister's Health payroll bungle when we now know that Queenslanders are dying before they see a doctor in underresourced emergency departments?

**Mr WILSON:** I thank the honourable member for the question. They are not being diverted. There is no diversion of important health funding. What we are doing is complying with the recommendations of the Auditor-General and Ernst & Young to address the problems found. That is what we ought to do. That is what any government would do: fulfil the recommendations and the advice of the Auditor-General and the additional advice that was obtained from Ernst & Young and to follow through with that. That is exactly what is being done at no risk to the Health budget, which was increased by 10.5 per cent to \$10 billion. It has doubled over the last five years. There is no risk to that at all, because that money continues to go to front-line staff.

Where does the LNP stand on payroll? Campbell Newman managed to oversight a three-year stuff-up of the BCC payroll system—\$30 million. Those opposite are not happy to embrace responsibility now when Campbell Newman is put under the gun and identified as the one responsible for the \$30 million default of the Brisbane City Council payroll, with thousands of workers missing out on their money for over three years. It took mass meetings of workers and petitions by bus drivers before they took any action to do what workers were entitled to, that is, to be paid the right money. Those opposite do not want to talk about that because they do not want to tell Queenslanders the truth.

While we are on that, do members know why they have to be very careful when those opposite ask a question? They can table a document but they tell only half the story. They did not speak about the fact that the document tabled by the member for Caloundra identifies clearly that the patient and the circumstances involved are subject to a coronial inquiry and police investigation. He did not tell members that because that would be telling us about the strongest safety system anywhere in an Australian hospital which ensures that wherever there is a medical error that brings about a death there are four levels of review: an internal review, then a review by the coroner, a potential review by the Health Quality and Complaints Commission and a review by the patient safety committee. No, they do not tell us that because they do not want us to know about it.

### Tree Clearing

**Mrs SULLIVAN:** My question without notice is to the Minister for Environment and Resource Management. Can the minister please update the House on how the Labor government's vegetation management legislation has helped reduce tree clearing and carbon emissions in Queensland?

**Ms JONES:** I thank the honourable member for the question and for her passion for protecting the environment in Queensland, something that I, as Minister for Environment, and everybody on this side of the House shares. We have a very proud track record when it comes to delivering environmental reform in Queensland. Our 2006 ban on broadscale tree clearing is one of our landmark reforms. Last year with the release of the state-wide land cover and tree study we saw a 48 per cent decrease in tree clearing from the previous year. I am looking forward to releasing this year's statistics report which will show that we are continuing to stop tree clearing from happening in Queensland. I point out to our international guests who are in the gallery that our Queensland reforms have been so significant that Australia was able to meet its Kyoto protocol targets. However, despite the science and the report showing that those reforms are making a real difference and are reducing our carbon emissions in Queensland, the LNP not only voted against it at that time but also continues to oppose the reforms, which are delivering significant improvements to our environment.

**Honourable members** interjected.

**Mr SPEAKER:** Order! Both sides will cease interjecting. I want to hear the minister's answer.

**Ms JONES:** The LNP never likes to be brought to account for its abysmal environmental record. We can look at the record of how its members have voted, but they hate to be called to account. However, the people of Queensland deserve to know where the new LNP leader stands on tree clearing laws. Does he support the ban that the LNP voted against in this parliament and that its members continue to advocate in their communities? Despite Campbell Newman promising that there will be a new start, a new beginning, last week in *Queensland Country Life* the honourable Leader of the Opposition who sits in this parliament said—

I have pushed the issues affecting rural voters for the last 11 years and the LNP standpoint on these issues will not change.

That is the policy that the LNP is advocating. It does not support the ban on broadscale land clearing. It does not support the environmental record that we bring into this House. Jeff Seeney has let the cat out of the bag.

**Mr SPEAKER:** Order! Direct—

**Ms JONES:** I am sorry, Mr Speaker. It is confusing, because he is not actually the leader.

**Mr SPEAKER:** I want you to use the correct title for the honourable the Leader of the Opposition.

**Ms JONES:** The Leader of the Opposition in this House has let the cat out of the bag. Campbell Newman will try to pretend that they have new policies on the environment, but they still stand by broadscale land clearing, and I will make sure that every voter in Queensland knows it.

*(Time expired)*

### Queensland Health

**Mrs MENKENS:** My question is to the Minister for Health. I refer to the Queensland Health weekly radiation treatment reports that reveal that between October and December 2010 the Townsville Hospital did not offer treatment to high-priority or planned-care patients within the maximum acceptable waiting times. I ask: who is responsible for this failure to deliver vital cancer treatments on time, helping residents in North Queensland?

**Mr WILSON:** I thank the honourable member for the question. Only one government has put cancer treatment services into regional Queensland, and that is the Bligh Labor government. Just in case members did not hear that, I will repeat it: only one government has put cancer treatment services into regional Queensland, and it is the Bligh Labor government. We have put linear accelerators into Townsville and we are doing that in Cairns so that patients in Cairns will not have to travel to Townsville and patients in Townsville will not have to travel to Brisbane. We are also doing that in Toowoomba, as well as supporting the Cancer Foundation's 42-bed facility for people from the Darling Downs who have to travel to Toowoomba for treatment. That will cut down on the costs and time of travel. The Bligh Labor government is delivering cancer treatment services to Queenslanders.

**Ms Bligh:** Under the National Party they all had to drive to Brisbane.

**Mr WILSON:** I take that interjection. Even if the National Party was in government now, regional Queensland patients would still be driving to Brisbane. Why? Because in this parliament the Liberals and the Nationals opposed the building program for hospitals and they opposed federal funding for expanding cancer services in our public hospitals. They were driven by political interest and self-interest rather than the interests of patients, especially regional patients. That is what they ought to be telling Queenslanders.

They ought to be telling Queenslanders what the clinicians and medical experts tell us. They tell us that Queenslanders can have confidence that medical errors are extremely rare and that, when medical errors do occur in our hospital system, clinicians are focused on learning from those mistakes so that they do not happen again. Queenslanders can have confidence that not only do we have the best hospital system in Australia with the best nurses and doctors but also medical errors are an exceptional situation and are extremely rare, and when they do occur everyone is committed to a safety culture and to learning from what has taken place so that those errors do not occur again. That is the story of Queensland Health. We have the best public hospital system in Australia and we will continue to push for improvement. Five to three in emergency departments is not good enough; we are going for No. 1.

*(Time expired)*

### Wivenhoe Dam

**Mrs MILLER:** My question without notice is to the Minister for Energy and Water Utilities. Can the minister update the House on the release of water from Wivenhoe Dam to 75 per cent?

**Mr ROBERTSON:** I thank the member for Bundamba for the question. She is one of the members of this House who has worked hard on behalf of her constituents impacted by the natural disasters that afflicted Queensland over the past number of months. Last week marked the end of the traditional wet season for South-East Queensland. I am sure, Mr Speaker, that you and all members will agree that this wet season has been historically significant for us all and, frankly, we are all glad to see the back of it. As I announced in February, given the extreme nature of January's floods Seqwater recommended that the water level in Wivenhoe Dam be temporarily reduced to 75 per cent of the full supply level for the remainder of the wet season. This was a precautionary recommendation—

**Mr Lucas:** Was that a Jeff Seeney recommendation?

**Mr ROBERTSON:** I will get back to that, because if the Leader of the Opposition had been in a position to implement his policy we would have seen the flood buffer in Wivenhoe Dam reduced coming in to the wet season. That would have meant an even greater impact on the people of Brisbane and Ipswich from the decision—

**Mr Seeney:** That's a load of rubbish!

**Mr ROBERTSON:** The member for Callide and the member for Southern Downs, as deputy leader, are on the record—and I have tabled it in this House—calling on the flood buffer in Wivenhoe and Somerset dams to be reduced in December. At the beginning of a season that has created so much destruction and had such an impact on the people of South-East Queensland, you would have added to their misery.

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

**Mr ROBERTSON:** As we have finally come to the end of our traditional wet season in South-East Queensland, Seqwater has again reviewed its decision and will now allow Wivenhoe and Somerset dams, over time and based on what rainfall occurs over the drier part of the year during our winter, to return to 100 per cent of the full supply level. Of course what will inform us in the longer term about the operation of those storages will be based on the recommendations of the independent commission of inquiry. Importantly, the responsible decision was taken by Seqwater not to expose those people who have been impacted most by those floods in January to suffer a similar fate should above average rainfall and flooding occur again over the summer period. That was the right decision to take. As I said, the longer term decisions will be dependent on the recommendations of the commission of inquiry.

*(Time expired)*

### Natural Disasters, Small Business

**Mr CRIPPS:** My question without notice is to the Premier and Minister for Reconstruction. Given the impact on the local economy of decreased tourism, ravaged small businesses and other cyclone impacts, why is the government compounding the economic hardship in North Queensland by short-listing Brisbane and Sydney based companies for multimillion dollar rebuilding contracts? How will this government rebuild the economy of devastated areas if it is not supporting local providers?

**Ms BLIGH:** I have seen some of these reports in Cairns about civil contracting work relating to roads. I am advised by the Minister for Main Roads that to date Main Roads has not put out any tenders for reconstruction work relating to Cyclone Yasi. Some other roadworks are currently out to tender. Three companies are short-listed, one of which has an office in Cairns which employs 50 people in that area. There is an opportunity. That is not Cyclone Yasi work, but it is I think commendable. I am very pleased to see a company that has a Cairns office and a local presence bidding. If other local companies have not bid, it is not possible for us to put them on the short-list. It is very pleasing—

**Mr Wallace** interjected.

**Ms BLIGH:** I am very pleased to take the interjection from the Minister for Main Roads. As members may recall, during the last sitting of parliament I talked about the roadshows—pardon the pun—that the department was holding. It is going out to all of the affected areas to sit down with local contractors and to outline the sort of work that will be available and what would be required of them to meet the eligibility criteria. I understand that 120 attended the session that was held in Cairns. Of course, people came from not just the city of Cairns but also the surrounding region. I certainly want to see locals getting as much work as we can possibly give them. However, we also need to understand that some of the work will require either a level of expertise or access to equipment that is not available locally. That does not mean that locals cannot then obtain subcontracts from those major contractors. The minister for public works is working with the Master Builders Association and the local industry to make sure that our local industry policy will be applied to every single government contract coming out of the reconstruction work.

### Protection of Workers

**Mr WELLS:** My question is directed to the honourable and learned Minister for Industrial Relations, and I ask: what protections are in place for Queensland's most vulnerable workers?

**Mr DICK:** I thank the honourable member for his question and for his long history in championing the rights of workers in Queensland. I want to remind all honourable members that the mandatory code of practice for clothing outworkers commenced on 1 January this year. That provides safeguards for clothing industry employees, some of the most vulnerable workers in Queensland. It is designed to protect them from shonks, crooks, spivs and rip-off merchants who want to strip away their rights and exploit them.

Yesterday during question time the member for Currumbin raised some criticisms of that code of practice. She said that it was an overly bureaucratic impost. I thought, 'Who has put her up to this? Who has put her up to attacking some of the most vulnerable workers in Queensland?'

**Ms Bligh:** They're defending sweatshops.

**Mr DICK:** These are people who work in sweatshops. The answer is two words: hello, Newman! Who wants to continue sweatshops in Queensland? Newman! Who wants women to continue to earn between \$3 and \$5 an hour? Newman! Who wants the most vulnerable workers to remain unprotected? Newman! Like the postman in *Seinfeld*, Campbell Newman is known for his shonky, shoddy and grand

schemes that eventually come to nothing. Like the postman, Campbell Newman loves his position, loves his status, but never delivers. The LNP must be taking the advice of George Costanza. George Costanza once said to Jerry, 'Jerry, it's not a lie if you believe it.' That is the advice that members opposite are taking from *Seinfeld*. Imagine having to ask that question.

**Mr SPEAKER:** Order! That is an unparliamentary word. I do not care if it is a quote, it is unparliamentary.

**Mr DICK:** I withdraw whatever is unparliamentary. Imagine having to ask that question. Imagine being put up to it. In the words of Campbell Newman, this is a 'shallow cabinet' and the shallowest of them all is the member for Callide. He puts himself about as the tough man, the headkicker, the hard man in the parliament. Imagine him going to his office every day. He has to go in there, sit at his desk and wait for the message to come. He has to wait for the email: 'Ding! You've got mail. Here are the questions for parliament.' Imagine becoming the first Leader of the Opposition in a century to have to take instructions from outside of this parliament. How low! He would not be drinking rum at the end of the day; he would be drinking rum at the beginning of the day because it is the only way he could get through. I say good luck to him. I look forward to those text messages and those emails coming through.

### Stock Inspection Services

**Mr Robertson:** You would have written this one yourself, wouldn't you, Vaughan?

**Mr JOHNSON:** Absolutely, my friend. It is very serious, too. I hope you are going to write the correct answer.

**Mr SPEAKER:** Order! The honourable member for Gregory will ask his question.

**Mr JOHNSON:** My question is to the Honourable the Minister for Agriculture, Food and Regional Economies. I refer to the dangerous outbreak of cattle ticks in the tick-free zone between Muttaborra, Aramac and Jericho. Will the minister redress his government's cuts to front-line stock inspection services at clearing dips such as Alpha that have led to this situation? If the minister cannot protect our cattle industry, how can he claim to be part of a government committed to rebuilding Queensland?

**Mr MULHERIN:** I thank the honourable member for the question. I note his keen interest in this matter. He has raised this with me and I thank him for raising it here in the parliamentary debate this morning.

There has been an outbreak of ticks in Central and Western Queensland which is currently being investigated by Biosecurity Queensland. This is a tick-free area. We are quite concerned about it. The wet weather and other climatic conditions are conducive for the spread of ticks. Biosecurity is working with the properties that have been impacted in this outbreak. There is a shared responsibility around managing ticks, looking at where they may have originated. The clearing dip at Alpha is serviced by Biosecurity two to three times a week. We are currently negotiating with the Barcaldine Regional Council in relation to a third party provider.

Biosecurity Queensland works with third party providers in providing this service to the industry. Cattle ticks cause an economic loss of about \$30 million a year to the cattle industry. We are quite aware of those issues and will continue to work with industry to ensure that we have the appropriate third-party providers in place at these clearing dips.

### Carers

**Mr O'BRIEN:** My question without notice is to the Minister for Disability Services, Mental Health and Aboriginal and Torres Strait Islander Partnerships. Firstly, I want to compliment him for taking fashion in the parliament to new levels this morning. I ask him to update the House on the support available to carers of people with a disability, particularly older carers, to help ease the stress on their already overburdened shoulders.

**Mr PITT:** I may be offending the fashion police, but I do not believe I am offending the standing orders.

**Mr Robertson:** It's Len Ardill.

**Mr PITT:** Len Ardill. I take the interjection from the honourable minister. I am wearing this safari suit today in support of Dress Differently Day, which is actually tomorrow, supporting Autism Queensland and Autism Awareness Month. I know that there are others in the chamber today supporting this campaign—the member for Brisbane Central, the member for Springwood, the member for Nanango, and I also see ties on several of the gentlemen here. So thank you all for supporting this.

I thank the honourable member for Cook for his question. Today I can announce the formation of a working party which is going to be running a very close eye over the proposed National Disability Insurance Scheme. This is an historic opportunity to bring about real change during our lifetime for people with a disability and their carers in Queensland, particularly, with reference to the question, for



ageing carers. Those parents who may have a son or daughter perhaps with autism want to know that their son or daughter is going to be looked after into the future so that they can have some peace of mind.

The Disability Council of Queensland, which is a terrific group and whose representatives I met with only a few weeks ago—will be forming the core of this working party. It will also feature CEOs from organisations such as the Cerebral Palsy League, the Endeavour Foundation, the Spinal Injuries Association of Queensland and Carers Queensland. I know that each and every one of these people is committed, as are the members of the Disability Council, to making a real difference in people's lives.

It is of national importance that we get our position right on this so that we can make sure that we look after the long-term needs of people with a disability in Queensland and right across Australia. We need to get our response right, which means that we have to look carefully at the detail of the Productivity Commission's draft report. I take this opportunity again to express my thanks to the federal government for their leadership on this issue. It is only because of that leadership that we are seeing this up for consideration and perhaps seeing change during our lifetime.

We in the Bligh government are very pleased to be supporting people with a disability right across Queensland. That is why we have a record budget of more than \$1 billion. This is making an enormous difference to people right across our state. I have said it before: disability can affect all people—it can happen to anyone at any time. These proposed reforms have the real potential to bring significant change to the lives of these people right across our state. I really do want to make sure that people are aware that we have not signed up to anything but, as the Premier indicated before, we can certainly give our very strong in-principle support to a National Disability Insurance Scheme.

### **Bundaberg Hospital, Maternity Services**

**Mr MESSENGER:** My question without notice is to the Minister for Health. I refer the minister to the many and all-too-frequent examples of substandard and/or negligent medical treatment at the Bundaberg Base Hospital maternity unit, including misdiagnosis of a number of ectopic pregnancies which almost caused the death of two Burnett-Bundaberg women, an unborn baby negligently exposed to abortion drugs, parents being forced to wait seven months for their baby's autopsy report and a senior maternity unit doctor pleading guilty to drink-driving charges. I table an article from the *Bundaberg NewsMail*.

*Tabled paper:* Article in the Bundaberg NewsMail, dated 11 July 2009, titled 'Probation for Driver' [\[4256\]](#).

Will the minister support my call for an independent investigation into the medical treatment received by the mothers and babies at the Bundaberg Base Hospital maternity unit for the last 10 years?

**Mr WILSON:** I thank the honourable member for the question. I am not in a position, and nor should I be, to comment in this chamber about the details of any particular claim that has come from the member at this point. There is a very well-established system now in Queensland Health and there is the Health Quality and Complaints Commission. That is the body that was set up by this government to ensure that any concerns that a patient or their family may have about their treatment in a Queensland public or private hospital could be taken to them, as an independent organisation, to thoroughly investigate and consider that claim and that complaint and to get to the bottom of it and identify what should be done about it. That is what we created in the hospital system here in Queensland.

**Mr MESSENGER:** Mr Speaker, I rise to a point of order. Those people whom I mentioned in that question have been to the Health Quality and Complaints Commission. They have been given the run-around.

**Mr SPEAKER:** It is not a point of order; it is a point of debate.

**Mr WILSON:** I thank the honourable member for the additional information he has now provided that he did not volunteer when he asked the question. What he has now done is identify that the system that has been set up to ensure that Queenslanders who do have a concern can go to someone independent is actually working. It is not for this chamber—it is not for this minister or any member in this chamber—to try to second-guess the independent Queensland Health Quality and Complaints Commission. It has been set up to offer independent opinion and comment about any of these investigations.

I thank the member for raising the question of how strong the Queensland public health system is in ensuring the highest quality service in our hospitals, but that is only one part of the strong system that we have. The other parts include, firstly, whenever a medical error or near miss takes place that is the subject of a case review and an internal investigation; secondly, for the most serious situations, where a patient may die or be seriously harmed, there is a root-cause analysis that takes place; thirdly, the coroner can be involved; fourthly, the police may be involved.

**Mr MESSENGER:** Mr Speaker, I rise to a point of order. I rise on a point of relevance. I asked the minister—

**Mr Schwarten:** You're irrelevant.

**Mr SPEAKER:** Order! I would like to hear this.

**Mr MESSENGER:** I asked the minister if he would support an independent medical investigation.

**Mr SPEAKER:** There is no point of order.

**Mr WILSON:** Because that system that I just described is in place, Queenslanders can have the confidence that death or serious injury through a medical error is exceptionally rare—exceptionally rare—and that when it does take place doctors and nurses learn from the mistake so it does not happen again. That is what the public needs to understand. They can have confidence that when an error takes place it is very rare and also that doctors and nurses, who are committed to the best quality of service and care for them, want to learn from those mistakes so that they do not happen in the future.

### Queensland Health

**Mr HOOLIHAN:** My question without notice is to the Minister for Health. Could the minister please inform the House how the Bligh government is delivering more health infrastructure and services sooner for Queenslanders?

**Mr WILSON:** I thank the honourable member for the question. We are rolling out a program of \$7.33 billion for expanding not only our hospitals but particularly the emergency departments in our hospitals. Up to 50,000 workers are employed in doing so and we have employed, as I said in the House yesterday, 4,700 extra nurses and doctors in our hospitals since the last election. That is an extra 50 nurses and doctors every week into our public health system.

Let us look at Rockhampton, where \$244 million is being spent significantly expanding the emergency department and other aspects of that hospital. The emergency department will now have four times the number of bays than the old emergency hospital. An extra \$22 million has also been provided for 16 new subacute beds, in partnership with the federal government. So we are working every hour of every day to deliver more beds sooner and closer to Queenslanders because that is what they deserve, and we are working well with the federal government on that.

What do the opposition members say about this major expansion of the emergency department at the Rockhampton Hospital? What do they say? They are opposed to that extension. What do they say they would do if they were in government? There is deathly silence. They have no program for what would happen in Rockhampton if that \$244 million had not been spent. So they have no policy on what would happen in Rockhampton.

Secondly, late last year the opposition, the Liberal National Party here, put out a discussion paper calling for public comment about ways forward in addressing the concerns around emergency departments. That closed, I understand, in January this year. There was no policy announced as a result of that—no policy. What is their policy? Zero from the Liberal National Party. Not only do we have a zero policy position from the Liberal National Party from January this year; their new leader, Campbell Newman, has just announced that all existing policies are null and void. So there is no risk there of an emergency department policy from the Liberal National Party. It is already zero.

**Opposition members** interjected.

**Mr SPEAKER:** Order! We will wait for the House to come to order. I was a bit distracted there for a moment. The House will come to order.

**Mr WILSON:** The new leader of the Liberal National Party has declared null and void its zero policy on health and its zero policy on emergency departments. It leaves those opposite not knowing in what direction they will go in spending major money in regional hospitals. Not only that, today may be the last day for the opposition spokesperson—

*(Time expired)*


### Child Protection

**Mr MALONE:** My question without notice is to the Minister for Child Safety. I refer to the government's failure to give police and child safety officers the legal power to remove at-risk children and teenagers from situations of moral and physical danger to safe havens. When will the minister amend the Child Protection Act to give it real teeth to protect vulnerable children and young teenagers in this community?

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

## ELECTORAL REFORM AND ACCOUNTABILITY AMENDMENT BILL

### First Reading

 **Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (11.30 am): I present a bill for an act to amend the Electoral Act 1992 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:* Electoral Reform and Accountability Amendment Bill [\[4257\]](#).

*Tabled paper:* Electoral Reform and Accountability Amendment Bill, explanatory notes [\[4258\]](#).

### Second Reading

 **Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (11.30 am): I move—

That the bill be now read a second time.

The reforms to Queensland's electoral laws in the Electoral Reform and Accountability Amendment Bill 2011 will fundamentally change the financing of election campaigns in Queensland. Queenslanders must be able to have confidence in our democratic system of government. Our electoral system must be free from undue influence associated with large political donations. Our electoral system is built on the foundation that each person should carry equal sway—one person, one vote. Those with the means to make large donations should not be permitted to leverage more from the political process than everyday Queenslanders.

This bill introduces reforms to political donations, expenditure and electoral funding to ensure the electoral process is independent and allows equitable access for all in the community to participate. Achieving these aims is not without difficulty. There are serious constitutional issues which come into play and have substantially shaped the development of this bill. It has been necessary to ensure the amendments, as far as possible, do not infringe the implied freedom of political communication under the Commonwealth Constitution. This requires that a law may only effectively burden the freedom of political communication about government or political matters, where it is reasonably appropriate and adapted to serve a legitimate end, in a manner which is compatible with the maintenance of the constitutionally prescribed system of representative and responsible government.

Capping donations and expenditure would of course, on its own, limit the ability of political parties and candidates to communicate with the electorate about political matters. It has therefore been necessary to amend the system of public election funding to ensure political parties and candidates are still able to communicate with Queenslanders while removing their dependence on private donors to do this. These requirements have influenced the final system proposed in this bill. The bill will introduce a cap on donations for use in state campaigns to ensure equitable access to the political process for all participants. These political donations will be capped at \$5,000 per donor, per party, per year for donations to Queensland political parties; \$2,000 per donor, per year to candidates endorsed for each Queensland political party; and \$2,000 per donor per year to Independent candidates as a whole. These caps will include in-kind donations, money and other property. I would emphasise that unions will be subject to these donation caps just like everyone else.

Donations to third parties will also be capped. Donors have an obligation not to donate in excess of the caps, and anyone receiving a political donation also has obligations not to receive donations in excess of the caps. To ensure donors are aware of the new requirements under this bill, the recipient of a political donation will be required to provide a receipt and notify the donor that it is an offence for the person to make a political donation that exceeds the cap.

Registered political parties, candidates and third parties will be required to maintain a state campaign account into which all political donations must be placed. All amounts to be incurred for electoral expenditure during the capped expenditure period will be required to be paid from the state campaign account. The donation caps in this bill will apply to any donation received after 1 January 2011 for state campaign purposes, as was announced in the *Reforming Queensland's electoral system* white paper released in December last year. This retrospectivity is necessary to ensure the donations cap is effective and there is not a rush of large donations given in anticipation of the bill being enacted. Such a reaction would thwart the aim of the reforms.

To complement the cap on political donations, the bill also caps electoral expenditure by registered political parties, candidates and third parties. I note that the Liberal National Party has indicated publicly its support for a campaign expenditure cap. The expenditure cap for a political party will be \$80,000 times the number of seats being contested for a state-wide election. How and where this amount is spent will be entirely at the discretion of the political party. The cap for each endorsed candidate will be \$50,000, which can only be used for electoral expenditure in the candidate's specific electorate. The cap for each Independent candidate will be \$75,000, in recognition of the fact that Independents do not have the resources of a political party at their disposal.

Like the caps on political donations, the electoral expenditure caps can be increased annually by indexing to the Brisbane all groups consumer price index. There are safeguards in the bill to ensure the caps on donations and expenditure cannot be circumvented. As I have already outlined, the caps on political donations and expenditure will apply not only to political parties and candidates but also to third parties. Of course, third parties such as business, conservation, residential and industrial groups have a legitimate right to have their say in our democracy—and this legislation recognises that while ensuring it is appropriately regulated.

Electoral expenditure by third parties during a capped expenditure period will not be allowed to exceed \$500,000 state-wide or \$75,000 in relation to a single electorate. Third parties will be required to register with the Electoral Commission of Queensland if they spend over \$10,000 on electoral expenditure in a capped expenditure period or \$2,000 in any single electorate and will be subject to reporting requirements. The caps on political donations and electoral expenditure will reduce the amount of money that political parties and candidates have to spend on campaigning during election periods. It is policies that should determine elections, not deep pockets.

In order to ensure that the community can actively participate in the electoral process, it is important that political parties and candidates are adequately funded. Accordingly, the bill increases public funding to political parties to help offset the restrictions imposed by the donations cap. The bill provides for the amount of public funding for elections for political parties and candidates to be determined by reference to a sliding scale based on their expenditure. This ensures we do not see candidates receiving funding in excess of expenditure and pocketing the difference. Parties and candidates must still reach four per cent to receive funding, but the amount of funding will not be based on the number of votes received. In addition, parties and Independent members will receive public funding for administrative expenses, in recognition of their lessening dependency on private donations.

The Electoral Act already contains a range of extensive reporting requirements, and these will be retained. The bill provides offences for persons and entities that breach their legislative obligations. Maximum penalties of \$20,000 for individuals and \$500,000 for incorporated entities will apply for many breaches. The Queensland Electoral Commissioner's powers of investigation have also been updated to contemporary standards.

In addition to the reforms to political donations and campaign finance, the bill makes improvements in the areas of voter enrolment and voting procedures to enhance electoral participation in Queensland. The bill will allow 16-year-olds to provisionally enrol to vote as 17-year-olds can currently. This will ensure the Electoral Commission is able to effectively target young people with important information about enrolling to vote while they are still at school. Provisional enrolment does not entitle 16- or 17-year-olds to a vote but ensures they are automatically enrolled to vote on their 18th birthday.

The bill will also enable a person to cast a provisional declaration vote if they enrol or update their enrolment details after the writs for an election have been issued and up to the day before polling day. The bill will allow an elector to vote before polling day by casting an ordinary vote at a prepoll office declared by the Electoral Commission of Queensland to be an ordinary prepoll voting office for their electoral district. The bill also amends the Electoral Act to require applications for postal voting to be made in an approved form. These historic reforms will strengthen our democracy, safeguarding against our electoral system being influenced by excessive political donations. I commend the bill to the House.

Debate, on motion of Mr Seeney, adjourned.

## NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY BILL

### Second Reading

Resumed from 6 April (see p. 1062), on motion of Ms Jones—

That the bill be now read a second time.



**Dr ROBINSON** (Cleveland—LNP) (11.39 am): The residents of North Stradbroke Island are not using the slogan 'Keep Kate' today. Instead today they are using the slogan 'Keep Kate away'. They are using the slogan 'Keep Kate away' because every time the member for Ashgrove accompanies the Premier to North Stradbroke Island the residents lose something. They are about to lose hundreds of

jobs. They are about to lose their source of livelihood and income. This government, this Premier and the member for Ashgrove have not acted in the interests of the residents of North Stradbroke Island. They have taken away from them. They have now put their houses at risk. Already banks are not providing credit—

**Government members** interjected.

**Dr ROBINSON:** This is a fact; it is on record. Banks have started to not allow loans to be provided to people who are miners.

**Mr Schwarten:** Which bank? Name the bank.

**Dr ROBINSON:** It is not just one bank; it is a number of banks. This is not talking it down. These are the very real facts that the families and workers on North Stradbroke Island are facing, and this government could not care less.

I was making the point last night before the debate was adjourned that I could not support this bill in its current form because of a number of measures in the bill. The first was the very negative impact it will have on families. The residents are saying, 'Keep Kate away. Keep the Premier away. Every time they come we lose something.' This bill impacts negatively on the families. There are blue-collar workers and union workers approaching me on the streets on the island saying, 'We've been let down. We want our union membership back. We want our jobs back. Why does it take an LNP member to get up in this House and support the rights of workers? Whatever happened to the Labor Party?' That is what they are asking on the island, as the membership of the Labor Party on the island dwindles to almost nothing. Labor Party members are confused today. They do not know who they represent. They used to represent the workers; now they are not sure. The blue collar has been taken over by the green collar, and they are confused about who they stand for and what they stand for.

This bill will impact negatively on the North Stradbroke Island residents, and this shows how poor this bill is and how uncaring this government is towards the residents of the island. It is very likely that the cost of food, petrol and other goods and services on the island will go up as the cost of the ferries at some stage undoubtedly will have to go up. Already we are seeing a merger of the two main ferry companies that take people across to the island. We have seen that one of the main vehicular ferries has had to be restationed and taken up to Gladstone. This is preparing for the downturn on the island—a Premier-induced downturn—and this is something that the businesses, residents and workers are fighting against. There is probably barely a Labor vote left on the island. That is how bad this government is and how much this government has abused the workers and people of North Stradbroke Island. That is the first reason I cannot support this bill.

Second, the bill in its current form places workers' lives at great risk due to DERM's dangerous alterations to the mine path? Where does DERM get off when it takes a mine path and alters that mine path. These are not mining engineers who are changing the direction of the mine path; these are DERM officials who are not experienced and not trained in these kinds of decisions that should be made by engineers. I am told that they have altered a safe mine path and made it unsafe. Now there will be certain corridors or parts of that Enterprise Mine path where the machines will have to go through steep embankments that they would not normally travel through, and this will put workers' lives in greater danger.

I am glad to say that at least the mine officials are being responsible about this and are considering the plight of the workers. They know that they cannot send that mine path through that dangerous substratum with these elevations, yet DERM officers will stand there and the minister will pretend in this House that there is no problem and no issue at all. She is happy to sign off on this and she is happy for that mine path to go right through a dangerous area. I find that very disturbing, and I am sure the workers of Queensland who for some reason look to this Labor government to protect their rights—although I do not think as many are looking to them now—feel the same about this. I am sure every blue-collar worker across Queensland today will be very unhappy to hear that their safety is now put in second place by this Labor government. Government members are altering and tampering with mine paths in order to get their way for a grubby Greens preference deal at the next election.

Third, this piece of legislation threatens the sustainability of the island community, particularly the economic sustainability. A lot could be said about this. Local businesses are reliant upon the economic benefit and custom that naturally comes from the miners. Miners buy groceries, eat at local bakeries and purchase local goods. The local economy also depends on tourism. There are many ways in which the economic viability and sustainability of this community will be negatively impacted by this bill.

Fourth, this bill breaks a promise made by the Premier and her accomplice, the member for Ashgrove, to the people of Stradbroke Island in June last year that mining would continue until 2027 so as to allow for a timely and smooth transition to a non-sandmining economy. This bill, however, drastically shortens that transition time and is another government broken promise. These government members have demonstrated once again to the people of Queensland that they are not people of their word. They cannot be trusted to tell the truth and to stick to it. Their commitments are worthless.

Fifth, this bill was not the result of a genuine consultation process with both Indigenous and non-Indigenous residents. Only a few select Quandamooka elders and select green groups had any knowledge of the 20 June 2010 decision and announcement. There was no consultation, except for very secret meetings with a few select groups who chartered the course of this grubby deal with an election in sight. That is how it came about.

The general population did not know anything about this. In fact, 95 per cent of the 700-plus people who were surveyed said that they were not aware of the decision that was coming and did not believe there was sufficient consultation. That is typical of this government. They make a decision, do not consult and then have a sales program afterwards. They call it consultation, but their minds are already made up and the residents have no say. Again we see how this government does business in Queensland. It is not acceptable. This long-term, tired Labor government has learnt to forget the people: 'Don't ask the people because we might not want to do what they say.'

The government has not considered the concerns of the Quandamooka people. The majority of the family representatives and elders who represent the Quandamooka people of North Stradbroke Island have not had the opportunity to speak to this bill. They do not have an Indigenous land use agreement in place. This government is completely out of line. This government has stepped ahead of that process to announce it, to be election ready in order to put the green capital on the table and say to the Greens, 'We are serious about giving you whatever tracts of land you want. Just ask for it and we'll give it to you. Just make sure you sign off on those Greens preference deals at the next election so we can stay in power.' That is what is driving this.

Two public meetings were held as sales meetings afterwards. Hundreds of people attended and they all objected. They were hostile meetings. I cannot believe that this government can turn that around and say, 'There's been consultation. The people have been listened to. We've done the bidding of the people.' That has never happened at any stage. There is no ILUA in place. The government has let down the people of North Stradbroke Island.

Six, as the Queensland Resources Council has pointed out, this bill creates sovereign risk to all mining activity in Queensland. Cancelling mining leases without compensation sets a dangerous precedence of government interference. The QRC has come out and said that this is disappointing because it is a signal to the global resources community that long-term investments in Queensland are subject to political whims.

Seven, the shorter transitional period to a non-sandmining economy is now too short—from 16 years back to something like eight years or maybe less. This is not enough time to put in another economic plan, not enough time to bring in tourism. It has shortened this period and this is not workable. The director of Brisbane Marketing said that it would take five Tangaloomas to replace the economic benefit.

Finally, this bill does not protect the high conservation aspects of the island. I agree with Des Houghton's analysis that the environment would be better off under a Newman government. The people of Stradbroke Island would be better off under a Newman government. Conservation and the environment would be better off under a Newman government.



**Dr FLEGG** (Moggill—LNP) (11.49 am): This bill is about the future of North Stradbroke Island. At the outset I would like to make it clear that I have a personal and financial interest in North Stradbroke Island, as I know have a number of other members in this House on both sides of the chamber. My interest in that island is that I own some tourist related property and have for 11 years been chairman of one of the largest bodies corporate on the island. So my interest has been aligned with tourism, not mining. I have been a property owner and a regular visitor to North Stradbroke Island since the mid-1980s. I do not think anyone can say that I do not love this island. I have been on it many times. On my many trips there I have seen Governors-General of Australia, I have seen premiers of Queensland and I have seen media personalities. It is an island that has served us very well and which is loved by many.

Sometimes it is the case that this parliament is best to hear from somebody who has some skin in the game. It has often occurred to me to ask why the government has lagged behind in expanding the very small area of national park that exists on the island, but over decades of contact with North Stradbroke Island it has also occurred to me that the things that we enjoy have not been particularly detracted from by the mining activity on the island.

There is one thing about which both sides of this House agree, and that is that mining is coming to an end and that there is a post mining future for North Stradbroke Island. The question before us is: how does that mining come to an end and what is left when it does? This government needs to show that it has a plan for the 2½ thousand permanent residents of this island. This is not simply an island where tourists come and go. This island has a large number of permanent residents, a large proportion of whom depend in some way or another for their livelihoods and that of their families on mining. If this government cannot show that it has a plan to transition this community sustainably to non-mining activities, then it is doing a grave injustice to North Stradbroke Island and the people who love that island.

In all that I have read in this debate, I would say that the government is spending huge amounts of taxpayers' money in order to try to save the minister's seat. But I have not seen anything that even resembles a plan for a sustainable economic future for the residents of this island. I want to pay tribute to the member for Cleveland, who spoke so passionately just prior to me. He has been working on this issue, consulting with the people of the island, consulting with Indigenous elders, consulting with people whose livelihoods depend on a sustainable North Stradbroke Island, for a long period. He has surveyed that island. He knows what the local people of that island want. In this place he is the voice for those residents of North Stradbroke Island and it would do the government very well to listen to the voice of thousands of people, many of whose livelihoods are now under threat.

Let me tell members about tourism. As I have said, I have a particular interest in this island. Queensland has a large tourism industry and it is characterised by a number of things: relatively low-paid work, large amounts of seasonal work and large amounts of casual on-and-off work. Nowhere have we been able to replace highly skilled, highly paid permanent jobs with jobs in tourist accommodation and cafes. That is, in fact, more true of North Stradbroke Island than it is of most other areas, because North Stradbroke Island depends heavily on the Brisbane market. Stays on the island tend to be shorter than they are in places like the Gold Coast and Noosa.

Work on North Stradbroke Island is particularly seasonal. The island has a very unstable labour force that comes and works for short, casual periods and then leaves. Those sorts of jobs will not replace the family breadwinners who live with their families, who send their children to the Dunwich school, who have their children in the local kindergarten and who shop at the local supermarket, bakery and butcher. Until the government has a plan that will allow that sort of sustainable future, it should be ashamed of its politically motivated attack on the residents of this island.

North Stradbroke Island is a very expensive place to live. Everything has to come across by barge. Everything costs considerably more than it costs in Brisbane. The bad news for this island is that, because of the significant economic benefits that mining has brought, the cost of living on Stradbroke is set to soar even higher, as we will see with the cost of particularly transportation and the difficulty of small businesses and retail to survive on the island.

Sometimes the best way of protecting a place is to keep it viable. We have so many struggling, isolated communities in Queensland. Places like Russell Island and Palm Island are beautiful places that the people who live there are justly very proud of. But I ask members to look at the struggle to keep these places viable. I ask members to look in many cases at the failure of those islands to provide long-term permanent work. I ask members to look at the difficulties that are faced with access, particularly if they are island communities. I ask members to look at the great difficulty of providing services—things such as maintaining the viability of schools and issues such as the cost of living for people who choose to live in these areas.

With this government's haste to try to create an election issue about mining, which has operated on North Stradbroke Island for many decades, I ask members: what does this mean for barge services, which are effectively the only way on and off the island for goods or people? What will happen to the local school in Dunwich as the mining families are forced to go elsewhere for work? What will happen to the already struggling restaurants, cafes and retail outlets in the process? What will happen to tradespeople who depend for their living on the economic activity on the island? The government's proposal to take away these livelihoods will lead, particularly in the mining settlement of Dunwich, to a significant revision of real estate prices. This may already be underway. To a very significant extent Dunwich is a mining based community. I think people in that community are asking themselves what has led to the sudden urgency for the government to take action against mining activity that has been conducted on their island for 40 years. There has been 40 years of mining, yet suddenly there is a rush to close it down. But more particularly, those people are asking themselves: what is this government putting in its place? The answer is nothing.

We all know that mining on North Stradbroke Island is on the way out. It has had most of its history and exploited most of its resource. What we want to see is a sustainable future for the 2,500 island residents, and that is what this government is not offering them. What it is offering is another pocket of structural unemployment. Much of the reason why people enjoy and want to visit North Stradbroke Island—and sometimes choose it above other islands like Moreton Island and Fraser Island—is the fact that they can take an ordinary car and go on a bitumen road; that they can stay in a property that has town water and does not require them to operate pumps and tanks; that they can own or stay in a property that has town power; and that they can go up the road and buy a coffee and read a paper. These things are on North Stradbroke Island and not on many other islands because of the history of mining on this island. I think that we should recognise—and I know that those who love Straddie do—that Straddie is a different place. It is not Moreton Island; it is not Fraser Island. It has co-existed for decades with mining and that has created a different sort of tourist culture and a different sort of infrastructure on the island. In fact, much of the island has been rehabilitated. At different times I have tried to go around the island and pick the bits that were rehabilitated and the bits that were natural, and I was not very good at it. I see the minister and the Premier were not very good at it when they picked



their photo opportunity for their advertising campaign. The island company that has the very serious and solemn responsibility of rehabilitating former mine land was, in fact, given an environmental best practice award in 2008.

Mines will never look pretty. Fly over any mine anywhere in the world in any country and take an aerial photograph of it and it is not going to look pretty. But the reality is that every single person, including those strident on the other side, use and live every day with products that are produced from mining. Some common sense has to prevail. Over the years we on this side of the House—myself included—have supported a number of measures in relation to mining activities that have probably cost the state very dearly. Our decisions have been viewed as being anti mining. One sometimes has to make a judgement in relation to mines. To simply be yelling out slogans that because it is mining it is wrong is an enormous injustice.

One only has to look at the arguments that this very government used in relation to Aurukun about the possible benefits for a community that was disadvantaged, that was remote and isolated and that was largely Indigenous. The very arguments that they used in support of mining operations at Aurukun are the very opposite of what they are saying here today, despite the fact that we have a community that is relatively isolated and has a significant Indigenous component. There are too many places in Queensland that because of knee-jerk, politically motivated decisions are now areas of high structural unemployment, principally casual or seasonal work and low-paid work. We have to think very clearly before we create more such pockets. We run the risk, if the transition to a sustainable future on North Stradbroke Island is not done properly and there is no plan—and there is no plan; that is obvious—that the very things people love and cherish about Stradbroke could be lost. If we introduce substantial unemployment, if we ensure that the economic prosperity of local families declines, then we are asking for trouble on this island. Tourists will not visit an area that is perceived to be headed for trouble.

Queensland is rapidly becoming considered around the world as a place with considerable sovereign risk. The Fraser Institute ranked Queensland eighth in 2006-07 for mining exploration. By 2009-10 it had dropped to 24th and by the current year, 2010-11, it had dropped to 38th. In fact, Queensland's reputation as a place where companies can have certainty about their investment and the future of their operations is one of the few things that has dropped quicker than Queensland's credit rating. The issue is ensuring not only the future of Stradbroke but also the reputation of Queensland where people seeking to do business in a very competitive world do not shy away because a government will jump at shadows to grab some sort of electoral advantage at their expense.

North Stradbroke Island has a post mining future. I look forward to personally being part of it. I am pretty sure some of those on the other side are not going to be part of the future of North Stradbroke Island in any way, shape or form. What I want to know from this government is what sort of future that will be. What I have seen today is a lack of planning—in fact, no plan for sustainability—and a grab for political point scoring to back up a hurriedly prepared advertising campaign. What I would like to see is a rich, sustainable community that can deliver tourism and maintain jobs. We are not going to see that rich future on Stradbroke without a plan for the transition to the post mining economy that we all know is coming. There are 270 direct jobs in mining in a community of 2,500 permanent residents. There are double that many jobs and more that depend directly or indirectly on mining. To just cancel those jobs and disperse those people without having a plan for how this community is to be sustained is disgraceful.

It is no wonder that people who care about North Stradbroke Island and the community there, such as the member for Cleveland, are so incensed. I have read articles from Indigenous elders on North Stradbroke Island who say this government has not consulted them. There are many Indigenous people in Queensland who care very much about the future of their children and grandchildren and who, unlike this government, recognise the importance of work skills, work and well-paid jobs—not menial, unskilled or seasonal work but skilled work in highly paid jobs with companies that are willing to train local Indigenous people. In this case it seems to me that the company involved, which employs over 50 Indigenous families, has far more regard to the future of Indigenous people on North Stradbroke Island than the government does with this bill.



**Mr SHINE** (Toowoomba North—ALP) (12.09 pm): I rise to simply declare an interest in relation to this matter in that I have a part interest in a house property at North Stradbroke Island which is recorded in my register of interests. I intend to vote in this matter to support the bill. As I understand standing orders, I should indicate that interest and that intention.



**Mr RYAN** (Morayfield—ALP) (12.09 pm): I rise to make a contribution to the debate on the North Stradbroke Island Protection and Sustainability Bill 2011. Like many members of this House, I have enjoyed many holidays and visits to Straddie. I remember my first visit as a young boy with my family and our daily excursions to Brown Lake and Blue Lake and swimming at Main Beach, Point Lookout. Straddie is a great place that needs to be looked after for future generations. Tough decisions need to be made now to ensure that Straddie is environmentally and economically sustainable, not only today but also tomorrow. This bill is about getting the balance right to support the sustainable Straddie of today



and the sustainable Straddie of tomorrow. Members on our side of the chamber have given the concept of a sustainable Straddie much thought. In fact, I was part of a delegation of members that met with stakeholders from North Stradbroke Island last year. I thank those people for their time and their insights. I also thank the departmental staff for coordinating those meetings with stakeholders and for providing members with very detailed and informative briefings.

This bill represents a balanced and pragmatic approach that will see a phased end to mining and an assisted transition towards more ecologically sustainable land uses in the North Stradbroke Island region. This bill permanently ends mining in the North Stradbroke Island region by 2025 so that we can protect and restore the region's environmental values through the staged creation of protected areas that are to be jointly managed by the state and the traditional owners of the region, the Quandamooka people.

It is important to acknowledge that, regardless of the bill, mining on North Stradbroke Island would come to an end at some stage in the future as the resource is depleted. I note particularly the specific public statements by one North Stradbroke Island mining company of its intention to shut down the Yarraman mine in 2015. Through a timetable for the phased end to mining on North Stradbroke Island, this bill provides clarity and certainty to stakeholders about the future of mining on the island. It provides clear notice to stakeholders, particularly those employed in the North Stradbroke Island mining industry, and several years prior to mining actually ending, to prepare for the transition to a more sustainable Straddie. Island residents, business owners, those currently employed by mining on the island and others should be confident that they do not have to make this transition alone. An economic transition strategy will guide and assist the community towards an economy based on more ecologically sustainable land uses. Such a transition will take time.

However, the Queensland government is committed to supporting business development, investment and growth in Queensland. Some stakeholders have raised concerns that the decision to end mining on North Stradbroke Island could increase perceptions amongst the business sector that there is an increased level of investment risk in Queensland. This is an important and legitimate concern. To limit and manage such perceptions about investment risk, the bill applies to a confined geographic location. That is to say, the bill applies only to the North Stradbroke Island region, which comprises North Stradbroke and Peel islands. The bill does not in any way impact on mining activities in any other part of Queensland outside the North Stradbroke Island region.

This bill minimises impacts on the existing rights of the mining companies that operate the three active mines on North Stradbroke Island. In fact, the bill renews or extends certain already expired mining leases on North Stradbroke Island to ensure the orderly transition of the phasing out of mining. There was no guarantee that those leases would have otherwise been renewed. The decision to end mining is restricted only to North Stradbroke Island due to its outstanding natural and cultural values and the need to resolve native title issues. This legislation is one component of a broader vision to resolve outstanding land tenure and native title issues with the traditional owners of the region, something that successive Queensland governments have been unable to resolve for over 15 years. That is a major achievement for all, including the broader Queensland community.

The government is also intervening to proactively stimulate an alternative economy on North Stradbroke Island over the period of the phase-out of mining. This will assist in providing opportunities for business and the community to pursue and develop long-term economic development and growth activities. The government remains committed at the state level to providing an investment environment that is capable of supporting a mix of economic activities that contribute to a prosperous and resilient economy and environment. Queensland is a great place for business investment and a great place to visit. This bill supports a sustainable Straddie and means that Straddie will continue to be a great place to invest, live and visit.

I take this opportunity to commend the Premier, the minister, the ministerial staff, the departmental staff and community members for their hard work in respect of this bill and the future of North Stradbroke Island. I commend the bill to the House and I encourage all members to support it.



**Ms CROFT** (Broadwater—ALP) (12.16 pm): I rise to support the North Stradbroke Island Protection and Sustainability Bill 2011. The bill is essential if we are going to protect the unique and outstanding natural and cultural values to which the North Stradbroke Island region is home. The legislation facilitates the staged declaration of protected areas so that by 2027 over 80 per cent of North Stradbroke Island will be national park and by the end of 2011 up to 50 per cent of the island will be protected. North Stradbroke Island is home to endangered species such as the Cooloola sedge frog, the black-necked stork and the endangered swift parrot.

I welcome the creation of the new Naree Budjong Djara National Park in the North Stradbroke Island region, which will assist in preserving the island's high conservation values and variety of habitats and ease the pressure on endangered species. A new national park in South-East Queensland, one of the fastest growing regions in Australia, is particularly valuable as population growth will continue to place pressure on all resources in our region and increase the demand for green open space. New

protected areas on Straddie will also provide the community, particularly the people of South-East Queensland, with accessible recreational opportunities and a sanctuary to escape the busy urban environment.

The bill creates a framework so that protected areas in the North Stradbroke Island region will be jointly managed by the state and the Quandamooka people, who are the traditional owners of the region. Joint management arrangements will bring together traditional and more conventional management techniques, with the Quandamooka people and the Queensland Parks and Wildlife Service being equally responsible for the planning and management of protected areas on North Stradbroke Island. While the management of protected areas on Straddie being carried out jointly with the traditional owners represents quite a different management approach, such arrangements have been successfully occurring in protected areas on Cape York for years now.

The passage of this legislation, complemented by an economic transition strategy, will greatly assist opportunities in the North Stradbroke Island region for business development and growth in ecologically sustainable tourism and other similar activities. I want to emphasise that the end of mining on North Stradbroke Island is inevitable. The mining company has previously announced the planned closure of Yarraman Mine, which employs over 100 people, in 2015.

Change does take time and the government is committed to supporting the economic transition of the North Stradbroke Island economy from its current reliance on mining to more ecologically sustainable activities. Preliminary investigations into the tourism potential of North Stradbroke Island identified a range of projects that could be established within five to 10 years, such as the development of events space in the current mining leases and a luxury safari camp linked by a great walk. Local businesses could also pursue future business development opportunities provided by the emerging education sector and growing ecotourism markets. Other potential business opportunities that have been identified include educational facilities such as school camps that support volunteerism, development of a rangers station and junior rangers program, and a range of adventure facilities including hang-gliding and a paragliding platform.

This legislation sets the scene for businesses to innovate and pursue a diversified range of nature and wildlife experiences. This, in turn, will provide a tourism drawcard to the region including unique tourism opportunities for all. A major benefit to the community is the greater access to and appreciation of a broader range of protected areas and access to cultural interpretation materials which will be provided through the Indigenous joint management of protected areas in the North Stradbroke Island region.

This bill paves the way for a sustainable future for North Stradbroke Island and for all to enjoy and appreciate. I commend the minister for the work that she has done and the work of her department. I commend the bill to the House.



**Mr ELMES** (Noosa—LNP) (12.21 pm): I rise to speak this afternoon on the North Stradbroke Island Protection and Sustainability Bill 2011. I was a little surprised recently to see both the Premier and the minister on the television news during the lead-up to the introduction of this bill accompanied by a media scrum. They were trampling all over the dunes of North Stradbroke Island, the very dunes of the very island that they were supposed to be looking forward to protecting. It certainly was not a great example to be setting. Unfortunately, they were not there with pure hearts. They were there simply to mine for a new local green issue with which to appeal to the electorates of Brisbane in the upcoming election. They and the press claimed that they were in a pristine area. However, the reality is that the location of the press conference they held was a rehabilitated site. On behalf of the Premier and the environment minister, I thank Sibelco, who did an excellent job in rehabilitating that site.

As the former shadow minister for climate change and sustainability, I have been very careful in the past not to accuse the Bligh Labor government of exploiting the environment for obvious political purposes. On this occasion I must say what I know to be true and what the evidence proves. This bill is simply a cynical political exercise to continue the reliance of the Bligh Labor government on Greens preferences to keep it in power. Unfortunately, this government is pimping North Stradbroke Island for exactly that purpose.

The Prime Minister is making speeches regularly now to try to distance herself from the extreme policies of her coalition partner at the federal level. To quote from the quotable Tony Abbott, 'Labor may be in government but the Greens are in power.' The Premier should note this home truth and be wary of the obligations that she is nurturing through her pandering to extreme views for no good purpose.

At first glance, the notion of ejecting a mining company from a recreational paradise such as North Stradbroke Island has some appeal to someone like me who, at one stage, had the lead role in representing the interests of the environment on this side of the House. My colleague the member for Clayfield has been taking family holidays there since he was a small child. Many families in the Redlands and Cleveland electorates and, for that matter, throughout the south-east have a great affinity with the island because of its close proximity, comparatively cheap access and its affordable family recreation.

However, like my colleague the local member, the member for Cleveland, I too have spent some time on North Stradbroke Island to develop a firsthand assessment. A balanced view is that the knee-jerk proposition which this bill represents is not in everyone's best interests. How easy it could have been to achieve a win-win-win situation—a win for common sense and mining, a win for the island and the islanders, and a win for the Quandamooka people. The first matter to be addressed is the government's statement in the explanatory notes—

Creating a mine-free NSI will greatly assist the development and growth of businesses and employment opportunities in ecologically sustainable tourism and other like activities.

This is a statement of ideal; it is not a statement of fact. Worse than that, it is an aspiration which is not underpinned by any planning or investment. In particular, it is not an aspiration shared by the islanders. At present, mining on the island generates about \$130 million annually for the local economy. In reality, mining equates to about 55 per cent of the total local economy. The minister is not putting forward any plan for discussion about how the transition from a mining economy to an elitist ecotourism economy is to take place, let alone if anyone wants it. There is no staged approach, there is no time line, there is no economic analysis, there is no financial plan. This is 'wish and a prayer' stuff—

**Mr Dick** interjected.

**Mr Dempsey** interjected.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! Member for Greenslopes and member for Bundaberg!

**Mr ELMES**:—devoid of any community consultation. Indeed, Aunty Margaret Iselin expressed shock at the announcement and said that it was a disgrace that the minister had failed to consult the Quandamooka people. She went on to say—

Mining was a godsend to us because there was no work on the island and it gave our families work.

This is going to affect 50 Aboriginal families on the island who rely on the income from the mine.

The economy on the island will take many years—

if ever—

to be sustainable on tourism alone ...

Of course, Aunty Margaret is absolutely right. It will take five fully functioning Tangalooma size resorts to replace mining. The explanatory notes state—

The Government has allocated \$27.5 million over five years for the implementation of the NSI strategy. This budget includes the establishment and joint management of protected areas in the NSI Region, and funding and implementing the Indigenous Land Use Agreement with the Quandamooka People.

This allocation seems to fall a long way short of the annual mining revenues of \$130 million. It seems also to neglect all of the other aspects of the local economy other than the Indigenous community and the government bureaucracy. How does the government propose to make up this significant economic shortfall? Where is the government's action plan for the transition? It is all very well to end mining on the island, but to create an economic vacuum in the process and to bestow economic hardship on those dependent on mining is a dereliction of the role of government. It appears to be a deliberate punishment inflicted on those who have been involved in mining.

Clearly, a government which has lost its AAA credit rating, run up an \$80 billion debt and runs a significant operating budget deficit is in no position to replace lost revenue in mining. It also would not seem to be in a financial position to complete the rehabilitation of mined areas costing about \$2,000 per hectare for about 1,000 hectares—and my arithmetic tells me that that is another \$2 million—that the mining company was committed to. It also would not seem to be in a financial position to maintain the infrastructure on the island which the mining company was committed to. It also will not easily replace the 270 mining jobs of whom 140 are resident workers and 50 of whom are Indigenous workers. Without them, the viability of so much of the island's infrastructure and services comes into question.

The Stradbroke Early Learning Centre believes it is doomed. It will lose clients. It will lose staff. Stradbroke Ferries is considering downsizing its operations. Even the announcement itself creates panic and uncertainty. This bill does not mention the impact on Allconnex, but it is highly unlikely that the water extraction on the island of 35 to 44 megalitres per day and piped on a gravity feed across to the Redlands will be allowed to continue. How could water extraction from the middle of a national park be allowed to continue? Will the government compensate Allconnex? What jobs will be created for the existing staff or will they, too, become a Commonwealth responsibility on unemployment benefits?

Further, tourism in Queensland is on its knees at present, while the mining industry is carrying the national and state economies. It is counterintuitive to be wishing to replace a vibrant industry with an industry on which Queensland is already overreliant and which, as a fledgling, will be competing hard but uphill against many other tourism destinations within easy reach of Brisbane and seasoned in the marketing of their product.

Most importantly, North Stradbroke Island is the last unregulated island in Queensland within easy reach of the capital. But it is the last island where families can go for an affordable weekend's camping or an even cheaper day trip. The ferry is still a reasonable price within the reach of working families. Compared with the transfer costs for Moreton Island or the even more comparable Kangaroo Island, it is a bargain. It is hard to imagine a more inappropriate aspiration than what the government claims it is planning for this place.

North Stradbroke Island already has its market niche. But this tired old Labor government, bereft of original ideas, is likely to achieve the dual outcomes of destroying the island's economy and destroying its recreational value to existing lovers of the place in one fell swoop without even in a shred of planning to support the transition or market research which might indicate it can concede. I say to the minister: if there is research that shows you can phase out mining almost immediately and replace it with ecotourism, table it in the House now. More importantly, table the plans submitted by tourism operators who are champing at the bit to spend tens of millions of dollars to set up their ecotourism resorts. I wonder if there is even an expression of interest from the local scout group for a camping ground on North Stradbroke Island.

The second matter to be addressed is that of certainty. We often hear it argued that a government decision is required to create certainty. For example, it is part of the mantra to justify the carbon tax. However, here we have the government creating uncertainty for an industry on which the state and national economies are so dependent.

Sibelco, formerly Unimin, asserts that the conventional understanding of renewal points for mining leases is that they represent opportunities to review the operation of the lease against the conditions set for that lease. The government's new interpretation, expressed by this bill, is to regard mining leases which are in renewal as having expired. This is a new concept. The ramifications of this new position include that the value of all mining leases will no longer be determined by the value of the identified resource reserves but by the practical extraction of those reserves at a defined point in time. Sibelco argues that to suggest that a renewal may be cancelled or amended without consultation, agreement or compensation represents a new form of sovereign risk. Is the government aware that in creating this uncertainty it appeared on the front page of Belgium's national equivalent of the *Financial Review*, just as the federal government's ill-conceived super profits tax created panic in the world's capital markets and amongst international miners?

I ask the minister if she is really aware of how fundamental the change to the accepted status quo for mining that she is prescribing by her bill is and how strong a message she is sending to the resources industry. Taken together with the Rudd Labor government's ham-fisted mining super profits tax, international mining interests and, more particularly, the banks and funding agencies which finance those major capital investments will be looking at Australia with increasing scepticism if this Labor trend in creating sovereign risk is seen to be the norm. In this regard, when dealing with consistency with fundamental legislative principles, the explanatory notes state—

The bill is generally consistent with fundamental legislative principles.

It is argued in relation to where legislation should not provide for the compulsory acquisition of property without fair compensation that the government's approach to terminate several mining leases before they expire with no compensation payable is reasonably balanced by the renewal of the expired lease on the Enterprise Mine. This view of a 'reasonable balance' is not shared by Sibelco, and nor should it be.

Further, I note that the Scrutiny of Legislation Committee was concerned about clause 17, which amends the environmental authority for the Enterprise Mine lease to restrict the mine path. I share the committee's concern, and I have a number of my own which relate to clause 16. The explanatory notes go on at length about this clause, the effect of which is to nobble the miner by making it impossible to move its equipment from one site to another. There is no use having a lease if you cannot access it. To have explanatory notes which disguise this fact seems to me not what the notes are expected to provide to this parliament.

I actually find myself shaking my head that we are debating this bill at all. On 20 June last year, less than a year ago, the minister and the Premier announced the government's vision for North Stradbroke Island—their vision. The critical element for the island's economy and, importantly, the mainland as well—sandmining—was to conclude by 2027. Sibelco wanted to conclude by 2031. There was the possibility for every reasonable stakeholder to get an acceptable outcome. The gap to be negotiated was minute. Under the then vision, the area protected as national park was to increase from one per cent to 50 per cent by the end of 2011 and to 80 per cent by the phase-out date of 2027. There was to be a managed transition from 270 direct Sibelco jobs and 350 indirect jobs to 400 nature based or ecotourism jobs. So the Premier's dream suggests that 400 make-believe eco jobs can effectively replace 620 actual mining and mining dependent jobs. The maths that I learnt at Everton Park primary cannot make 620 real jobs equal 400 fantasy jobs on any day of the week. Then we fast-forward to today and we find that the dates have changed, and certainly not to protect the innocent but cynically to preserve the jobs of the Premier and the member for Ashgrove.

Sibelco was a family owned private company committed to its mining interests which it entered through its Queensland business. This is its model for its future interests. It is committed to looking after the island long after its mining is completed. It is an excellent corporate citizen. Even the government recognised this. It awarded Sibelco's mineral sands division an environmental best practice award in 2008 for its operations on North Stradbroke Island. Now the same government that awarded that award treats this company like a pariah. Compare the focused reality exhibited by this company to the wishy-washy, half-baked, ill-considered eco project put up by this tired old Labor government, which would struggle to run a chook raffle at a profit.

I hope there are representatives of the Quandamooka people who are watching this debate today. I hope there are representatives of FOSI and the other residents of Stradbroke Island who are watching this debate today. I invite them to travel to Fraser Island. If they want to see how this government manages a really pristine piece of land, I invite them to go to Fraser Island. I invite the Quandamooka people to go and have a talk to the Butchella people, who are the traditional owners of Fraser Island, and ask them what they think of this government's management of Fraser Island. I would say to FOSI: go and have a talk to the residents of Fraser Island and ask them what they think of this government's management of Fraser Island. I would let the decision on the future of the island be based on those discussions. I really suggest that those people do that. If they did that, they would not be swallowing the half-baked argument that is coming forward from this government.

The Fraser Island model takes on further ominous comparisons. We know that the Queensland Parks and Wildlife Service is in the habit of routinely shooting and hazing the last purebred strain of dingoes in Australia which inhabit Fraser Island. We are well aware from the debates in this place that the iconic koala population in the south-east corner is under grave threat. I understand that the government is to continue this fast-tracking demise by destroying the koala habitat on North Stradbroke Island as part of its ecotourism recreation plans for the island. It is there on the map.

This is a bill which should be put down—it should be euthanised—in the best interests of Queensland. The government should put aside its re-election interests on this occasion—just this once—and do the right thing. The right thing is to return to its 20 June 2010 vision as a starting point from which to commence negotiations in good faith with Sibelco. It should consult widely and meaningfully with the other stakeholders, particularly those now employed directly and indirectly by mining as well as those who provide everyday services to those employees and their families. Lastly, but by no means least, it should consult the Quandamooka people genuinely and with respect. This present proposal is light years away from what could have been a very easily achieved win-win-win outcome.



**Mrs SULLIVAN** (Pumicestone—ALP) (12.41 pm): I rise to support the North Stradbroke Island Protection and Sustainability Bill 2011. This legislation will bring an end to mining in the North Stradbroke Island region and provide joint management by the state government and the traditional owners of particular land in the region. This bill offers a balanced approach to the end of mining activity on the island, coupled with additional features to protect the environment as much as possible while mining continues. The objective of the bill is to restore and protect the environmental values of the region. The bill also amends the Aboriginal Land Act 1991, the Nature Conservation Act 1992 and the Sustainable Planning Act 2009.

The bill delivers increased environmental protection by restricting the Enterprise mine path as far as practicable to areas that are already disturbed by mining and avoiding ecosystems of high conservation value. This is achieved by amending the environmental authority which is issued under the Environmental Protection Act 1994. In restricting the Enterprise mine path, several outcomes are achieved. It is intended that the viability of the mine is maintained until 2019 when the mining leases will be terminated consistent with the timetable for the end of mining in the North Stradbroke Island region. The bill provides for a restricted mine path that allows mining at current protection rates until 2019 and no more. Restriction of the mine path means that the Enterprise Mine operator will only be able to undertake heavy sand mineral mining within a clearly defined boundary which is identified on a map. I will have copies of that map available in my electorate office. I am happy to post it out to anyone who cannot make it to my electorate office.

Restricting mining activity within defined boundaries on the Enterprise Mine will increase the protection of and improvement of biodiversity and conservation values on and adjacent to the Enterprise Mine by minimising disturbances to areas that have not been disturbed by mining. This is especially important considering that internationally recognised Ramsar wetlands are located only 400 metres from the Enterprise Mine. To ensure viability of the mine path until 2019, the bill provides a three-month opportunity for the holder of the mining authority to apply to the Minister for Environment and Resource Management to extend or move the mine path so that current production levels can be maintained. This once-off application is restricted to areas that do not include ecosystems of high ecological significance, such as endangered and of-concern regional ecosystems. Exploitation of the mine path is limited to the end of 2019 and is non-negotiable. Outside of this three-month window, and for the remaining life of the

mine, the operator will be able to apply for amendments to the environmental authority as per the normal processes already provided under the Environmental Protection Act 1994. Any future amendments to the mine path cannot result in an increase of more than five per cent of its total area which is approximately equivalent to 10 hectares. This allows for reasonable minor boundary adjustments while still maintaining improved outcomes for environmental protection.

Unlike Enterprise Mine, Vance has a relatively small annual footprint and it is not considered necessary to impose restrictions on the mine path of that mine. Other environmental protection measures, such as rehabilitation obligations, outlined in the environmental authority still apply. Financial assurances held against the environmental authority will only be released when the mining company has delivered its rehabilitation activities to the satisfaction of the Department of Environment and Resource Management. The bill increases environmental protection during the life of the Enterprise Mine by ensuring that mining activities are restricted to areas that minimise disturbance on the precious environmental values, including endangered habitat that is found on and close to the Enterprise Mine. With those few words, I commend the bill to the House.



**Mr DOWLING** (Redlands—LNP) (12.45 pm): Today I rise to speak on the North Stradbroke Island Protection and Sustainability Bill 2011. Before I commence I want to recognise and thank the officers who were kind enough to provide a briefing yesterday. It is obviously a complex issue and one that people in our neck of the woods are passionate about, as already expressed by my colleague the member for Cleveland. While the briefing resolved a number of issues, there are still a number of outstanding issues. I will talk to those in broad terms. The issue with this debate is the concern the community holds about the government's track record. The one thing that it is very good at is economic mismanagement and spin. Those two things worry the vast majority of people on North Stradbroke Island. The people are concerned that, as the government moves forward with this plan—and we are all well aware that sandmining has a finite life—it is all about grabbing headlines. It is not about substance. It is not about delivering on good planning. The local economy is under great pressure.

**Mr Swarten** interjected.

**Mr DOWLING:** I take the interjection and the answer is no.

**Mr Swarten** interjected.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! Member for Rockhampton, the member for Redlands has the floor.

**Mr DOWLING:** The local economy on that island is already under immense pressure. That island is a jewel. There is great economic pressure there at the moment. We have come through one of the worst seasons in an economic sense not only for places across Queensland that were affected by the floods and cyclones but also for places that were not affected. Stradbroke Island is almost as reliant on tourism over the Christmas period as it is on the mining industry. It is suffering. It is hurting. Businesses are going broke. The only thing that is keeping those businesses going is the sandmining industry. They are concerned about how this process will unravel and how it will be played out. I heard in a recent speech the member for Pumicestone assuring people that Labor invented consultation. It did not invent consultation—certainly not in the terms that the rest of us have come to expect. Time after time it has failed to consult and failed to plan. It has always been crisis management. People are so concerned about this fragile economy and fragile ecosystem.

At the briefing with the advisers yesterday we asked who was at the table negotiating on behalf of and with the Quandamooka people. What opportunities are there for transition? There was no clear direction. It was almost a never-never plan. I appreciate that the negotiations are delicate and are not finalised. There was no real understanding that was able to be given to us in the briefing. The opportunities for transition—

**Ms Jones** interjected.

**Mr DOWLING:** I take the interjection. I think it was the gagging; I think it was that cloak of silence or invisibility.

**Ms JONES:** I rise to a point of order. I object to that assertion. I find it personally offensive and I ask the member to withdraw.

**Mr DOWLING:** I will withdraw the comment. During the briefing we were probing and questioning where the negotiations were up to. The advisers were unable to give any clarity. They were unable to give any certainty as to what was on the table and what was off the table. They were also unable to articulate clearly how the various instruments would be involved in this, and we are talking about a whole range of instruments.

There were questions about the constraints of the limitations that the Quandamooka people may face into the future. There were questions about the legal challenges and impediments going forward because the ILUA is still not set and other agreements are still pending. The issues of tenure and ownership were raised. Again, they were not able to articulate what mechanisms may be involved in that. This uncertainty and unrealistic haste and all of the planning issues and implications that go with that are being imposed on these people.

This economic transition is risky; it is high-risk stakes. If the minister does not recognise that, then clearly she does not understand the impact on mining and the other economies on the island and how they interplay. For the majority of people who work within that sandmining operation, the economic transition will be from a well-paid, highly skilled job to a job that is reliant upon the weather and the seasons and a job that is traditionally part-time, service oriented, of a casual nature and lower paid. I do not think that is a healthy transition for any economy. It actually almost parallels what Labor has done to Queensland—from a boom economy to a bust economy. That is what the islanders are concerned about. They are concerned that that will be imposed on them because of the mismanagement and the incompetence that this government has demonstrated and displayed over a long period of time. This is leading to an uncertain future at a time when certainty is the one thing they need. The residents are concerned about this uncertainty and concerned about being reliant upon seasonal whims.

The other thing that was touched on was the opportunity for industries other than tourism—for example, education—but obviously there was no certainty and no commitment. I appreciate that while negotiations are still going on it is difficult to actually put a stake in the sand and say, 'This is what we're hoping for.' Opportunities for education were touched on, but I would question this.

We have a school over there at the moment which is a high-top school. For the benefit of those members who do not know this, this basically means that the school runs through to grade 10 before the students transition to Cleveland State High School. It is a small school and I am sure they would love an opportunity to expand and develop. There was talk of trade type training and things of that nature, but what trades are you going to teach them? With all due respect, other than being a chef, which is an apprentice course, there are very few other apprentice type roles on an island where a tourist based economy is pretty much the sole economy. There are no trades there. There is no engineering, as there would be with a sandmine there. While those suggestions are valid, important and significant and I hope that some of those opportunities do flow on to the island, I just do not trust Labor. That is my problem. Do you know what? It is a problem that most of Queensland suffers from. They do not trust the government.

**Mr DEPUTY SPEAKER:** Order! I would remind the member for Redlands that standing orders do not only refer to relevance; they also relate to tedious repetition. You might keep that in mind in your speech.

**Mr DOWLING:** Thank you.

**Mr Dempsey** interjected.

**Mr DEPUTY SPEAKER:** Member for Bundaberg, I do not require your assistance to define standing orders.

**Mr DOWLING:** The people of Stradbroke Island continue to raise these issues—that business will suffer, that the community itself will suffer, that the environment will suffer, that the traditional owners and the elders themselves will suffer at the hands of this strategy. There are more questions than answers to this. This is a secrecy thing. It is a headline-grabbing thing and the detail comes later. My concern is that there is no debate. There are questions about local government and planning and the service delivery. It gets down to the basics of providing infrastructure for these communities. It is about providing some certainty to the local government. We have an urban footprint. Stradbroke Island falls within the local government area of Redlands which is controlled by the planning schemes. How on earth do you amend all of those strategies? These are the sorts of questions that need to be answered and they are the things that concern me. When we see the details that follow, that is when we are in a world of hurt. That is the hallmark of this government; they fail to plan.

The Quandamooka people want to know what their future is. Is it tourism? Is it cultural type entities where they can showcase their culture? They are not sure about that. They are not even sure about their home—the style of home, the type of stewardship and ownership they might have or the legal instruments they might have that says, 'This is my home. This is my house. I own it. I can build what I need to build to live and to survive.' There are questions about all of those ancillary services. There are questions about the state government's responsibility for providing services. There are questions about the broader community. I have already mentioned the business community in the Redlands.

The other people who are most affected are the employees of the sandmine. I have had the privilege of representing the people of Redlands in a number of capacities over the nine years prior to coming to this place. One of the great outings I had on a number of occasions was visiting the sandmine to have a look at their operations. They have awards for environmental initiatives, for sustainability, for the rehabilitation work on the island and for the planning they have done over—

**Dr Robinson** interjected.

**Mr Reeves** interjected.

**Mr DEPUTY SPEAKER:** Member for Cleveland and Minister for Child Safety, would you please discontinue your discussion inside the House or go outside. The member for Redlands has the call.

**Mr DOWLING:** This company have a tremendous tradition, history and record of achievement of providing much better outcomes. They have taken what was largely unmaintained land that had weed and feral animal issues and they have gone in and cleaned it up. They have rehabilitated it. We saw this in the picture in the newspaper of the Premier and the minister sitting on a rehabilitated sand dune. That company has done some tremendous work right across this island and they are to be commended and they have been commended. They worked in partnership with the council, the various state government authorities and the traditional owners.

The strategy and goal of the company has been to leave no footprint when they have finished their work. That is what is most important in all of this, and I do not believe that can be achieved when they are dragged out midway through the process. There is an end date on this and that end date is coming. Let them do it properly. Let us not just chop it up. Let us not just cut and run and end this strategy.

**Ms Jones** interjected.

**Mr DOWLING:** The people of Queensland will be let down by this. We have all holidayed over there.

**Mr Dempsey** interjected.

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

**Mr Dempsey:** I am just responding to the minister.

**Mr DEPUTY SPEAKER:** Member for Bundaberg, there are no comments for you. Your own member is on his feet, so perhaps you could discontinue the response, thank you.

**Mr DOWLING:** It is the people of Queensland who will be let down if this is not done right. While we all applaud that it is a pristine wilderness and there is a wonderful opportunity for all Queenslanders to enjoy and experience it, at the same time the government has put its concentration of development, which is proposed in that northern end, into the koala habitat. That does not make sense. Why would you then rip out the mine that is actually doing all the rehabilitation and leaving a much better environment than when they arrived? That does not make any sense to me at all.

When the community are standing there outraged and raising their voices, when the business community are standing there outraged and raising their voices, when the elders are also divided on this, surely we need to slow it up. We need to get it right. We need to engage in consultation and not just ram this thing through. There is obviously a time line driving this, be it a media cycle or an election cycle. I do not know what it is, but there is something driving this; maybe there is a deal to be done.

Labor has got it wrong this time. Perhaps the community of Stradbroke Island actually fall into the same category as those on this side of the House and those right around Queensland. We feel that this government has failed to deliver on a plan, failed to plan for a better future for Queensland, failed to honour agreements, failed to benefit traditional owners and traditional landowners, failed to benefit the residents of Queensland and failed ultimately to benefit the people of Queensland. With those few comments, I will conclude my speech.

Sitting suspended from 12.59 pm to 2.30 pm.

Debate, on motion of Ms Spence, adjourned.

## ORDER OF BUSINESS



**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (2.30 pm): I advise honourable members that the House can continue to meet past 6.30 pm this day and that the House can break for dinner at 6.30 pm and resume its sitting at 7.30 pm. The order of business shall then be government business followed by a 30-minute adjournment debate.



## INTEGRITY, ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

### Report, Motion to Take Note; Nuttall, Mr G, Order to Attend the Bar of the House



**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (2.30 pm), by leave, without notice:  
I move—

- (1) That the House note the report of the Integrity, Ethics and Parliamentary Privileges Committee No. 105, tabled in this House on 10 June 2010, which reported to the House that Mr Gordon Richard Nuttall has committed a contempt of parliament on 36 occasions and recommended that Mr Nuttall be charged with those contempts by the House; and
- (2) That the House note the report of the Integrity, Ethics and Parliamentary Privileges Committee No. 114, tabled in the House on 7 April 2011, which reported to the House that Mr Gordon Richard Nuttall has committed a contempt of parliament on five occasions and recommended that Mr Nuttall be charged with those contempts by the House; and
- (3) That in accordance with standing order 274 the attached order circulated in my name specifying the charges of contempt against Mr Gordon Richard Nuttall and requiring that Mr Nuttall attend at the bar of this House on Thursday, 12 May 2011 at midday be agreed to, viz;

#### MR GORDON RICHARD NUTTALL - ORDER TO ATTEND THE BAR OF THE HOUSE

(Section 40 of the Parliament of Queensland Act 2001 and Standing Order 274 of the Standing Rules and Orders of the Legislative Assembly)

In accordance with the recommendations of the Integrity, Ethics and Parliamentary Privileges Committee Reports No. 105, tabled in the House on 10 June 2010, and 114, tabled in the House on 7 April 2011 and Standing Order 274, the House orders Mr Gordon Richard Nuttall to attend the Bar of the House on Thursday, 12 May 2011 at Midday (12.00PM) to answer the following charges:


That you Gordon Richard Nuttall are guilty of 41 counts of contempt of Parliament pursuant to clause 18 of Schedule 2 of the Standing Rules and Orders of the Legislative Assembly by knowingly failing to notify the Registrar of the Register of Members' Interests under subclause 5(2) of Schedule 2 of a change in details contained in your statement of interests within one month following the receipt and being aware of the following payments:


- 1) On or about 24 October 2002, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 2) On or about 28 November 2002, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 3) On or about 23 December 2002, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 4) On or about 30 January 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 5) On or about 24 February 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 6) On or about 31 March 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 7) On or about 29 April 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 8) On or about 27 May 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 9) On or about 30 June 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 10) On or about 28 July 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 11) On or about 25 August 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 12) On or about 1 October 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 13) On or about 27 October 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 14) On or about 25 November 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 15) On or about 19 December 2003, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 16) On or about 2 February 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 17) On or about 1 March 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 18) On or about 30 March 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 19) On or about 27 April 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 20) On or about 1 June 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 21) On or about 6 July 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 22) On or about 10 August 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 23) On or about 2 September 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 24) On or about 28 September 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 25) On or about 28 October 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 26) On or about 6 December 2004, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 27) On or about 25 January 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 28) On or about 24 February 2005, Mr Nuttall received \$16,666.66 from Mr Kenneth Talbot.

- 29) On or about 31 March 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 30) On or about 26 April 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 31) On or about 26 May 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 32) On or about 27 June 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 33) On or about 27 July 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 34) On or about 25 August 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 35) On or about 28 September 2005, Mr Nuttall received \$8,333.33 from Mr Kenneth Talbot.
- 36) On or about 12 April 2002, Mr Nuttall received \$60,000 from Mr Harold Shand.
- 37) On or about 10 December 2001, Mr Nuttall received \$10,000.00 from Mr Brendan McKennarney.
- 38) On 24 December 2001, Mr Nuttall received \$1,200.00 from Mr Brendan McKennarney.
- 39) On 29 December 2004, Mr Nuttall received \$4,000.00 from Mr Brendan McKennarney.
- 40) On 4 July 2005, Mr Nuttall received \$2,000.00 from Mr Brendan McKennarney.
- 41) On a date unknown between the thirty-first day of March 2005 and the 29th day of July 2005, Mr Nuttall received valuable consideration from Mr Brendan McKennarney.

You being required to disclose these payments in your Register of Interests pursuant to either clause 7(2)(m) of Schedule 2 or clause 7(2)(p) of Schedule 2.

- (4) That on Thursday, 12 May 2011 at midday Mr Nuttall be provided 45 minutes in which to respond to the charges from the bar of the House.

 **Mr WELLINGTON** (Nicklin—Ind) (2.32 pm): I rise to speak to the motion. I seek advice from the Leader of the House as to why there has been a limit of only 45 minutes in which Mr Nuttall can respond to these charges, bearing in mind that in the motion that the Leader of the House has moved there is a list of 41 instances. Quite frankly, if it transpires that significant information is presented by Mr Nuttall to this parliament and he has not completed that submission in the 45 minute time frame that is proposed by this motion, what capacity is there for parliament to extend that for a further period, be it 15 minutes, 25 minutes or perhaps a further 45 minutes? To me, the reality is that regularly members of parliament stand in this chamber and speak for 20 minutes on one matter. I am concerned that, in light of the whole range of matters that have been referred to in this motion, 45 minutes may not be adequate.

 **Mr MESSENGER** (Burnett—Ind) (2.33 pm): I want to formally express my concerns. My concerns are the same as those of the member for Nicklin. This is a very serious matter—41 different charges, or recommendations of contempt—and this government is trying to limit the length of time that Mr Nuttall has to answer his defence. I think 45 minutes is manifestly unfair. When the Independents received a briefing on this matter from the former Attorney-General, based on the Solicitors-General's advice—and I see that he is in the House today—the former Attorney-General said to that gathering of Independents that when Mr Nuttall appears before the bar of this place he would be able to talk for as long as he wants about whatever he wants about whomever he wants.


**Mr DICK:** Mr Speaker, I rise to a point of order. To ensure that the parliamentary record is correct, I have no recollection of making that comment to the Independents. I did brief them on the matter as it was appropriate in the circumstances.

**Mr SPEAKER:** There is no point of order.


**Mr DICK:** The motion speaks for itself.

**Mr SPEAKER:** If the honourable gentleman wants to take up that matter, there are other recourses he can take, such as a personal explanation.

**Mr MESSENGER:** Mr Speaker, as you know, I have met with Mr Nuttall five times now. He has indicated to me that he has spent many hundreds of hours preparing his address before the bar of parliament. This is quite a serious matter. It is historic in Queensland. It is the first time that a prisoner—indeed a former senior Labor cabinet insider—will appear before the bar of parliament. By providing only 45 minutes, the government can be accused of trying to gag Mr Nuttall and trying to hide from the truth of the matter and not giving him an appropriate amount of time to mount his defence in this place.

 **Mr McLINDON** (Beaudesert—TQP) (2.35 pm): I, too, join the two other Independent members in saying that 45 minutes is completely inadequate. Why has the government become a law unto itself and suggested that 45 minutes is the be-all and end-all? That is not good enough. Of the five charges that the House will be dealing with, that equates to around about nine minutes per charge. I think the House as a whole should be able to come to a majority decision on that time frame. If there is nothing to hide, let Gordon Nuttall speak for 24 hours. I will not sit back and say that 45 minutes is going to be enough for the five charges that have been brought here. It is unprecedented.

It is completely irresponsible for a government to dictate a time, which is effectively guillotining and sanctioning Gordon Nuttall in terms of what he has to produce to this House. If there is nothing to hide, let us give him as long as we can. There should be no time limit. If the government has nothing to hide, then it should not be putting in place a 45 minute time limit for him to state his case. We have 20 minutes to speak to bills that we probably only need two or three minutes to speak to, yet on five charges he gets a mere nine minutes each. This is nothing short of guillotining Gordon Nuttall in terms of what he has to say to this parliament and to the Queensland public. I think the House as a whole should be deciding on this matter rather than isolated members of this parliament dictating to the House on what terms and grounds he can speak to this House.

 **Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (2.37 pm), in reply: I am very happy to address the concerns of the members who have spoken to this motion. I think that they have made a lot of the fact that there are 41 charges against Mr Nuttall made by the Integrity, Ethics and Parliamentary Privileges Committee but, in fact, those charges are all the same charges. In fact, really, what Mr Nuttall needs to do when he comes to the House is address the issues that are contained in that report that we have all read this morning and the previous report. These are matters that have been debated by two parliamentary committees. There have been two trials, with appeals. They have been to the CMC. There has been a lot of public debate about these matters. The Independents are wrong if they are thinking that Mr Nuttall can come into this chamber and say whatever he likes. He is going to have to be very relevant to the issues before him when he comes to the House, and they are the issues outlined in the Integrity, Ethics and Parliamentary Privileges Committee report that was tabled this morning.

There are only two fundamental issues: why he did not register his commissions into the parliamentary register of interests like he should have and then he gets to discuss the issue of the penalty that has been recommended by that committee. They are the only two issues that Mr Nuttall will be able to address when he comes before the floor of the parliament, and relevance will be an issue that I am sure Mr Speaker will be concerned about when he comes here. I do not believe that Mr Nuttall will need 45 minutes to address those issues, but I think 45 minutes is a very generous entitlement for a person who has had these issues canvassed in many court trials and by the CMC and through a lot of public debate. It is his job, it is his entitlement—and we are giving him a very sufficient amount of time—to come here and explain himself to this parliament.

**Mr MESSENGER:** Mr Speaker, I rise to a point of order. Mr Speaker, I ask that you make a ruling under standing order 274. Quite clearly, in 274 there is no time limit expressed for Mr Nuttall to appear before the bar of the parliament.

**Mr SPEAKER:** The House is at liberty, as per previous cases, to set a time limit. There has always been a time limit set. It is up to the House to determine whether that time limit is satisfactory. That is what I understand the debate is about. The debate is in the House for the House's consideration. Therefore, there is no point of order and I call the Leader of the House.


**Ms SPENCE:** Indeed, Mr Speaker, you are right: it is up to the parliament to determine its own order of business and to determine how long we are going to allow Mr Nuttall to address us for. I think most reasonable people out in the streets of Queensland would think that giving 45 minutes of this parliament's time to this matter is sufficient. We have a lot of very, very important legislation that we have to debate in the next sitting week. This is just one matter that we have to address in the next sitting week. After Mr Nuttall's address we will break for lunch. We will consider what he has said. He will go back to prison and then we will come in here and debate the issue of the penalty as recommended in the report of the Integrity, Ethics and Parliamentary Privileges Committee. That is how things will play out on that day. I believe that 45 minutes is a very generous entitlement for this matter.

Question put—That the motion be agreed to.

Motion agreed to.

## FORENSIC DISABILITY ACT

### First Reading

 **Hon. CW PITT** (Mulgrave—ALP) (Minister for Disability Services, Mental Health and Aboriginal and Torres Strait Islander Partnerships) (2.41 pm): I present a bill for an act to provide for the involuntary detention, and the care and support and protection, of particular people with an intellectual or cognitive disability, and to make minor or consequential amendments of this act and the Bail Act 1980, Child Protection (Offender Reporting) Act 2004, Child Protection (Offender Prohibition Order) Act 2008, Commissions of Inquiry Act 1950, Coroners Act 2003, Crime and Misconduct Act 2001, Criminal Code, Criminal Practice Rules 1999, Disability Services Act 2006, Guardianship and Administration Act 2000, Guardianship and Administration Regulation 2000, Limitation of Actions Act 1974, Mental Health Act

2000, Mental Health Regulation 2002, Police Powers and Responsibilities Act 2000, Powers of Attorney Act 1998, Queensland Civil and Administrative Tribunal Act 2009, Queensland Civil and Administrative Tribunal Rules 2009, Residential Services (Accreditation) Act 2002, Residential Tenancies and Rooming Accommodation Act 2008 and Supreme Court of Queensland Act 1991. 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:* Forensic Disability Bill [4259].

*Tabled paper:* Forensic Disability Bill, explanatory notes [4260].

## Second Reading



**Hon. CW PITT** (Mulgrave—ALP) (Minister for Disability Services, Mental Health and Aboriginal and Torres Strait Islander Partnerships) (2.43 pm): I move—

That the bill be now read a second time.

Under the current legislative framework, people on forensic orders with an intellectual or cognitive disability but no mental illness are detained by an order of the Mental Health Court to an authorised mental health service. The framework for their care is provided by the Mental Health Act 2000. The care and support needs of people with intellectual or cognitive disabilities are different from those of people with mental illnesses. The inappropriateness of detaining people with an intellectual or cognitive disability, who are subject to a forensic order and do not require treatment for a mental illness, within authorised mental health services was highlighted in both the Butler and Carter reports, published in 2006. The Butler report was the result of a review of the Mental Health Act 2000 and the Carter report provided recommendations on the support needs of people with intellectual disabilities who exhibit severely challenging behaviour.

The Carter report, *Challenging behaviour and disability: a targeted response*, made 24 recommendations relating to a new model for service delivery and legislation to protect the human rights of people with an intellectual disability who exhibit severely challenging behaviour. Recommendation 22 specifically addressed the issue of possible amendments to the Mental Health Act to give the Mental Health Court power to make a forensic order in respect of a person with an intellectual disability to enable that person to be detained at a place other than an authorised mental health service.

We have built a medium secure detention facility at Wacol for up to 10 people on forensic orders with a sole diagnosis of intellectual or cognitive disability. The Forensic Disability Bill establishes this facility as the Forensic Disability Service and provides the legislative framework for the involuntary detention and the care, support and protection of people detained in the service. Our thinking about people with disabilities has come a long way in the last few decades and has progressed along with the recognition of human rights.

A primary goal of the bill is to be consistent with the principles, goals and objectives reflected in the United Nations Convention on the Rights of Persons with Disabilities. To this end, the focus of the legislative scheme, within the constraints of a detention environment, is on safeguarding rights and freedoms, promoting individual development, enhancing opportunities for quality of life and maximising opportunities for safe reintegration into the community when the Mental Health Court and Mental Health Review Tribunal consider the person is ready.

Two of the key terms in the bill are ‘habilitation’ and ‘rehabilitation’, which are derived from the United Nations convention. Habilitation is about learning skills to enable a person to participate in society and their community. Rehabilitation is about restoring capacity and ability. Together, habilitation and rehabilitation involve individualised approaches, multidisciplinary assessment and intervention so that people with disabilities can develop and acquire skills to better realise their full potential.

The past decade has brought significant change in the development of offender programs targeting people with an intellectual or cognitive disability. While in the past programs were developed for the mainstream population and modified for people with an intellectual or cognitive disability, over the last 10 years programs have been specifically tailored and adapted for this group. The Forensic Disability Bill provides for this model of care and support. It does so in the context of the equivalent need to protect the community from a person’s offending behaviour. The legislation, therefore, balances the therapeutic objectives of care and support with a secure Forensic Disability Service, the need to protect the community and to ensure the safety of forensic disability clients and others.

The bill incorporates a model that will allow the management of risk for people subject to forensic orders in a manner more appropriate for clients with an intellectual or cognitive disability while also promoting better outcomes for the person. The key elements of the bill reflect this framework. The

principles in the bill focus on the concept of habilitation and rehabilitation and promoting individuals' rights and needs and are intended to reflect the objects, goals and principles of the United Nations Convention on the Rights of Persons with Disabilities and also the Disability Services Act 2006.

The new Forensic Disability Service is part of the existing mental health and forensic system. Decisions about forensic orders will continue to be made by the Mental Health Court. The Mental Health Review Tribunal will continue to review a person's forensic order under the Mental Health Act 2000. The bill also amends the Mental Health Act 2000. However, it does so without interfering with the framework for managing risk and ensuring community safety that is integral to that act.

Importantly, the bill also makes some significant changes to the Mental Health Act. First, the bill amends the Mental Health Act to allow the Mental Health Court to make a new type of forensic order specifically for this cohort—that is, a forensic order: Mental Health Court—Disability. While this is its full and formal name, I will refer to this new order simply as a forensic disability order. Second, specific criteria have been included for the Mental Health Review Tribunal to consider when conducting a review of a person subject to the forensic disability order more appropriate to a person with an intellectual or cognitive disability rather than a mental illness.

These criteria will focus the tribunal's consideration on a person's progress in modifying their behaviour in response to their individual development plan. The individual development plan is an integral part of both the legislative framework and the person's care and support while detained in the Forensic Disability Service. The focus is on promoting the person's development with the aim of reducing the risk of re-engaging in offending behaviour and facilitating eventual community reintegration.

Statutory positions are created to administer, operate and oversee the Forensic Disability Service and to ensure the care and support of persons detained in the Forensic Disability Service. The provisions for the appointment of practitioners under the bill are designed to ensure a multidisciplinary service staffed by people with appropriate expertise and experience who are committed to the principles in the bill. The position of the Director of Forensic Disability will provide independent statutory oversight of the Forensic Disability Service and will have responsibility for the proper and efficient administration of the legislation. The director will also be a party to proceedings before the Mental Health Court and Mental Health Review Tribunal.

A key aim of the bill is to provide transparency and accountability in relation to the care and support provided to clients. The director will have an important role in this regard monitoring the protection of the rights of persons detained in the service. I am pleased to advise that Dr Jeffrey Chan has been appointed by the Department of Communities to take up this position. Dr Chan comes to us from Victoria and is recognised internationally for his expertise and high-level credentials in working with this group of people.

The bill also authorises, in limited circumstances and as an option of last resort, regulated behaviour controls including the process for authorising medication for behaviour control, restraint or seclusion if required to ensure the safety of the person or others in the Forensic Disability Service. The bill provides a further safeguard by limiting the maximum authorised period for seclusion or restraint of an adult to three hours. Amendments to the Mental Health Act in the bill also apply a three-hour time limit to the use of seclusion and mechanical restraint in mental health services, which aligns the management of those practices with best practice. When any regulated behaviour control is exercised in relation to a client, written notice about its use must be provided to the director. The director can also order the immediate release of a client from seclusion, order restraint to be removed from a client or order the immediate review of a client's medication.

The director will provide me with an annual report on the administration of the act and I will table this in parliament. In addition, the bill amends the Guardianship and Administration Regulation 2000 so that the Forensic Disability Service will be a visitable site. The Guardianship and Administration Act 2000 sets up a community visitor scheme that has investigatory and advocacy functions and powers. Community visitors may visit the site at any time, investigate and provide reports to safeguard the interests of those detained. Further oversight will be provided by the Adult Guardian, in their existing statutory capacity to investigate any abuse, neglect or exploitation of an adult with impaired capacity.

While it is fundamental that forensic disability clients are accorded basic human rights in accordance with the Convention on the Rights of Persons with Disabilities, it is also important to give proper consideration to the fundamental right to protection of people in the community. The Forensic Disability Service will have a level of security consistent with a medium secure detention facility and will allow the exercise of powers to ensure the security of the service. The security provisions and powers in the bill to regulate behaviour of forensic clients are important to maintain the security and safety of the clients, staff and the community. As I mentioned before, the service forms part of the existing mental health forensic system and the Mental Health Review Tribunal must not revoke a forensic order or place a forensic disability client on limited community treatment if the client represents an unacceptable risk to

his or her safety or the safety of a member of the public on account of their intellectual disability. As members can see, the bill traverses a complex landscape of ensuring the fundamental rights of clients are protected, the safety and security of the community is ensured, all within a framework of transparency and accountability.

The service is a small service. Its program of care and support is specifically designed for people with an intellectual or cognitive disability and no mental illness requiring treatment. This is an important distinction. It means it is not intended for clients with a mental illness or with what is known as dual diagnosis—that is, both an intellectual or cognitive disability and a mental illness requiring treatment. For this reason, before making an order to detain someone in the Forensic Disability Service, both the Mental Health Court and the Mental Health Review Tribunal must consider whether the person has an intellectual or cognitive disability, but does not require involuntary treatment for a mental illness, and whether the person is likely to benefit from the care and support provided in the Forensic Disability Service. Further, the Mental Health Court or the tribunal must not make an order detaining a person to the service unless the Director of Forensic Disability gives the court a certificate, issued by the chief executive officer of the Department of Communities, stating whether or not the service has the capacity for the person's detention and care.

The bill also provides for an automatic review after five years to determine if the person will continue to benefit from the care and support provided by the Forensic Disability Service. 'Benefit' is an important concept in this bill. 'To benefit' means individual development and opportunities for quality of life and participation and inclusion in the community. As I have said, the Forensic Disability Service is a small specialised service and it is important that people who will benefit from the model of care are detained there. However, not all people subject to a forensic order with an intellectual or cognitive disability will be detained to the Forensic Disability Service. This bill also aims to ensure they are not forgotten in the larger system. The bill amends the Mental Health Act to ensure that the Director of Mental Health must issue policies and practice guidelines about the care of a patient subject to a forensic disability order. The director must consult with the Director of Forensic Disability in the development of those policies and guidelines.

I cannot finish without once again mentioning both the Hon. William Carter and His Honour Judge Brendan Butler, both of whom laid the foundations for these reforms in their respective reports produced for government. In his review of the Mental Health Act 2000, Brendan Butler AM SC drew attention to the inappropriate detention of people with an intellectual disability in authorised mental health services. In his final report to government, *Promoting balance in the forensic mental health system*, he recommended a review of those provisions of the act affecting people with an intellectual disability be conducted as part of any reform to provide secure care for people with an intellectual or cognitive disability who exhibit severely challenging behaviour.

His Honour Judge Butler was referring to the review that was about to be undertaken by the Hon. WJ Carter QC. The Hon. William Carter's report, *Challenging behaviour and disability—a targeted response*, explored options and made recommendations for a targeted service and legislative response to adults with an intellectual or cognitive disability who present with challenging behaviour of such a nature, intensity or frequency that it puts themselves or others at risk. He specifically addressed the issue of alternative detention options for people with an intellectual disability on a forensic order. The Hon. William Carter, a former judge of the Supreme Court, was consulted numerous times during the development of this legislative framework. I thank him for his continuing interest in and advice on this legislative framework.

I would like to acknowledge the important contributions of past and present ministers. Firstly, I acknowledge the former minister for communities and my father, the Hon. Warren Pitt MP, to whom the Hon. William Carter presented his report in 2006; the Hon. Stephen Robertson, the former minister for health, who commissioned His Honour Judge Butler to review the Mental Health Act; the former minister for disability services, Lindy Nelson-Carr, who introduced amendments to the Disability Services Act 2006 to respond to many of the Hon. William Carter's recommendations; the Hon. Annastacia Palaszczuk MP, my immediate predecessor; and the Deputy Premier, in his previous and current roles of minister for health and Attorney-General respectively. All have played significant roles in the development of this legislation and the establishment of the new facility at Wacol, which all who visit agree is of a world standard.

In closing I would like to quote from the Hon. William Carter's report. He stated—

The substance of this Report has been directed at the establishment ... of a service modality which is directed specifically at addressing the behavioural issues of each individual person and which is underpinned by the delivery of specialist services—comprehensive assessment, individualised positive behaviour support planning, coordinated and well managed intervention in the appropriate environment by skilled carers.

The service objective to be in the pursuit of excellence is the diminution and/or elimination of the behaviour which in so many more cases is likely to bring the person into contact with the criminal justice system. The service delivery response for the cohort of clients has to be available to all with intellectual disability, wherever they live. Those who come to the Mental Health Court are no exception.

This is our aim. It is achievable. This legislation and the specialised therapeutic facility at Wacol is a good start towards achieving this aim. A true measure of a civilised society is how well the society accommodates and cares for people who are vulnerable. With this bill, the Bligh government is making significant progress against that measure. I commend this bill to the House.

Debate, on motion of Mr Sorensen, adjourned.

## NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY BILL

### Second Reading

Resumed from p. 1132, on motion of Ms Jones—

That the bill be now read a second time.



**Hon. CR DICK** (Greenslopes—ALP) (Minister for Education and Industrial Relations) (2.58 pm): Today I rise to speak in favour of and provide my support for the North Stradbroke Island Protection and Sustainability Bill 2011. This bill represents the start of a new era of success and prosperity for the North Stradbroke Island community. As a result of this landmark legislation, mining will be gradually phased out and the enduring beauty and environmental values of this fantastic island will be preserved and protected for future generations.

Furthermore, the passage of this bill will provide the catalyst for North Stradbroke Island to fulfil its potential as a great ecotourism destination. I firmly believe that there is a brighter future in tourism, particularly ecotourism, for North Stradbroke Island than there is in an industry that is systematically degrading the environmental values of this special and unique part of Queensland. I also firmly believe that the transitional arrangements outlined by the Minister for Environment provide a fair deal for the mining industry. The end of large scale sandmining on North Stradbroke Island will not occur until 2019, eight years away. This extraordinarily long notice period provides the mining company and mineworkers with ample time to prepare for this shift to more sustainable arrangements. I would ask all honourable members to think about and reflect on this time period. In eight years a small child taking their first tentative steps into our education system by starting prep will reach year 7 and become a leader in their school community. In eight years a young student in high school can be transformed into a fully qualified teacher, lawyer or engineer.

The residents of the electorate of Greenslopes, which I am privileged to represent in this chamber, support the protection of North Stradbroke Island because they know it is the right thing to do for future generations of Queenslanders. One of those Greenslopes residents who is a strong advocate for the environment and North Stradbroke Island as well as Indigenous issues is Dr Robert Anderson OAM, better known to most of us as Uncle Bob Anderson. Uncle Bob is a man who has dedicated his life to bringing Indigenous and non-Indigenous communities closer together, and he has done so with the utmost recognition, respect and trust. Uncle Bob is a Quandamooka man. He is a champion of reconciliation, a champion of the environment and, if you will indulge my parochialism, a champion of the Greenslopes electorate where he resides. His views and those of his people—the Quandamooka, the traditional owners of North Stradbroke Island—need to be taken into account in this matter, and they support this important initiative. That is exactly what the Bligh Labor government has done.

We are now a decade into the 21st century, yet the backward environmental views of those opposite—views that reflect a time long ago—are still evident. They were staunch opponents of the protection of Fraser Island, a position which history has shown to be foolish, flawed and simply wrong. Fraser Island is now World Heritage listed and is an icon for the ecotourism industry. Their opposition to its protection by a Labor government two decades ago was short-sighted, and so is the Liberal National Party's position on North Stradbroke Island today. It seems that, although time has passed, nothing has changed with respect to those on the opposite side of the chamber. They are still unable to offer a progressive, contemporary vision for modern Queensland. All they offer is a return to the dark old days when the environment was ignored.

This bill represents a shift from the old to the new for North Stradbroke Island. It will open up new opportunities that will deliver a long-term, sustainable future for the island, its traditional owners and its residents. I congratulate the Minister for Environment and Resource Management on this important and historic bill. I commend the bill to the House.

**Mr O'Brien:** Age before beauty.




**Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (3.02 pm): He means the other way around. Of course he means the other way around!

**Mr Dempsey:** I think you look more beautiful than him.

**Ms PALASZCZUK:** I will take that interjection. I rise in support of the North Stradbroke Island Protection and Sustainability Bill. From the outset I say—and I echo what the Minister for Education has just said—that I find it astonishing in this day and age that members opposite are not supporting this bill. I never would have thought that members opposite would not have the courage or the conviction to stand up and support something because it is the right thing to do. They have simply followed a party line. They do not have their individual conscience at heart. This is a fantastic initiative and I am very proud to be part of the Bligh government which is delivering this historic milestone today.

Here in Australia and particularly here in Queensland we are very fortunate to have on our doorstep some of the most beautiful natural environment in the world. One of the most cherished tourism destinations here in South-East Queensland is, of course, Stradbroke Island, or Straddie to the locals. The island is famous for its scenic headlands, its endless rolling surf and white sandy beaches, its great walks, whale watching, dolphin spotting and camping. I am sure that many of us here have heard people say many times, 'I'm heading to Straddie for the weekend,' or, 'The family is getting together this weekend to go camping.' It is a place we visited as kids and it is a place that we want to take our children to in the future. In fact, for the last 26 years my family has gone on an annual pilgrimage to Stradbroke. Straddie is truly an iconic Queensland destination. Straddie will be transformed from a mining island to a protected tourism destination with an environmentally sustainable economy. It will do this the smart and balanced way. By ensuring that we achieve a fast and practical end to mining on Straddie while also allowing enough time for an effective economic transition, an economic transition task force will provide leadership capitalising on economic opportunities and identifying appropriate forms of government support. In years to come people will look back on this time and appreciate the significant changes we are making in this House today. Down the track I am sure there will be a group of campers sitting on the beach at Straddie watching the sun go down on another perfect Straddie day and they will be grateful that we saved this beautiful island from a future of mining.

North Straddie is an island of rich and vast habitat with mangroves, wetlands, heathlands, freshwater lakes, rainforest and woodlands. It is the second largest sand island in the world, with the most diverse wetlands known in one place in Queensland. Very importantly, this bill is another tool to ensure that the knowledge of the Quandamooka people in caring for country is passed to non-Indigenous land managers and that the custom and culture of the Quandamooka people is allowed to continue. This government has been consulting with the Quandamooka people as the traditional owners of North Stradbroke Island for a number of years now. Any suggestion otherwise by those opposite is not only ludicrous but offensive. Not surprisingly, the LNP has demonstrated a complete lack of understanding of both the role of the federal native title law and the mechanism of an independent judiciary in determining or mediating a claim of native title. If those opposite can come into this House and oppose any bill that paves the way for land justice outcomes, let the shame rest upon them. I will do no such thing. I recognise the Quandamooka people as the traditional owners of North Stradbroke Island. I pay my respect to all of those who fight for their people's undeniable right of recognition and respect both on North Stradbroke Island and around Australia. I commend this bill to the House.

 **Mr O'BRIEN** (Cook—ALP) (3.06 pm): I begin by acknowledging the Quandamooka people, the traditional owners of Stradbroke Island. Unlike the shadow minister, I am happy to acknowledge that I was not familiar with their country. However, I am familiar with the process that we are trying to put in place to assist them to gain greater access and greater rights to their country. I support the bill that is before the House.

The process that we are putting in place is similar to the process that we put in place under the Cape York Peninsula Heritage Act 2007, one of the first pieces of legislation passed by the Bligh government. It introduced the concept of national park in perpetuity over Aboriginal freehold land, jointly managed by the government and the traditional owners. The area to which the act relates is almost entirely contained within my electorate. I am very proud to say that the model introduced by that act has been a great success. I should note that the Cape York Peninsula Heritage Act was supported by all sides of the parliament. I think it was unanimously passed by this government. Of course, the Cape York Peninsula Heritage Act also amended the Wild Rivers Act and, as I said, had the unanimous support of all sides of this parliament. It put in place a process that we are mirroring with this legislation today. That is why it is so strange, unusual and difficult to understand how those opposite, including the shadow minister, could somehow criticise the process. It is a process that they themselves have supported.

Under this process traditional owners own their land outright with freehold title. This gives them security and certainty. The land is also national park with special management principles that enshrine the importance of their traditions. Further, they are responsible jointly with the state, which provides resources for the whole scheme, for the management of the land. In practice, their role at every level increases as they build their own capacity. This ensures that the rightful role of custodians of the land is realised. Traditional owners in my electorate have now had several years experience of this empowering model and I know they like it. I have been to many of these ceremonies where we acknowledge the traditional ownership, where we grant freehold title and where we come into joint management arrangements over national parks. They are wonderful days for the community.

**Ms Jones:** Very emotional.



**Mr O'BRIEN:** I take the interjection from the minister, because she was there at the one we held at Kowanyama last year. The whole community was there and the whole community was in support of both the process and its outcome.

That is how the model works. It is a new class of protected area. It was created under the Nature Conservation Act 1992. National park is dedicated over land to which traditional owners have freehold title under the Aboriginal Land Act 1991.

Before national park can be dedicated, the traditional owners and the government must enter into an Indigenous management agreement, IMA. The IMA is a very empowering document for traditional owners, setting out matters such as how the land is to be managed and the roles and responsibilities of the traditional owners and the government. It is not just a statement of intent but a binding contract to which the government is committed and upon which the traditional owners can rely. Again, security and certainty for traditional owners are strong features of this model.


National park also has its own management principles: (1) it is to be managed as a national park; and (2) subject to the first principle, it is to be managed, as far as practicable, in a way that is consistent with any Aboriginal tradition applicable to the area, including any tradition relating to the activities in the area. These principles guarantee that the land will be protected in perpetuity in a way that protects its cultural as well as its environmental assets.

This bill replicates the Cape York model, and I can assure the Quandamooka people that that is a good thing for them. Provisions setting out the role of the traditional owners in manners such as leases and permits are all included. There are some variations from the Cape York model, the main one being that the bill uses a clever 'overlay' mechanism, allowing the joint management arrangements to apply regardless of the class of protected area involved. This was not necessary on Cape York, but I can see that it will be enormously helpful on Stradbroke Island.

I understand that the government and the Quandamooka people have been working on an Indigenous management agreement which will set out how the land will be managed into the future. I do not know whether the Quandamooka people have spoken with any of the traditional owners on the cape about their experience of the national park, but if they have I am sure what they have heard—

**Ms Jones:** They have. We arranged it.

**Mr O'BRIEN:** They should talk to the Cape York Land Council. They should talk to Noel Pearson. He will tell them that these are good deals and a great process. I am sure what they have heard will have served to confirm the government's bona fides in this area. This is an exciting bill for the Quandamooka people and for the people of South-East Queensland. I am very proud that the precedent came from the Far North. I commend the bill to the House.

 **Mr CHOI** (Capalaba—ALP) (3.12 pm): It is an absolute pleasure, indeed an honour, to stand here this afternoon to speak to the North Stradbroke Island Protection and Sustainability Bill 2011. I start by acknowledging the traditional custodians of the island, who have been fantastic and faithful custodians of that island for thousands of years.

As legislators we debate legislation in this House. On the one hand, one can argue that all legislation is important. If it were not, the government would not introduce bills, debate them and hopefully see their safe passage through this House. The opposition and the Independent members of this House are also at liberty to introduce private members' bills. On the other hand, we all know as legislators that some bills have a far more profound effect and long-lasting consequences than others, and this bill is one of them. At the outset I thank the Premier and the minister for their dedication and commitment to see the safe passage of this legislation—in my view one of the more important bills that we have debated so far this year in this House—through this House.

It has not been an easy road to take. There have been many considerations and many conflicting interests, and compromises have to be made. The government has to balance the rights and expectations of the residents, mining companies, people who use the island for recreation or people who care about what is happening on the island. We also have the responsibility to safeguard the wellbeing and the ecological requirements of the island. So, clearly, compromises have to be made. I do think the government has got it right. As a consequence, I am more than happy to stand up this afternoon to support this bill.

The people in my electorate of Capalaba, which is right on the doorstep of North Stradbroke Island and Peel Island, love and appreciate the natural wonder on our doorstep. Members of my community often make the short trip across Moreton Bay to Straddie for holidays at Easter and Christmas or even just for a long weekend. Many of our children have virtually grown up experiencing the natural wonder and beauty of Straddie—the vast open spaces and the varied wildlife. Straddie provides a much needed playground for our children to stretch their legs and discover an independence that is seemingly less and less available on the mainland.

The beauty of Straddie is being able to enjoy the simple things in life—camping with your friends and family, swimming, surfing, fishing or just walking around without costing your family budget an arm and a leg. At the end of a long day there is nothing more rewarding than sitting down with your family and friends around the camp fire or dining table to enjoy a fresh meal of fish and hopefully a glass of bubbles.

Along with the people of my electorate, I welcome with open arms the creation of new protected areas in the North Stradbroke Island region. This bill is essential if we are going to protect and restore the unique and outstanding natural and cultural values of Straddie. On 27 March this year, I joined the Premier, the Minister for Environment and Resource Management and the traditional elders on the island to announce 5,240 hectares becoming part of a new national park. The national park will be known as Naree Budjong Djara, meaning 'my Mother Earth' to the Quandamooka people.

Quite a few members of the LNP have come into this House and complained that the traditional custodians of the island have not been consulted. That is simply not true. I would be the first person to say that not every single traditional custodian—not every single person on the island with Indigenous heritage—has been consulted. That is simply not possible. But I can say that everyone would have known about the potential of the creation of a new national park. Everyone would have heard about the potential of the closure of the mine. If they had any concern, any opinion, they could have easily contacted the Premier, the minister or even my office.

Not everybody is happy with this decision, and I can understand that. There are many traditional owners whose families have a close link to the mining industry—they work in the mines. I can understand perfectly that they are unsure and concerned about the future of their family on the island. That is fully understandable. But it would be wrong to say that they have not been consulted. Yes, they have been and the majority of the traditional custodians, I believe, are pleased with this announcement. By the end of this year, half of the island will be part of this national park; by 2021 the area will be expanded to about 75 per cent; and by 2025 up to 80 per cent of North Stradbroke Island will be national park.

The declaration of a new national park on the island significantly provides the community with greater access to areas on the island that can be experienced and enjoyed by a larger section of the community. One of the key reasons I supported this bill was not that the island would be locked away as a national park and people would be unable to use it. In fact, it is quite the opposite. The island will be opened up for people to use—more families, more working families in the Redland City Council area and beyond, will be able to use the island for camping, bushwalking and fishing.

The bill creates a framework so that protected areas in the North Stradbroke Island region will be jointly managed by the traditional owners, the Quandamooka people. This means that, in addition to conventional park management practices, protected areas in the North Stradbroke Island region will be managed in accordance with traditional activities and customs. The provision of traditional interpretation of cultural values and heritage within the newly created protected areas offers unique opportunities for the broader community to experience and better appreciate the island from a traditional perspective.

The bill is also complemented by an economic transition strategy to assist and guide a transition over time towards more sustainable land uses including recreation and wildlife experiences. The economic transition strategy will assist to open up opportunities in the North Stradbroke Island region for business development and growth.

I understand that there are many businesses at the moment unsure about their futures because they are supplying the mines and supplying the people who work for the mines. They want to know what is going to happen in the future. I can understand that. While a wide range of projects have been identified that could be established on Straddie, I believe it is the community that knows Straddie the best that will come up with some innovative and successful business ventures.

We do not have all the answers. We have a vision. What that vision does not include is just as important as what it does include. What that vision does not include is mining. The government has clearly made a decision. I support that decision and the vision of the government that mining has no future on Straddie.

There has been a comparison between the economic benefit of mining and the economic benefit of ecotourism. I read an article months ago that said that to generate the same economic output as the mines on Straddie we need three resorts the size of Tangalooma on the island. I think that comparison is unfortunately misleading as well. In terms of mining, the product is the minerals and the tools are the workers. Tourism is highly labour intensive. The purpose of tourism is the service and the people. The product is the service. In mining the companies sell the material but in tourism they sell the people and the service. It is highly labour intensive. I am looking forward to the day when new industries and new businesses can be established on North Stradbroke Island.

In closing, I will make a few additional remarks. Straddie is the second largest sand island in the whole world and is located right at the doorstep of 2.5 million people. There is no other island in the world that is so easily accessible to 2½ million people. Without government intervention mining would

eventually cease on the island when the resources were depleted. The products of sandmining are not a renewable resource. Rehabilitation can never completely replace thousands of years of history of wind, sand and vegetation formation.

I ask a question of those who oppose the ceasing of mining on Straddie. The question is simply this: if you were the Premier of Queensland and sandmining had never started on Straddie and somebody came along, put a map on the table and said, 'Premier, I have a deal for you. I want to mine Straddie,' what would your answer be? I have asked no fewer than 50 people in my electorate this question in the last three months. Not a single person told me that they would be prepared to grant a mining lease for Straddie if it had never been mined before. I was at a function and spoke with a businessperson who has a major interest on Straddie and whose business would be largely affected if mining ceased on Straddie. I asked him the very same question: if you were the Premier of Queensland would you approve a mining lease on Straddie? He struggled to answer. He could not give me an answer. After 10 seconds watching his struggle I said, 'Thank you for at least being honest with yourself.' No-one in their right mind would today grant a mining lease on Straddie if it had never been mined before.

Straddie should be a place for working families to camp, to fish or to just simply enjoy its natural wonders. That is why I support this legislation. I want to see an increase in camping grounds, fishing facilities and ecotourism opportunities. The overriding interest of mining companies is of course their profits. There is nothing wrong with that. It would be terrible if a company did not make profits. My overriding interest is vested in the families and the community that I represent. I know that they would prefer to have Straddie as a national park so that they can enjoy it.

I understand the concerns of those working for or supplying the mines. That is why the government has a phased plan that will see mines closed in 2015, 2019 and 2025. This is to enable a transition period so people can be prepared and we can work with the community to establish new opportunities on the island.

I do not want to be insensitive. I know that people have worked in the mines for a long time. There are families living on the island and working in the mines. Not many people I know working in the mining industry can have breakfast at home, go to work at a mine and then go home again, and do this every day. That is a privilege not many people working in the mining industry can enjoy.

The mining industry is experiencing the biggest boom on record. I was informed only last week that a 21-year-old inexperienced miner started with a six-figure salary. This is the best time for people if they are looking for alternative employment. This is a matter of taking on a difficult change—change is always difficult. No-one likes change. I do not like change. Change is like taxes; you cannot avoid it.

**Mr Wendt:** I don't know!

**Mr CHOI:** Some may be smarter than me. He is an accountant, clearly. This is a matter of taking on the difficult change for the long-term greater good of the community.

At the beginning of my speech I spoke about compromises being made for conflicting interests. Representatives of an environmental group came to my office and said, 'Michael, you must stand on principle and stop the mine today.' That is what they said to me. They said, 'You have to stop the mine today if you are a man of principle.'

The mining company put a full page ad in my local newspaper. It is lovely to see my name on a full page of the local press. I could not pay enough to get that kind of publicity. I do want to thank the mining company for that free publicity. But the mining company is also asking me to stand on my principles to protect businesses on the island.

It is easy to ask people to make a decision on principles if they do not have to make a decision that will affect other people. People always say that politicians compromise. Politics is the art of compromise. It is the art of what is possible in a sea of conflicting interest.

**Ms Jones:** There's an alternative view.

**Mr CHOI:** That is right. I take the interjection from the minister. I think it is wrong to ask whether we should compromise. The right question to ask is: for whose benefit are we compromising? We all compromise. I am a father of three girls. There are things that I wanted to do for myself that I could not do because I have children. I have to make compromises. I have to make sacrifices every day. People in every industry have to make compromises and sacrifices every day. We do not live in a perfect world and there are conflicting interests everywhere we look.

The question is not whether we should compromise. The question ought to be: for whose benefit are we compromising? The LNP is arguing that we are compromising because we are doing a deal with the Greens. That is news to me because an environmental group is coming for my throat and saying, 'You have done the wrong thing, Michael. We will not support you.' What kind of a deal is that if I am compromising with the Greens? That is not a very good deal. The mining companies are going for my throat because I am compromising.

I am happy to stand here today and tell the House that I did compromise. I have compromised not in my own interests. I have compromised not in the interests of the mining company. I have compromised not in the interests of the Greens. I have compromised for the future sustainability of the island. I have compromised for the benefit of my children and my children's children so they can go to this island in five, 10, 25, 50 years time and look at the natural wonders of this island and say, 'My grandfather told me that he had something to do with this.'

I challenge the LNP members opposite: will you be able to say to your grandchildren, 'Straddie is here today because of me'? They will not be able to do that because they want mining to continue. It is a shame. With those few words, I commend this bill to the House.



**Dr DOUGLAS** (Gaven—LNP) (3.29 pm): Sandmining is due to end on North Stradbroke Island. North Stradbroke Island in large part will become part of the greater national parks surrounding Moreton Bay. We are now talking about how this should happen. Like everyone else, I found it incongruous that the Premier and Minister for Environment made their statement to end mining at an earlier time on the pristine sand dune that was restituted and revegetated after selective sandmining above the high-tide mark. Obviously, the Premier was oblivious to the history of that sand dune on which she chose to make her statement about the conclusion of an industry that has a 60-year history on the island. What that may really demonstrate is how difficult it is to rationalise Labor's repeated claims about sustainability and biodiversity and the facts when discussing anything to do with the environment. Residents, miners, their employees, investors and their support businesses need certainty. They are entitled to both honesty and consistency from governments as they go about their lives and businesses. For the government to give anything less to a group that takes a one-in-a-million risk in developing a successful mining lease that returns earnings, pays wages and critically pays the state mining royalty income, is immoral.

It is also against the greater economic interest of our state and nation. Arguably sandminers on Stradbroke Island have not been treated fairly, and I mean primarily by what is now known as Sibelco, the old Unimin. It was originally guaranteed that both its staff and its mining leases would be renewed or maintained in the longer term. It made decisions around that. Transitional plans that would have allowed everyone time to plan and adapt were set around those times. Everyone knew that the Enterprise Mine was due to end in 2025. They looked forward to the new order that followed, but on 22 March 2011 the Minister for Environment stated—

... closure of Yarraman Mine in 2015; all heavy mineral sandmining will cease with the expiry of the mining leases on Enterprise Mine by the end of 2019; and the expiry of mining leases at the smaller Vance mine, which is a silica mine and involves a much smaller disturbance of land, in 2025 signals the permanent end to mining activities on the island.

This is occurring at a time when there is intense pressure in the market to maintain a stable resource supply from stable countries. There is a need to maintain a diversification of market supply of critical key mineral and metal materials or commodities, and mainly because our society is increasingly reliant on the metals harvested from sandmining—those being silica, ilmenite, zirconium, titanium and, critically, coarse sand for our building industry. It is completely incorrect, and evidence demonstrates, that sandminers and ecologically sustainable tourism cannot peacefully co-exist side by side and each thrive. There are hundreds of examples across Australia—the Sunshine Coast, the Gold Coast, Kingscliff to Cabarita and, for those who may not know, South Stradbroke Island was mined from 1940. Only Fraser Island has a tortuous history, and that has been mentioned about Fraser Island today. Dillingham, the US contractor, sought to use a very different mining plan to that of the previous lessee. Its tortuous history as a national park leaves a lot to be desired. What Dillingham sought to do was mine to the very low-tide mark, set at the Easter tide, and do deep mining to that level. It is a completely different type of mining.

Australia's long history of mutually beneficial relationships reinforces the view that sandmining should continue on Stradbroke in a sustainable fashion and end with a reasonable transition plan for all stakeholders. Moreover, stakeholders' rights have been completely ignored to both pander to the Green agenda and to save the seat of Ashgrove in a forlorn attempt to prevent the former Brisbane lord mayor winning that seat. We have the ultimate hypocrisy of a Labor government putting its own electoral salvation ahead of the greater public benefit. This is confirmed by Anthony Chisholm authorising bumper stickers which we are seeing released today. This is occurring at a time when in New South Wales the former Labor Premier correctly stated, 'They'—meaning the public—'did not walk away from Labor. Labor walked away from them.' So it will be with this bill, since the bill effectively accelerates the end of mining to possibly 2013. The interests of a successful mining operation with key local staff and families have been sold out to satisfy a short-term gap in what Labor believes is political support to remain in government—proof that absolute power corrupts absolutely.

Obviously, the long-term future of North Stradbroke Island is ecotourism. That is not in dispute. Depending on what percentage the local groups—including the Quandamooka—wish to have gazetted as a national park will determine what that island ends up looking like. The area of national park—whether it is 50 per cent, 80 per cent or something in between—will be achieved by stakeholder input and science, not by glib emotion. Has state Labor here in Queensland become so afflicted by the politics

of emotion and new-age pseudoscience that it cannot see that this decision imperils too many powerless minorities, including a very hardworking group of Aboriginal families who live at Dunwich, Amity, Point Lookout or Cylinder Beach on North Stradbroke Island?

What are we really offering to both them and their children, beyond limited fishing capacities and marginal tourist opportunities that are well remunerated? The answer is nothing. We are saying in this bill: move off the island, get on the train and either commute or live in the outer Brisbane suburbs. In contrast to what was said by the member for Capalaba today—and we have heard this through one of our liaison people through one of the committees in this parliament—consultation with the Quandamooka only involved four members of one family group. There are four major family groups who broadly consult on the island when they make major decisions. That is the way they operate on that island, so this is not proper consultation.

**Ms Struthers:** Where is your evidence for that?

**Dr DOUGLAS:** It has been taken. Why do Australians overwhelmingly reject radical Green agendas here in Australia, especially as we saw in the recent Victorian and New South Wales state elections? It is because their policies are not realistic. They are offensively radical and they hurt everyday Australians. This bill unashamedly progresses the agenda of gazetting land under protection of Queensland without any scientific basis for doing so. It condemns the local Quandamooka people to a lifetime of real poverty of income, opportunity and entitlement, and for what? A one-off headline, a feel-good group of photo opportunities and a complete lack of understanding of what minerals are produced on Stradbroke Island.

Forget all this nonsense about this bill being similar to the model introduced by the Cape York Peninsula Heritage Act 2007—the stated intention being that national park will co-exist with Aboriginal freehold title in perpetuity and have a role in the joint management of the park. Wrong! This bill reaffirms the current policy of Bligh Labor of locking up land without a management plan nor an adequate budget to deliver a better result for all, and so it will be here on North Stradbroke Island.

I love North Stradbroke Island too. My extended family have holiday homes there and we have holidayed there for many, many years. I have fished, surfed and walked the island like thousands of others, as many have stated today. The sandminers are not in evidence, other than their vehicles at the western edge of Dunwich. They are in retreat. There is no bridge to the mainland and that appears to be what everyone wants, despite many proposals of a bridge to the mainland outcome. This bill links the park on North Stradbroke Island with Peel Island and local families. What it does not do is truly allow them to express their determination to continue being employed at a successful mine close to their home.

This is a community of 2,500 souls who live there permanently and want to work there. Future generations of both white families and Aboriginal families are being told by a paternalistic government that they are to go on an enforced early journey to secure long-term living for themselves. Therefore, in contrast to the minister's final words about Stradbroke being 'protected for future generations to admire and to see its beauty and its full potential', just who are the treasures of Stradbroke really being saved for? It is not for the local North Stradbroke Islanders and it is not entirely for the wider Queensland population. It is for an election campaign slogan.

Along with many others, my family have travelled and sailed many parts of Moreton Bay. The ethereal beauty of the bay and its islands is in the remarkable way that the environment both changes and yet stays the same. The remarkable writer and certainly the greatest mariner of all of the bay, Tom Welsby, wrote lots of things in the *Courier-Mail*. He wrote this in 1907 about the sand island of Stradbroke, both North and South, Moreton and Fraser—

A strong easterly gale, on say, a king tide, will alter the outline and contour of the beach considerably, making sand dunes become flats and foreshores deep water. Gutters are formed between outside banks and low water mark, these to remain until the next heavy blow from the north-east or south-east, and away go the gutters, the ocean beach is altered, high sand approaches are formed, the sand dunes come into existence.


These islands are constantly changing. All sandmining is doing is harvesting minimal amounts of metals, primarily that which nature provides to us. Restitution leads the land back to its pristine state. Miners do not just plant grass; they replant native trees that had been harvested many years in the past or burnt in bushfires of past days. Sandmining is minimally invasive as compared to erosion and there is the recovery of the sand islands rimming Moreton Bay, as long as the mining plans—which I have discussed earlier—are careful, as are all our miners. And mining is coming to an end on North Stradbroke Island.

Tom Welsby would oppose this bill as failing to understand the island and Moreton Bay. Give North Stradbroke Island a future. Amend this bill. Deliver something that works for everyone and deliver an island national park in harmony with a population who just want what everybody else wants: a job, a future, a home, and the right to be heard.

Debate, on motion of Dr Douglas, adjourned.

## MINISTERIAL STATEMENT

### Hawksworth, Ms G, OAM

 **Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Health) (3.40 pm), by leave: I would like to take this opportunity to congratulate Gay Hawksworth on her retirement from the Queensland Nurses Union. After 29 years at the Queensland Nurses Union, 16 years as secretary—since 1995—Gay's last day was last Friday and she is now enjoying a well-earned break. Gay has seen governments come and go over that period, as we would all expect—three Premiers and seven health ministers.

A lot has changed since 1989 when I first met Gay: the political environment, the economy, the industry structure and particularly the health sector itself. What has not changed is Gay Hawksworth. I have found that she has been an absolute constant over all of the years I have known her, and I am sure that others who have known her well will agree with me. Throughout this period, Gay's position of senior leadership of the union movement has given her an incredible opportunity and one where she has returned great reward to workers across the trade union movement but particularly, of course, nurses in the Queensland Nurses Union. Gay has remained a steady and totally grounded senior official of the trade union movement in Queensland.

Whilst holding the most senior position in her union, nonetheless Gay has stayed closely connected to the rank and file. She has not clothed herself with any air of superiority; she has remained the same Gay Hawksworth that you would have seen in the ward of any hospital.

**Mr Reeves:** A terrific person.

**Mr WILSON:** She is a fantastic person. I take that interjection. I have always found Gay to be well measured, balanced and thorough in her consideration of any industrial issue, large or small, as well as in issues to do with the direction of the broader trade union movement and with political events in Queensland and nationally. Gay is resolute, unflappable and does not swing with the most recent breeze.

Gay has been integral in the creation of a vastly different health system here in Queensland and at a national level—a system that has now cemented nurses as leaders in health care. Since 1995, there has been a 75 per cent increase in the number of nurses employed by Queensland Health—from 18,500 in 1995 to approximately 31,000 this year; a massive increase in nurses' wages of more than 100 per cent at the base rate in 1995 compared to 2011; new nursing roles, such as the advanced practice enrolled nurse, remote and isolated practice nurses, clinical nurses and nurse practitioners; a significant expansion in the scope of practice, for example the recently announced prescribing rights for nurse practitioners and midwives; and, finally, the introduction of new nursing leader positions, including a chief nursing officer and directors of nursing. Initiatives like these have delivered an enormous boost to the nursing profession but also significant improvements to patient care and Gay has been instrumental to almost all of them.


On behalf of everyone in this chamber, I wish Gay all the very best in her future endeavours. The Queensland Nurses Union is now in the very capable hands of Gay's former assistant secretary, Beth Mohle. We look forward to continuing our very productive relationship with the Queensland Nurses Union through her hopefully lengthy tenure in that very important role.

## NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY BILL

### Second Reading

Resumed from p. 1145, on motion of Ms Jones—

That the bill be now read a second time.

 **Mr POWELL** (Glass House—LNP) (3.45 pm): I, too, rise to address the North Stradbroke Island Protection and Sustainability Bill 2011. As stated by the shadow minister, the member for Bundaberg, the LNP will not be supporting this bill. Let me again tell members why: we do not support hastily concocted, poorly conceived and atrociously consulted Greens preference-grabbing legislation that will not guarantee environmental protection but instead will severely disadvantage the local community.

Let me be clear in case those opposite try to twist our position: the LNP supports the development of national parks. I am on the record numerous times calling for the expansion of national parks in the electorate of Glass House. I commended the minister and the government on the expansion of the Glass House Mountains National Park and the establishment of the new Pumicestone National Park. I would welcome the minister to Glass House any day and I will happily show her where I see not only wonderful opportunities to enhance the existing national parks in Glass House but also opportunities to link up the D'Aguilar National Park with the Glass House Mountains National Park and with the Blackall Range national parks like Maleny, Kondalilla and Conondale.

Yesterday the minister announced the protection, in partnership with a local landowner, of a strategic koala habitat adjacent to the Maleny National Park on the Curramore plateau. The new Jilumbar Koala Nature Refuge, some 13.4 hectares in size, is a great initiative and one that has my full support. In fact, I hope that we see more arrangements like this one because, as I hope the minister is aware, koalas are not sedentary marsupials; they are roamers. They need to move around, particularly during the breeding season, to ensure the survival of the species. That is yet another reason I would love to discuss nature corridor protection across Glass House with the minister.

The LNP supports the expansion of national parks on North Stradbroke Island. Like many residents of South-East Queensland, I have grown up holidaying on the island. The protection of the natural environment of the island is a sensible and worthy goal, but the LNP supports doing so in a well-planned and consultative manner that ensures that the views of all residents are considered and that they are not economically disadvantaged.

The LNP also supports the proper and consistent management of our state's national parks. The LNP has serious concerns that those opposite do not, and we have good reason to doubt both their ability and their willingness to truly manage and protect our natural assets. We have proof: their own record. The Bligh Labor government's record of managing our most precious natural and cultural assets is appalling. In his report to parliament No. 9 for 2010 the Auditor-General states—

... the department—

that is, the Department of Environment and Resource Management—

has developed park management plans for only 98 of the 576 (17 per cent) protected areas for which they are required. The Act requires the plans to identify the key natural and cultural values, and strategies for day-to-day and long-term management to protect these values. The Act also states that plans should be prepared as soon as practicable after the dedication of a protected area. The preparation of statutory park management plans can be a lengthy process, as it includes significant stakeholder consultation. The department is currently reviewing the process for developing park management plans and advised that 12 plans are due to be finalised by the end of 2010 and a further 40 plans are being developed.

In my view the absence of park management plans for most national parks and protected areas creates a risk for the department. Without approved park management plans, conservation activities undertaken in the protected area estate may be insufficient, or be inconsistently applied over the longer term. The relatively small number of completed park management plans reduces the department's capacity to measure its success and accurately report its findings to Parliament and other key stakeholders.

I would add that perhaps the biggest of those key stakeholders are the people of Queensland. Do not take the LNP's word for it. The Auditor-General has condemned this government's pathetic efforts at managing national parks. This government is quick off the mark when it comes to declaring new national parks and expanding national parks, but it drags the chain when it comes to managing these new and expanded assets. The LNP has serious reservations that this, yet another hastily prepared piece of legislation declaring a dramatic increase in the size of the national park assets on North Stradbroke Island, will not be complemented with true environmental protection, protection that only comes when a park management plan is put in place. As the Auditor-General says, in the absence of such a plan, conservation activities undertaken in the protected area estate may be insufficient or be inconsistently applied over the longer term.

The Auditor-General also makes reference to the importance of significant stakeholder consultation. The LNP supports broad and detailed community consultation when it comes to legislation such as this—consultation that offers all sectors of a community a seat at the table; consultation that is about getting the right outcome, not about securing Greens preferences at the next election. As the member for Cleveland has so poignantly portrayed, this government, in its haste to rush this legislation into this House, failed to consult with at least one key stakeholder, the mining company. Equally concerning is its neglect of established protocols when it comes to consulting with the local Indigenous elders and the local Indigenous community. Clearly the Scrutiny of Legislation Committee has the same concerns. Obviously it received sufficient evidence to question the minister on the process that was followed. I read from the latest *Legislation Alert* where the committee states—

34. 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.*

35. 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;
- who made the decision as to who should be consulted;
- matters about which consultation was undertaken; and
- the extent of consultation undertaken.

A throwaway line in the explanatory notes suggesting that in February of this year the Quandamooka people were consulted and no significant issues were raised does not cut it. Based on a meeting held last week, it is now common knowledge that the government did not follow the correct protocols in consulting with the Quandamooka people. Given that the Scrutiny of Legislation Committee will not receive the minister's response before the conclusion of this debate, I ask the minister: who was consulted, who made the decision as to who should be consulted, what matters were discussed as part of the consultation and what was the extent of the consultation? Aboriginal tradition and island custom is a serious matter. The LNP has very serious concerns that it has not been given due consideration in the development of this legislation.

The LNP supports strong and vibrant local economies so it is also very concerned about the economic ramifications this bill presents for the residents of North Stradbroke Island. As eruditely elaborated by the member for Cleveland, the passing of this bill will seriously impact on the livelihoods of up to 650 workers and their families. These individuals are already finding that the uncertainty created by this government and this bill is having unwelcome implications on their ability to secure finance. It is creating uncertainty in transport, with the local ferry company exploring alternative options for its fleet. It is all well and good to spruik the benefits of ecotourism—yes, it is an increasingly profitable niche industry—but let us get serious. It will never give the day-to-day employment certainty to workers on North Stradbroke Island that the mine does. Just ask the many ecotourism based companies in my electorate of Glass House. When the tourism market goes south so does the ecotourism market and so do permanent and casual jobs. There is no security and there is even less given that the government will not release a detailed economic management plan for the island. As the member for Cleveland has advised, even Brisbane Marketing acknowledges the island will need five Tangaloomas in place before the mining ceases to offset the loss of the economic benefit.

The lack of consideration to the economic disadvantage this legislation creates has also been identified by the Scrutiny of Legislation Committee. I again refer to the *Legislation Alert* at paragraphs 19 and 20—

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 also addressed in the submission of the Queensland Resources Council received by the Scrutiny of Legislation Committee. Quite simply, the government wants to rush this through. It does not want to do the work that is required to ensure a truly balanced approach to expanding national parks on the island. They just want to secure Greens preferences to save their own political skins and that of the member for Ashgrove in particular.

The LNP supports the expansion of national parks in this great state of Queensland. The LNP supports the true environmental protection of these natural and cultural assets by the development of considered and detailed park management plans. The LNP supports true consultation with all stakeholders in the development of these plans and the LNP supports local economic development. Yes, this bill expands the state's national park assets, but the fact that this bill does not ensure real environmental protection, the fact that this bill has not been prepared in consultation with all stakeholders and the fact that this bill has not given serious consideration to the economic consequences on the local community leaves the LNP with no option but to not support the legislation before the House.



**Hon. KL STRUTHERS** (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (3.56 pm): In rising to support the North Stradbroke Island Protection and Sustainability Bill I pay tribute to the Quandamooka people, the traditional owners of Stradbroke Island. North Stradbroke Island has a soul and a magic that is unique to Straddie. This is a monumental occasion today: the introduction of legislation to end mining on North Stradbroke Island. I understand that the Aboriginal people of North Stradbroke Island welcome the end of mining on their country. Some have campaigned for this for many, many years. I acknowledge that for some the end is not soon enough, but in the long run this will help restore and sustain Straddie's natural beauty into the future for generations to come.

Mining has taken its toll on places of significance to traditional owners and of value to all of us. Some places will never recover because the damage has already been done. The end of mining does not mean the end of employment on Straddie. It is our very clear intention that employment as rangers and caretakers of the new national park will enable traditional owners a stronger voice in the care and protection of their land. By not supporting this bill and the end of mining on North Stradbroke Island the LNP is acting against the wishes of the traditional owners, it is acting against the wishes of the majority of residents on North Stradbroke Island, it is acting against the wishes of the majority of fair-minded Queenslanders and it is acting against the ecological and future sustainability of this magic island.


**Mr Schwarten:** That wouldn't surprise you.



**Ms STRUTHERS:** There are no surprises. I take that interjection. Those opposite fought against the protection of Fraser Island. They have been fighting us against the protection of Moreton Bay. The LNP faceless men may have installed a 'new man', but the public will not be fooled. The public will see through this. They will see that this is the same old same old LNP that looks after the top end of the town at the risk and at the expense of ordinary folk, ordinary families, communities and the environment.


There has been a lot of rhetoric from those opposite, a lot of platitudes and a lot of words without substance. This should be a monumental day where we have bipartisan support, where we stand together in this House and make such a very important decision to support the end of mining on North Stradbroke Island. But what do we have? We have division. We have the blockers and knockers at it again.

I commend the leadership of our Premier who has taken a very strong and determined stand to end mining on Stradbroke Island. I commend the leadership of the minister, Kate Jones, and Stephen Robertson who has had a hand in this as well. They have taken a very strong stand in relation to ending mining on Stradbroke Island. That is what Labor governments do. We stick up for the local people and the Quandamooka people. We are sticking up for and protecting the environment. On environmental issues, the LNP continues to fight us at every corner. They are full of platitudes, but they did not protect Fraser Island. They fought against that. They have not protected Moreton Bay, which is a very beautiful part of our South-East Queensland environment. They fight us on Great Barrier Reef protection strategies. I commend the bill to the House.

 **Hon. JH JARRATT** (Whitsunday—ALP) (Minister for Tourism, Manufacturing and Small Business) (4.00 pm): I am pleased to rise to speak on the North Stradbroke Island Protection and Sustainability Bill. North Stradbroke Island is an iconic playground for nature lovers and a family favourite for many Queenslanders. Under the new legislation, three-quarters of North Stradbroke Island will become national park over the next 10 years. This is not just a huge win for conservation in South-East Queensland. It is also a huge win for the island's tourism industry by protecting and preserving the natural wonders that make it such an alluring destination. This is a win for the thousands of holiday-makers across the state, nationally and internationally, who visit North Stradbroke Island each year. North Stradbroke Island is an island of rich and vast habitat with mangroves, wetlands, heath lands, freshwater lakes, rainforests, old growth forests and woodlands. Blue Lake and Brown Lake are two glorious freshwater lakes. The island is a special place that is well worth protecting.

This legislation will see much more of North Stradbroke Island protected for future generations to visit and enjoy. It will transform the island from a mining island that is dependent on a finite resource to a haven for ecotourism, fuelled by an environmentally sustainable economy. We acknowledge that some members of the community may be concerned about the impact of the loss of mining activity on the local economy. That is why the government is committed to promoting the development of ecotourism on the island, to ensure sustainable economic opportunities for the future. We acknowledge that making the transition from a mining based economy to a tourism based economy will be complex and challenging. That is why I have committed to working with the Minister for Environment and Resource Management to achieve a smooth economic transition for the Stradbroke economy.

We are already working to build a strong and more certain future for Straddie, based on its natural assets, cultural heritage and the business leaders of the island. We are already well advanced in negotiating an Indigenous land use agreement with the Quandamooka people, providing the starting point for joint management. An Indigenous management agreement will also detail the areas of management associated with the national park. Following the recent disasters in Queensland, I am very keen to ensure that ecotourism and other tourism industry opportunities are supported and embraced across Queensland. This is about building a sustainable industry for the future. I commend the Minister for Environment and Resource Management for bringing this bill before the House and for securing this wonderful natural asset for many generations of Queenslanders into the future.

 **Mr WETTENHALL** (Barron River—ALP) (4.03 pm): I rise to support the North Stradbroke Island Protection and Sustainability Bill 2011. We have heard many members from both sides of the House express their affection for and recount their experiences of visiting North Stradbroke Island. I am happy to add mine. From a very early time in the establishment of my family, we have been regular visitors to North Stradbroke Island. As has been said, it is a wonderful place for families to visit. It is also a wonderful place for people to live and work. Like all complex issues that involve resolving differing interests, as has been the task on North Stradbroke Island, it is a question of achieving the right balance between existing interests, rights and aspirations and those into the future. I believe this bill achieves that balance.

The bill is an essential step forward in providing land justice to the traditional owners of the North Stradbroke Island region and achieving more ecologically sustainable future land use. The legislation recognises the ongoing ties that the Quandamooka people have with the land of the North Stradbroke Island region and it confirms that connection. Delivering land justice for the Quandamooka people and creating a world-class protected area on North Stradbroke Island are not new issues for this

government. The bill achieves this by providing legislative backing for land tenure issues that have been negotiated between the government and the Quandamooka people and demonstrates the Bligh government's commitment to this process.

The bill establishes a new model for tenure and protected area status through the creation of Indigenous joint management areas. These areas will co-exist with protected areas in the North Stradbroke Island region that are also Aboriginal freehold land. Aboriginal freehold land will be granted to the Quandamooka people for several purposes, including to formalise living arrangements of traditional owners on the island and for the purpose of managing this land as a protected area in perpetuity. The granting of Aboriginal land means that the Quandamooka people will be formally recognised as the rightful landholders of that land, as well as providing access to and involvement in management of country. The contribution that this makes directly to the traditional owners and to the greater community should not be underestimated. Landownership will provide traditional owners with respect and the freedom to enjoy and occupy their traditional lands. Legitimising landownership will assist to build the capacity of the Quandamooka people to participate in the economic future of the North Stradbroke Island region and confidently pursue their economic, social and cultural aspirations.

With the state, the Quandamooka people will be jointly responsible for managing protected areas in the North Stradbroke Island region. In practice, this involves joint responsibility for decision making on all aspects of park planning and management. The community will be able to experience and better appreciate the combination of both Indigenous and western management principles and traditions that will be on show in Indigenous joint management areas in the region. Traditional owners will have the opportunity to demonstrate their skills, their traditional knowledge and their experience in managing protected areas in the North Stradbroke Island region. Indigenous joint management of protected areas in the North Stradbroke Island region represents a significant change to the way that protected areas are managed in Queensland outside of Cape York. These arrangements are based on the successful Cape York model created by the Cape York Peninsula Heritage Act 2007. Earlier in the debate we heard the member for Cook confirm that those arrangements are working well on Cape York and that it is an appropriate model to apply on North Stradbroke Island.

The benefit for North Stradbroke Island is that, as the environmental values of the former mining lands are restored and improved, higher levels of protection can be afforded to that land without affecting the underlying agreement and provision for joint Indigenous management of that land. While the class of protected area may change over time, there will be no uncertainty relating to the roles and responsibilities of the state and the Quandamooka people in the planning and management of those areas. It is important to recognise that the Quandamooka people are already actively working in partnership with ecotourism ventures on the island. The skills, experiences and capacity being developed through delivering such arrangements is directly transferable to management activities and services for the protected areas in the North Stradbroke Island region. For those reasons, I commend the bill to the House.



**Mr McLINDON** (Beaudesert—TQP) (4.08 pm): I rise to make a contribution to the North Stradbroke Island Protection and Sustainability Bill 2011. I congratulate the member for Barron River for his very informative and rational approach to this bill, which is quite complex. Both government and opposition members have raised some very valid points in terms of the legislation before the House.

I will be voting with the government in support of this bill. However, I do have some reservations about the consultation process or lack thereof. Many points that opposition members have raised actually highlight my reasons for supporting the bill. Although this bill is contentious in terms of consultation, I find it difficult to see why it is contentious with regard to its intent or objective.

I can understand some of the frustrations of honourable members. The Queensland Party candidate Paul Golle has been out on the hustings. He has met with many of the mining families in that mining community and has discussed the ramifications of the closure of this mine. Given the eight-year time frame for those 270 employees, or the 650 employees who will be directly or indirectly affected by this closure, what is paramount in this legislation is a rational contingency plan that needs to be demonstrated and worked through with each of these families. I am sure that the objective of the bill would still be able to be achieved in a better arrangement than by steamrolling, as it is currently.

The members for Cleveland and Redlands both made very valid points when they said that this community has been steamrolled and that these people have been left in the dark. They feel that this decision has already been signed, sealed and delivered by the government. Quite often the government can do these things intentionally or even unintentionally, given its workload and the number of issues on the agenda in a state the size of Queensland. I think it is important for governments to realise that if they do walk people through a consultation process and negotiate with them then they can achieve a result that is very close to its original intent. Some of the angst in the community that we see in the local papers and through The Queensland Party candidate Paul Golle, who has been in contact with me daily about this issue—

**Mr Wellington:** What is his name again?

**Mr McLINDON:** Paul Golle. He has done a fantastic job of informing me of the ground truth that he has been hearing. It is a complex issue, as the member for Barron River said. One of those issues, of course, is the Aboriginal and Indigenous issues that have been raised. What does make my blood boil is when members of this House use the Aboriginal or Indigenous token as an excuse or a reason to stereotype the whole Indigenous community. Just like us, there are some in the Indigenous communities who are for the closure of this mine and there are others who are against it. I do not like hearing members in this House using the Indigenous card to assert that one person from the Indigenous community has said something so therefore they all are of that opinion. That stereotype is extremely dangerous. We need to ensure that we do not use the Indigenous card as a token of the ground truth.

One thing that frustrates me no end is when people refer to the Indigenous as the 'traditional owners'. I have spoken to many Aboriginals across this state and they do not like being referred to as owners. That is western terminology and it reflects greed, selfishness and jealousy. They are traditional custodians or stewards. The word 'owners' does not sit comfortably with them. I implore the government when it conducts its welcome ceremonies to visitors from overseas to please drop the word 'owners'. They do not like it. I can tell the government now that they would prefer 'traditional custodians'. The term 'ownership' is something that is very new to them—since we invaded them in 1788. We need to be very careful in our choice of words because it does not give them the respect they deserve.

That brings me to the preamble of the Constitution. The member for Springwood and I worked heavily on it with the Law, Justice and Safety Committee. We spent a lot of time on that. That was one of the many triggers for my exit from the LNP. That is something that did not sit well with me. I was prepared to cross the floor on that issue. One of my regrets is that we did not include that in the preamble of the Queensland Constitution. I think the wording for that preamble was formulated very strategically and was very well thought out by a lot of key stakeholders. When we are out in the communities we should refer to these people as the traditional custodians or stewards of the land. It is very important that we realise that there is a lot of sensitivity around the word 'owner', which is not truly reflective of them. They are a part of this land. Western civilisation came and chopped it up and sold it off. That does not correlate with the Aboriginal history as we should know it.

The eight-year time frame until 2019 and the end of mining also brings with it some unintended consequences. Some members in the House have alluded to the fact that that could actually speed up the mining process. We need to take into account all of these unintended consequences as they affect the community. We need to ensure that a contingency plan is put into place.

This legislation has been rushed and consultation has been poor. Whilst it will be rubber-stamped because we do not have an upper house and the government has the numbers, we need to consider where we go from here. The contingency plan is going to be paramount both for the mining families and in terms of what will fill the void in the local economy. We have to look at this positively; when one door opens, two can open. Given the diabolical situation of the tourism industry in Queensland, this is a golden opportunity to embrace that and lay the foundations of sustainable tourism including the Indigenous Aboriginal culture. There is a huge number of opportunities here. I am sure that if this is done properly, the fullness of time will reveal this legislation as something positive and a step forward for the future of Stradbroke Island.

There has been a bit of argy-bargy about Greens preferences, but the LNP might be barking up the wrong tree there. The government and the opposition refuse to put a moratorium on coal seam gas so I cannot imagine that the Greens would be ringing the major parties for preferences at the next state election.

**Mr Wellington:** They might be ringing The Queensland Party.

**Mr McLINDON:** They may well do. I look forward to letting the Greens know that The Queensland Party's phone is on and that my email is active. I am sure they will be backing a party of principle rather than the two-headed monster we see in Queensland politics.

The president of the Stradbroke Island Management Organisation, Sue Carew, has taken quite a bit of time outlining all the unintended consequences of the way in which the government has dealt with this issue. In fairness to both Sue and the committee, I table this document.

*Tabled paper:* Letter, dated 4 April 2011, from Friends of Stradbroke Island Association to Mr A McLindon MP regarding the North Stradbroke Island Protection and Sustainability Bill 2011 [4261].

She has put in quite a lot of work that outlines where the government has gone wrong in the current legislation. I thank that committee for the work that it has done in ensuring we are best informed as to where we go from here.

I do not think this is the time to make a grey issue any more grey. Now we need to look to the future, the sustainability of the area and the mining families. I thank The Queensland Party candidate for the seat of Cleveland, Paul Golle, who has informed me over the last couple of weeks. I look forward to the opportunities that now present to this community.



**Mr WELLINGTON** (Nicklin—Ind) (4.17 pm): It gives me a great deal of pleasure to rise to participate in the debate on the North Stradbroke Island Protection and Sustainability Bill 2011. At the outset I say that I will be supporting this bill. Whilst there may be some reservations that members have raised during the debate, I think it is a forward step. I certainly understand the anxiety that many of the mining families will be feeling. We certainly had similar anxiety when the Moreton Sugar Mill in the town of Nambour closed a number of years ago.

I say to those families who are wondering about the future: as we speak in this House, mining applications are being made all over Queensland. I have never heard or seen so much of Queensland being up for mining or being investigated by a whole range of interests. No-one has a job for life. No mine is able to continue forever. I believe that sufficient notice is contained in the legislation that we are debating for families to plan for the future. To me, that is the most important thing we can do: provide an opportunity so that people can plan as best they can. It is not the case that this bill is saying that mining is going to stop tomorrow. There is a proposed transition. It will be interesting to see how the government department officers work with these families during that transition period.

One thing that we need to bear in mind is that, before that finally happens—before the end of 2019 or before 2025—another big event will occur, that is, a state election. My challenge to the various candidates and the various parties is to flag their intention. Is it their intention to maintain what we are debating tonight or, if the government changes, is it their intention to overturn this legislation and return Stradbroke Island to a future of mining? If it is the intention to return Stradbroke Island to a future of mining, the question is: for how long and how much? I believe that we need to plan and I believe this planning is reasonable.

One other issue contained in the material is the proposed new way of managing crown land which is modelled on the experience in North Queensland. I urge the government and the alternative government to consider that a step further—not only engaging with Indigenous people but engaging with other communities in Queensland. There are people in all of our communities around this great state who want to be involved in a partnership with whoever is in government in looking after our great national parks. I return to the Mapleton Forest Reserve and the hundreds of horse riders who know that land intimately who have always wanted to be involved in looking after it. I have spoken often in the past to previous ministers about opening the doors and working in partnership. Let the horse riders be the eyes and ears so we can mobilise our community so that we all own it. We all want to be involved. We all want to look after our parks.

I bring this back to a basic principle. When I was a local councillor in Nambour on the former Maroochy council, I can recall when we had an issue in Petrie Park with young people who were idle and in strife—all they wanted to do was run amok. The local council, when I was on it, began working with those young people. We started a task force, a committee, of young people. We showed them some other skate parks in South-East Queensland. We gave them some ownership. The next minute we were able to obtain funding from a range of sources to design and build a skate park. We reached out to those young people who previously were 'problem' young people in our town, and the next minute they felt involved. They felt that they partly owned the skate park at Petrie Park. During the following few years, that skate park in Petrie Park in Nambour had not one bit of graffiti. It could have been the cleanest skate park in Queensland, and that happened because we engaged and worked with those young people.

I ask the government and the alternative government to consider expanding this new way of managing our state land to better engage with our communities, irrespective of what people's origins are. Many people want to work with the government. I look forward to this bill proceeding to the committee stage so we can further debate the finer points of the clauses.



**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (4.21 pm): I rise to speak in support of the North Stradbroke Island Protection and Sustainability Bill. In June last year I announced the Queensland government's vision for North Stradbroke Island—one that is based on maximising the island's natural beauty and recreational value while creating a strong and green economic future. The bill currently before the parliament is the next significant step in the realisation of this vision. Central to the North Stradbroke Island vision is a strategy to achieve land justice for the Quandamooka people. My government is committed to recognising the Quandamooka's claims as the original custodians of North Stradbroke Island and ensuring that they have a central role in shaping the island's future.

The Quandamooka people have a connection with North Stradbroke Island that dates back thousands of years and hold native title rights and interests in the land and surrounding waters. The island is home to many sites of cultural significance. Our government is currently working with the Quandamooka people to develop an Indigenous land use agreement, or ILUA, which will, amongst

other things, underpin joint management arrangements. The state and the Quandamooka people expect to reach agreement on key matters shortly, and a consent determination by the Federal Court is planned for mid-2011. This is expected to be based on an existing in-principle agreement which has been the subject of extensive discussions between the state, the Quandamooka people and the residents of the island.

The North Stradbroke Island Protection and Sustainability Bill recognises the important role that the Quandamooka people have as custodians of this rich habitat through the establishment of jointly managed protected areas in the North Stradbroke Island region, including for the newly declared Naree Budjong Djara National Park. The Indigenous joint management framework draws on the success of joint management arrangements for national parks on Cape York Peninsula. The bill amends the Nature Conservation Act 1992 to allow these arrangements to apply in the North Stradbroke Island region. I am confident that the involvement of the Quandamooka people will not only benefit the Quandamooka people themselves but provide the opportunity for an invaluable cultural exchange through their involvement in managing the national park for everybody. Under the provisions of the bill, the revocation of all or part of an Indigenous joint management area can only occur if the underlying freehold title to the protected area is surrendered by the Aboriginal landholder. The bill has been structured in this way to ensure that joint management of the national parks by traditional owners and the state is perpetual.

Mining has occurred on the North Stradbroke Island for more than 50 years. There is no doubt that it has been a very important part of the past of this island, generating jobs and opportunities. But our government believes that this resource is a finite resource and it will not be part of the island's future forever. We simply cannot overlook the island's rich Indigenous history, its outstanding environmental values and its stunning beauty. More of North Stradbroke Island deserves protection, and the North Stradbroke Island Protection and Sustainability Bill will deliver that.

It took a state Labor government to end logging on Fraser Island, and it will be a Labor government that phases out sandmining on another sand island that is equally important to Queenslanders and Australians. The North Stradbroke Island Protection and Sustainability Bill provides certainty and a clear timetable to end all mining on North Stradbroke Island by 2025. The end of mining on the island will occur in three phases, with heavy mineral sandmining ending at Yarraman Mine in 2015. That date has been chosen because it is the date identified by the company for a number of years as the date it was closing Yarraman Mine. Enterprise will end in 2019 and Vance, the smaller silica mining operation, can continue to run until its lease expires in 2025, and it will not be renewed. The bill renews key mining leases to allow the Enterprise Mine to keep operating until 2019, but it introduces provisions to ensure a higher level of environmental protection. The bill will restrict the mine path of Enterprise to a limited area to minimise the impacts on areas of high environmental significance both on the mined area and surrounding the mine.

The future of the island is an exciting one. It will see large tracts of land opened up that the vast majority of people have never been able to see. The presence of mining leases over strategic parts of the island has locked the general public out of these areas and locked up the treasures contained in those leases. With our new plan for North Stradbroke Island, the public will have the opportunity not only to see this wonderful landscape but to drive through it, to camp in it, to enjoy new walking trails through it and to explore a wonderful wilderness not available to them up to now. It is a wonderful opportunity for this and future generations, and this marvellous opportunity will exist just a stone's throw from the city of Brisbane.

I regret that the mining company has not had the will to come to the table with the government in a constructive way to advance the transition of the economy and future of the island. It has chosen instead to make accusations in paid advertisements that the government, by protecting this wonderful island for all Queenslanders to enjoy, is introducing a level of sovereign risk in relation to the Queensland mining industry. Nothing could be further from the truth. It is simply ridiculous. Queensland has been based on mining for many, many years. Its economy is a strong mining economy. We are approving exploration and mining development leases at unprecedented rates. I do not see how anyone could reach this conclusion when the bill provides explicitly for a phased withdrawal, giving certainty to the company, which is largely carrying out its operation now at Enterprise Mine—one of its largest operations—on expired leases. The bill provides for the renewal of leases to enable its operation to continue until 2019, thereby giving it an eight-year transition phase.

I recognise that transition is difficult and that legitimate concerns exist in sections of the community, particularly among those who work in the mining industry and who operate businesses that support that industry. That is only natural. But the fact is that this day was always going to come. It was just a question of when. At some time the mining company was going to exhaust the resource or decide that the profits no longer justified its continued operation. This has happened already at Gordon and Ibis mines in the southern sections of the island. All the frontal dunes were mined out, and it will soon happen at Yarraman. These mines come to an end. It is perfectly proper for government to make decisions about the appropriate time for transition, and that is the decision that we make with this bill today.

We are absolutely committed to working with the community through this transition. We will work to ensure that alternative opportunities are explored and created to find alternative employment both on and off the island. Not all of the workers in this mine live on the island but many do.

Mining is going through very rapid growth in Queensland. There are demands for skilled workers in this industry right across Queensland. Some may wish to take advantage of these opportunities in other regions of the state, while others will seek to remain on the island or in nearby communities. Whatever the choice people make, just as we did with those employed in the logging industry on Fraser Island, our government will work with them to help them through the transition.

With this plan, 50 per cent of Stradbroke Island will be national park by the end of 2011. That means in one year we have taken the amount of national park on the island from a small 1.7 per cent to half of the island. With the closure of the Enterprise Mine in 2019, 75 per cent of the island will be available to become national park by 2021. This is a dramatic increase from the tiny 1.7 per cent that is currently protected.

The bill also prevents the granting of new mining interests, including prospecting permits, mining claims, exploration permits, mineral development licences and mining leases, in the North Stradbroke Island region. On this basis, the bill enshrines the protection and restoration of environmental values on the island. The Queensland government recognises that the end to mining will create special challenges for the North Stradbroke Island community as it makes a transition towards a sustainable economic future. But we also believe it creates special opportunities to transform this island in a way that will truly make it a people's paradise. The government is committed to facilitating that transition.

Fraser Island was once an island sustained by logging. Nobody could now imagine any government of any political persuasion approving logging permits for Fraser Island, a World Heritage protected environment. Moreton Island was once sustained by whaling. Nobody could imagine a government now approving a whaling station on Moreton Island. I believe that a time will come in our lifetimes when people will consider it unbelievable that North Stradbroke Island was ever the home to sandmining. The prospect of any government of any political persuasion contemplating mining leases for this island will seem unbelievable. The North Stradbroke Island Protection and Sustainability Bill provides certainty for the people of North Stradbroke Island and for the Quandamooka people. It will ensure that this unique part of Queensland is protected for future generations to enjoy.

I note that the opposition has indicated that it will not be supporting this bill. I note we have now had some seven or eight hours of debate on this bill. While those opposite have criticised the government's position, they have put forward no alternative. They have contemplated no different way of managing this island. One can only assume that their position is to let mining go on unabated until all of the resource runs out, until the sites of cultural significance to the Quandamooka people have been eliminated and until the precious environmental values of this island no longer exist. Nothing could stand in more stark contrast to the position that our government takes on this island and on the protection of Queensland's environment.

I want to conclude my remarks this afternoon by paying special tribute to the work of our environment minister, Kate Jones. As members can imagine, this has not been an easy bill. It has not been an easy process. It is by its nature controversial. It requires somebody with the skills to bring together the various and competing interests of a large multinational mining company, a local island community, the native title custodians—the Quandamooka people—and the tourists and holiday-makers who love this island so much.

I cannot think of a better person to have pulled all of those strands together into a proposal that I believe is as fair as it can possibly be to every one of those stakeholders. In Kate Jones the Queensland environment has a great champion. I am very proud of her work. I commend her bill to the House.



**Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (4.33 pm), in reply: Thank you, Mr Deputy Speaker.

**Mr Dempsey:** She's blushing.

**Ms JONES:** That is right. I actually just get on with my job. I do not need lots of praise like others who want to enter state parliament. I actually just do my job. I thank all honourable members who took part in this debate. However, once again what we saw demonstrated from those opposite is a total failure to understand the issues at play here. As the Premier has just highlighted, after hours and hours of contributions from those opposite and picking holes in every single aspect of this legislation they provided no alternative. They all spoke about this other plan—the way it should be done. I kept asking, 'Show me the plan. Give me some details of this alternate plan. Tell the people of Queensland the alternate plan that the LNP have.' There was nothing, nothing, nothing.

Those opposite come in here and oppose this bill en bloc. They have no alternative but to say—

**Opposition members** interjected.

**Ms JONES:** I am very pleased that they want to rule it out now. There is no way anyone can leave this chamber without understanding that the LNP's position is to allow this mining company to continue to mine until every last bit of resource is extracted. That is your position. We will be making sure that every—

**Mr DEMPSEY:** I rise to a point of order, Mr Deputy Speaker. I ask that the minister withdraw those words. They are misleading and I find them offensive.

**Mr DEPUTY SPEAKER** (Mr Powell): Order! Member for Bundaberg, the comments were not directed at you as an individual. The minister has the call.

**Mr Schwarten** interjected.

**Mr DEPUTY SPEAKER:** Order!

**Mr Schwarten** interjected.

**Mr DEPUTY SPEAKER:** Order! Member for Rockhampton, I have called order.

**Ms JONES:** As members on this side have highlighted, we came out with a plan in June last year. We have been very public about our position. Fast forward to April this year and the LNP are on the record in this parliament and in other locations saying that they do not support this legislation. Those opposite have said what the problems are with everything that we have done. But once again after hours and hours of debate in which I thought I would have been enlightened by you as to what you would do if you were ever on this side, I got nothing. There has been not one thing. I have no idea what you would do apart from allowing mining to continue.

**Mr DEPUTY SPEAKER:** Order! I ask the minister to direct her comments through the chair.

**Ms JONES:** I think any Queenslander who in the future looks back on this bill—this legacy bill—looks back on this decision, looks back on this debate will understand that the LNP voted against the bill and put up no alternative.

I want to thank members on this side of House for understanding the significance of what we are doing here today.

**Mr Choi** interjected.

**Ms JONES:** I take the interjection from the member for Capalaba because he gave a great contribution on behalf of his community. What we stand for is balance. That is exactly what we have delivered here. I am proud to be the Minister for Environment and Resource Management today and to be bringing such a landmark bill into the House as part of a government that is prepared to make bold and difficult decisions.

This bill entrenches a clear timetable for the phasing out of mining on North Stradbroke Island in order to protect and restore the environmental values of the island. It supports the strategy for North Stradbroke Island to permanently phase out mining by 2025, protect the island through national park and transition the economy to one that is reliant on its natural permanent assets instead of its finite resources.

As the Premier stated last month, this is the start of something big for North Stradbroke Island. We are on track to convert over 50 per cent of the island to national park by the end of this year. Ultimately, this bill paves the way for up to 80 per cent of the island to be protected by 2027.

Make no mistake, the mining phase out and the creation of new protected areas will bring a diverse range of recreational opportunities on North Stradbroke Island. Many South-East Queenslanders, indeed Australians, have a love affair with Straddie—a result of spending our holidays there with family and friends and experiencing the wilderness and beauty of this very special part of Queensland.

This bill provides a balanced and pragmatic approach to the phased end to mining in a particular region with extremely high conservation values—remembering it is the second largest sand island in Queensland after Fraser Island.

**Mr Elmes** interjected.

**Ms JONES:** You support mining on Fraser Island.

**Mr Elmes:** No, I did not say that.

**Ms JONES:** I take that interjection from the honourable member. The bill will minimise investment risk by actually renewing or extending certain already expired mining leases to facilitate an orderly phasing out of mining, as well as not having an impact on mining activities anywhere outside the North Stradbroke Island region.

What the Premier and I said when we went to North Stradbroke Island and made the announcement is that Enterprise was currently operating on an expired mining lease and we were going to look at a way to bring a practical end to mining which ensured there was a transition. The year 2019 gives another 8½ years of mining at that site. It is not, as members opposite tried to say in this House, as though we are shutting up shop tomorrow or, as they also allege, that this is somehow some dodgy Greens deal.

I saw the press releases from the environmental organisations on the island. They are not saying that they are happy with us continuing mining for another 8½ years, but we felt that that was the right and responsible thing to do to ensure that there is a transition to the economy here. What members often skipped over in their contributions today was that the company has been very clear. It has made it clear to the market—as it should have done—and it has made it clear to everybody that it is closing its Yarraman mine in 2015. There are 100 jobs at Yarraman and that mine is closing in 2015. Our transition here is about looking at that and confronting that, not putting our head in the sand.

As some members on both sides acknowledged, there is already a transition happening on North Stradbroke Island right now. As a responsible government, as a government that believes in leadership and as a government that believes in working with people, we were actually questioning what the future was going to be. We thought, 'If the mining resource is going to start to close down and if the mine is going to close in 2015'—and we have actually seen four mines on the island close in the past—'what is the future for that island and shouldn't we be looking to invest in that?' We think the best and highest use is to move it to national park and open it up to people. As the Premier said, we will provide areas that can be visited that have previously been closed to Queenslanders because they have been locked up under mining leases. They will actually be opened up to the people.

I think there is ample scope to transition this economy in 8½ years. I thank the members from this side of the House who have acknowledged that that is a time frame where we will see a transition from trucks and earthmoving equipment to tour vehicles and camp sites which will take in the island's natural assets, not its finite resources.

**Mr Dowling:** Centrelink will need to open up over there.

**Ms JONES:** There is always negativity on that side. On that, I can confirm that we are—

**Mr Dowling:** We live in the real world, not 'bank world'.

**Ms JONES:** I will give the member a real world announcement right now. A real world announcement is that I can confirm that we are very close to announcing the location of the first new walk in our protected areas on North Stradbroke Island. The member for Bundaberg and others opposite also claimed that the government has reneged on a commitment and broken a promise in relation to the phase-out time frames. This is not the case and I think I have articulated that in the contribution I have already made today.

The other issue I want to touch on in my contribution today is the economic transition that members opposite have talked about. If you had listened to them, you would have thought that there has been no activity since the announcement in June last year, and that could not be any further from the truth. The reason we are legislating here today is to provide that certainty for people so we can have that discussion about how you transition this economy over the next 8½ years. Having a clear timetable and certainty is a fundamental step in actually opening up that dialogue for the future. Since the announcement last year when it became clear that there will need to be an economic transition—and we have always said that—we had a tourism forum on the island in December which I attended. It brought together local business owners, tourism operators, industry leaders, marketing specialists and planners to discuss tourism opportunities, especially nature based tourism opportunities, on North Stradbroke Island.

**Dr Robinson** interjected.

**Ms JONES:** They did not say that. The government was overwhelmed with the level of interest the forum produced and we are making sure that the ideas that were generated there are acted upon. Some of those ideas have already taken shape, with local businesses embracing the idea that a local business association should be created on North Stradbroke Island. This is something which they have not had. This idea came up in discussions I had with local business owners there, and it was one of the things they said at the forum. They felt for a very long time that they had been working individually as opposed to as a collective on North Stradbroke Island, so this was very interesting.

The Queensland Parks and Wildlife Service has been on the front foot to ensure it takes whatever early action it can to create recreational opportunities on the island. As I said, walking tracks are being planned as well as new camping facilities and interpretive signage. Indeed, \$2 million has been committed over the next couple of years to establish visitor facilities and to manage infrastructure for the new park. I should also acknowledge at this point the great work of the local council and the mayor and the work they are doing to ensure that there is a long-term sustainable future on North Stradbroke Island as well.



The first trails to be made available will be the Mount Bippo Penbean track, a five-kilometre return walk along existing firebreaks and new walking tracks. At present, a mining lease means the public does not have legal access to this site, but once this legislation is passed the mining lease will be removed and we will act very quickly to enable safe public access and to get this track up and running. There have also been significant efforts to publicise the new national park, with brochures and other resources of information that outline the environmental values. I am sure members opposite and on our side are aware that we have had a shopfront there that has been staffed for some time. It is very pleasing to note that we have had very strong visitation there, particularly from locals who want to find out more information and have a discussion with our staff.

The other point I want to touch on is a mistruth mentioned by a number of members in the parliament with regard to this idea that there have been no proper negotiations with the Quandamooka people. I found this to be quite misleading to the House and I want to take this opportunity to address that. Far from what opposition members have said, we have been in long-term negotiations with the Quandamooka people through the proper processes stipulated under the Native Title Act. That is exactly what we have been doing. This North Stradbroke Island Protection and Sustainability Bill reflects in law the specific land tenure outcomes that are being negotiated by the state and the Quandamooka people in the Indigenous land use agreement and what requires legislative action. The negotiations cover matters about access to and involvement in the management of country through joint management arrangements for the national park. In addition, the parties hope to reach final agreement on a range of issues associated with past, present and future land dealings on the island. Negotiated outcomes should see the parties and the community benefit economically, socially and culturally.

In 2010 the government entered into an in-principle agreement with the Quandamooka native title claim group, which includes all Quandamooka family groups on North Stradbroke Island. I want to repeat that for the House because I think this was not what was said in some of the contributions here. I do not think some people did it mischievously; I think some people did it quite genuinely. We have been dealing with the Quandamooka native title group which includes all Quandamooka family groups on North Stradbroke Island. The Quandamooka native title claim group is being legally represented by the Queensland South Native Title Services. Negotiations to finalise the ILUA are ongoing between the government and the Quandamooka native title claim group in accordance with this in-principle agreement. This in-principle agreement and ongoing negotiations are confidential and without prejudice in accordance with the direction of the national Native Title Tribunal under sections 94D and 94L of the Commonwealth Native Title Act 1993. Once again, I want to debunk the myths by those opposite that somehow we are choosing to shroud this in some kind of secrecy and we are trying to cover something up, which I think was the allegation. An even more offensive allegation to me and to the public servants who are involved in this and who actually spent their time briefing those opposite was that somehow we had gagged the public servants on this. We are quite rightly following the determination of the national Native Title Tribunal. That is the law and we will follow the law. I know others opposite have a history of flouting it.

The bill creates a framework for the granting of tenure and Indigenous joint management of protected areas in the North Stradbroke Island region through amendments to the Aboriginal Land Act 1991 and the Nature Conservation Act 1992. The operation of those provisions is ultimately dependent on the successful resolution of native title issues. However, the provisions demonstrate the government's commitment in working together with the Quandamooka people for the management of the Naree Budjong Djara National Park in the future. The provisions relating to the end of mining on North Stradbroke Island, as I said, are not dependent on ILUA negotiations and will be operational regardless of the outcomes of these negotiations.

In my opinion, today is a landmark decision of this Queensland parliament. I want to repeat what the member for Capalaba said today during his speech: no-one today would grant a mining lease on North Stradbroke Island. We are dealing with legacy decisions with regard to where we thought as a community it was appropriate to mine. I also want to pick up the point that a number of members made that the photo of the Premier and me was in an area that once was mined. It was not mined using a large dredge like is happening at Enterprise Mine. That was not the history of mining on that piece of the island; it was light surface mining.

Mining technology has changed since the 1950s and 1960s, and that is why we will continue to see people being concerned about where it is and where it is not appropriate to mine in Queensland. We are very firm in our view that North Stradbroke Island is not a place where we want to continue to see significant mining occurring. That is why we are taking action. That is why, by working with the Quandamooka people, we have been able to reach what I think is a great vision for North Stradbroke Island, the people who live there and the people who visit there. This is a very special part of Queensland and all of us have a responsibility to make sure that we are protecting it for future generations.

I want to finish by acknowledging once again the Quandamooka people for their generosity in entering into the ILUA negotiations with us and also agreeing to the joint management approach in regard to national parks. As members heard from the member for Cook, this is something we have done

very successfully in Cape York and it is delivering real jobs and opportunities for traditional owners to work on country and to protect their lands. We have had a very successful experience of this process in Cape York and I am looking forward to seeing that same success on North Stradbroke Island.

I am very proud to be the minister who has the privilege of moving this bill in this parliament. I want to thank everybody for their contributions. This is something that we can all be very proud of. It is not an easy decision. There needs to be a transition on the island. That is why we are extending Enterprise Mine, despite getting criticism from the conservation sector and despite getting criticism from other parties. But we felt—and I agree—that this is a way to ensure that there is a smoother transition on the island and that we can create those new economic opportunities and new jobs on North Stradbroke Island. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

### Consideration in Detail

Clauses 1 to 50, as read, agreed to.

**Mr O'Brien** interjected.

**Mr DEPUTY SPEAKER** (Mr Powell): Order! Member for Cook!

**Mr Finn** interjected.

**Mr DEPUTY SPEAKER**: Member for Yeerongpilly! Order!

**Mr Choi** interjected.

**Mr DEPUTY SPEAKER**: Order! Member for Capalaba, you are not in your allocated seat. If you are going to interject, resume your seat.

**Government members** interjected.

**Mr DEPUTY SPEAKER**: Order! Members on my right.

Schedules 1 to 3, as read, agreed to.

### Third Reading



**Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (4.53 pm): 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. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (4.53 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.

## TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 23 March (see p. 736), on motion of Ms Palaszczuk—

That the bill be now read a second time.



**Ms SIMPSON** (Maroochydore—LNP) (4.54 pm): I rise to speak to the Transport and Other Legislation Amendment Bill 2011. Overall, the LNP welcomes the changes included in this bill. It is an omnibus bill that covers many amendments to sundry pieces of transport legislation. However, there are some provisions that the LNP has serious concerns about and which we will be raising during the course of the debate.

**Government members** interjected.

**Ms SIMPSON:** The drink-driving reforms included in this bill, which obviously are not of concern to the members who are continuing to talk in the chamber—

**Mr DEPUTY SPEAKER** (Mr Powell): Order! Members on my right, the minister is having trouble hearing the shadow minister's contribution to this debate. I have called for order. If you want to continue to debate the previous piece of legislation, do so outside of this chamber.

**Ms SIMPSON:** The LNP supports these tougher provisions in regard to drink-driving laws. In fact, it was the LNP that introduced its own alcohol ignition interlock bill into the parliament and forced the government to take action. Subsequently, the LNP's bill was largely copied and adopted by the Bligh Labor government. Thus the provisions that we see in this bill that seek to further toughen the drink-driving laws by providing an additional level of offence are certainly a step in the right direction.

As the explanatory notes for this bill state, around 23 per cent of the fatalities on our roads are linked to drink driving. Every life lost on our roads is one too many. Almost as bad is the havoc that is caused for those who have been injured or who have to live with the trauma of having lost loved ones in an accident. This legislation addresses some concerns raised through the adoption of alcoholic ignition interlocks, particularly for people in regional areas. These were matters that were raised in briefings during the previous tranche of legislation that was introduced and we were assured then that the legislation would address those matters. But we understand that further clarification in regard to these matters to address the fact that alcohol ignition interlock installers are not available in all areas of regional Queensland needed to be provided in this legislation. Thus we welcome any further clarification to enable the appropriate implementation of these laws.

This legislation introduces a middle alcohol limit of between .10 and .15 blood alcohol content. Currently, there is only a low-level alcohol limit of .05 blood alcohol content or high-level alcohol offences above .15 blood alcohol content. In effect, that meant that those who just tipped over the limit of .05 blood alcohol content could be treated as committing the same offence as those who were approaching the highly intoxicated, higher blood alcohol content limit and potentially those people faced the same level of penalty. The LNP welcomes the introduction of the middle-level offence with an increased penalty of between \$1,400 and \$2,000 and the potential disqualification from driving of between three and 12 months with a licence suspended immediately. I note that a person who is guilty of committing a middle-level offence and who does not have a licence will be disqualified from applying for one. I would hope so, and that is something that this legislation seeks to enforce.

In addition, the bill before the House extends the time for an alcohol test to be performed from up to a maximum of two hours to up to a maximum of three hours. This is a practical change to enable a more effective implementation of the testing, particularly in regional areas. It also addresses resourcing issues. The arresting and detaining officer can also conduct the breath analysis for drink-driving offences. We understand that both these provisions are welcomed by police and are considered to be practical in their implementation.

There are additional provisions in this legislation regarding licence suspensions imposed by magistrates. I thank the minister for the briefing that was provided this week and note that the minister has responded to some of the questions that we put forward. I will confess, though, that we only just received this before coming into the House so if I double up on some of the questions that the minister has answered that is not intended. We will certainly seek to work our way through the points of clarification in cooperation with the minister.

I want to raise an issue in relation to licence suspensions imposed by a Magistrates Court and seek the minister's further clarification in this regard. Previously it was possible for work licences to be provided for low-level drink-driving offences where those applications were made to a Magistrates Court. An issue has been raised with me by constituents who in fact were not charged with drink-driving offences but who incurred a suspension of their licence due to other reasons, such as SPER offences. They found that they ran foul out of the provisions to gain access to work licences. This is something I raised with the previous minister. I appreciate that it may not have been understood that I was not talking about drink-driving offences; I was actually talking about people who had had licences suspended for other reasons. In no way will we advocate for people who have a dangerous driving record being allowed back on the road where it is inappropriate, but it seemed to be somewhat of an anomaly that low-level drink-driving offenders were able to gain a licence to drive during certain hours so that they could go to work when other offenders with suspended licences did not appear to have that discretion in law. I seek the minister's clarification as to whether these provisions before the House will address that anomaly. I would be more than happy to provide the minister with supplementary information from constituents who were not able to gain a work licence and that has disproportionately impacted on their ability to go about earning a livelihood when there were drink drivers who were able to gain a work licence.

There is a new provision in the act in relation to civil bans. We welcome it in that it will provide safer spaces for people travelling on public transport. We are aware that the issue of abuse of alcohol is a problem not only with regard to roads and drink drivers but also with regard to people travelling on

public transport. The bill before the House expands the recent changes to the Liquor Act to extend civil bans to troublemakers on public transport. It is not only to do with liquor-licensing offences; it also covers a broader range of issues. We will support this provision as an important move towards making public transport safer.

There are some concerns that will be raised more fully when my colleague the shadow minister for public transport and member for Aspley addresses this bill. However, I will briefly raise some of these concerns. We hold a concern that this provision will only come into effect after 10 offences within 12 months. The explanatory notes state—

... the court must be satisfied that the person has committed an act of violence. That is, committed an act of violence against another person or property on the public transport network, of such a nature that the act of violence would cause a person in the vicinity to reasonably fear bodily harm to any person or to damage property.

Our concern is that 10 such offences is a lot of fear and violence to spread within 12 months. In briefings we have asked the minister whether these 10 offences are separate incidents or whether one incident could involve multiple offences within the provisions of this bill. It would be appreciated if the minister could clarify this in her response. There are also provisions regarding driver-disqualifying offences in relation to children. There are further clarifications that are needed in the explanatory notes.

I will move on to the taxi bailment section. Once again, these are provisions that will be covered more fully by my colleague the member for Aspley, who is the shadow minister for public transport. I note that this bill brings in a compulsory single written and signed bailment agreement between taxidriviers and operators. The explanatory notes state that this will ensure a fairer and more transparent system to enable drivers to work in the taxi and limousine industries. The LNP welcomes this as a move towards reform.

My colleague the shadow minister will provide more information in this regard but, as members are aware, we have been advocating for reform of the taxi industry for some time to deliver a world-class taxi service in Queensland. It must be recognised that there are many hardworking taxidriviers in this industry. We must work with the broader industry to ensure they are properly protected. However, yet again I will state that it is critical that the government plays its role and cleans up its act as far as being the regulator and enforcer of standards in the taxi industry. This industry, like so many others, can be let down by just a few. It is a tough life out on the rank. The public have a right to know that it is a safe travelling environment for them and a safe working environment for those who are driving cabs. It is the responsibility of government to ensure that that occurs and that those in the industry are the appropriate people who have the appropriate levels of enforcement and support.

The bus and transit lane enforcement provisions are controversial provisions that came before this House not that long ago as a trial. We are opposing these provisions as we believe that without adequate resourcing it is about revenue raising rather than about safety on our roads. The LNP supports, where appropriate, the freeing up of police to concentrate on major offences instead of on the operation of T2 and T3 lanes. However, what we are seeing in this legislation is a permanence of the trial. It is penny-pinching, with no additional resources being provided to transport officers to enforce T2 and T3 high-occupancy vehicle lanes. This is putting lives at risk.

We remain highly concerned that, despite this additional and potentially onerous job being part of transport officers' duties, the minister has confirmed that no new transport inspectors are to be employed. The primary role of these officers has traditionally been road safety. In particular, they take primary responsibility for policing heavy vehicle safety and taxi enforcement. That is why we have raised these concerns previously and that is why we are raising them again today. This is about revenue raising for the government, not about road safety. Without the proper resourcing to do this job those opposite will not convince us otherwise. The job of ensuring that vehicles are safe on the roads, in particular that the heavy vehicle industry is supported and enforced, requires appropriate resources. We believe these provisions are unacceptable and put the lives of Queenslanders at risk because they are part of a revenue-raising rather than road-safety policy approach.

The explanatory notes state that the trial has been successful in reducing travel times. Nowhere is it stated by how much. Perhaps the minister could inform us in her response as to how this has been assessed and the methodology of assessment. The public has a right to know how the revenue from the fines that are levied in these lanes is being utilised. It is time that the focus truly was on road safety and that revenue raised from offences was quarantined for road safety. I understand there are currently about 170 transport inspectors across the state. Increasingly they are being moved away from heavy vehicle enforcement into other areas of enforcement to do with congestion management. We believe that this is not the right balance. This is another example of how the current government has lost its way and has its priorities wrong.

I turn to the issue of the sale of surplus land. We were concerned that the bill removed the right of a landowner who had had land resumed to reacquire that land. I note that this issue is included in the minister's notes of explanation, which were received just before I started my speech. I will quote from the minister's explanation, but first I will explain why we had concerns. We were concerned that the bill

appeared to read that it would become discretionary or up to the chief executive officer to choose whether or not to offer land back to the former owner where that land had been acquired under the acquisition of land provisions for the purposes of a transport corridor or infrastructure. I note that the minister says that, if within seven years the chief executive wants to retain any surplus land, the original owner must be given the right to repurchase the remaining land. I take it that the minister is saying that that right still remains, but I would welcome her confirmation on the *Hansard* record that there is in no way a removal of the right of a landowner to have land offered back and that that is not just at the discretion of the chief executive officer.

In respect of the acquisition of land, we feel very strongly that, while this very powerful piece of legislation may be used for the public good to acquire property for public infrastructure, there be a balance to ensure that any person whose land is taken away is appropriately compensated and is not burdened by an inappropriate power relationship with government. As we know, having one's land acquired is very stressful. I feel very strongly that there is a need for government to do that not only more sensitively and compassionately but also in a way that respects the impact upon the value of people's land and the fact that they do not necessarily get to choose the market in which they are forced to sell. I seek the minister's clarification with regard to the rights of a landowner to seek to have land sold back to them.

I turn now to the issue of the Gold Coast light rail. The LNP has consistently supported the Gold Coast Rapid Transit project as it moves towards better public transport so desperately needed for residents of the Gold Coast. This bill includes the second tranche of amendments 'to support the delivery and establishment of the Gold Coast Rapid Transit light rail project'. It is disappointing to see a number of issues addressed in the first tranche of amendments that have required revisiting in this legislation. Time and again we see the government come back to fix errors or omissions in legislation only recently passed. Yes, we need clarity in legislation, but is it not better to get it right in the first place?

This bill revisits the provisions for the establishment of private-public partnerships for the Gold Coast Rapid Transit project that were addressed in the last legislation. This bill revisits the provisions for land tenure that were addressed in the last legislation. This bill revisits the provisions for the operator franchise that were addressed in the last legislation. This bill will 'clarify and resolve anomalies in existing legislation for light rail and busway'. This bill will 'clarify the original intent of legislation introduced by the Transport and Other Legislation Amendment Act (No. 2) 2010', and so it goes on. It is difficult for the community and industry to have faith in the government when repeatedly it is shown up for not doing its homework.

I am concerned that this legislation expressly states 'compensation is available only for physical damage caused by the attachment of overhead wiring to a building'. Surely the government is aware that economic and property damage and diminishment can occur from many impacts other than just the attachment of overhead wiring. Minister, what case examples have been identified that make it necessary in the government's mind to bring through this change? Has this the potential to be challenged in the courts or is it being challenged legally, prior to going to court, resulting in this provision coming before the House? I would welcome an explanation about the legal action or potential legal action that is pending in this regard. I am concerned that this appears to be a heavy-handed action that does not take to heart the best interests of the community and business. I ask the minister to clarify this in her response.

I note that the bill excludes light rail operators from operator accreditation, driver authorisation and standard requirements of the Transport Operations (Passenger Transport) Act 1994 as they will continue to fall under the Transport (Rail Safety) Act 2010. This appears sensible, but in her reply I ask the minister to outline whether she is satisfied with the rail safety legislation, which was designed largely to address heavy rail safety and not light rail. The legislation also provides exemptions with regard to accredited railways. I note that the bill amends the Transport (Rail Safety) Act 2010 to define the types of 'low risk railways that may apply to the chief executive for exemption from the need to comply with all or some of the accreditation requirements'. I ask the minister to provide more detail on which railways these provisions apply to and to what extent this will alleviate the responsibility for interface agreements, for example. I note that the legislation passed last year allowed two years for the implementation of interface agreements. Members of industry have raised with me very serious concerns that little or no progress has been made on this very important safety reform and they remain concerned that the government has taken its eye off the safety balance due to its rush to sell off Queensland Rail. We will be watching this issue very closely. I also note that the interface management regime will be extended to busways.

Before I move on to other provisions in the law, I note that we raised the issue of low-risk railways with the previous minister during briefings on the previous act. We referred to railway operators that operated primarily on their own land where there was no public access and it was not a tourist attraction and whether the legislation would contain provisions to exempt such operators. Maybe that is what is looked at within the legislation, but certainly we would welcome examples being put forward as to what types of operations will be exempt from accreditation so that we understand the differences between those and other types of railway operations. I welcome the amendments that insert whistleblower

protection for reporting potential breaches of rail safety and/or rail safety issues to the rail safety regulator. Again I say that safety is very important and it cannot be compromised. The LNP is committed to the protection of whistleblowers.

I turn to yet another example of sloppy work on the part of the government in respect of legislation coming back before the House. This relates to the sale of Queensland Rail and the application of the Land Act 1994. As all Queenslanders are aware, the government's divestment of state assets restructured QR Ltd to create QR National and Queensland Rail Ltd. During this restructure, the opposition repeatedly asked the previous minister how the sections of rail on the north coastline overlap between QR National and Queensland Rail Ltd. Time and again the previous minister either refused to answer or could not answer. Today it would appear that we find out why. The government had not properly set up the leases and subleases for this cash grab. This bill is needed to clarify that a concurrent sublease involving the rail network is exempted from certain sections of the Land Act 1994. I would have thought that that would have been a pretty fundamental issue to address prior to the sale that the government was hell-bent on. If we are seeing this arise only now, it leads to the question: what else has been missed? The explanatory notes state—

It has become unclear what powers the chief executive has to enter and investigate rail corridors as a result of the divestment of QR Ltd.

That is yet another fundamental issue that has been missed. If the government was a schoolchild it would receive an 'F' for fail for its efforts. It was in a hurry to hold this fire sale, that is for sure. I note that there are changes in some other areas about which clarification is required, in particular the removal of ambiguity regarding fencing and drainage obligations. We asked the minister during the briefing whether this was due to any court action and we would appreciate it if the minister could address this in her response.


There are also provisions in this bill with regard to interfering with a railway. I note that the definition of 'interfere with a railway' in the Transport Infrastructure Act 1994 has been found to be likely too broad and potentially misleading. I note also that the development industry has protested to government with concerns about the scope of this section, the lack of review and appeal provisions. I understand that these are being provided in the drafting of this legislation, and we certainly support the clarification of this.

I move on to the issue of the chief executive as owner of rail corridor and non-rail corridor land. The LNP supports the recognition that the chief executive is the owner of rail corridor and non-rail corridor land where a development application may be required. It is vital that the state interests and state resources are properly protected in the development of such land.

There are also aspects in this legislation concerning transport noise corridors. I would ask the minister to please explain to the parliament how the application with regard to noise corridors has been changed in the laws that have been brought before this House. I particularly ask for the minister's assurance that there is going to be a consistency in the application of the noise policy across these corridors and across the state.

Finally, in respect of this legislation—but not finally in terms of the debate on the clauses when we will address more issues in detail—I want to acknowledge that this legislation also provides a streamlining of the release of information. This relates to information that is not publicly released but is privately released. This may include examples where somebody has accumulated points on their licence due to traffic offences and seeks access to that. It will streamline paperwork around that issue so that people can more easily gain access to their personal information.

We support this legislation with those concerns noted. I have a number of questions as this is quite a wide-ranging piece of legislation. I also acknowledge that we do support strongly the drink-driving reform laws and believe that this is a step in the right direction. We will continue to advocate for road safety. We will continue to advocate for the appropriate enforcement of road safety on our roads. We are disappointed that the government is diverting resources into other areas that are not focused first and foremost on road safety.

 **Mr KNUTH** (Dalrymple—LNP) (5.22 pm): In speaking to the Transport and Other Legislation Amendment Bill 2009, I note that the government has taken its cue from the LNP and is finally implementing the alcohol interlock system for which we have been calling and which it has been promising for almost 10 years. From the early seventies until the late nineties road fatalities steadily decreased from over 30 per 100,000 Queenslanders to less than 10 per 100,000. This is still far too many but this is where the statistics have stayed for the last 10 years because successive governments have failed to take a tougher stance on drink driving. The LNP has been pushing for tough penalties, more stringent enforcement and greater investment in police resources. A key policy in this legislation put to the House in 2009 by the LNP was the introduction of alcohol interlocks.


I am glad the government has abandoned the ridiculous and unworkable idea of reducing the legal blood alcohol limit from .05 to .02. This would have served to target only sensible, law-abiding people who drink responsibly and know their limits. Research shows that it is not the drinker at the lower

end of the scale who drives with a blood alcohol content greater than .05 who causes deaths on Queensland roads, and the introduction of tougher penalties for alcohol offences in the middle range is a sensible deterrent. However, research also shows that the rehabilitation program for drink drivers is an important component of any road safety strategy. It is a hallmark of this government that a proposal to reduce the legal blood alcohol limit was released for public comment when common sense should have been enough to cause the government to realise that most Queenslanders would be opposed to the banning of a beer or a wine with a meal.

It is also common sense to ensure that drink-driving policy includes provisions for better education and rehabilitation for offenders with tougher penalties for habitual reoffenders. This legislation lacks the practical policy of better driver education and tougher penalties for habitual reoffenders. Education and rehabilitation programs were part of the amendments put forward by the LNP in 2009. This government should follow our lead to ensure greater safety on Queensland roads by providing education and rehabilitation programs.

In this legislation the government has decided to remove automatic offers to landowners who have been forced to relinquish their land for the purpose of public roads. Land rights in this state are under serious threat and the proposed amendments further erode the rights of landowners. There are no reasons for removing automatic offers to previous landowners and plenty of reasons for their retention. These landowners have little say in the resumption of the land for the purpose of road development. In many cases, this has caused extreme heartache or has forced landowners to scrap plans for their own future.

The removal of automatic offers to buy back surplus land adds insult to injury for those who have been required to sacrifice their dreams for the development of essential infrastructure. I call on the government to remove this amendment from the bill before the House. To include this amongst many changes that will improve the safety of our roads is a cruel tactic that provides no advantage to anybody involved in the resumption of private land for the purpose of public works.

 **Ms DAVIS** (Aspley—LNP) (5.26 pm): I rise to speak to the Transport and Other Legislation Amendment Bill 2011. I thank the minister for the briefing yesterday. I will predominantly confine my comments to the bill's policy objectives that are relevant to public transport, but I will also address some of the more contentious clauses as outlined by the member for Maroochydore.

This omnibus bill seeks to amend a number of acts, including the Transport Operations (Passenger Transport) Act 1994 to make written bailment agreements between taxidriver and operators mandatory. It will also provide an additional process of civil banning orders, whereby a person can be prohibited from using the public transport network for up to 12 months. The bill also amends a number of acts that will provide greater flexibility, clarity and ease in delivering the Gold Coast Rapid Transit system and other future transport infrastructure projects. In the past bailment agreements in Queensland have not been compulsory, although I understand a sizeable number of agreements were entered into. Under the new legislation, bailment agreements will be mandatory.

Taxi bailments can underpin professional relationships within the industry and form the foundation of the business relationships between a taxi owner and a taxidriver. The concept of bailment in common law involves the transferral of personal property from one person to the other, who then holds possession of the property. In the taxi industry, the bailment agreement works on a system in which the driver, or the bailee, pays an agreed amount calculated either by percentage or set pay-in to the operator, or the bailor.

In the *Queensland government response to report on investigation into the taxi industry in Queensland by the Queensland Workplace Rights Ombudsman*, support was given to the demands for bailment agreements to take the form of a signed contract. Whilst the government did support many of the recommendations, at least in principle, the report highlights the need for a model taxi bailment agreement. This model taxi bailment agreement, or MTBA, will assist drivers and operators in adequately meeting the minimum requirements of the legislation. The bailment agreements will give certainty to both driver and operator and will provide a formal mechanism for upholding accountability on the part of both parties with respect to conditions of work and pay.

I have spoken with industry stakeholders to gauge their position on these reforms. The Taxi Council of Queensland and Queensland Taxi Advisors agree that the introduction of compulsory bailment agreements gives clarity to drivers insofar as they can fully understand their earning capacity and benefit the operator by ensuring, within a legal framework, that their taxi is being operated in a professional and ethical fashion. However, both raised concerns about the five-year period for keeping written agreement records. They suggested that this time frame is excessive. For the benefit of the stakeholders perhaps the minister might advise in her response why bailment agreements must be kept for that period of time.

These contractual agreements will also prevent operators taking advantage of drivers, as minimum standards for working conditions will be in place. There are some examples where operators have made drivers pay half the fuel expenses and pay only 45 per cent of their gross takings, which

means that on a slow shift a driver could earn as little as \$6 per hour. However, I am advised that these instances are extremely rare. The introduction of compulsory bailment agreements will ensure a fair and equitable arrangement will be reached between the two parties.

The bill also seeks to amend the Transport Operations (Passenger Transport) Act to provide civil, or court based, banning orders. These civil exclusion orders purport to improve punishment options for troublemakers on public transport. Criminal exclusion orders are already in place, which we support, and these amendments will go a step further.

Under part 4B of the existing legislation, the powers of the court to make exclusion orders for protecting the public and public transport amenities are detailed. The introduction of civil exclusion orders, which will primarily serve as a deterrence based measure, are welcome. Antisocial behaviour should never be tolerated.

For a civil exclusion order to be made, a 'court must be satisfied that the person has committed an act of violence', whether against another person or the network's property. The safety of passengers on our public transport network and the preservation of property and facilities is extremely important. In order for the courts to make a civil exclusion order, a person must be issued with at least 10 infringement notices within a 12-month period.

After the briefing yesterday I was still a little concerned that, given that the explanatory notes highlighted that a court must be convinced that an act of violence has occurred, any individual who committed a violent act appeared to have the opportunity to accrue a fair few more infringement notices before a civil exclusion order was issued. So I was pleased to receive advice late this afternoon that the chief executive can apply to the Magistrates Court for an order after a single act of violence. It is appropriate that violent conduct on public transport or vandalism of public property should warrant immediate exclusion.

The question of how much will be tolerated is important, but equally important is the question of how these reforms will be enforced and whether there is a mechanism in place to properly foster its implementation. Although having these deterrents in place is appropriate, they will prove futile without properly resourced enforcement.

I will briefly address the sections of the bill relevant to the Gold Coast Rapid Transit project. The bill includes the second tranche of amendments 'to support the delivery and establishment of the Gold Coast Rapid Transit light rail project'. As the shadow minister has already said, a number of issues addressed in the first tranche of amendments have required revisiting.

This light rail corridor is designed to provide a much needed contribution to the Gold Coast's public transport network to alleviate traffic congestion, particularly on the Gold Coast Highway between Southport and Broadbeach. The LNP has consistently supported the project. The bill seeks to better facilitate smooth passage of the project's delivery by the public-private partnership, to resolve anomalies in existing legislation for light rail and busway and to provide clarity on legislation introduced by the Transport and Other Legislation Amendment Act 2010.

The bill will exempt the light rail franchisee from licensing and technical requirements of the Electricity Act and Electrical Safety Act which are required for heavy rail; exempt them from licensing and accreditation requirements under the passenger transport act, as these will be provided for in the Transport (Rail Safety) Act 2010; and amend legislation introduced by the Transport and Other Legislation Amendment Act 2010 to clarify that all state land can be light rail land under section 355A—a compensation framework is included for any persons with occupancy rights.

Local LNP members have been particularly active in advocating for their local constituents and ensuring this project delivers positive public transport outcomes for the Gold Coast. There have been some concerns raised regarding safety issues around the project, connectivity with other public transport on the Gold Coast and the fact that it does not address the very great need for east-west public transport options. I would ask the minister in her response to address these matters to reassure locals that those concerns have been properly addressed.

I would like to echo the concerns of the shadow minister, who noted that the LNP will be opposing the clause on bus and transit lane enforcement by transport officers instead of police. As the shadow minister highlighted, the LNP opposed the trial because there were no additional transport officers assigned as part of the trial. And, disappointingly, the minister has confirmed that no more transport inspectors will be employed for enforcing bus and transit lane operations. This will leave heavy vehicle enforcement—the main task of transport officers—short changed.


In October 2009 the RACQ said that enforcing vehicle occupancy numbers in transit lanes should be left to police, leaving transport inspectors free to focus on roadside roadworthiness checks and other road safety concerns. The LNP strongly believes that road safety is the most critical issue here. We should not allow our attention to be taken away from this core principle. The Labor government is placing fines for its own congestion mess above the safety of Queenslanders on our roads.



The shadow minister also addressed the LNP's concerns surrounding the clause on the sale of surplus land. This will entail an amendment to the Transport Planning and Coordination Act 1994 to streamline the sale of resumed land no longer needed for its intended purpose. It is stated in the bill that these parcels of land are rarely accepted when offered back to former owners due to alterations to the parcels and their surroundings or, as the case may be, the owners have re-established their lives elsewhere. Under these amendments, there will no longer be an automatic offer for previous landholders to buy back surplus land and that the chief executive may offer it back at their discretion.

It is unclear as to whether there will be any appeal rights for landowners, and our party will oppose the clause on this premise that landowner rights are suppressed. We will continue to support the rights of landowners by opposing new section 27A in the Transport Planning and Coordination Act which will replace the offer-back process under the Acquisition of Land Act 1967.

With regard to the other clauses in the bill, I wish to reinforce the comments made by the shadow minister and, with the exception of the aforementioned clauses, the LNP will not be opposing this bill.

 **Ms STONE** (Springwood—ALP) (5.36 pm): I rise in support of the Transport and Other Legislation Amendment Bill 2011. I want to speak in particular to two parts of this bill—taxidriver and operators requiring a bailment agreement, and road safety. Due to this bill, we will now see mandatory written bailment agreements for taxi operators and drivers. I know that this will be well accepted by the industry.

Darryl Briais from Yellow Cabs and other representatives from the taxi industry have been meeting with me regularly since I was first elected. This was a great way for me to hear what issues were affecting the industry and I was able to take some of those issues back to ministers on their behalf. The other side to this is that I was able to put my concerns and any complaints I had received from constituents to them. It was through one of these meetings that I was able to secure a taxi phone for the Springwood bus station. When you combine the taxi phone with our nightly bus service, it certainly provides a great service for those who need to travel outside the normal hours that we would expect people to be travelling on public transport.

Having a written bailment agreement with a minimum standard was always on their agenda when they met with me. I was told that in 2002 they had Sciacca lawyers draw up a bailment agreement. Since that time it has been tossed around and changed. But today we are here to say that it is in the legislation, and I know that is something they are very pleased about.

Requiring bailment agreements between taxidriver and operators to be contained in a signed agreement will ensure the rights of the drivers and operators are able to be legally enforced. These amendments will provide drivers and operators with certainty of terms and written evidence of what is agreed so that either party can enforce their agreement. It will also provide some protection for those inexperienced drivers who are potentially vulnerable to a high level of risk from set pay and arrangements. At the moment most of the agreements are verbal and they are very hard to prove, so this will ensure a fairer and more transparent system to enable drivers to work in the taxi and limousine industries. As a granddaughter of a taxidriver, I am very pleased today to speak about this.

Drink driving is a serious road safety issue. Last year there were 50 fatalities in Queensland involving drink drivers or riders. While this was 20 fewer than the previous year and 35 fewer than the previous five-year average, it is still far too many lives that are needlessly lost. This government is committed to reducing road trauma and is continuing to take a tough stance on drink drivers. The bill before the House contains some important amendments relating to drink driving.

I have stood in this place before and said that, while we stand here and comment on the measures to reduce drink driving, the reality is that it starts long before the driver gets in the car. We should be taking more interest in the research that should be done in this area. Where do drink drivers get their alcohol from? Are they drinking at home and then jumping in their car? Do the pages and pages of advertised discounted liquor have an effect on our drink-driving numbers? Do they drive to the pub or club, drink too much and then drive home or somewhere else?

None of this has been researched. I believe we should be looking at this sort of research as well as continuing to put in place road safety measures like alcohol ignition interlocks. The federal government has finished the National Preventative Health Strategy. I recommend members have a look at the actions it recommends. In particular, recommendation 1.6 establishes the public interest case to exempt liquor control legislation from the requirements of the National Competition Policy. In the report it states—

The results of this research are clear: liberalising alcohol availability is likely to increase alcohol related problems.

That means drink driving. The report continues—

The results certainly call into question the general assumption behind actions in recent decades that have been made in accordance with National Competition Policy such as the state-led liberalisation of liquor licensing regimes—that the number of a type of outlet should be determined by market demand for the product, without consideration of community amenity or impacts.

I stand by my belief that it is far too easy to get alcohol. There are far too many takeaway liquor outlets and the hours that they can open are too long.

The research on this is starting to show how it is hurting communities through alcohol related violence, domestic violence and drink-driving fatalities and injuries. We all know that this is destroying families. Victoria and New South Wales are taking an interest in this research and the research is starting to appear. I believe that just as we have started to put restrictions on tobacco products and sales—that took many years of campaigning—eventually restrictions will be needed for the sale of takeaway liquor.

Last year, to help combat drink driving, the government introduced alcohol ignition interlocks. Interlocks aim to protect Queensland road users by targeting high-risk drink drivers by separating their drinking and driving behaviours. The interlock acts as an in-vehicle breath testing device that is connected to the vehicle's ignition. Drivers must pass a breath test before the vehicle will even start. Drivers will also be required to pull over during the journey at the prompting of the device and take another test to make sure they are not drinking while they are driving.

Queensland's interlock program applies to people who are convicted of high-risk and repeat drink-driving offences. A driver in the program is only authorised to drive a nominated vehicle that has an interlock fitted to it. They have to abide by the restriction for 12 months before the interlock condition is removed from their licence.

The evidence on the effectiveness of interlocks is very strong and consistent. Fitting an interlock to a motor vehicle effectively stops drink drivers in their tracks. Research shows that interlocks are more effective in preventing further drink-driving offences and alcohol related crashes than traditional sanctions such as licence disqualification.

As at 28 March 2011 there were 21 people who had a licence subject to the interlock conditions. In addition, there are approximately 2,405 people who have committed drink-driving offences that make them liable to the interlock requirement. Once they have served their disqualification period, those people will have their licence subject to the interlock requirement.

Queensland's interlock program aims to protect all road users by preventing high-risk drink drivers from operating vehicles while affected by alcohol. Our community can use the road network with greater assurance that strong measures are being taken by the Bligh government to force high-risk drink drivers to stay off the road if they have been drinking.

Lowering our road toll and preventing the senseless loss of life on our roads is a top priority for this state government. The drink-driving reforms in this bill also go further. It introduces a new middle alcohol limit offence for drink-driving offenders with a blood-breath alcohol concentration of 0.10 or above but less than 0.15. This bill provides that people charged with this new offence will have their driver's licence immediately suspended or they are unlicensed and will be immediately disqualified from obtaining a licence. I know that the community certainly has been asking for more of this. That will be pleasing to my residents and the people in the rest of the state. The bill increases the maximum time to obtain a breath and blood specimen for drink-driving offences from two to three hours. It will allow arresting or detaining police officers to conduct the breath analysis for drink-driving offences.

I do not know whether everybody else has noticed this, but for the last couple of weeks every time I have gone online to have a look at the *Courier-Mail*, the *Australian* or any other paper there is fatality after fatality. I am quite sick of it. Enough is enough. There are too many people out there whose families are being destroyed through drink driving, speed and fatigue. We all deserve to drive on safe roads. The road safety amendments in this bill will go towards reducing the danger of drink driving on our roads. They will result in fewer dangerous drivers on our roads, fewer crashes and more lives saved. I commend the bill to the House.



**Mrs SMITH** (Burleigh—ALP) (5.44 pm): This bill institutes significant reforms that directly impact the Gold Coast through the streamlining of the construction of public transport infrastructure as well as strategies to combat antisocial behaviour and drink driving. An efficient public transport system is an essential foundation for a well-run and sustainable city.

In a city such as the Gold Coast, which is experiencing massive levels of growth, the need to implement a rapid transit system as quickly as possible is paramount. The Gold Coast Rapid Transit project does just that. Stage 1 of this project, which stretches from Griffith University to Broadbeach, is already well underway and is estimated to result in a reduction of some 30,500 car trips per day.

The north-south services provided by light rail will free up existing buses to service east-west routes and, I anticipate, improve service delivery to the southern Gold Coast. This bill will streamline the delivery and completion of this important piece of infrastructure and hopefully see it delivered even sooner.


I have an ulterior motive for wanting this project completed ahead of time. Once stage 1 is completed, we can then get on to delivering a world-class rapid transit system to Burleigh Heads and beyond. I know residents in Burleigh, particularly those in the inland suburbs, are eager to see greater services to their area and less traffic congestion.

As our area grows it becomes vitally important that we not only plan ahead to meet the traffic and transport infrastructure needs of our community but also deliver them quickly and efficiently. I can assure my constituents that I will do everything possible to make sure we get this infrastructure as soon as possible.

While I am on the subject of transport infrastructure, Varsity Lakes Railway Station was opened just 15 months ago and has almost been loved to death by the southern Gold Coast community. The 300 car parking spaces have now become too few. After raising this matter with the minister, I am pleased to acknowledge her announcement of up to another 100 spaces. I am advised these works should take about four weeks, depending on the weather. This extra allocation will further assist southern Gold Coasters to utilise our ever-increasing public transport network.

This bill also amends the Transport Operations (Road Use Management) Act to introduce a new middle alcohol limit offence. This offence will see drivers with a blood alcohol level between 0.10 and 0.15 receive an immediate driving suspension and provide for courts to impose a maximum penalty of \$2,000 and disqualify them from driving for between three and six months.

Community safety is something I take very seriously. I would like to take this opportunity to commend local police for the excellent work they have done to combat drink and drug driving in the Burleigh area through Operation Palm Olive. This operation runs on Friday and Saturday nights and has been extremely successful in apprehending drivers under the influence of drugs and alcohol. It has been responsible for a significant decrease in such offences on the southern Gold Coast. I commend the bill to the House.

 **Mr DOWLING** (Redlands—LNP) (5.48 pm): Tonight I rise to speak on the Transport and Other Legislation Amendment Bill 2011. Before proceeding could I acknowledge and thank the officers for the briefing that I received on this legislation. There were a few gaps in the briefing, but, by and large, this legislation is bringing into line a number of other facilities and strategies. It seeks to amend 12 acts, the Criminal Code and the transport operations regulation. This bill is primarily before the House as part of a tidy up. It streamlines a number of pieces of legislation and makes some changes for consistency. These are all positive things.

I would like to talk to the drink-driving reforms and the extended testing provisions. That is a very positive thing, as has been highlighted by previous speakers when they spoke about the number of alcohol related incidents. When we consider that almost 25 per cent of road fatalities are attributable to drink driving, it is a significant problem.

I looked at these figures some years ago and, from memory, the figure is actually even greater for alcohol related incidents when you look at the crash data over 10 years. It suggests that as many as 40 per cent are drink related. Those lives are quite literally ripped apart. They are the maimings, the loss of limbs and the other side effects of car crashes. It is not just fatalities. Those people tie up hospital beds as well, so if we can get to the nub of that we will make some inroads in terms of our health system and driver safety.

I want to touch on the mandatory written bailment agreements for taxi operators. The taxidriviers and owners I have talked to see this as a very positive thing. It is something they have been looking for for some significant time and it is good to see it here. It not only protects the driver; it also protects the owners when they have that agreement. The bonus is that a number of these are linked to driver experience. Again, it has a knock-on effect to passenger safety and I am pleased to see that.


I want to touch very briefly on the civil (court based) banning orders for troublemakers. While I support this, I still have some reservations. The terms and conditions around a banning order include causing fear, damaging rail assets and committing offences in which violence is involved. The shadow minister for transport highlighted that there have to be 10 incidents in 12 months, and this seems a little generous. The government has said that someone can have 10 strikes before the weights are put on, but I think the community expectation in the real world is probably a little more harsh than that. I say that not by way of criticism but by way of comment, and I think the minister would acknowledge that 10 incidents is probably a little on the generous side but it is a step in the right direction. Obviously there are opportunities to amend that as time wears on and as this rolls in.

I have some questions that I did not put to the briefing team, so I would ask the minister to touch on this issue in her summing-up. When someone is banned, what mechanisms are there to actually prevent them from using public transport in the future? How are they identified? How is that enforcement delivered? I put that question to the minister and the advisers and hopefully that will be touched on by the minister in her summing-up.

Another item in this omnibus bill relates to bus and transit lanes—the T2 and T3 lanes. I have similar reservations to those raised by the shadow minister for transport in relation to using police or transport officers. I am concerned that there is a 'net revenue neutral' thing occurring here. This presumably means that while the police are freed up to go out and do their main line of work—law enforcement—the traffic officers who will be monitoring T2 and T3 lanes are being drawn away from their responsibilities relating to the heavy vehicle part of the industry. I have some reservations there, as

I did when the bill first came into the House, but I do recognise and acknowledge that there have been some alleged benefits. They have not been articulated yet, but I will take the government at its word that in this case there have been improvements in terms of traffic congestion in those lanes while this program has been underway.

On another issue, it is a sad sign of the times when we have to introduce whistleblower legislation to protect people who come forward and do the right thing. They are doing the right thing in reporting incidents and reporting safety issues. I have a question for the minister to answer in her summing-up: do the whistleblower amendments only relate to rail and/or transport employees or do they extend to the public? Quite often, members of the public are called upon to come forward and actually bear testimony or be witness to incidents. Does that whistleblower protection extend to members of the public? What if they see a rail officer not doing the right thing or another person who works within the rail doing the wrong thing? As I said, I pose that as more of a question. This is legitimate legislation, I suspect, as it is mostly housekeeping. I just flag those question marks on those few areas.

 **Mr EMERSON** (Indooroopilly—LNP) (5.54 pm): I rise to speak on the Transport and Other Legislation Amendment Bill. I especially want to touch on how it relates to public transport. In her second reading speech the minister discussed passengers on our public transport network. Last week I had the opportunity, as part of my regular program of community corners, to spend some time at the train stations in my electorate. I spent four mornings last week at various stations—at Sherwood, Graceville, Indooroopilly and Taringa—speaking to peak-hour commuters about issues around public transport, the concerns they had and the challenges they faced in those areas. I also mentioned some of the issues raised in this bill, just to get some feedback on what they were thinking.

One of the issues that repeatedly came up during that time, as members would understand, is the extraordinary increases in fares that we have seen in recent times under this Labor government. These increases are coming at times when Queensland families and households are facing increased cost-of-living pressures because of Labor decisions on water, electricity and petrol. The constantly rising cost of fares is just another blow to those families, households and commuters. It is an extraordinary decision to keep making these massive increases in fare prices when the government is wanting to encourage more people to take public transport so as to cut congestion on our roads and help the environment. Last year public transport users had to pay an additional 20 per cent more if they used a go card, and it was 40 per cent more for paper ticket users to catch a train, bus or ferry. At the beginning of this year they were hit by another 15 per cent increase.

Many of the commuters I spoke to during the week did not realise that those fares will continue to rise over the coming years. There will be another 15 per cent rise next year and another 15 per cent rise after that. In fact, by 2014 they will be paying twice as much as they were paying at the start of last year. Is it any wonder, given those circumstances, that last month commuters held a boycott of public transport in protest against the big fare jumps? As commuter advocacy group Back on Track spokesman Robert Dow said—

The value of the boycott has been in highlighting how out of whack the go card fare structure is with the community's expectations and the reality of public transport fare systems everywhere.

Mr Dow continued—

The steep fares were not only putting people off using public transport, they were damaging tourism.

Mr Dow said—

We think it's got to a pretty serious situation and, anecdotally, we've been told there seems to be some evidence patronage has fallen since the January increase.

South-East Queensland commuters are paying some of the highest prices in the world for public transport—

**Ms Palaszczuk:** No, they're not.

**Mr EMERSON:**—despite being constantly told that train and bus fares are very competitive. It is good to hear the minister again using the line of her predecessor, despite what Robert Dow said regarding this. Let me repeat what he said. He said that we are paying some of the highest prices in the world for public transport. Since the 15 per cent price rise in January, the cost of a two-zone go card fare has climbed to \$3.11. This is cheaper, I concede, than the London Underground at \$3.95 but dearer than comparable distances in Berlin, at \$2.85; Paris, at \$2.30; and Madrid, at \$1.70. Tokyo residents pay \$1.95 for a subway single, New Yorkers pay \$2.50 and Los Angeles residents pay \$1.47.

**Ms Palaszczuk** interjected.

**Mr EMERSON:** So it was remarkable to see the minister just a moment ago saying that, no, we are much cheaper than anywhere else in the world. If the minister wants, I can list them again and keep going listing them. Most cities also offer heavily discounted weekly or monthly tickets—


**Ms Palaszczuk** interjected.

**Mr EMERSON:** Again, if the minister wants me to start comparing cities, I am happy to give her the list. If she wants to say it is not the case, I will repeat the list for her. Here it is. Here are the prices for all of these cities. As I said, most cities also offer heavily discounted weekly or monthly tickets which are no longer available in South-East Queensland's go card fare structure. In New York \$29 gets you a seven-day, unlimited trip subway ticket and in Madrid a monthly zone A ticket costs \$62, which is less than what many Queensland commuters are spending on train or bus fares a fortnight. Former transport minister Rachel Nolan stated in October 2009 that passengers will continue to pay cheaper fares than people in Sydney and Melbourne despite the fare increases. That is not the case. In Sydney weekly tickets are available for as little as \$25 and in Melbourne for \$29.40. People who commute on the Sunshine Coast, for example, are looking at paying an extra \$5,000 to \$6,000 a year in fares because of the loss of the periodical ticket.

Even TransLink's chief executive has admitted how disastrous Labor's management of public transport has been. Last month Peter Strachan revealed that state government research showed that three per cent of people believed that public transport would be better than private transport. He also revealed that only about seven per cent of journeys were taken by public transport—just seven per cent. Despite all of that empty rhetoric from Labor about how well it has done on public transport, that seven per cent is a real test of the lack of success of Labor with public transport. What was the percentage of journeys taken by public transport when Labor came to power in 1998—more than 12 years ago? It was seven per cent—the same as now. Twelve years later, it is the same percentage of journeys. Despite what Labor's targets might be and despite what it says it has done, the percentage of journeys is still the same as it was in 1998 when Labor came to power. The only thing that has gone up is the price of fares. Sadly, this minister, who is just another in a long line of Labor transport ministers, will not do any better, because it is still Labor in power. It was seven per cent in 1998 and it is seven per cent now. Labor set the target after 1998 but did not reach it. Last year Labor set a new target. Now it will be 2030. Labor still has not done it. Labor still cannot improve the percentage. Labor does not understand that, unless you can make public transport a viable alternative, people will not choose it over private transport, and those massive increases do not encourage anyone to choose public transport.

As I mentioned, last week I was speaking with commuters at train stations in my electorate. In fact, this week I have been speaking to commuters on the trains and the buses that I was taking to parliament. They all mentioned those fares, but they also mentioned safety. I am pleased to see an aspect of safety to this bill, because the recent figures that I have seen show more than 1,100 reports of disorderly conduct on Citytrains over a period of a year, with more than 200 reported assaults. Queenslanders want a safe, reliable and comfortable train system. They do not want to have to worry about being assaulted while travelling on the daily commute.

I was interested when I saw that this bill provided for additional processes to stop louts, hoodlums—criminals—catching public transport. But when I spoke to people on trains and buses—those commuters at those train stations during the week—and I mentioned that it takes 10 offences to get someone banned from public transport, they could not believe that it would take 10 offences to do that. The 10 offences was of concern to them. I take what the minister is saying that it may be one act with 10 offences involved in it, but the reality is that it could be 10 offences. To use the words of my colleague from Redlands, that seems a very generous amount. Surely 10 offences over the course of a year is too much. It should be lower than that. The reality is that we want to get more people onto public transport. Getting them onto public transport eases congestion and it helps the environment, but it has to be a viable alternative. It has to be safe, it has to be reliable, it has to be the way that people choose to go and, particularly, it has to have reasonable, affordable fares—not constantly going up 15 per cent every year, especially on top of all of the other cost-of-living increases that we see under this government.

 **Mr McLINDON** (Beaudesert—TQP) (6.04 pm): I rise to contribute to the debate on the Transport and Other Legislation Amendment Bill 2011 and want to touch on the increase in the penalty for drink-driving offences. I think the government needs to go further than increasing the penalty and look at the root of the problem. A mere revenue raiser is not the answer. We need to make it mandatory for people to undertake defensive driving courses. Such an innovative measure offers a sincere rehabilitation process rather than an increase in a fine. I think we would find that people who undergo such a course would have a far greater appreciation of the offence that they have committed. They would also be able to tell their peers about it. I think the government needs to look at greater measures than simply increasing the financial impost on the offender. I do not think it is the total answer. I do not think that anyone in this parliament would be able to argue against an increase in a fine for a drink driver, given the circumstances that they have put themselves into. I would like to see other measures outlined in the future. The Queensland Party certainly has some interesting and innovative policy announcements to make in the coming months in relation to this issue. It is good to see, though, that over the past 12 months there has been a decrease of some 20 deaths from drink driving. As the member for Springwood said, any death is too many, but I think to reduce the figure from 70 down to 50 and to keep working on that figure and obviously having a zero tolerance culture in Queensland would be where we want to head ultimately.

I find it amusing that members of the opposition were highlighting section 27A in terms of the rights of landowners and that they were going to oppose all of the amendments. That brings me back to the coal seam gas moratorium and the rights of landowners that have been steamrolled by both the government and the opposition. I think they should look at their ideology holistically across Queensland and give the matter a little bit more weight in terms of their concerns.

The bill refers to public transport networks. I said in my maiden speech that Queensland needs a 50-year plan—a helicopter view rather than the 2½-year cycles that we tend to see. Obviously we operate on personality politics. We need to snap out of that paradigm and try to find a 20-, 30- and 50-year vision for Queensland; otherwise it will backfire on all of us ultimately if we do not plan for the future.

I also mentioned in my maiden speech the fact that we need to start looking at innovative ways and thinking outside the square in terms of a high-speed monorail from the Gold Coast to Brisbane and on to the Sunshine Coast. Although that infrastructure would be expensive in the short term, it would certainly be of huge benefit to all Queenslanders in the south-east. That infrastructure would connect some of the highest growth regions. It would also support a decentralisation strategy to ensure that the populations in satellite cities, such as Yarrabilba, Flagstone and Ripley, were connected to their neighbouring CBDs. That is a matter that we can look into. It is an innovative approach. We see how the magnetism works with the Tower of Terror. It goes up to 160 kilometres an hour. Imagine if we had a zero-emission, high-speed public transport network, which will happen in the lifetime of most of us here. That is where we have to start putting our head space now rather than doing the same old same old of creating more lanes and whatnot. Really, our mindset is stuck in the 1920s or whenever the horse and cart was replaced with the car. We have to start thinking into the next 50 or 100 years from now. That is where I think we should be putting our investigations, time, energy, resources and consultants.

I also mentioned in my maiden speech—but it got laughed at by numerous members—the idea of moped lanes. Only last week there was an interesting article in the *Courier-Mail* by Robyn Ironside saying that there has been a 1,000 per cent increase in moped users in Queensland in the past 10 years.

**Mrs Sullivan:** There are conga lines of them on Bribie Island.

**Mr McLINDON:** I take that interjection. In terms of the increase in the cost of registration, the cost of registration of a moped would be one-seventh the cost of car registration. If people used a moped, they would probably end up using \$10 worth of fuel a week instead of \$70 worth of fuel a week. I think this is an innovative approach. We could have dedicated moped lanes. Currently, mopeds are not allowed to travel along the major arterial networks; they are allowed only on the local road network. We need to plug into that and have a higher use of mopeds. It never ceases to amaze me, while driving along the M1 on the way to parliament, to see that the T2 lane rarely gets used. In theory, T2 lanes are probably good, but we should open up those lanes so that we can get the cars moving. Few cars use the T2 lane and that bottlenecks the other two lanes next to it. I think we should also consider that in the near future. That is certainly something that the Queensland Party Public Transport Committee is looking at. In the future I will be proud to announce some innovative plans on a 20- and 50-year vision.

**Ms Grace:** It is an incentive to car pool.


**Mr McLINDON:** I will take the interjection by the member for Brisbane Central, but the reality is that whilst on paper it does look good, very few people have been able to car pool because of different time management on their workfront.

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! Member for Beaudesert, I have given you some leeway here but I would now ask you to return to the provisions of the bill currently before the House.

**Mr McLINDON:** I appreciate that. In closing, in terms of the decentralisation strategy, in Townsville, Cairns, Rockhampton and those areas that I have been visiting recently I did ask people what they thought of the whole Newman show. The response was that he was a great actor. They further said that he also made a good salad dressing. Not only do they not know the man, they are extremely frustrated he blew \$700 million of ratepayers' money on a concrete tunnel in Brisbane. The acting will only last so long and the salad dressing will wear off. We need a decentralisation strategy, not what we have seen in the Brisbane City Council. I think we need to look at something holistic. I think the track record of the leader of the 'nopposition' or the 'no position' has been woeful and people need to understand that. Every morning I drive past the 14 bike racks on the corner of Alice and George Streets and there are only three bikes there. I wonder if that is a bit of a set up. I cannot see many tourists racing to hop on a bike to come and see Parliament House.

**A government member:** And they need a helmet.


**Mr McLINDON:** And they need a helmet. Unless they like Lipton Tea, then I guess they can get the directions from the website on the back of the bike. I know I am pushing the barrow here, but I just wanted to put forward for consideration a few of those innovative approaches to the public transport network system in Queensland.

 **Ms GRACE** (Brisbane Central—ALP) (6.11 pm): I rise to support the Transport and Other Legislation Amendment Bill. I do so because I think that anything that we can do that continues a trend in reducing road deaths is a step in the right direction. I think that we have done a great job as a government by taking the issue by the neck, so to speak, to try to minimise the unsafe practices that occur when people drink and drive. I fully support this legislation before the House this evening.

In supporting this legislation I draw to the attention of the House that there is research that says that if a person is driving with an alcohol level of 0.10 they are five times more likely to be involved in a crash than a person on a zero alcohol level. That research is pretty compelling. That is why I am supporting the introduction of a new middle alcohol limit offence for drink drivers. This bill creates an offence for drivers with an alcohol level of 0.10 up to 0.15, with an increase in the maximum penalty for these drivers from \$1,400 to \$2,000. In addition, a person charged with this new middle alcohol limit offence will have their driver's licence immediately suspended. This extends the existing suspensions that apply to those with an alcohol level of more than 0.15. In a way, what we are saying is that there is clear research which says that if a person is driving with this middle range alcohol level they are very susceptible to a crash and we are taking steps to ensure that the law now takes their licence away if they are caught and that the fine they are going to pay is more than what it was before. This will ensure that those drivers who are caught with high levels of alcohol in their blood can be guaranteed that they will probably lose their driving privileges until they have been dealt with by the courts. None of us in this House condones drink driving. The message here is pretty clear. A person will not face any of this if they simply do not drink and drive. Believe me, it is just not worth it. That is a message that I put out to as many young people and members of the community as often and as many times as I can.

The other part of this bill that I want to address is the safety and wellbeing of our young and vulnerable people, which should be a paramount consideration for the public transport system. A world-class transport system is one that is more than just trains, buses and boats travelling from A to B. World-class public transport preserves the safety of commuters and there are no more valuable commuters than our young and the vulnerable. It is the driver authorisation regime administered by the Department of Transport and Main Roads that ensures that our taxi and bus drivers are people who can be trusted in these important roles. The importance of driver authorisation for protecting the young and vulnerable was acknowledged by the House when targeted refinements of the regime were passed in 2009. These refinements ensured that the Commission for Children and Young People and Child Guardian would be more involved in assisting the chief executive of the Department of Transport and Main Roads with driver authorisation matters. Many in the House would be aware that holders of driver authorisation are often transporting the young and the vulnerable. It is common-sense policy for driver authorisation to be aligned with the Commission for Children and Young People and Child Guardian legislation.

The strong bipartisan support for the amendments in 2009 prompted the government to consider a root-and-branch review as to how the relevant legislation for driver authorisation could best align with the Commission for Children and Young People and Child Guardian legislation, therefore reflecting a whole-of-government best practice. I am pleased to support this suite of amendments which align the driver authorisation legislation because it is good policy based on sensible review. The Commission for Children and Young People and Child Guardian has successfully taken the whole-of-government lead on child welfare issues. These amendments, quite simply, will align the driver authorisation regime with the commission's policy where relevant. For example, under the new provisions any person who, due to their criminal history, for example, would be automatically excluded from gaining driver authorisation would automatically be excluded from similar Commission for Children and Young People processes such as a blue card application. I am sure that those in the House will agree that these thoughtful legislative changes warrant bipartisan support in a similar way to the important refinements that were made in 2009. These amendments are in line with public opinion and reflect a whole-of-government view that the wellbeing of children and vulnerable people is paramount. I take this opportunity to congratulate the minister on bringing the legislation to the House and I commend the bill to the House.

 **Ms FARMER** (Bulimba—ALP) (6.17 pm): I rise to support the Transport and Other Legislation Amendment Bill 2011 and to speak on some clauses in particular. Too many lives are lost every year on Queensland roads because of drink drivers. Over 700 people have died as a result of crashes involving drink drivers in the last nine years. Every life lost is one too many. But there is some good news thanks to a tough stance the Bligh government has taken on drink driving. Last year's road toll was the lowest we have had since detailed records began more than 50 years ago. But there is more we can do. This bill proposes reforms that will make a difference in identifying and prosecuting those reckless individuals who continue to put their own lives and the lives of others at risk through drink driving.

Firstly, it introduces a new middle alcohol limit offence. This offence is targeted at people who drive with a blood alcohol concentration of 0.10 up to 0.15. This offence is proposed because people who drive with a blood alcohol concentration of 0.10 are almost five times as likely to crash as people driving with a zero blood alcohol concentration. The risk rises significantly for drivers with an even higher blood alcohol concentration. With a concentration of 0.15 drivers have a crash risk more than 20 times that of a driver with no alcohol in their system.

In the seven years to June 2008, drivers who recorded a blood alcohol concentration of .10 or higher accounted for approximately 80 per cent of drink-driving related fatal crashes in Queensland. We have to get those people off the roads, and this bill proposes a means of doing that. The bill will change the threshold at which a person has their licence immediately suspended, from the current level of .15 blood alcohol concentration down to .10 blood alcohol concentration. That means that more drink drivers will lose their driving privileges until their case is dealt with by a court. We know that the public supports this move. Almost three-quarters, or 72.2 per cent, of respondents to the government's discussion paper, *Drink driving in Queensland*, which was released for consultation last year, supported this change.

The bill also proposes invaluable measures to assist police in identifying and prosecuting drink drivers who have a flagrant disregard for their own life and others' lives. Drink drivers who are picked up through a roadside breath test must have a further breath or blood test to confirm the offence. At present, police must conduct those tests within two hours of the person driving or attempting to drive a vehicle. The bill extends that time to three hours.

The bill also proposes that the police officer who arrests or detains a suspected drink driver may be the officer who conducts the second test. Currently there must be a second officer to conduct this test. This change will be particularly useful for police in rural and remote regions of the state, where a second officer or testing equipment may not be readily available or where, by travelling to the nearest location where the blood test may take place, they would exceed the previous time threshold of two hours. This extra time is aimed at making enforcement of drink-driving laws easier and will hopefully discourage more motorists who live in rural and remote areas from drinking before they drive.

Last year, in another of a tranche of road safety initiatives introduced by the Bligh government aimed particularly at combating drink driving, the government introduced alcohol ignition interlocks. I was very pleased to speak on that bill and have been even more pleased to see that it has already produced concrete results. As at 28 March 2011, 21 people had a licence subject to the interlock condition. In addition, approximately 2,405 people have committed drink-driving offences that make them liable to the interlock requirement. This bill ensures the program can continue to be appropriately administered. We all deserve to drive on safe roads. This bill will make a difference in combating dangerous drink driving on our roads. It will result in fewer dangerous drivers on our roads, fewer crashes and more lives saved.

I cannot stand in this House and speak about public safety without acknowledging the excellent work of police officers in enforcing public safety laws across the state. In particular, I acknowledge the officers of the Morningside Police Station, led by Senior Sergeant Barry Bullion. In these situations police officers have a thankless task, yet they always carry it out with the utmost respect and professionalism.


On a different note, as the representative of an electorate that has a high patronage of public transport, I particularly commend the clauses in the bill that introduce civil exclusion orders aimed at curbing violent behaviour on public transport. The government has an impressive record in ensuring that public transport is safe, appealing and user-friendly to commuters and commuters are responding in droves, with steadily increasing use of public transport.

Despite the assertions of the member for Indooroopilly—and he really is not in a position to criticise any policy around public transport, given the LNP's and Campbell Newman's record on public transport, and I note that Campbell Newman is yet to articulate public transport as an important policy area—from figures released by the Minister for Transport and Multicultural Affairs earlier this year it is clear that we are getting things right in public transport. The figures for the October-December 2010 quarter show that more and more people are taking up public transport. Train patronage increased by six per cent to nearly 14.5 million trips; bus patronage increased by 600,000 trips, or more than two per cent, to over 29 million trips; and go card usage increased to 64.2 per cent of trips for the quarter. This is a clear reflection of the many initiatives that are in place to provide the best and most effective transport system possible.

Like the member for Indooroopilly, I regularly spend time speaking to commuters at our major commuter terminals. In fact, I speak to around 1,500 of them every three months when I go to our major train stations and ferry terminals. I know for a fact that the majority of commuters are very pleased with the measures the government is putting place.



This bill yet again signals that the government is serious about keeping public transport safe. I take this opportunity to congratulate both the former and current ministers for transport for their work on this bill, for their passion for promoting public transport and for ensuring the safety of Queenslanders. I commend the bill to the House.

 **Mrs ATTWOOD** (Mount Ommaney—ALP) (6.24 pm): I rise to support the Transport and Other Legislation Amendment Bill 2011 and to commend the minister for all of the work that is happening on the Queensland rail network and in public transport in general. The Bligh government has completed widespread community consultation on train timetables, and from 6 June more than 150,000 weekly seats will be added to the Ipswich and Caboolture lines. This follows a number of local transport initiatives undertaken over the past years, including additional buses to railway stations, a Citytrain station at Darra, new buses and train carriages, upgrades to Oxley, Corinda and Darra stations and additional parking facilities, a third track from Corinda to Darra, a new railway station at Richlands and an extension of the railway line to Springfield that is currently underway. That names just a few.

I would like to speak about the amendments to the Transport Infrastructure Act 1994 and the Transport Planning and Coordination Act 1994 that will facilitate a more streamlined delivery of major projects. Amendments include the extension to busways of the interface management regime previously put in place for light rail. The proposed amendments will allow the chief executive to declare a transport interface management area. For example, this could be an area where constructors, managers and operators of busway and light rail infrastructure are affected by land or infrastructure that is owned, managed or controlled by another party. An interface agreement is important so that all parties are clear about how they can effectively fulfil their maintenance, operational, safety, environmental and incident management obligations. The proposed amendments will enhance the ability of the state to manage and coordinate the interface between light rail or busway transport infrastructure and surrounding land uses.

Recently the local councillor for Mount Ommaney indicated his interest in running for state parliament, but three hours later he changed his mind. This week he ran a scare campaign in the local *Satellite* newspaper. Last week the paper ran a front-page story in which the councillor stated that the Brisbane City Council had received word of the state government's intention to acquire 30 hectares of protected bushland known as Pooh Corner for a railway carriage depot. A related question was asked in parliament by the former shadow transport minister, Fiona Simpson. The minister responded immediately to say that Pooh Corner had been completely ruled out by Queensland Rail due to the environmental sensitivity of the site. The councillor's statements were completely misleading.

In the same week, the *South-West News* ran a front-page story in which the local councillor virtually queried the effect on traffic of TransLink's proposed bus park and ride at Jindalee and said that there was no consultation. Pardon me? The idea of a park and ride is to combat congestion and to get people using public transport. Again, this is incorrect information. The first round of consultation with local residents occurred last year and the redrafted design has taken into account their concerns. The redrafted design includes a number of changes, such as increasing the amount of landscaping on the site and decreasing the number of car park spaces. A second round of wider consultation had previously been proposed for May this year. For a few days now I have been trying to contact the local councillor to tell him the facts about this bus park and ride and Pooh Corner, but it seems that he has gone AWOL.

**Mr Ryan:** Like 'Cut-and-run' Campbell.

**Mrs ATTWOOD:** That is right. It is really concerning that not only can somebody go to the local newspapers with incorrect information but also they can have that misinformation published on the front page. Is there an ulterior motive for this story? Is he still looking for a career change, like Campbell? As mentioned earlier, in state government there are a lot of positive public transport stories that are more newsworthy and factually correct than the scaremongering and misleading information provided by the local LNP councillor, who obviously has no idea what is going on in the local area.

Other amendments to the Transport Infrastructure Act will establish compliance management plans that will provide a streamlined mechanism for compliance with environmental standards and other regulatory approvals. This will be a major saving for both the proponent and the government and, therefore, the people of Queensland.

Amendments to the Transport Planning and Coordination Act 1994 will streamline the sale of compulsorily resumed land that is no longer required for the original resumption purpose. Currently, in order to dispose of resumed land within seven years of the resumption the Acquisition of Land Act requires that the Department of Transport and Main Roads obtain a valuation from the Valuer-General before offering the land back to the former owner. The acceptance rate of former owners is very low as often they have used their compensation funds to re-establish their lives elsewhere. However, the process mandated by the Acquisition of Land Act places a considerable administrative burden on the Department of Transport and Main Roads and the Department of Environment and Resource Management, even before they can ask the former owner if they are interested. The proposed

amendments will streamline this process by simply asking the former owner if they are interested in repurchasing the property and only then procuring an evaluation if the former owner expresses an interest. This will save everyone, including the former owner, time and resources.

An easement is sometimes needed to ensure that the department is able to protect the integrity of transport infrastructure. The current process requires the land to be sold back to the former owner and then a second resumption of the easement. The amendments will enable the chief executive to register an easement over the land before offering it back to the former owner. This makes it simpler and more certain for everyone. These amendments will allow for the more efficient and effective delivery of major projects by streamlining a number of processes. I commend the bill to the House.

Sitting suspended from 6.30 pm to 7.30 pm.



**Mr DICKSON** (Buderim—LNP) (7.30 pm): The Transport and Other Legislation Amendment Bill is one of those 'spaghetti and meatballs' bills that the government introduces from time to time: it covers a multitude of things. If honourable members examine the explanatory notes they will see that some of these amendments are required to fix the stuff-ups that have resulted from this Labor government's policies. The amendment to the Transport Infrastructure Act is apparently going to clarify that the chief executive has a power of entry onto a property to investigate rail corridors. What is the ambiguity arising from this piece of Labor policy? The explanatory notes state—

It has become unclear what powers the chief executive has to enter and investigate rail corridors as a result of the divestment of QR Limited.

Because of this government's sale of one of our assets, namely Queensland Rail Ltd, it has had to get out the leftover gaffer tape and cable ties from the Bribie Island bridge and cobble together a repair in the form of this amendment.

Let us move on and look at the amendment dealing with the sale of surplus land under the Transport Planning and Coordination Act. Often these properties are unattractive to the former owner for a variety of reasons. We are told that the reasons are due to the property's size, shape, access, aspect or position beside a major piece of infrastructure. Most people would agree that, having had their property resumed, a former owner may not want to live next to a major piece of infrastructure.

We are told that the acceptance rate by former owners is extremely low. The bill proposes an amendment that would streamline the sale of compulsorily resumed land or parts of the resumed land that are no longer required for the original resumption purpose. At the moment, to dispose of resumed land within seven years of resumption the act requires the Department of Transport and Main Roads to obtain a valuation from the Valuer-General before offering it back to the former owner. In the majority of cases the former owners have used funds from the resumption to purchase another property and have re-established their lives elsewhere in an effort to alleviate the heartache forced upon them by this Labor government. Of course, when this Labor government then realises that it has made a mess of things yet again, it needs to liquidate its properties. However, there will no longer be an automatic first offer made to previous landowners to purchase back any surplus land. The chief executive may offer it back at their discretion. What is unclear is if the original owners have the right of appeal to have their former property offered back to them in the first instance.

The amendment allows the chief executive to ask the former owner if they are interested in repurchasing the property before obtaining a valuation. If the former owner expresses an interest then the chief executive will obtain the relevant valuation. At that point the owner can make a decision as to whether they wish to repurchase. Here is an interesting part of the amendment. Section 27A enables the chief executive to register an easement over the land which was originally resumed before offering it back, thus avoiding the necessity for a second resumption of that piece of property. This amendment recognises that the land offered back may be subject to an easement of the Department of Transport and Main Roads to protect the structural and operational integrity of the infrastructure with an allowance for the decrease in valuation. Is that an attractive proposition for a potential buyer? I presume not. The government is asking the previous owner if they are interested and at the same time is saying that it is going to hold an easement over their place just in case it wants to do some work at a later time.

Apparently, in the seven-year period to 30 June 2009 drink-driving related fatalities represented 22.9 per cent of all fatalities in Queensland. Following a review of the current approach to drink driving, a number of initiatives have been introduced to help reduce drink driving and the inevitable injuries and death arising from it. This bill will amend the act to introduce a new middle alcohol limit offence for drink-driving offences with a blood alcohol concentration of .10 or above but less than .15. The bill also provides that people charged with this offence will have their driver's licence immediately suspended. If they are unlicensed, they will be immediately disqualified from obtaining a licence. The amendment will also increase the maximum time allowed to obtain a breath and/or blood alcohol specimen for drink-driving offences from two to three hours and will allow the arresting/detaining police officer to conduct a breath analysis for drink-driving offences.

I am somewhat curious about those amendments. I am not saying that I do not agree with them. I think we need to know more about how they were arrived at. What is the data supporting these amendments? What is the need for a 50 per cent increase in the time for a breath or blood specimen to be obtained? Also, what is the reason for allowing a detaining police officer to conduct the breath test analysis? This is starting to sound more like an operational matter from the point of view of police manpower or rostering issues. Is it the case that the current numbers of police on the street are unable to meet the previous two-hour time limit and is this exacerbated by the fact that, previously, arresting police needed to wait for another officer to be available to conduct that breath analysis? I would be very interested to hear the Minister for Police explain the reasons for these two amendments.

Currently, when a driver has a blood alcohol concentration of .10 or above but less than .15 the driver is charged with a general alcohol limit offence and is subject to penalties and sanctions that apply to that offence. The bill asserts that this new middle alcohol limit offence will be subject to a maximum penalty and a period of licence disqualification that is higher than those applied to the general offence. The harsher penalties are justified by the seriousness of the new offence.

A drink driver with a blood alcohol concentration of .10 has a risk of crashing that is almost five times the crash risk of a person with no alcohol in their bloodstream. Over a seven-year recorded period, drivers recording a blood alcohol concentration of .10 or higher accounted for approximately 80 per cent of drink driver related fatal crashes in Queensland alone.

It is all very well for the government to introduce a bill that proclaims that it provides for this new level of drink-driving offence with harsher penalties. However, penalties currently being handed down in Queensland courts are a mere slap on the wrist, as we see almost on a daily basis, particularly relating to drink-driving offenders. I spoke last year in this chamber about a serial drink driver from Nambour who kept receiving fines, bonds and suspended sentences from the court. It was not until he had appeared in court on the same day for his 18th and 19th high-range drink-driving offence that the magistrate saw fit to send him to prison. What was his penalty? Six weeks in jail! That seems to be in keeping with Labor's policy because, as we know, only about two per cent of drink drivers go to jail. The explanatory notes state—

Any interference with an individual's ability to continue driving is considered justified because crash risk research and Queensland crash data demonstrate the seriousness of the road safety risk posed by drivers above the middle alcohol limit.

Now we have this get-out clause. We just heard about the serious matter of drink driving—and I agree—but this bill provides that a person convicted of this offence will be entitled to apply to the court for a restricted licence. It is just a joke. Likewise, we are told that the immediate licence suspension provision protects the public by restraining drink drivers who pose a high road safety risk and that it has the potential to prevent the person committing further drink-driving offences while the suspension is in effect. This would be great, but here we go again: we have the old Labor get-out clause. The explanatory notes state—

Those people whose licence is immediately suspended due to being charged with a middle alcohol limit offence will be entitled to apply to the court, under existing provisions, for an order allowing them to drive prior to their court appearance.

Again, it is a joke. Seriously, is this government really trying to keep drunks off the roads or not? It is a very simple question. People are dying.

The final part of this bill I wish to speak about briefly is the amendments dealing with the civil, or court based, banning orders. The amendment to the Transport Operations (Passenger Transport) Act will enable the court to make a civil exclusion order which can restrict or prohibit a person under the public transport network for a period of up to 12 months. Should the court decide to make a civil exclusion order, it must be satisfied that the person has committed an act of violence—that is, 'committed an act of violence against another person or property on the public transport network of such a nature that the act of violence would cause a person in the vicinity to reasonably fear bodily harm to any person or to damage property'. That sounds like a most reasonable amendment to me, but I am not so impressed with the following provision however. As a stand-alone 'alternative trigger', a court may also make an exclusion order should a person be issued with 10 or more penalty infringement notices for a 'relevant offence', as defined in the act, within a 12-month period—10 offences, 10! The government finds it acceptable that an individual can be caught committing up to 10 offences on the network before a court can step in and prevent or restrict such a person from utilising the network. I think we can take it as a given that, if he or she has committed 10 offences, they have probably committed 50 but have not been detected.

One point I want to touch on again before I finish is the drink-driving issue. It is a serious matter. I think those couple of points in the bill that I raised need to be looked at. If we continue to let these people out after they have been caught, we are killing the whole ideal of what the government is trying to put forward. If the government is not serious about keeping these people locked up, if they are continually being caught 18 and 19 times, it is kidding itself. We are not doing the job we are paid to do.



**Mr POWELL** (Glass House—LNP) (7.41 pm): I, too, rise to address the Transport and Other Legislation Amendment Bill 2011. I note that the bill amends the Transport Infrastructure Act 1994 to recognise the chief executive as the owner of rail corridor and non-rail corridor land and that it clarifies

the power of the chief executive to enter and investigate rail corridors. There is also reference to QR leases and there is a streamlining of the processes involved in the sale of compulsorily resumed land or parts of resumed land that are no longer required for the original resumption purpose. I will be confining my comments to these elements of the bill.

With regard to the north coast rail corridor duplication and particularly the resumption of land and the signing of leases, I would like to acknowledge the efforts of and thank the previous minister for transport for her assistance with a couple of issues that arose in the electorate of Glass House around that north coast rail corridor. In particular, we got to the point where we were able to sign a lease with the Elimbah Fruitgrowers over its co-op arrangement at the Elimbah Railway Station. I understand though that there is not a lot of certainty around how long that lease will operate, but we are grateful that a lease was able to be sorted out.

Possibly more important was the situation of Matt and Lisa Sherry in Palmwoods. As the minister will be aware, the EIS has been released for the duplication from Landsborough to Nambour. It has a huge effect on the township of Palmwoods. It has a huge effect on residents in Leeons Road. Interestingly, the Sherrys were one of the only families who were unaffected apparently yet were losing half a dam. I thank the previous minister for taking on board our representations. QR has subsequently gone out and assessed the situation and has determined that they are affected. I understand that a settlement has been made and the Sherrys have moved to another property in Palmwoods. I am glad that we kept them as constituents, and I am very grateful for the assistance of the department in resolving that matter.

But there is a large amount of outstanding business in the north coast rail duplication corridor. I would like to raise a few of those matters with the minister this evening. Firstly, we are getting a lot of feedback from constituents in and around Beerburrum—Helen Manson to name one—concerning the ongoing lease and maintenance of the TrackStar Alliance depot adjacent to the Beerburrum Railway Station. Obviously TrackStar had intentions of continuing on with the Beerburrum to Landsborough upgrade and so has kept its depot there, but it has fallen into a considerable state of disrepute—

**An honourable member:** Disrepute?

**Mr POWELL:** Disrepute is probably not the correct word—disrepair is probably the correct word.

**Ms O'Neill:** But I like the idea of its disrepute.

**Mr POWELL:** No, we will not make comments on what perhaps goes on at the depot. It is certainly in a state of disrepair. The fencing has deteriorated. There are weeds and grass everywhere. It is certainly not looked after. I have written to the minister about this. I hope it is something she might be able to look into. In a similar vein to the Elimbah Fruitgrowers, I know the Glass House Mountains co-op is trying to sort out its lease arrangements. The corridor does not adjust too much around the Glass House Mountains Railway Station, but clearly the co-op needs some certainty around its ongoing lease arrangements.

I have received notification recently that the Sunshine Coast Regional Council is in the final stages of preparing its streetscaping project for the community of Glass House Mountains. It has raised a number of issues with me regarding the interface with the rail corridor upgrade, particularly things such as the integration of that streetscaping CBD plan and the rail upgrade overpass, including the rail levels; the planning of heavy haulage routes to reduce congestion and improve safety with the expected increase in traffic numbers; and the retaining of the existing railway station in the rail upgrade plan. My understanding is that members of the Glass House Mountains community have had extensive discussions with the former member for Glass House. A lot of work was put in to upgrading the Glass House Mountains Railway Station, but it is a heritage station. It is recognised as being an intrinsic part of the community. It would be great if we could hang on to that. I will be talking further with the council and with representatives of the Glass House Mountains township around those issues, but again I just bring them to the attention of the minister this evening.

I know there is outstanding business around Murray Pike and his property. The corridor is pushing Steve Irwin Way to one side. Therefore, TMR is having to resume part of his pineapple farm. There is a dispute about the valuation. Clearly the valuation TMR is providing does not include a value for the crop. Pineapples are grown on a cyclical basis. The crops are in. It is not just a case of resuming the land; it is giving compensation for the crop that is being lost as well. I just ask again that, when the time comes, the Minister for Transport and the Minister for Main Roads take a moment to reconsider that situation.

Finally, the biggest issue—and we have been contacting the minister's office regularly on this issue—is around the Palmwoods CBD itself. Local Sunshine Coast Regional Councillor Jenny McKay and I and Mayor Bob Abbot with a number of council staff came down and spoke to the former minister last year about possibly looking at an arrangement to transfer excess land—what we understand to be excess land based on where the corridor is going to go through Palmwoods—which would facilitate the council being able to better plan the CBD of Palmwoods, particularly to look at supermarket developments for that community. We left that meeting with the mayor and the minister understanding that there was some goodwill on both sides and that it could potentially be looked at. My understanding

is that when council went to follow that through with TMR representatives it stalled to the point where it is now being told that it cannot go any further. That is really holding up the council and its ability to resolve a lot of issues in the CBD of Palmwoods.

We have written to the minister to request another meeting with the minister, the councillor and council staff to try to resolve that issue. We would very much appreciate an opportunity to come and see the minister as soon as possible to further discuss that. I realise our previous discussions were with the former minister, but it would be great to bring this minister up to speed to see if there is not a way we can resolve it. We realise that under current plans the corridor is not going to be built until 2031. The council cannot wait that long to resolve this issue. We think there is a very simple solution. We put it to TMR. We thought we had some recognition of that from TMR, but subsequently not. Again, if the minister could assist us with that, it would be much appreciated.

In concluding my comments, I would like to take this opportunity to thank the minister for hearing the majority of the Sunshine Coast commuters' concerns when it came to the draft timetable that was released last year. The one released earlier this week is a vast improvement on the last one. The reinstatement of the 5.20 service from the CBD in the afternoon is a godsend for most workers who work in the CBD and finish at 5 pm.


We acknowledge also that some effort has been made to adjust the arrival times in the morning. Most of those are improvements. We also acknowledge the additional service. The one remaining frustration, as I have shared with the minister—I think I have sent through correspondence—is the fact that in streamlining the services to stay on one track, and we understand that that saves time, what it has meant is that the number of express services from Caboolture to Bowen Hills have evaporated and we now only have express services from Petrie to Northgate. That is adding between 10 to 15 minutes to every service bar the one from Gympie North in the morning. It is meaning that people who were catching the 6.00 am service are now catching the 5.45 am and 5.50 am services. It may not seem a lot, but when they add 10 minutes on at the start of the day and 10 minutes on at the end of the day and they are already doing 13 or 14 hour days with their travel it adds up. It will impact on those families concerned.

I also appreciate that the minister has heard the concerns around the periodical ticketing issues of coast commuters. I am glad to hear that she will be reviewing that issue and that she will be including regional or subregional commuters on that review panel. I look forward to hearing how the minister will address those concerns. We can dispute the figures, but it is going to result in a massive increase in fares. I understand fares are going up, but by removing those periodical ticketing options it really is impacting on long-range commuters.

**Ms Palaszczuk:** I hear you.

**Mr POWELL:** You hear me. I am glad to hear the minister acknowledging that. I look forward to another positive outcome in that regard.

It is a lifestyle decision to live on the coast and work in the CBD. Most commuters accept that. But they would ask that, given they are already the longest commuters of any in the TransLink network, that is taken into consideration. I again raise the issue of the express services that have gone from Caboolture to Bowen Hills down to Petrie to Northgate. That is really going to impact on commuters. Given these changes will be implemented on 6 June perhaps the minister could look to address these issues for next time.

 **Mr WENDT** (Ipswich West—ALP) (7.51 pm): I rise to speak in support of the Transport and Other Legislation Amendment Bill. I would specifically like to comment on the civil banning order. As we all know, more Queenslanders are taking public transport than ever before as this Labor government continues to make milestone investments in its world-leading systems. As these investments are made, the Queensland government is committed to ensuring that our regulatory regimes also keep pace. For instance, there would be no sense having a world-leading system only for it be ruined by troublemakers with no respect for people's safety and property. That is why the transport civil banning orders created by this bill will form the latest refinement to transport regulatory regime designed to protect people, property and transport revenue.

I use the term 'refinement' to describe the new transport civil banning orders because this is a policy evolution rather than a revolution. In 2008, the House showed the foresight to introduce criminal based transport exclusion orders which a court may issue to serious and serial public transport offenders. These orders may be issued when a person is being sentenced for a crime and may in fact ban a person from using public transport infrastructure for a period of up to one year.


These criminal exclusion orders are common-sense public policy and are an important sentencing measure. So much so that the government believes that a new complementary civil regime can successfully target antisocial behaviour and trouble making on public transport. With this in mind, late last year changes were made to the Liquor Act which implemented both a criminal and civil banning order regime. These Liquor Act changes allow troublemakers to be banned from licensed alcohol premises, a precinct or part of a precinct and reflect a whole-of-government view that troublemakers should be held accountable for their actions.

This initiative is completely in line with and complements the existing criminal regime which was passed in 2008. Furthermore, the framework of this initiative is in line with the recent Liquor Act changes. The government believes that the new transport civil banning order is a sound addition to the government's ongoing effort to reduce trouble making on public transport.

Specifically, under the new civil transport regime, adults acting violently on public transport or racking up several penalty infringement notices will be held accountable for their antisocial behaviour. To see the benefits of this approach, one need not look further than the bill's objects clause which describes the importance of the safety and security of persons using the public transport network, the preservation of the amenity and condition of the public transport network and the protection of revenue from the public transport network.

The new civil banning orders, in a similar way to the existing exclusion orders, are a deterrent measure which provides the potential to prevent further antisocial behaviour being undertaken by known troublemakers. However, to ensure fairness, this civil banning regime only applies to adults and has safeguards to ensure that a court will thoroughly consider a person's circumstances, including whether a person has a disability.

What this means is that the process of civil banning orders will effectively ask individuals to explain to a court why they should still be allowed to use public transport. That cannot be a bad thing. Courts are well placed to weigh up these matters and will be reluctant to deny access to public transport lightly. I am sure the courts will, however, have no hesitation to use these orders for those individuals who consistently offend without remorse. As the parent of a number of teenagers who use public transport on a regular basis, I commend this bill to the House.

 **Mr BLEIJIE** (Kawana—LNP) (7.55 pm): Tonight I will contribute to the debate, as briefly as humanly possible, on the bill currently before the House—the Transport and Other Legislation Amendment Bill 2011, or TOLA. This is an omnibus bill which relates to the amendment of some 11 acts of parliament. I would like to initially discuss the consequential amendments in the bill to the Criminal Code, specifically in relation to dangerous driving.

Under the bill before the House, the middle alcohol offence is considered as any other drink-driving offence when considering a charge of dangerous driving with the circumstance of aggravation. The creation of a new middle alcohol limit offence applies when a driver records a blood-breath alcohol concentration level of 0.10 or above but less than 0.15. The maximum penalty for this new category of drink driving will be higher than what can be applied in the general alcohol limit offence.

As stated in the explanatory notes, the crash risk for drivers with a blood alcohol concentration of 0.10 is almost five times the crash risk of a person with no alcohol in their blood or breath. Some 80 per cent of the drink-driving related fatal crashes in Queensland between 2000 and 2007 occurred with people who had alcohol recordings of 0.10 or greater. Those people who stupidly take the risk of driving their vehicle when they are over the legal alcohol limit should be punished accordingly.

With an increasing binge-drinking culture, particularly for younger Queenslanders between the ages of 18 to 29, the punishment for driving under the influence higher than the legal limit needs to be kept current and modern. A simple blanket offence for all drink-driving offenders is not sufficient.

We do need to invest in programs particularly for 18- to 29-year-olds. I am reminded of a driving program that Kawana Waters State College is involved in called Roadcraft. It is held at Gympie. Kirsten Ferdinands is the principal of the Kawana Waters State College. Each year she struggles to get business sponsorship to fund this program to make sure that all year 12s can attend. Unfortunately, last year they only sent a small number of year 12s. In an ideal world I would love to see the day when all of our students in year 12 could do programs like Roadcraft. This is after a lot of them have got their licences. It is money that a lot of schools do not have in their budgets so they have to rely on businesses for sponsorship. I congratulate the Kawana Waters State College on getting involved in the program. After they have their licences it preaches good driving techniques. It looks at what can happen if one is over the legal limit and driving a vehicle.

I was just speaking to the honourable Minister for Community Services and Housing in relation to another project called MOVE. It is these sorts of projects that I fully support us investing in.

In April 2010, there was an article published in the *Sunshine Coast Daily* titled 'Teen drivers caught drink driving'. It stated—

POLICE say a teenage woman charged with high range drink driving is proof those responsible for many fatalities were not getting the message.

The 19-year-old Alexandra Headland P-plate driver allegedly returned a blood alcohol level of 0.156 after she was stopped at Hancock Street at 1.10am yesterday.

The teenager was one of two drivers police caught allegedly intoxicated behind the wheel in Maroochydore's overnight Operation Blitz Kreig.

Police say a 37-year-old Mooloolaba man had a blood alcohol reading of 0.170 after he was stopped at the corner of Maroochydore Road and Greg Street at 11.20pm.

The approach taken by government in discouraging drink drivers needs to be on three different levels: penalties need to be applied that will act as a deterrent to discourage the practice in the first instance; advertising needs to be relevant and appropriate to the target ages and genders that have the highest offender rates; and it is important to determine the causes of drink driving and how a culture of binge drinking can be included in any measures that involve drink driving as well.

Former Labor ministers for transport have been ruling out studies into the root cause of drink driving, despite a number of drink drivers being caught behind the wheel. I seek the new minister's indication of any such studies she will undertake as part of a holistic approach to tackling the cause behind those who continue to think that driving under the influence of alcohol greater than the legal limit is acceptable.

In the chamber this morning, we saw the Premier and the long-term government adopt yet another policy commitment led by the LNP. In fact, they are so worried about Campbell Newman that they are copying his policy announcements—can-do copycats. The LNP leader, Can-do Campbell Newman, has a proud record of transport infrastructure reform throughout the city of Brisbane, which includes how many buses?

**Mr Rickuss:** Seven hundred.

**Mr BLEIJIE:** I take the interjection from the member for Lockyer—including that many buses on the network grid.

**Mr Reeves** interjected.

**Mr BLEIJIE:** For the Minister for Sport, I say to the member for Lockyer: how many additional buses?

**Mr Rickuss:** Seven hundred.

**Mr BLEIJIE:** There were 700 additional buses on the network grid. Not only have we had an extraordinary amount of additional buses on the network grid; they have all had a full carbon offset.

This government has a legacy of weak sentencing and inadequate penalties that is well known throughout the Queensland community. The shadow minister for transport and main roads, the member for Maroochydore, has led the way in terms of alcohol interlocks. Alcohol interlocks were first peddled by this long-term toxic Labor government back in 2001, but it took proactive legislation from the shadow minister in 2009 to force the government's hand on this issue. Like so many other issues, alcohol interlocks are another example of Labor delay and inaction. We saw it again today with water.

They first touted alcohol interlocks in 2001 and had a small trial. They promised it in 2002 and then nothing. They announced they were considering alcohol interlocks in 2004 and then nothing. They were apparently at the planning stage for alcohol interlocks in 2006 and then we heard nothing. They started working on the legislation for alcohol interlocks in 2007 and then we heard nothing. Then there was another announcement in 2009 after which we heard nothing.


I support the provisions in the bill before the House which relate to alcohol interlocks, the amendment of the Transport Operations (Road Use Management) Act 1995 in relation to the middle alcohol limit penalties and the amendment of geographical locations for the implementation of alcohol interlocks if the installer is not reasonably accessible. The technology is obviously new. We as legislators always have to be mindful of the fact that Queensland is the most decentralised state in Australia, with residents living in all corners of the state.

The amendments in the Transport and Other Legislation Amendment Bill that relate to civil bans as punishment options for troublemakers on transport are important, but ultimately they will only be useful if they are appropriately enforced. This is another deterrent that, when combined with criminal sentencing exclusion orders, will protect the safety and security of public transport passengers as well as preserve the amenity and the condition of the public transport network.

Unlike the government, the LNP is committed to viable public transport across Queensland. We have a dedicated shadow minister for public transport as we on this side, in all things we do, have a can-do approach to the provision of public transport for all Queenslanders.

Drink drivers kill. Drink drivers are a danger to not only themselves but also to innocent motorists and pedestrians who share the road and reserve. This is an issue that governments of all political persuasions need to address. It is important that we as legislators keep current on this issue, including the latest research and technology that is available to protect the broader community.

I promised the member for Toowoomba North that my contribution tonight would be short so I will not dishonour my promise to him. I will close my argument tonight by supporting the contributions in this second reading debate of our shadow ministers, the members for Maroochydore and Aspley, and their reservations in relation to the transit lane enforcement and the sale of surplus land clauses in the bill.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (8.05 pm): I rise to speak to the Transport and Other Legislation Amendment Bill. I thank the minister for the briefing that she afforded us this afternoon. The bill covers a plethora of issues. Many people have addressed varying aspects of this bill and there are a small number I want to comment on.

I note that there is an intention to address the period over which inspectors are able to stop vehicles travelling in the T2 and T3 lanes in Brisbane. When this was first introduced I was very concerned that people who were not police officers would be able to stop vehicles with young women driving alone, and I was particularly concerned that that power was going to be exercised at night-time. At the time, it was clarified that this power would only be exercised during daylight hours and that there was going to be a completion date—that is, a date on which these powers would be recalled. This bill takes away that recall. I am advised, however, that it does not do anything to change the period of restriction—that is, it is still in the daylight hours and it is still in the T2 and T3 lanes. The area of exercise has not been extended and the period of time has not been extended. I think that is important, given that these are not police officers. Drivers, particularly drivers on their own, have to be careful about who stops them, particularly in Brisbane, where a degree of mischief can be caused if women on their own are pulled up by somebody for the wrong purposes. I was pleased to see that the only change was that that power will be extended.

I think the civil banning order is the next step in trying to deal with bad behaviour on public transport. In Gladstone we do not have a lot of public transport. We have Buslink and taxis; that is about the sum total of it. Down here, there are lots of opportunities for people to behave badly. Not a lot of people do behave badly, but those who do breach the trust that is placed in them to use public transport are a nuisance to everybody. These civil banning orders will give a broader range of people the opportunity to address bad behaviour.

I believe that the bailment agreements are a step in the right direction in providing clarity to taxidriviers and they also clarify the obligation of taxi owners. We come into this chamber to create new laws and bring out new obligations and new rights for people, but it is important that when those new laws are introduced the exercise of that law is clear. This is important. We have a broad range of people who drive taxis. The last time we were in this chamber dealing with taxi issues it was in terms of licensing for taxidriviers to ensure that language was clear and that other matters were clear. It is important that taxidriviers, who are in a vulnerable position with the owners, have a clear understanding of what their agreement entails, what they will get as a driver and what their obligations are in relation to the operation and maintenance of the cab.

I am concerned about the powers that are given in this bill to the chief executive to enter land to investigate potential rail corridors. Clause 39 states that the chief executive or authorised person can enter and re-enter any land for the purpose of investigating the land's potential and suitability as a rail corridor and, to the extent reasonably necessary or convenient for that purpose, to do anything on the land, or to bring anything onto the land, or to temporarily leave machinery, equipment or other items on the land. Those three powers are intrusive. I hope that the officers who are exercising that power are required to do so within a clear framework of responsibility and obligation to the landowner. Some of the landowners with whom these officers will have to interface will be aged people. They may be people with diminished capacity. They may be people who have little contact with officialdom, or they may be fearful of officialdom. It is fine for officers to go onto a property where the landowner is used to dealing with official people and is used to dealing with official process, but the majority of people are not. So it is very important that these officers who exercise this power do so thoughtfully, treat the landowners with dignity and are clear in their communication with the landowner and do not, as much as possible, impose on that landowner or cause damage to or interruption to the landowner's enjoyment of their property. I think that is very important. It is daunting for old people and people who may have language difficulties to communicate with these officials. It is incumbent on those officers to communicate effectively.

Much has been said about the mid-level alcohol offences. I will not go into the detail of them, but I support them. In relation to the interlocking devices, I appreciate the briefing we had this afternoon on the legislation. One of the amendments changes the ability to place an obligation for an interlocking device on people if they are further than 150 kilometres from an agency that operates and maintains those devices. This bill proposes to change that provision from 150 kilometres to as the crow flies. I appreciated very much the fact that the wording in this bill is very careful and I think relatively considerate in taking into account the distance from a facility that manages those interlocking devices.

This bill deals with a great number of issues. The back of the bill deals with some criminal offences, particularly in relation to children. Not much has been said about those, but I hope those clauses improve the protection for children as opposed to reducing the protection for children in relation to classifications for broadcasts, TV, games et cetera. On the basis of the briefing that I had this afternoon, I thank the minister for the bill and I look forward to its implementation.



**Hon. MM KEECH** (Albert—ALP) (8.13 pm): I am very pleased to rise to speak in support of the Transport and Other Legislation Amendment Bill and I congratulate the minister on presenting the bill. As a member representing an area of the Gold Coast, I am particularly supportive of, and wish to speak to, the amendments in the bill that relate to the Transport Infrastructure Act, the Transport Planning and Coordination Act, the Transport Operations (Passenger Transport) Act, the Electrical Safety Act and the Electricity Act. All of the amendments to those acts will facilitate the very welcome delivery of stage 1 of the Gold Coast Rapid Transit project.



The proposed amendments are part of the Bligh government's continued commitment to a public-private partnership that will deliver a world-class light rail system for one of Australia's fastest growing cities. Stage 1 of the project will connect Griffith University at Southport with Broadbeach via the commercial, retail and recreational centres of the Southport CBD and Surfers Paradise. For more than 10 years now the other Labor members who represent areas of the Gold Coast—Peta-Kaye Croft, Christine Smith and Peter Lawlor—have been very strong advocates for increased public transport services. We are very pleased indeed that the government has listened to us as local members and is now amending acts so that we have the green light for the project.

The Bligh government's investment in the project will make a positive and lasting contribution to the Gold Coast through improvements to the public transport system, traffic management and the revitalisation of the Gold Coast both for residents and also for the tens of thousands of visitors who come to the Gold Coast every year. Construction of stage 1 is expected to commence around August of this year and will be completed in 2014 to support the Gold Coast's bid for the 2018 Commonwealth Games. I know that the member for Broadwater, Peta-Kaye Croft, who is a parliamentary secretary to the Premier and who is supporting her in the Commonwealth Games bid, is very excited about the Premier's announcement today. The Premier announced that she will be travelling to Kuala Lumpur in May with Gold Coast Mayor Ron Clarke and other officials to officially lodge the Gold Coast's 2018 Commonwealth Games 240-page bid. I know that all members on this side of the House have their fingers crossed, because we know that a lot of work has been done. We know that we have a very strong bid, but, of course, the competition will be strong. The Commonwealth Games is the only major international sporting event in Australia for the next decade. So these amendments are very important to ensure that the light rail has the legislative green light to be ready to welcome the tens of thousands of tourists and visitors to the Gold Coast in 2018 for the Commonwealth Games.

The light rail corridor passes through an existing and densely populated urban footprint. That has presented many technical, delivery and legislative challenges, many of which I am pleased are being addressed by this bill. The amendments will facilitate the project as a public-private partnership and support private investment in its delivery by, for example, providing a more convenient and flexible tenure arrangement, allowing the state to deliver a continuous corridor for the Gold Coast light rail franchise.

Amendments to the Transport Infrastructure Act 1994 will clarify that the power of the Department of Transport and Main Roads to establish transport infrastructure over state owned watercourses is a certainty. Quite reasonably, private partners require certainty of the tenure of their investment as a continuous corridor from one end of the project to the other. These amendments will support many major projects by facilitating a transport corridor that can continue over watercourses, which will be particularly significant to the establishment of light rail infrastructure over the Nerang River for the Gold Coast Rapid Transit project. The proposed amendments will put beyond doubt that the state has the ability to provide a continuous tenure or right to use infrastructure from one side of a watercourse to the other.

**Ms Male** interjected.

**Mrs KEECH:** I take that interjection from the member for Pine Rivers. Her support is most welcome. The amendments also confirm that the state can construct, maintain and operate transport infrastructure over a watercourse and that the state can protect and manage a watercourse crossing as transport infrastructure. These amendments will ensure the establishment of a transport corridor that can continue over watercourses, which is particularly important for securing private sector investment in projects such as the very eagerly looked forward to Gold Coast Rapid Transit project. I commend the bill to the House.



**Dr DOUGLAS** (Gaven—LNP) (8.18 pm): Every time anyone steps out from the relative sanctuary of their own home to negotiate all the obstacles of the modern world to transit to another place of safety, we owe it to ourselves and our communities to make sure that their journey is as safe as it can be. Some parts of this bill will improve that safety but, sadly, some parts will lead to unnecessary pain and suffering.

These are difficult things to say, but intermittently members must not only hear this but also look to their consciences and take preparative action. The three key messages of transport safety match the three maxims of enabling that objective, those being the three Es—engineering, enforcement and education to deliver safer, faster, easier mass transit solutions. At the core of any transport proposals, these maxims and outcomes must be pre-eminent in those planning solutions or they are irrelevant and will not deliver positive outcomes. I support interim changes that are sensible when presented, and some here today are such proposals—the bus and transit lane enforcement, the alcohol interlocks consolidation changes, the beefing up of the busway corridors legislation, the transport noise corridor changes relating to noise levels and conditions upon state controlled railway land and state controlled roads. I mention these first because it is indeed from little things that big things grow, all changes being incremental. In no particular order, busway dedicated corridors are safer, more efficient and improve utilisation. Enforcement via transport officers will only work if the budget for it flows. However, I cannot

find that in the minister's second reading speech. The change in interface in the bill looks like the intention is to ensure that the engineering is corrected. The noise issue really remains a serious one, because road and rail noise are a health hazard. Those living in adjoining properties must be considered. That is engineering and education.

The drink-driving initiatives are a significant component of this bill, the justification being that nearly one in four of all road fatalities in the seven-year period to 2009 were due to alcohol. There are also the three As: alcohol, age, after-hours. Distractions, which include things like phones, and speed are the major factors involved. Laws to enforce drink-driving change should save lives. Interlocks, which is engineering, will also assist and, rather strangely, so do laws regulating antisocial behaviour on public transport via amendments to the Transport Operations (Passenger Transport) Act 1994. I feel particularly strongly about these enforcements because I have campaigned extensively on the issue of reducing fare evasion, for which the government put rail inspectors on the Gold Coast—and I congratulate it for that—reducing the risk to passengers via the addition of rail police, and reducing the risk to staff via improved safety measures to prevent rock throwing, random violence and line tampering. These issues are ongoing. I urge all members to support all actions that are both educative and enforcement options against all antisocial acts, be it alcohol, drug induced or extreme action such as train surfers, electricity freaks, graffiti teams and sociopaths.

The move to civil bans is good, but to allow 10 offences in one year before taking action is weak. This is maybe not enforcement. For that group that specialises in train derailments, is one offence not enough? For those who routinely violently assault staff as a sport—and that does occur routinely unfortunately—why would we allow 10 offences? These offences are basically infringement notices and then they get a ban after that. I would ban them after the first time in one year. After the first strike they are out. After having a long career in corrective services, if it is done after the first time it will really make a difference to their behaviour. TransLink will see passenger movement numbers and income rise significantly. Overseas data confirms this and VicRail evidence in Australia, in particular on the Frankston line, is compelling. I urge all to read it. It is freely available.

The drink-driving changes are enforcements but weak education options. Jail remains limited as an option, as it should be. As one who has had a lot to do with corrective services, particularly alcoholics and drink drivers, I know that there are plenty of times when it is appropriate to jail drink drivers, but it must be used wisely. Primarily it works to detox some, it enables some to have time out, it enforces abstinence in a few, it does compel education in the majority and it always takes offenders off our roads and gives our communities and their families a rest from those who have borderline sociopathic tendencies—in other words, they tend to cause accidents when they drive.

The explanatory notes suggest adequate stakeholder consultation but not much reference to international research. I support the new middle level offence changes. I would have liked it to have been age designated with a few new changes, particularly with a 25-and-under criteria and shifting the scale down in an attempt to compress the 80 per cent of people who have a blood alcohol content of 0.1 or higher. With regard to the drink-driving fatality rate, there were 351 road fatalities in 2009 and 260 in 2010. I table that information from the Parliamentary Library.

*Tabled paper:* Email, dated 7 April 2011, from Queensland Parliamentary Library to Dr Douglas MP, detailing information on road fatalities in Queensland and on the Gold Coast [\[4262\]](#).

I believe we might get that down by another 20 or 30. Incrementally all change is better.

It is no secret that I am very concerned about the safety of light rail as proposed under the Gold Coast Rapid Transit rushed plan. My earlier tabled document about US transport reviews regarding light rail as being 250 per cent less safe than bus or vehicle transport is all about engineering and enforcement maxims. Today I table the flood maps demonstrating the five critical points—with a critical sixth where the rail goes under Smith Street—where the Gold Coast rail will be affected severely by even minor inundations.

*Tabled paper:* Natural Hazard (Flood) Management Areas—Overlay Map OM17-26 [\[4263\]](#).

*Tabled paper:* Natural Hazard (Flood) Management Areas—Overlay Map OM17-29 [\[4264\]](#).

The sixth point, which is the first one as one comes from Parklands, is probably the most difficult. These maps speak for themselves. Without elevation of the rail and surrounding Gold Coast Highway, this rail will be underwater year on year in many parts for extended periods. The minister is so correct when she stated in her second reading speech that it will—

... enable cost-effective construction and operation of the project ...


Either she was saying that light rail is going to be very costly to travel on or build or maybe it is the cheapest of all options, so therefore light rail is not necessarily safer. It is more dangerous. It is more expensive than other alternatives and it is flood prone. We in the LNP have supported mass transport options on the Gold Coast, but this bill reinforces the operator franchise operation without the flexibility that the public was demanding.

**Mr Lawlor** interjected.

**Dr DOUGLAS:** Just listen to this, member for Southport. He might enjoy this part as a former solicitor. You guys are all into compensation. Compensation is only going to be provided for those who have physical damage to their buildings via the attachment of the overhead 750 DC kV wires without dedicated transport corridors, so there is nothing for those who are affected by collisions with trams nor those with vehicle damage or braking effects due to on-grade rails that are lifted due to their electronic brakes. The evidence to support the minister's statement 'will lead to a reduction in car trips of 30,500 per day' is lacking. This issue does not seem to stack up when one counts the number of residents versus tourists along the route that was counted.

This bill also addresses some of the most curious issues in transport that do not always seem to attract attention. Those words 'sale of surplus land' when uttered by any government will always attract attention. They continue to attract the attention of Gold Coast residents, particularly along the light rail route, because the definition of 'surplus land' is very broad. Ask those evicted residents of the Swan Lane Apartments at Southport. There are plenty of others in the queue. This bill is amending the Transport Planning and Coordination Act 1994. It allegedly streamlines the sale of compulsorily resumed land and other land. Effectively there is no longer an automatic buyback offer for previous landholders. The CEO of the authority has the discretion as to whether he can offer it back. Reasonable owners can express an interest, but the CEO will respond to a valuation from a registered valuer. The word 'easement' is used and it would appear that the transport authorities continue to have a very broad definition of what the word 'easement' means.

The other changes are minor, but our taxidrivers have had a win by virtue of the Workplace Ombudsman. They are a great industry. They are much maligned. They are far too much misunderstood. We in the LNP are supporting some of the bill's objectives and opposing others. I respect those who may feel that I am overly concerned with safety. But by virtue of my career, my training and my inclination that sometimes even the more well meaning of people decide that they want to plunge on and are not looking at the red flags and the fact that they need to exercise caution, it is appropriate that people like me raise these points. As a guiding principle, if transport safety is the primary objective, it should rate above all else. In that way, errors will be made rarely. If applied, these maxims—engineering, enforcement and education—will always give the best results in all transportation options.

 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (8.29 pm), in reply: As I said in my second reading speech, tonight we are making a number of important amendments to transport legislation. Provisions included in the bill will mean the more effective and efficient construction of the Gold Coast Rapid Transit project, more options for police to crack down on high-risk drink drivers and the creation of court ordered exclusion orders that will prohibit a person from using the public transport network in certain circumstances. The bill before the House will also make a number of minor amendments to the legislation.

The most significant amendment to be introduced by the legislation is a new middle alcohol limit offence for drink drivers. I thank opposition members and all members of the House for their support of this initiative, because road safety is very important. Anything that the government does to reduce the road toll should be welcomed. As I said in my second reading speech, research tells us that a driver with a blood alcohol level of .10 is five times more likely to be involved in a crash than a person with a level of zero. This bill makes it an offence to drive with a blood alcohol level of .10 up to .15, and heavy penalties will be involved. In addition, a person charged with the new middle alcohol limit offence will have their driver's licence suspended immediately. This extends the existing suspensions that apply to those with a blood alcohol level of more than .15 to ensure that all drivers detected with high levels of alcohol will lose their driving privileges until they have been dealt with by the courts.

I turn to the civil exclusion orders. The bill amends the Transport Operations (Passenger Transport) Act to provide for civil court issued exclusion orders that will prohibit a person from using the public transport network in certain circumstances—for example, fare evasion; interfering with a service, vehicle or equipment; creating a disturbance or nuisance on a railway or in a vehicle; interfering with a railway; or trespassing on railway, busway or light rail land. The exclusion orders are modelled on the regime used in the recently passed changes to the Liquor Act. A civil exclusion order is primarily a deterrence based measure that aims to ensure the safety and security of persons using the public transport network. Public safety on our public transport system is indeed critical, and these amendments will ensure it is further safeguarded.

I will make some brief responses to the issues that were raised by the shadow minister—hopefully I will address those issues—and then I will address the issues raised by other members. In relation to the civil banning orders, the opposition has missed a critical feature of the amendment by focusing on the 10 penalty infringement notices. A single act of violence is enough to warrant a civil banning order, provided the criteria set out in the bill are met. A detailed implementation plan is being developed in consultation with the Queensland police rail squad, Queensland Rail Ltd and TransLink to ensure we can consistently identify and prevent people who have been banned from using public

transport. Generally, offenders who continue to offend are well known to TransLink officers and members of the Queensland police rail squad. They will be identified quickly if they breach a banning order.

In relation to the issue of the disposal of surplus land which the honourable member raised, the amendment does not change the compensation or appeal arrangements for former landowners. Landowners were appropriately compensated when their land was resumed. This amendment streamlines the process by which resumed land that is no longer required by the department can be offered back to the former owner. The vast majority of former owners are not interested in purchasing back what are usually small parcels of land. Under the current process, it can take up to two years to establish that the former owner has no interest in the land. This amendment is an important regulatory reform that will reduce this time to six months and allow the department to dispose of land more specifically. I think that also addresses an issue raised by a number of other members in the debate tonight.

In relation to alcohol ignition interlocks, an issue was raised about the radius distance measure. During the drafting of the amendment relating to alcohol ignition interlocks, the Office of the Queensland Parliamentary Counsel advised that the specific power relating to distance or travelling time did not clearly provide for an exemption based on a radius measure. For this reason, a regulation was made to provide for an exemption based on a radius measure to overcome the problem. On the advice of Parliamentary Counsel, we are now clarifying the specific power so that in future a radius measure can be used.

An issue was raised relating to transport inspectors and the enforcement of transit lanes. From May to October 2010, a trial operated on certain roads that resulted in significantly reduced bus travel times. The roads were Waterworks Road, Kelvin Grove Road, Mains Road, and Adelaide, Queen and Wickham streets. We saw considerable savings in bus travel times. For example, on Kelvin Grove Road there was a 19 per cent reduction, on Mains Road there was a 10 per cent reduction and on Adelaide, Queen and Wickham streets there was a 14 per cent reduction. The trial included 108 hours of on-road enforcement over 55 days. The trial was successful and a lot of infringement notices were issued. More than 40 existing officers were trained to undertake those activities and are deployed in groups of four to six. I stress that those officers were not diverted from safety related activities. In fact, we have increased the number of inspectors for safety related inspections. Recently, the department employed 12 extra transport inspectors to focus on taxi compliance. Those enforcement officers can patrol 71 possible locations. Any additional sites will be chosen based on the level of violation and, of course, safety is again fundamental.

The shadow minister raised some issues in relation to the Gold Coast Rapid Transit project and the interface agreements. Interface agreements are like building management statements. They help manage the relationship between owners and operators around transport infrastructure. For example, a light rail system running through a mall requires the effective organisation of things such as maintenance and cleaning. Another issue was raised in relation to the operator accreditation for light rail. In this respect, the bill amends the Transport Operations (Passenger Transport) Act 1994; there is no amendment to the Transport (Rail Safety) Act 2010. The amendment will bring the light rail requirements for drivers into line with the heavy rail requirements in the Transport (Rail Safety) Act.

The shadow minister asked about compensation for overhead wires. The possibility of damage from attaching overhead wires is unique to a light rail project in a built-up area. Therefore, a specific provision dealing with that issue is required. The amendment clarifies that compensation is limited to physical damage and not aesthetics. It means that, for example, a person cannot seek compensation because they simply do not like the look of overhead wires. In every other respect the compensation arrangements are the same as for other major projects. I encourage anyone who has any issues to speak directly to the project team on the Gold Coast.

The honourable member raised an issue in relation to the release of information where payment is not required. An individual can ask for information related to demerit points, traffic history, offences, expiry dates of driver authorisation, marine licence details and expiry dates and conditions on a person's tow truck certificate. Once again, this focuses on the individual and customer service delivery. Those were the main points that the shadow minister raised in her speech tonight.

I thank all members for their contributions to the debate. I will run through a few issues that members have raised. The member for Dalrymple welcomed the middle range alcohol limit. He referred to road safety and the need for education and rehabilitation programs. I draw the member's attention to the government's response to the EDC report which I tabled in the House today. If the member reads that report he will see that we are running a lot of educational programs and rehabilitation programs through the department of transport. The Minister for Disability Services also runs a number of programs through his portfolio.

The shadow minister for public transport raised the issue of taxi bailments and indicated her support for them. She asked why records needed to be held for five years. Five years is consistent with other provisions and processes. For example, records relating to the tax office are usually held for five years. It is a consistent provision. She also welcomed the civil exclusion bans.

The next part of her speech was very interesting. The member for Aspley said, 'In relation to the Gold Coast Rapid Transit, the LNP consistently supported the project.' Let it now be on the public record that the opposition supports the Gold Coast Rapid Transit that this Bligh Labor government is delivering for the Gold Coast. Over \$900 million in infrastructure is going onto the Gold Coast. It is public transport that is helping tourism and helping locals. It is a great piece of infrastructure that we are delivering. I welcome the opposition's support, except there appears to be one member on the other side, the previous speaker, who does not quite indicate the same level of support as do other members opposite. The member for Aspley also raised the issue of safety around the Gold Coast Rapid Transit. Let me assure all honourable members that safety is always a priority. I will be keeping a very close eye on the safety provisions, especially when we award the preferred bidder for the Gold Coast Rapid Transit project.

The member for Springwood talked about the alcohol interlock program. She stated that the government's priority to lower our road toll is our top priority. The member for Burleigh talked extensively about the need for the Gold Coast Rapid Transit project on the Gold Coast. She also emphasised that, once we build that project, the buses will better align with the east-west routes. It is very important to have buses connecting with the infrastructure. She also raised the issue of car parking at Varsity Lakes. I was very happy to go and visit Varsity Lakes train station just last week. The issue that the member raised with me related to overcrowding of parking. I went and looked at it personally. We have been able to identify some Department of Transport land. This now means that we will hopefully be able to allocate an extra 50 to 100 car parking spaces within the next month, weather permitting. That is a great piece of infrastructure. Again, who is delivering it? The Bligh Labor government! We are committed to public transport right across this state but we are focusing here on the Gold Coast.

The member for Redlands talked about the drink-driving reforms and indicated his basic support for them. The member for Indooroopilly talked extensively about his lack of understanding of the TransLink fare structure. As I have said time and time again in this House, the TransLink network is the largest integrated transport system in the world. It covers 10,000 square kilometres, which is 6½ times the size of London's network. It is very difficult to compare the TransLink network with other networks around the world. I give this example: TransLink contains 23 zones across a 140 kilometre radius. London contains nine zones across a 40 kilometre radius. London's network carries 7.5 million people and TransLink's network carries 2.8 million people.

The member also expressed concerns about the train timetables. Let me put it on the record once again. This week we announced 150,000 extra seats on our rail network. The member for Indooroopilly may have missed this, but there is some very good news happening out there in Indooroopilly and I might be the first to share it with him. The results of the timetable changes at Indooroopilly mean an increase of six services in the am peak and eight services in the pm peak. There will also be better bus connections to UQ from Indooroopilly and the city. Essentially, Indooroopilly now becomes a hub because we know that it is a growth sector. We know that more people are using that station. That is reflected in the timetable which means increased services for people living around that region. Once again, that has been delivered by the Bligh Labor government. I will say this: the member did get one thing right. He said that we need to get more people onto public transport. Of course, that is one of my key aims: to ensure that we encourage more and more people to use our fantastic public transport network.

The member for Brisbane Central supported the government's views about the new middle range alcohol limit and welcomed the increase in fines. The member for Bulimba talked extensively about the fact that too many people lose their life due to drink-driving. Of course, she recognises that we can do more, but this is the start of major reforms that we can bring about in the future.

The member for Mount Ommaney talked extensively about the benefits of the newly released timetable in her electorate, especially about the upgrades to both the Darra and Oxley railway stations. She also raised the issue of the Jindalee park and ride. She stated that her local councillor, through the local paper, tried to tell residents that there has been no community consultation. As the member for Mount Ommaney is my neighbouring member, I know that there has been extensive consultation and we will continue to consult in relation to this issue.

**Mrs Attwood:** In May.

**Ms PALASZCZUK:** The next round is in May. The member will be at that consultation to ensure that the community's views are heard. The member for Buderim wanted to know the reason for the increase from two to three hours relating to the time in which drivers who have been pulled over by police can be tested. This provision is supported by police. The reason for the change is that Queensland is a large state and there are some rural and remote communities in which it does take time and distance before people can actually go to the police station.

**Mr Dickson:** One-police towns?

**Ms PALASZCZUK:** Yes, that is the reason. These amendments actually cater for all Queenslanders. We are not just focusing on those regional centres that contain large numbers of people. The member for Glass House raised some issues around a depot near Beerburrum. I am happy to look into that issue for him. He also talked about a meeting in relation to excess land identified at Palmwoods. I am more than happy to follow that up for him. He also welcomed the timetable changes. That is great news. He was very happy that TransLink had listened to the views that he and his community raised in relation to arrivals in the city and departures in the afternoon. I also thank him for his support. Many commuters have been saying to me that we really need to look at six-month and 12-month annual passes for TransLink. The go card is an evolving product. We can never be satisfied. It is a new system. We can always look for improvements. It is something to which I want to give due consideration over the following months.

The member also mentioned that I was looking at some representatives from areas outside of Brisbane to sit on a committee that I am putting together. I am hoping to announce the composition of that committee and call for expressions of interest next week. I want to ensure that we have a high-level ministerial committee with representatives of people who are out there in our community using public transport. I want representatives from places such as Ipswich, Gold Coast, Sunshine Coast and the Redlands. We want to make sure that people are the community champions for their areas. They can come along to these meetings and say, 'These are the issues that we are facing on a local level and this is what we need to have fixed.' This is what we will work on together as a community to bring about some significant reform in relation to TransLink.

The member for Ipswich West talked extensively about the civil (court based) exclusion orders. The member for Albert, of course, indicated once again her very strong support for the Gold Coast rapid light rail project.

With those few words, I would like to thank all honourable members for their contributions and for the issues that they have raised tonight. I would like to thank the opposition for their support for the majority of the bill. I know that there are a few issues that were raised during our discussions yesterday and they will be addressed later this evening, but I think I have covered most of them in my response tonight.

I would also like to take this opportunity to thank my personal staff. I would like to thank the departmental staff who have been working hard. As everyone would appreciate, we are not amending a single act; we are amending 14 acts. I want to thank the officers for their expertise, their knowledge, their contribution and their ability to get across issues very quickly. I thank all members for their participation.

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

Motion agreed to.

Bill read a second time.

### Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—



**Ms PALASZCZUK** (8.51 pm): I move the following amendments—

**1 Clause 2 (Commencement)**

Page 12, line 17—

*omit, insert—*

- section 91, other than to the extent it inserts sections 190 and 191
- section 93
- section 94(3), (4) and (5).'

**2 Clause 2 (Commencement)**

Page 12, line 21, 'section 191'—

*omit, insert—*

'sections 190 and 191'.

I table explanatory notes to the amendments.


*Tabled paper:* Transport and Other Legislation Amendment Bill, explanatory notes to Ms Palaszczuk's amendments [\[4265\]](#).

Amendments agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 7, as read, agreed to.

Clause 8—

 **Ms SIMPSON** (8.52 pm): This provision is regarding the designation of transport noise corridors. Specifically, there is a provision here for which I would like the minister's explanation. Could the minister please explain the reason the noise levels that trigger a transport noise corridor designation differ between road and rail, with the noise level for roads being measured at 58 decibels and rail being measured at 70 decibels? What is the reason for these differing noise levels and why are they provided in this legislation?

**Ms PALASZCZUK:** There are different standards for road and rail. As the member would appreciate, roads usually go along flat ground whereas rail can go up and down and can contribute different decibels of noise. So it is the projection of the decibels of noise.

**Ms SIMPSON:** The more pertinent question is: how does this impact upon the neighbours of such a corridor, particularly if it is a new corridor? There are old corridors throughout the state that still have a significant impact upon their neighbours but there are a number of new corridors, including rail corridors, that are coming into existence. I note that they are not always of varying grades. The main issue here is about the neighbours of these corridors and how well those sound barriers are engineered to cater for the noise levels. Traditionally with road corridors we have seen a situation where the threshold of decibel levels has been lower than for rail before barriers are considered. We have seen a situation where if it is an existing corridor people understand that there is a different standard because there is a certain amount of shared risk, with people choosing to shift next to an existing corridor.

One example of course is Collinsville. We have communities that may traditionally have had rail lines but they are facing significantly increased traffic through those communities and that brings with it a range of issues. In the case of Collinsville, there is the issue of trains coming throughout the night. You might have almost zero ambient noise and then suddenly you have an engine starting up during the middle of the night. In many regards that is quite different from traffic noise from a road. In the case of a rail line, you might have a very low ambient noise and then suddenly a ramp-up to a significant noise with a train that is starting up. These are increasingly becoming issues of concern in our community. I would appreciate the minister's explanation as to how they are to be catered for.


**Ms PALASZCZUK:** I thank the member for her comments. In relation to rail noise, Queensland Rail always looks to investigate if there are any complaints. I think most members here at times would have had different members of the public coming to them about a whole range of issues. People have come to me in relation to noise issues around the rail corridors. They can make complaints and those complaints are investigated and noise is monitored. It is quite acceptable that if there are large scale complaints they will look at it. But it just depends on the situation.

Just to clarify what was said previously, clause 8 clarifies the levels as set out in the Queensland Development Code that apply to railway land and state controlled roads. Rail requires different levels because its noise characteristics are different. Road has a more constant level, whereas rail has short bursts of higher noise. Once again, if the member has any areas that she is particularly concerned about, I am more than happy to pass them on to Queensland Rail.

Clause 8, as read, agreed to.

Clauses 9 to 27, as read, agreed to.

Clause 28—


 **Ms SIMPSON** (8.57 pm): This provision is in regard to the declaration of land as state toll road corridor land. Could the minister please inform the committee how this provision will apply to the toll roads privatised by the Labor government in light of clause 30?

**Ms PALASZCZUK:** Clause 28 is simply an amendment of section 84A, the declaration of land as a state toll road corridor. This amends some roads legislation which is the responsibility of my colleague the Minister for Main Roads. It is to declare certain land tenures to be a state toll road corridor. Section 84C provides that the land declared by the Minister for Main Roads, Fisheries and Marine Infrastructure under section 84A immediately becomes unallocated state land. These provisions facilitate the lease of land by the state to a private proponent for the purpose of constructing, operating or maintaining a toll road.

Clause 28, as read, agreed to.

Clause 29, as read, agreed to.

Clause 30—

 **Ms SIMPSON** (8.59 pm): This really follows on from my previous question. This clause gives effect to the additional state toll road corridor land declaration on leases. Is this amendment as a result of privatisation? If so, why was this not resolved prior to the deal being done, particularly as we have had a number of omnibus transport bills last year that touched on this issue?

**Ms PALASZCZUK:** The Minister for Main Roads has informed me that this is essentially where there have been multiple leases in the past. This will actually streamline them so they come under one lease. It is an enhancement to his legislation and there have been no issues raised in relation to it.

**Ms SIMPSON:** I will just clarify that last point. So the minister is saying there have been no issues. Does that mean there has been no potential legal action raised?

**Ms PALASZCZUK:** Correct. It is purely an administrative provision. There has been no legal action at all.

Clause 30, as read, agreed to.

Clause 31—



**Ms PALASZCZUK** (9.01 pm): I move the following amendment—

**3 Clause 31 (Amendment of s 105GA (Declaration))**

Page 24, line 9, after 'or (b)'—

*insert—*

‘.’

Amendment agreed to.

Clause 31, as amended, agreed to.

Clause 32—



**Ms PALASZCZUK** (9.01 pm): I move the following amendment—

**4 Clause 32 (Amendment of s 105H (Declaration of land as local government tollway corridor land))**

Page 24, line 24, after 'paragraph (b)'—

*insert—*

‘.’

Amendment agreed to.

Clause 32, as amended, agreed to.

Clauses 33 to 37, as read, agreed to.

Clause 38—



**Ms PALASZCZUK** (9.02 pm): I move the following amendments—

**5 Clause 38 (Amendment of s 109 (Definitions for pt 2))**

Page 29, line 26, '—the'—

*omit, insert—*

'—a rail feasibility'.

**6 Clause 38 (Amendment of s 109 (Definitions for pt 2))**

Page 30, line 1, 'and'—

*omit, insert—*

'or'.

Amendments agreed to.

Clause 38, as amended, agreed to.

Clauses 39 to 43, as read, agreed to.

Clause 44—



**Ms SIMPSON** (9.03 pm): This provision relates to the application of the Land Act 1994. Why was this provision not in place prior to the divestment of the QR National asset?

**Ms PALASZCZUK:** My understanding is that it is to do with access to land, but I am seeking clarification. Can I take that on notice and come back to the member?

**Ms SIMPSON:** I would be happy to take the minister's advice. This particular provision is in relation to concurrent leases on the north coast line following the QR divestment. I would certainly appreciate the explanation when it is to hand.

**Ms PALASZCZUK:** We will come back to it.

Clause 44, as read, agreed to.

Clauses 45 to 48, as read, agreed to.



Clause 49, as read, agreed to.

Clause 50, as read, agreed to.

Clause 51—



**Ms PALASZCZUK** (9.06 pm): I move the following amendment—

7

**Clause 51 (Insertion of new s 303AC)**

Page 37, lines 26 and 27, 'or busway transport infrastructure under that section'—

*omit, insert—*

'under that section or busway transport infrastructure'.

Amendment agreed to.

Clause 51, as amended, agreed to.

Clauses 52 to 55, as read, agreed to.

Clause 56—



**Ms PALASZCZUK** (9.07 pm): I move the following amendment—

8

**Clause 56 (Amendment of s 355A (Licence in relation to light rail land or infrastructure))**

Page 39, line 28, '355AB(8)'—

*omit, insert—*

'355A(8)'.

Amendment agreed to.

Clause 56, as amended, agreed to.

Clause 57—



**Ms PALASZCZUK** (9.07 pm): I move the following amendment—

9

**Clause 57 (Insertion of new s 355B)**

Page 40, lines 23 and 24, 'or light rail transport infrastructure under that section'—

*omit, insert—*

'under that section or light rail transport infrastructure'.

Amendment agreed to.

Clause 57, as amended, agreed to.

Clause 58, as read, agreed to.

Clause 59—



**Ms SIMPSON** (9.08 pm): This clause relates to the powers of the chief executive of light rail transport infrastructure. While the LNP is supportive of this clause as it brings the act into line with the state procurement policy, for the benefit of this place could the minister explain the legal difference in this clause between 'price competitive' and 'value for money'?

**Ms PALASZCZUK:** Clause 59 is an amendment to section 360A related to the powers of the chief executive for light rail transport infrastructure works contracts. Clause 59 amends section 360A, powers of the chief executive for light rail transport infrastructure works contracts, by replacing the phrase 'price competitive' with 'value for money'. This brings the act into line with the Queensland state procurement policy, which lists seeking value for money as one its objectives. It is consistent across government. Of course the government wants to get value for money for projects that it is investing in. It is a plain legal definition.

Clause 59, as read, agreed to.

Clauses 60 to 62, as read, agreed to.

Clause 63—



**Ms PALASZCZUK** (9.09 pm): I move the following amendments—

10

**Clause 63 (Insertion of new ch 15A)**

Page 44, line 9, after 'land'—

*insert—*

'and other land that is State land on which busway transport infrastructure is situated'.

11

**Clause 63 (Insertion of new ch 15A)**

Page 44, line 13, after 'land'—

*insert—*


'and other land that is State land on which light rail transport infrastructure is situated'.

Amendments agreed to.

Clause 63, as amended, agreed to.

Clause 64, as read, agreed to.

Clause 65—


 **Ms SIMPSON** (9.10 pm): This clause relates to watercourse crossings and a continuous corridor over a watercourse. I note that this particularly applies to private sector owners. Can the minister please inform us how this relates to the Gateway Motorway or the Sir Leo Hielscher Bridges?

**Ms PALASZCZUK**: All this is doing is simply clarifying that we have tenure over those waterways. There is nothing new in this. Essentially, it is clarifying the power that the chief executive provides a continuous corridor over a watercourse.

Clause 65, as read, agreed to.

Clauses 66 and 67, as read, agreed to.

Clause 68—

 **Ms PALASZCZUK** (9.11 pm): I move the following amendment—

**12 Clause 68 (Amendment of sch 6 (Dictionary))**

Page 57, lines 10 to 12—

*omit, insert—*

'(4) Schedule 6, definition *light rail manager*, after 'operations'—

*insert—*


' , under the Rail Safety Act, '.

Amendment agreed to.

Clause 68, as amended, agreed to.

Clauses 69 to 76, as read, agreed to.

Clause 77—

 **Ms SIMPSON** (9.12 pm): This clause relates to driver authorisation and category B driver-disqualifying offences. As the minister is no doubt aware, the requirement that the chief executive must consult the Commissioner for Children and Young People and Child Guardian was an LNP amendment agreed to by the previous minister. We obviously support maintaining strict provisions to prevent inappropriate people being able to gain these endorsements. It would not come as a surprise, therefore, that we would like absolute assurances that the changes in this bill will not wind back this reform.

**Ms PALASZCZUK**: It is absolutely the intention that this clearly strengthens the provision and brings it in line with the requirements of the children's commission.

**Ms SIMPSON**: Thank you, Minister. I note that this change means a chief executive is deemed to have received advice if the chief executive 'obtains confirmation, using the online validation service on the website of the children's commission, that a person is the holder of a current positive notice under the CCYPCG Act'. Could the minister please advise what the implication of this amendment is, particularly in relation to this act? It is not necessarily clear from this website what information is available to the chief executive officer, how this website operates and whether there is any information that is over and above the information on the website that may be pertinent to consideration of this issue.

**Ms PALASZCZUK**: It is a streamlining process. It would come into my department, the department would look at it and it would then send it over to the children's commission and they would do their rigorous checks. This is just strengthening the requirements. I think this has been very well received. It brings our requirements into line with the amendments that were previously passed by the Minister for Community Services to strengthen the blue card requirements.


**Ms SIMPSON**: Just so we are quite clear, this still requires the children's commission to be consulted and if they want to veto an application they can. We just want to make it quite clear in the law.

**Ms PALASZCZUK**: Yes.

Clause 77, as read, agreed to.

Clauses 78 and 79, as read, agreed to.

Clause 80—

 **Ms PALASZCZUK** (9.15 pm): I move the following amendment—

**13 Clause 80 (Insertion of new ch 4A)**

Page 65, lines 7 to 15—

*omit, insert—*

'(4) In this section—'.

Amendment agreed to.

Clause 80, as amended, agreed to.

Clauses 81 to 87, as read, agreed to.

Clause 88—



**Ms SIMPSON** (9.16 pm): Section 129Z0 seems to indicate that a person may be subject to a civil ban either if they have committed a relevant act of violence or if they have been served 10 or more infringement notices. I understand that the minister explained earlier that a civil ban would be able to be invoked after one violent act. My clarification more specifically relates to the other 10 infringement notices. Could this mean that 10 fare evasion notices may result in a person receiving a civil ban?

**Ms PALASZCZUK:** Potentially it could, but it is highly unlikely. It would be referred to the chief executive and the chief executive would determine whether or not to proceed.

**Mr DOWLING:** My question on clause 88 relates to the civil banning order as it relates to public transport. Transport is referred to here as bus and rail. Does that extend to entities like the CityCats? Does it extend to taxicabs, which are traditionally considered to be public transport and do fall under this purview? Does it translate right across the entire state as opposed to just the south-east corner? Will it work on private transport operators, such as private bus companies? I am referring obviously locally to my own transport systems with the Coochiemudlo Island ferry and the southern Moreton Bay islands ferry. Will these rules and regulations be imposed should it be necessary?

Further to that, when you talk about banning someone from using public transport, what methods of identification are there? I know it is problematic and it is going to be difficult to police because people can walk up, quite literally, and jump on a bus or ferry and no-one will know that there is a ban. What are the additional provisions if someone is caught having violated an order by jumping on a bus? What are the further penalties? I appreciate that there are a whole range of questions there, and I may have some follow-up questions.

**Ms PALASZCZUK:** It will apply to ferries. It would cater for ferries in the member's neck of the woods down there at the bayside and, of course, for private buses. In relation to identification issues, I should point out that these provisions apply to adults. So it would be through the normal identification processes when police would ask people to confirm who they are.

**Mr DOWLING:** But once a ban has been activated, presumably the drivers do not have those powers to say, 'I need to see your identification. Are you on the banned list?' The minister did not answer the question about cabs and taxis and whether or not they are part of the public transport network. Could the minister touch on the cabs issue and confirm issues of identification? Further to that, a question that I asked was about penalties. If a person is found to be in breach of a ban—they are caught on a bus or a train—what is the additional penalty? What is the fallback position?

**Ms PALASZCZUK:** I will start with the latter question first. In terms of penalty, the time line would be an additional six months. These people would be known around the areas. If they were reoffending they would be brought immediately to the attention of people, because they were known in their local areas.

Clause 88, as read, agreed to.

Clauses 89 to 93, as read, agreed to.

Clause 94—



**Ms PALASZCZUK** (9.21 pm): I move the following amendments—

**14 Clause 94 (Amendment of sch 3 (Dictionary))**

Page 95, line 31, '17 years'—

*omit, insert—*

'when the person'.

**15 Clause 94 (Amendment of sch 3 (Dictionary))**

Page 96, lines 2 to 4—

*omit, insert—*

'who is subject to an obligation or order mentioned in the CCYPCG Act, section 170(b), or by a person when the person was at least 17 years and for which an imprisonment order is or was imposed—'.

**16 Clause 94 (Amendment of sch 3 (Dictionary))**

Page 96, lines 11 to 22—

*omit, insert—*

'(5) Schedule 3, definition *category B driver disqualifying offence*, paragraph (b), 'person was under 17 years.'—

*omit, insert—*

'person was—

- (i) under 17 years, whether or not an imprisonment order is or was imposed, if the person is not subject to an obligation or an order mentioned in the CCYPCG Act, section 170(b); or


- (ii) at least 17 years and—
  - (A) no imprisonment order is or was imposed; and
  - (B) the person is not subject to an obligation or order mentioned in the CCYPCG Act, section 170(b).<sup>1,2</sup>

Amendments agreed to.

Clause 94, as amended, agreed to.

Clause 95, as read, agreed to.

Clause 96—

 **Ms SIMPSON** (9.21 pm): These are the provisions in this legislation that we will be specifically opposing. They relate to extending the trial for transport officers to book people in transit lanes, to make it a permanent provision without satisfaction that there have been adequate resources to cater for this measure. I heard the minister's explanation that some extra officers are being put on in respect of policing taxis but, with respect, when I asked specifically in the briefing whether there would be resources provided for transport officers in regard to this issue, I was told that it would all be cost neutral—whatever that is. I am not satisfied that the government has appropriately resourced this very important area.

We are hearing from the industry and from road users in respect of the need for there to be appropriate enforcement in regard to road safety issues. Transport officers are very important, particularly with regard to the heavy vehicle industry. There are concerns that the government has put its focus on revenue raising rather than on road safety. I have not heard a satisfactory explanation that there is going to be appropriate attention given to this very important issue. That is one of the reasons we feel strongly that there is a wrong priority in the way in which the government is approaching this matter.

We support the congestion-busting measures, but not at the expense of road safety and the broader issue of these important matters of enforcement across the industry. That is why we will be reinforcing our opposition to this clause.

**Ms PALASZCZUK:** Obviously, the opposition is opposed to congestion-busting measures. I make no apology for what we are doing. As I stated previously, the trial has proved to be extremely successful. We are also freeing up police resources. That means that we will have officers who will not be diverted from their safety related activities but who will be looking at these transit lanes. What I mentioned in the House previously as part of my reply is that, essentially, we have seen huge savings in bus travel time. So who is this benefiting? This is benefiting the commuting public, mainly during peak hour times.

I reject wholeheartedly what the member has said. I make no apologies for what we are doing. The trial was very successful. This provision is about putting people first. It is about making sure that people are doing the right thing out there in our community. As I said to the member previously, these officers will not be diverted from their safety related activities.

Before closing, I can clarify that the reason it took a little while getting the information in relation to clause 44 is that it simply moves the definition of 'railway crossings' to the dictionary. It is a very slight amendment. I hope that clarifies the matter. I apologise for the delay.

**Ms SIMPSON:** There seems to be this magic pudding where there are extra duties for these officers, yet no extra resources. It is supposed to be cost neutral and it is not supposed to be impacting upon all of the existing duties of those officers. Quite frankly, that is not a satisfactory explanation. I appreciate that the trial was laid down by the minister's predecessor. When we asked about how this trial will operate, we were told clearly that there would be no extra resources for the trial. It just does not cut it that these officers will have additional duties, which are about targeting these T2 and T3 lanes—the high-occupancy vehicle lanes—and they are expected to undertake these roles and will not be diverted from other roles.

I have talked to people who are working in these areas across the state. When you talk to transport officers who are carrying out that range of road safety responsibilities, it is quite clear that they are not seeing the resources coming their way, particularly when they work outside the traditional working hours. These officers do not necessarily work nine to five, but they are finding great restrictions upon some of those hours. They have a great deal of concern that there is a trimming of the focus in regard to road safety and that they have not seen an appropriate allocation of their resources at the front line of those critical road safety services. We do not see any evidence here that the appropriate resourcing for transport officers for their road safety duties first and foremost has been dealt with. Yes, congestion is very important, but road safety comes first and we will not compromise on it.

**Ms PALASZCZUK:** It is obvious that we can see where the LNP now sits in relation to congestion-busting measures. Let me remind honourable members that one of the first things that Campbell Newman did when he was appointed Lord Mayor was that he took out the transit lane on Coronation Drive. Now we know the LNP policy. The LNP policy will now be to rip out all the transit lanes in South-East Queensland—all the bus lanes. This is why the LNP members are voting against this clause tonight. We now know clearly why the LNP is doing it.

**Mr Horan** interjected.

**Mr Wallace:** The member for Toowoomba South says they're stupid.

**Ms PALASZCZUK:** Is the member for Toowoomba South supporting us?

**Mr Horan** interjected.

**Ms PALASZCZUK:** I think we have made it very clear that the government stands firmly behind this amendment. It is the right thing to do. It is about moving people faster through our cities through peak times, getting them to work, getting them to the places that they need to be. What have we seen tonight? We have seen clearly that the opposition is opposing this measure.

**Mr Wallace:** On Campbell Newman's orders.

**Ms PALASZCZUK:** I will take the minister's interjection here—obviously, on Campbell Newman's orders.

**Ms SIMPSON:** I refuse to be verballed by the minister. I have made it quite clear that road safety comes first. This government introduced this measure as a trial and now it is bringing it in permanently with no extra resources. Clearly, those officers are not being focused on their primary duty, which was supposed to be road safety. I have talked to people in the trucking industry. I have talked to some of the union representatives in the trucking industry. When this measure was introduced as a trial, they said very clearly that they did not support it because they were concerned that it was diverting those very important officers from their primary responsibility, which is road safety.

This measure should not be implemented without the resources to do it appropriately and should not be a diversion from the primary task of road safety. This government has not provided the resources to ensure that happens. I have not heard a contrary message from industry. They have not seen that there has been a focus on road safety first. Our primary responsibility is to ensure that road safety is upheld. Congestion is vitally important, but road safety comes first and we will not see it compromised because this government does not have its priorities right.

Division: Question put—That clause 96, as read, be agreed to.

**AYES, 48—**Attwood, Boyle, Choi, Croft, Cunningham, Dick, Farmer, Finn, Foley, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Neill, Palaszcuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

**NOES, 26—**Bates, Bleijie, Crandon, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Gibson, Hobbs, Johnson, Langbroek, McArdle, Malone, Menkens, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Simpson, Stevens. Tellers: Horan, Sorensen

Resolved in the affirmative.

Clause 96, as read, agreed to.

Clauses 97 to 118, as read, agreed to.

Clause 119—




**Ms SIMPSON (9.37 pm):** This clause relates to the power of the chief executive to dispose of land subject to easement, specifically the sale of surplus land. I note that the explanatory notes indicate that the intention is to make it easier in regard to how this is managed, but I do need clarification as I was concerned that the explanatory note itself could be clearer. It appears to indicate that the chief executive has discretion as to whether he offers land back to the previous landowners, but the minister seems to have indicated that it must be offered back within seven years of acquisition if it is to be disposed of. I would like the minister's clarification as to whether the landowner still has the right for this to be offered back after seven years and it is not discretionary.

**Ms PALASZCZUK:** The original owner would always be offered the land back first. What we are doing here is giving the chief executive the discretion, as you might like to say, in relation to if, for example, an easement was needed for some future purpose.

Clause 119, as read, agreed to.

Clauses 120 to 125, as read, agreed to.

### Third Reading

 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (9.39 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. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (9.39 pm): I move—

That the long title of the bill be agreed to.

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

Motion agreed to.

### SPECIAL ADJOURNMENT

 **Ms PALASZCZUK** (Inala—ALP) (Acting Leader of the House) (9.40 pm): I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 10 May 2011.

Question put—That the motion be agreed to.


Motion agreed to.

### ADJOURNMENT

**Ms PALASZCZUK** (Inala—ALP) (Acting Leader of the House) (9.40 pm): I move—

That the House do now adjourn.

### Lockyer Electorate

 **Mr RICKUSS** (Lockyer—LNP) (9.40 pm): I rise with an omnibus adjournment speech. There are a few issues that I wish to raise. First I would like to highlight the fact that I feel that our police district definitely needs a four-wheel drive police car. I raised this issue with Acting District Commissioner Tony Wright when he was sitting in the chair during the emergencies. During those emergencies the police had to borrow a four-wheel drive vehicle from the council so that they could get into some of the washed-out back roads. I realise that the Lockyer is becoming a more urbanised area, but I still feel there is a need for a four-wheel drive police vehicle.

Turning now to traffic issues, I have the records here from a question on notice asked about fatalities on the Warrego Highway between Blacksoil and Toowoomba. Unfortunately in 2007 we had three fatalities. In 2008 we had two, which is going in the right direction. But then in 2009 we had four and in 2010—one of the years in which we had the lowest state-wide road toll—we had eight fatalities. That just goes to show that there is definitely work that needs to be done on the Warrego Highway. I have called on the government to fully reseal the Warrego Highway. RoadTek and others have done a good job of the mill-and-fill but it needs a reseal and improvements to some intersections. I have highlighted that with the minister and I see him acknowledging that. The road toll is a shame and I do not know why it almost doubled last year. However, we have to manage it. I am glad to see that the minister is in total agreement with me on that issue.

While the member for Toowoomba North is sitting in the chamber, I highlight the fact that we need to prioritise the second range crossing. I will be calling on the member for Toowoomba North to support that issue. I know that the member for Toowoomba South is an adamant supporter of the second range crossing. He realises that it must be put through. I am disappointed that members on the other side of the House do not seem to prioritise that crossing to the level that it should be prioritised. It definitely needs to be prioritised to a higher level. I am extremely disappointed that members on the other side of the House seem to be totally ignoring this major piece of infrastructure, which would support not only the new gas industries in the Western Downs but also the produce carriers and the communities of the Lockyer and Toowoomba. This needs to be done. I encourage the minister and the member for Toowoomba North to make it a priority.

*(Time expired)*

### Southern Sudanese Community



**Mrs SCOTT** (Woodridge—ALP) (9.43 pm): Wearing feathers, shells, colourful fabrics, ceremonial skirts and headdresses, listening to the sound of drums and African music, the tall, fine-featured, dark-skinned and proud peoples of Southern Sudan heralded the 99 per cent result in the historical referendum in favour of independence for Southern Sudan with a massive celebration in Logan Gardens in the heart of my electorate. It was a great privilege for me to represent Premier Anna Bligh at that celebration on Saturday, 26 March. The people came with their beautiful children from Toowoomba, Gold Coast, Greater Brisbane and the Sunshine Coast. There were even a few from North Queensland. They came to dance, sing, play their traditional drums and listen to the bands and, of course, to enjoy their traditional food in anticipation of peace at last in their homeland.

For 20 years there has been bloodshed and great suffering in Southern Sudan. Many people have fled their homeland, with some 9,000 people settling in Australia. Their prayers for peace have now been answered and they look forward with great longing to 9 July when their independent state will become a reality.

The gathering was honoured to have in attendance Graham Perrett, the federal member for Moreton, who brought a message from the Prime Minister; Mr Mariano Ngor, representing the Southern Sudanese in Canberra; Mr Wilson Madit Kuek, the chair of the organising committee; Greg Kelly, the state director of the Department of Immigration and Citizenship; James Kai, president of the Sudanese Community Association of Queensland; Levi Lako, the youth association president; Gail Ker, the CEO of ACCES Services; Daniel Zingifuaboro, the president of the African Communities Council; and the president of the Sudanese Women's Association.

I joined Mr Mariano Ngor to present trophies to a number of exceptionally talented football teams. The Sudanese young people are great sportsmen and women. One day they may well represent Australia at a future Olympic Games or even a Soccer World Cup. The following teams received recognition following their participation in the Referendum Cup celebrations: South Warriors FC, Eagle United, Best United and Ngungdung United. Individual players were awarded. Emmanuel Etto from South Warriors FC was the best player and Aunti Taban from Eagle United was best goalkeeper.

My colleagues in Logan and I are proud to represent an area with some 180 cultural groups. The Sudanese community plays a significant role in our community. This was a great celebration and our thoughts go to those who will lead this new nation. There will be issues surrounding the drawing up of boundaries and then the huge task to put in place a government that will act in the best interests of its people. May the people of Southern Sudan finally experience the peace and harmony they have longed for and set an example to many nations of how this may be achieved.

### Southern Moreton Bay Islands, Public Transport



**Mr DOWLING** (Redlands—LNP) (9.46 pm): Tonight, unfortunately not for the last time and certainly not for the first time, I raise the plight of the people of SMBI, the southern Moreton Bay islands. In the last week or so, those people have been dealt another significant financial blow. They have been hit with a double whammy because in February Queensland Transport approved fare increases and in April a second round of fare increases for journeys to the mainland are due. That comes on top of all the other cost of living increases in water, power, fuel and registration charges, just to name a few. This latest blow is dealt by the Redland City Council, which intends to introduce a metered pay-and-display parking arrangement.

I believe that Labor has forgotten this community. I have said that many times before. This government will be allowing the Redland City Council to discriminate against those people who are most vulnerable—that is, those people who live on the islands. I accept and respect that councils have the ability to impose parking restrictions and parking regimes. However, to spot plan in one community, to affect only one community, is unconscionable. If the Redland City Council was to impose that strategy across all waterfronts, it would not be discriminatory. However, it is picking on a single waterfront landing port, which is what makes it discriminatory.

In addition, the council is proposing that the pay-and-display parking tickets be valid for only 24 hours. In real terms, that means a resident will have to put a pay-and-display ticket on their car window and then go home, only to return within 24 hours to buy another ticket. This is every 24 hours, so on Saturday night and on Sunday night they will have to return to the mainland. It costs \$19 for a full-fare return ticket, which will add to the parking misery and expense.

I ask the Minister for Transport to roll out TransLink to the southern Moreton Bay islands. It is important, it is imperative, that it happens. This affects a large cohort of my constituency that do not vote for me. They vote Labor. If we look at the polling results, they are Labor's people and they have been left behind. They are this government's people and they have been neglected. A number of times my

predecessor promised it, but it was not rolled out. This community needs it. They need the support of this government. I ask the government not to sign off on this discriminatory parking regime. The council plans to roll out this pay-and-display ticket system. I ask the government not to support it but to roll out TransLink.

### **Skilling Queenslanders for Work**



**Hon. DM WELLS** (Murrumba—ALP) (9.50 pm): This financial year the Skilling Queenslanders for Work program has delivered three projects in my electorate, investing \$1 million in training 124 people. Since the program began in mid-2007, \$5.2 million has been provided to train 1,205 people in my electorate.

The current project is called the Source to Sea work placement. It introduces disadvantaged young people to techniques associated with water quality and monitoring, ecological assessment, data entry, report preparation and safe handling of watercraft by carrying out routine monitoring of riverine and coastal sites in their local area. Ten young people are receiving training in issues surrounding water quality, water-sampling techniques, data collection and recording and interpretation.

Source to Sea is a 24-week paid work placement which focuses on Moreton Bay and the Caboolture River catchment. At the completion of the project participants will have obtained a boat licence, a senior first aid certificate, a construction white card and job skills to become work ready. Assistance was also provided by a marine scientist from Griffith University.

The project is supported by the Moreton Bay Regional Council, which provided advice on water-sampling techniques and interpretation of results, maps of the waterways and current issues relating to catchment management. Sites for sampling include along the Caboolture River; Centenary Lakes; Lagoon, Sheep Station and King John creeks; and Bribie Island canals. This provides opportunities for the trainees to use the council's water-testing equipment, taking and testing samples, and making observations of the surrounding environment.

The data gathered by the trainees is additional to, not a substitute for, the information produced by the council on the health of our waterways. This data will all go to the environment department for use in compiling the annual waterways report. So the students have had not only experience as a member of the work force but also the experience of seeing their work positively impacting society. That is, after all, the most that any of us hopes for from a day's work.

Skilling Queenslanders for Work is a great initiative of this Labor government. I am proud of what the program has meant for the lives of so many of the people who sent me here.

### **Nerang-Beaudesert Road; Gold Coast Buses**



**Dr DOUGLAS** (Gaven—LNP) (9.52 pm): A simple issue on a main arterial road—from Nerang to Mount Nathan, which is on the western side of Nerang—through my electorate has been made very complex and potentially dangerous. Nerang-Beaudesert Road begins in Nerang then becomes Mount Nathan Road before becoming Nerang-Beaudesert Road in Mount Nathan. Effectively, a small section of the Nerang-Beaudesert Road is named Mount Nathan Road. This has caused considerable confusion and frustration not only for residents but also for people passing through, tourists—just about everyone. Local business owners such as the Historic River Mill, which hosts weddings with many guests travelling from afar, are also frustrated. To confuse the issue further, Nerang-Beaudesert Road is not listed in the Refidex or any other type of directory or on our satellite navigation system. Instead, it is called the inverse, Beaudesert-Nerang Road.

This is an accident waiting to happen on a very busy rural road with vehicles travelling at high speeds. One standard name must be set and all informed. Also, an extra sign is needed under the Mount Nathan Road sign stating 'through to Nerang-Beaudesert Road'. Some members may know that this is the same road that goes up to Binna Burra and Beechmont.

I have repeatedly raised in this place the issue of Gold Coast bus timetabling and the need for a complete overhaul of the network. Integral to our bus network are our school buses, which play a vital role in the safe and reliable transportation of our children. Recently, a very concerned mother from Pacific Pines in my electorate contacted me as her son and other children were being continuously stranded at Helensvale State High School due to overcrowding. Bus drivers were turning away children as the buses were full, with all seats and standing space occupied. The minister responded to my calls to address this situation and stated, 'There was unexpected overcrowding.' She further stated that TransLink and Surfside Buslines had modified the network so that some students who were travelling on one route could now travel on two other routes.

My point is: if the minister and TransLink can modify this network as I have outlined, why have they completely ignored my other calls, along with the calls of the Transport Workers Union, bus drivers and passengers, to modify the bus routes on the Gold Coast which are over 14 years old? In order for public transport to be used it must work. Currently, our bus timetabling and routes do not recognise the



Gold Coast as a growing, modern, urbanised regional centre. Continual frustration with an unreliable and late bus service equals a decrease in patronage. However, the government and TransLink make the simplified assumption that decreased patronage equals decreased demand, which has occurred in Pacific Pines, but this is not the case. Increased dissatisfaction has deterred positive public transport behaviour, but the demand is still growing as indeed our population grows. We are not even asking for huge money pots; we are simply asking for an overhaul and, to use the minister's words, a 'modification' of the current network and timetabling.

I also make the distinction that we have a growing number of people who are disabled and we need to make our buses disabled friendly, either by loading them on—

*(Time expired)*

### Parent Ready Reader Program



**Ms FARMER** (Bulimba—ALP) (9.55 pm): I rise to talk about the wonderful initiative put in place by the Bligh Labor government to help raise awareness in parents of the importance of reading with their children. We all acknowledge that parents are a child's first teacher and we all know that the period from birth to five years is absolutely the time to make sure we are helping to give our kids the important foundation skills to ensure they lead happy and fulfilled lives. Reading is most definitely one of those foundation skills. It has clear links to literacy and it has clear links to a child's success at school and later life.

That is why the government's Parent Ready Reader Program is so important. This is a program which not only encourages parents to read with their kids but also helps their kids enjoy reading and be able to do it effectively. I have had great pleasure in hosting a number of parent reading program workshops in the Bulimba electorate. It has been fantastic to see the interest of local parents in doing the best for their kids. The workshops have been enthusiastically received. There is always lots of interaction and the feedback afterwards is excellent.

I wish to remark particularly on the professionalism of the principals and deputies in our nine local primary schools in engaging with the program and working so hard to promote it to parents. These schools already do so much to promote parent involvement in their child's reading and to make sure parents are comfortable with the strong role that the schools know parents need to take. Many of them already run their own support programs for parents and have taken on the Parent Ready Reader Program to complement those programs. We—and our local parents and students—are very lucky to have such dedication.

I congratulate Michael Zeuschner and Sheryl Kennedy from Bulimba State School, Jann Simmonds from Morningside State School, Michelle Morrissey from Seven Hills State School, Tina Gruss from Murarrie State School, Chris Ling and Carol Scriven from Cannon Hill State School, Andrew Walker and Teresa Raciti from Norman Park State School, Richard Grajczonek from St Oliver Plunkett, Sister Ann-Maree Nicholls from Sts Peter and Paul's School and Frank Rhodes and Lorraine Walker from St Thomas' Primary School. I know that the members for Chatsworth and Greenslopes are looking forward to congratulating Debbie Driver, the principal of Camp Hill State Infants and Primary School, when we hold a workshop there.

I would also like to congratulate the wonderful Sharlene Emanuel, the coordinator of the Parent Ready Reader Program, who has talked to hundreds of parents in the most engaging way at our local workshops and in a way which has helped them to see that it is easy to incorporate reading into the everyday life of your child. She is a most inspiring person. I thank her for the many dedicated hours that she puts into her work.

Reading is not only an important skill to acquire and one of the most precious things you can encourage your child to love; it is also one of the most rewarding things you can do with your child—to snuggle up close with them and just simply read. Life does not get much better than that. I thank the former and current ministers for education for their championing of the Parent Ready Reader Program, and for their continued determination to give Queensland kids a flying start.

### Driver's Licence, Renewal



**Mrs PRATT** (Nanango—Ind) (9.58 pm): It has been brought to my attention by constituents living around 20 kilometres from Esk and approximately 15 kilometres from Toogoolawah that renewing a driver's licence is a little more difficult than extracting hen's teeth. One of my constituents went into his local police station recently to renew his licence. The admin officer was on holidays so no-one was there who could process the renewal and there was no replacement person. He was told to come back on 17 February, when the admin officer would be back on duty.

At 9 am on the appointed day the constituent made a phone call to the police station to make sure the admin officer was back and the phone was immediately transferred through to Ipswich because there was no-one at the office. Ipswich confirmed the admin officer was indeed back on that particular day and would be there till 4 pm. The constituent was still ringing the police station many hours later. This time the phone rang but was never answered.

A phone call was made to the Department of Transport and Main Roads to inquire where else he could get his licence renewed. After about five minutes a person came back online and the constituent asked if he could possibly go to Gatton to renew his licence. He was informed no, there was no-one there to do it. He was told the closest place was Ipswich or Redbank and that the local police do not do licence renewals. My constituent was undoubtedly somewhat ruffled because he told the voice that he and his wife had always got their licences renewed at the police station. But according to the voice there was indeed no way that could have happened. In desperation, my constituent rang the Gatton Police Station and was told, yes, they would be happy to do it. They do their renewals three days a week.

The question needs to be asked: shouldn't the department of transport know which police stations do licence renewals and which do not? Isn't it their business to know? Why is there such misinformation provided by the department of transport and the police? I would ask that the police minister take this matter on board to ensure that a replacement officer is found for staff going on leave.

People in rural areas rely very heavily on transport and being shunted from pillar to post in this manner is not acceptable. It is true that you can indeed get your licence renewed online, but not all people, especially older people, have a computer or can go online. As people travel so much in rural areas, why isn't it possible for every police station in Queensland, especially when many people only have a sticker sent out to them to put on their driver's licence, to have the ability to renew a driver's licence for residents?

### **Hawksworth, Ms G, OAM**



**Ms GRACE** (Brisbane Central—ALP) (10.01 pm): Along with the Minister for Health and all my Labor colleagues, I rise to pay tribute and to extend my sincere congratulations and best wishes on the retirement of an outstanding union official, Queensland Nurses Union Secretary Gay Hawksworth OAM.

**Government members:** Hear, hear!

**Ms GRACE:** It gives me great pleasure to wish Gay, her husband, Peter, and all her family a long, happy and fulfilling retirement following her distinguished union career. And I take all the interjections from the members wishing her the best.

Gay Hawksworth retired from the QNU on Friday, 1 April 2011 after almost 29 years service to the QNU, including the last 16 years in the leadership role of QNU state secretary following her election in 1995. She commenced her union involvement as a workplace activist whilst a charge nurse in the Coronary Care Unit of the Royal Brisbane Hospital and began working for the QNU in 1982. Gay played a significant and instrumental role in the formation of the QNU, campaigning for university education for nurses which ensured nursing became a profession in its own right. Equally she has pursued recognition of the profession of midwifery and recently modernised the rules of the union to unequivocally cement the QNU as the union for nurses and midwives.

Throughout her career Gay has never lost the passion for nursing and midwifery and has worked tirelessly as a senior union leader in this state and at a national level, fighting for improved safety, rights and conditions for her members. She has played a significant role in shaping the professionalism of nursing and midwifery in this country.


Long gone are the days when Gay first started nursing when male nurses earned more than female nurses—today the pay is the same regardless of gender. Although I am sure Gay would admit that caring occupations such as nursing are still undervalued, under her leadership she charted a steady course where Queensland public sector nurses and midwives are amongst the highest paid in Australia in most classifications.

Gay's achievements are too numerous to mention at both the QNU and as a respected QCU senior officer but were recognised when she was awarded on 14 June 2010 the medal of the Order of Australia for services to industrial relations through the QNU. Her skills were such that she bucked the general trend of declining union membership and membership of the QNU grew from 24,000 members in 1995 to 44,000 current members, making the QNU the second largest union in Queensland.

On a personal note, I have had the privilege and pleasure to work with Gay for many years in the union movement and I have always admired her as a person of immense integrity, commitment and loyalty. She is an inspiration to me and others. She is my mentor and confidant. On many occasions Gay's wisdom, commonsense, support and counsel have been invaluable to me. I am proud to be able to call her my friend and comrade and, on behalf of all of my Labor colleagues, I wish her and her family the very best in retirement.

Gay has left big shoes to fill and I congratulate her capable successor, Beth Mohle, who I know will continue the hard work to maintain the strong position of the QNU. Thanks for everything, Gay. You are a wonderful person. You will be greatly missed.

### Unitywater

 **Mr BLEIJIE** (Kawana—LNP) (10.04 pm): Tonight I want to have a discussion with members of the House in relation to an astounding revelation with respect to water—water in South-East Queensland. For months, I have been saying in this House—and members on this side of this parliament have been saying in this House—that Queenslanders in South-East Queensland can hardly put up with the cost of water in South-East Queensland. They can hardly put up with the cost. It is hitting their hip pocket. Yet two weeks ago Can-do Campbell Newman arrived on the Sunshine Coast and he said to the people of the Sunshine Coast, ‘We will get rid of Unitywater,’ to the applause of those in Mooloolaba.

Then we had a debate in this parliament last sitting with the Minister for Water Utilities saying how great this policy was. And today the Premier comes into this place and takes it all away. Do you know what, Mr Speaker? We should thank Can-do for that. The members of the government should thank Can-do.

I will read what some bloggers had to say on the online paper about this announcement. Gremlin10 from Mooloolah Valley said—

Campbell Newman is obviously a genius. He doesn't even have to be in government to get his policies through.

Then someone said—

Anna Bligh is just a can do copycat.

Well, that was me. Proudsceptic from Maroochydore said—

QLD State Labor is arrogant and out of touch and needs to GO AWAY! The LNP is our only hope to fix QLD!


Then JamesMcPherson from Burketown wrote a rhyme. He wrote a rhyme which I will not sing. He said—

I owe, I owe,  
It's off to work I go  
Done Labor's way  
Now I must pay  
I owe, I owe

That says it all. Four anonymous blogs say it all. If this is what we are going to see between today and the election, Queenslanders are in for a real good ride. They will finally get policies. They will finally get policies from a government that copycats a can-do opposition.

*(Time expired)*

### Coomera Police District

 **Hon. MM KEECH** (Albert—ALP) (10.07 pm): The recent announcement by the police minister of the allocation of 14 extra police officers to the Coomera police district is very good news for the people of Albert. With the Bligh Labor government's commitment to fund an additional 600 police positions state-wide during this term of government, the safety of Albert residents will be greatly enhanced with the creation of these 14 extra positions. These extra positions are particularly welcome because I have worked very hard on behalf of my constituents to bring to the attention of this government the need for extra police to serve the fastest growing district in the entire state.

**Ms Male:** Great job, Margaret, I know how hard you lobbied for that. Excellent work.

**Mrs KEECH:** Thank you, member for Pine Rivers. When I met recently at the Coomera station with Inspector Steven Flori and Senior Sergeant Andrew Godbold I was told that four of these extra officers will be allocated to the district's traffic branch to enhance the presence of highly-visible police cars on our roads. With the Easter holidays approaching, the extra resources will be most welcome and will further encourage drivers to slow down, avoid drinking and driving and, hopefully, save lives. Five extra positions have been allocated to general duties officers while a further four new positions will go towards bolstering the strength of the very busy CIB and Child Protection and Investigation Unit.

These 14 positions are most welcome, but, as I have told the police minister, I will continue to work to gain more officers to support the very busy Norfolk Village Police Beat. Our government knows that in reducing local crime, strong community partnerships are absolutely vital. The Albert community is fortunate to be served by an active Coomera police community consultative committee and energetic Neighbourhood Watch groups. Dominique Lumms ably leads the Oxenford Coomera 3 and Anne Cobcroft does a great job as area coordinator of the Willow Vale Neighbourhood Watch. She is fortunate to be strongly supported by the two other wonderful Anns—Ann Wall and Anne McGregor.

I am proud to be a member of a government that is absolutely dedicated to minimising crime by delivering significantly increased numbers of police to the Albert electorate. On behalf of Albert residents I thank the minister, the commissioner, Assistant Commissioner Paul Wilson and all of our hardworking police officers at the Coomera and Beenleigh police stations and at the Norfolk Village Police Beat who, together with their support staff, contribute so well in making our community a safer place.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.10 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, Palaszcuk, 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

