



# RECORD OF PROCEEDINGS

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 Phone: (07) 3406 7314 Fax: (07) 3210 0182

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## WEDNESDAY, 15 FEBRUARY 2012

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The Legislative Assembly met at 2.00 pm.

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

### PETITIONS

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

#### Hills District, Local Government Jurisdiction

**Hon. Wilson**, from 11 petitioners, requesting the House to refer to the Local Government Change Commission the transfer of the Hills District (Arana Hills, Everton Hills, Ferny Hills and Bunya) from the jurisdiction of Moreton Bay Regional Council to the Brisbane City Council [\[6460\]](#).

#### Public Hospitals, Bibles

**Hon. Palaszczuk**, from 111 petitioners, requesting the House to support Bibles being made available to patients in Queensland public hospitals [\[6461\]](#).

#### Victoria Point Shopping Centre Newsagency, Go Card Top-up Outlet

**Mr Dowling**, from 207 petitioners, requesting the House to allow the Victoria Point Shopping Centre newsagency to provide facilities to top up, register, refund, change expiry dates and cancel Go Cards [\[6462\]](#).

#### Mining Exploration, Permits

**Mr Wendt**, from 236 petitioners, requesting the House to conduct a review of the way in which permits for mining exploration are executed [\[6463\]](#).

#### West End, AHIMSA House

**Hon. Bligh**, from 585 petitioners, requesting the House to prevent the sale of the community centre known as AHIMSA House at 26 Horan Street, West End [\[6464\]](#).

#### Bruce Highway, Upgrade

**Mr Bleijie**, from 2,405 petitioners, requesting the House to amend the Bruce Highway Upgrade Planning Study (Caloundra Road to Sunshine Motorway) Draft Plan intention to close access to Sippy Downs from the Sunshine Motorway via the one off-ramp and one on-ramp and keep these two interchanges open [\[6465\]](#).


#### Pine Rivers, Bus Routes

**Mr Emerson**, from 206 petitioners, requesting the House to amend the proposed new route for the 673 bus service in Pine Rivers by reinstating services along Sparkes Road and the links to Bray Park Railway Station and Westfield Strathpine [\[6466\]](#).

Petitions received.

### MINISTERIAL STATEMENTS

#### Majella Global Technologies

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (2.02 pm): As the Minister for Reconstruction, I was concerned to learn in October last year that a Queensland company that had attempted to gain \$30 million worth of flood recovery work was the subject of court action by a US company for alleged false representation and violations of a noncompletion of an agreement. However, I was shocked to read reports this morning that this company is now the subject of an FBI review for possible theft of US military secrets. The company, Majella Global Technologies Asia Pacific, is part of the Newman-Monsour family group of companies.

As we know, Campbell Newman reacts to any public scrutiny of these companies by denying any knowledge of, connection to or interest in them and he criticises the legitimate scrutiny as a muckraking smear campaign. Scrutiny of the private financial dealings of those in public life or those seeking high office is always legitimate. Indeed, it is one of the cornerstones of Australian democracy. All Australians believe that those who seek or hold political power and hold the public purse in their care should not seek to profit from it personally, and only full, open disclosure and public scrutiny can guarantee that. In light of today's revelations, I believe it is time to fully outline the facts about this company and I invite Queenslanders to judge for themselves.

Fact No. 1. Invictus Solutions Pty Ltd, trading as Majella Global Technologies Asia Pacific, was formed and registered as a company to sell disaster recovery technology on 21 January 2011, just nine days after the floodwaters left the streets of Brisbane. The company was established as a majority owned subsidiary of Frank Monsour Family Investments Pty Ltd and it was registered with the following directors: Seb Monsour, Frank Monsour, Christopher Austin and Liam Smith, who is incidentally the owner of the upzoned land at Woolloongabba that the Newmans have signed a contract to purchase. Official records list Lisa Newman as the company secretary. Mrs Newman helped to establish this company. I table the ASIC documents that prove this fact.

*Tabled paper:* ASIC records extract regarding Invictus Solutions Pty Ltd [6467].

Fact No. 2. On 18 February, a mere four weeks after the flood, Majella Global Technologies Asia Pacific—itsself barely a month old—made a \$30 million application to the Queensland Reconstruction Authority to supply technology to the Queensland government as part of our reconstruction effort. I table the company application received by the Queensland Reconstruction Authority.

*Tabled paper:* Copy of emailed letter, dated 20 January 2011, from Seb Monsour, Executive Director, Global Relief Technologies—Asia Pacific to Mr John Bradley [6468].

Fact No. 3. Majella Global Technologies Asia Pacific claimed in all of its material to be the Asia-Pacific branch of the US company Global Relief Technologies, and I table material to that effect.

*Tabled paper:* Copy of document by Global Relief Technologies titled 'Rapid Data Management System' [6469].

Fact No. 4. On 9 February 2011, Mrs Lisa Newman was replaced as the company secretary of Invictus, trading as Majella Global Technologies, but remains as a company director, company secretary, financial beneficiary of its parent company and majority owner of Frank Monsour Family Investments Pty Ltd, and she has held that position since 1983. I table the ASIC documents to that effect.

*Tabled paper:* ASIC records extract regarding Invictus Solutions Pty Ltd [6470].

Fact No. 5. After eight months, the involvement of the Newman-Monsour family in this company and its attempts to secure millions of dollars of public money for disaster recovery was finally made public by the media. I reiterate that this information was made public by media reports, not by any public disclosures from Mr Newman or any member of his family. I table those documents.

*Tabled paper:* ASIC records extract regarding Frank Monsour Family Investments Pty Ltd [6471].

*Tabled paper:* Article from the Australian, dated 14 September 2011, titled 'Newman pressed on floods business' [6472].

Fact No. 6. In October 2011, further media reports revealed that US company Global Relief Technologies was taking legal action against Seb Monsour for alleging that he was representing it while touting for millions of dollars from the Queensland government in the wake of the floods. The *Brisbane Times* reported the head of the US company Global Relief Technologies as saying that taxpayers would have been the victim of an 'outrageous rip-off' if it had awarded a \$30 million flood recovery contract to Seb Monsour. That is according to the head of the US company Global Relief Technologies. Michael Gray, the chief executive officer of that company, went on to say that the actual cost of the company's services would have been less than \$1 million. He said—

It would have been a plain rip-off if the government had paid those kind of dollars. To service all chapters of the Red Cross for all of America only costs \$250,000. That is an outrageous rip-off.

I table that report.

*Tabled paper:* Article, dated 5 October 2011, titled 'Newman hits back at US claims' [6473].

Fact No. 7. The *Brisbane Times* this morning reported that the FBI is now reviewing whether Majella Global Technologies Asia Pacific—a company that was established by the Newman family—has violated American trade secret laws by allegedly obtaining technology developed by the American Department of Defense. Follow the paper trail and you will find the Newman-Monsour family plotting to profit from the flood. Follow the paper trail and you will see them possibly stealing someone else's technology to do it.

*Tabled paper:* Article, dated 15 February 2012, titled 'FBI examine LNP figure's company' [6474].

Follow the paper trail and you will find a complex web of company structures designed to hide the involvement of the Newman-Monsour family in these events—company structures that are almost impossible to untangle, with constantly changing company registrations designed to deliberately make scrutiny difficult. But whichever way you look at it—whichever way you look at it—the name Newman is stamped all over this company and all over the documents. In fact, if you follow the paper trail, it will lead you to 24 Rupert Street, Windsor. That is the address of the company secretary of the parent company and majority owner of the company being investigated by the FBI, and it is Campbell Newman's home address. The LNP's candidate for Premier wants Queenslanders to believe that all of this is somehow arm's length from him, that he has no knowledge of or financial interests in these companies. Indeed, this morning—

**Honourable members** interjected.

**Mr SPEAKER:** Order! Member for Chatsworth and member for Mermaid Beach, the interchange between you is getting far too high, and the member for Clayfield. The Premier has the call.

**Ms BLIGH:** Thank you, Mr Speaker. The LNP's candidate for Premier wants Queenslanders to believe that all of this is somehow arm's length from him, that he has no knowledge of or financial interests in any of these companies. Indeed, this morning he claimed of these companies—

I'm not involved in [them], and neither is my wife.

Well, this is completely untrue and it simply defies belief. Every Australian knows that under the Family Law Act of this country marriage entitles both partners to a financial share of each other's assets, including property, superannuation and other beneficial financial interests. Lisa Newman's financial interests are her husband's financial interests. That is how it works in this country. Putting a company in your spouse's name does not remove your entitlement to a share of its benefits. It does not work, and every Queenslanders knows it.

**Mr Seeney** interjected.

**Mr SPEAKER:** Order!

**Government members** interjected.

**Mr SPEAKER:** Order! The House will come to order. The honourable the Premier.

**Ms BLIGH:** Thank you. Further, as the documents I have tabled this morning show, Mrs Newman is the company director and company secretary of the parent company and majority owner of the company that is being investigated by the FBI. So Mr Newman's denial is wrong on both counts. This issue puts Queensland in an extraordinary and embarrassing situation. We now face the prospect of a possible LNP Premier whose wife and family's company is being investigated by the FBI for trying to profit from our floods by possibly using US military secrets.

**Honourable members** interjected.

**Mr SPEAKER:** Okay; both sides now. Those on my left will cease—

**Mr Fraser** interjected.

**Mr SPEAKER:** The Treasurer will cease interjecting.

**Mr Nicholls** interjected.

**Mr SPEAKER:** The member for Clayfield will cease interjecting. The honourable the Premier.

**Ms BLIGH:** Thank you, Mr Speaker. At the heart of this matter is character. If you aspire to hold the highest office in Queensland, you have to ensure—

**Mr Seeney** interjected.

**Mr SPEAKER:** Order!

**Ms Simpson:** Who lied about asset sales?

**Mr SPEAKER:** Order! Member for Maroochydore, that was unparliamentary. You will withdraw it.

**Ms SIMPSON:** I withdraw.

**Mr SPEAKER:** Thank you. The honourable the Premier.

**Ms BLIGH:** Thank you, Mr Speaker. At the heart of this matter is character. If you aspire to hold the highest office in Queensland, you have to ensure that your financial affairs are beyond reproach, that there is no conflict—either real or perceived—between your public duty and your private interests. There were many points at which Mr Newman could have acted to do so. In February last year he could have moved to ensure that his wife and family were not seeking to profit from the floods, but he failed to do so.

In October when court action against Majella Global Technologies was revealed in the media, he could have insisted that the company cease to operate as a subsidiary of his wife's family trust, but he failed to do so. This amounts to more than a failure to act. It is a failure of judgement, a failure of character, a failure of leadership.

**Opposition members** interjected.


**Mr SPEAKER:** Order! Those on my left!

**Ms BLIGH:** The FBI is now shining its light on the murky dealings of Newman Inc., and it is time every Queenslanders did the same.

**Honourable members** interjected.

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

## Criminal Justice System


 **Hon. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (2.15 pm): Since the release of the Moynihan report in 2009, this government has embarked on making the biggest changes to criminal justice procedures that this state has seen in 100 years. Stage 1 of implementing the reforms were contained in the Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act which commenced in November 2010 and included, among other key changes, increasing monetary limits in the civil jurisdiction of the District and Magistrates courts to make the most effective use of public resources; expanding the summary jurisdiction of the Magistrates Court to finalise charges of certain indictable offences; and increasing the jurisdiction of the District Court to allow it to deal with indictable offences with a maximum sentence of 20 years imprisonment or less. These changes have helped deliver streamlined justice services for all Queenslanders and seen Queensland courts continue to have clearance rates either very close to or above 100 per cent. However, there is always room for improvement and I am pleased to announce today that the state government will embark on implementing the second stage of the Moynihan reforms.

Stage 2 is a proposed Criminal Justice Procedure Bill which will pull together a modernised version of the Justices Act 1886 and aspects of part 8 of the Criminal Code. It will also make clear reforms to be supplemented by new criminal justice procedure rules. The bill will not just co-locate procedural laws; it will improve them. The law will be easier to find, easier to read and easier to understand. In short, the law will be more accessible for all Queenslanders. I table a discussion paper that gives legal stakeholders and the general community an overview of the proposed bill, discusses some proposed reforms and seeks feedback.

*Tabled paper:* Department of Justice and Attorney-General paper titled 'Criminal justice procedure reform: an information paper for criminal justice stakeholders and the community' [[6475](#)].

Many of us in this chamber who trained in law would remember the old Real Property Act 1861 and 1877 and the Vagrants, Gaming and Other Offences Act. This Justices Act of old—126 years old—bears witness to numerous layered and bolted-on amendments, each addressing a particular issue of their time and all amounting to complex legislation. This is the first time in Queensland's history that the opportunity has been taken to consolidate and streamline these laws. Over 200,000 cases flow through our Queensland courts every year. If you are a victim of crime, a witness to crime or if you commit a crime, even a low-level one, then this proposed bill will govern how your case runs. Once enacted, this bill will cover criminal procedure from public nuisance cases through to murder trials. The paper can be found at [justice.qld.gov.au](http://justice.qld.gov.au). Comments and feedback are due to the Department of Justice and Attorney-General by 31 March.

## Springbrook National Park

 **Hon. VE DARLING** (Sandgate—ALP) (Minister for Environment) (2.17 pm): I am delighted to advise the House that an endangered frog that has not been seen for 40 years at this altitude has been discovered in one of our new national park areas. There is no doubt that Springbrook is one of the jewels in the crown of South-East Queensland's national parks. It is an iconic area with unique World Heritage values. Since 2005 the Bligh government has committed more than \$40 million to protect this magical part of the world. Through the Springbrook rescue project we have purchased 45 lots covering 705 hectares, and today I am pleased to report that in our recently expanded Springbrook National Park we have discovered the endangered Fleay's barred frog, one other vulnerable frog species and five other near-threatened species. Last year the Bligh Labor government expanded Springbrook National Park by 12 per cent and enhanced opportunities for the survival of our most threatened wildlife. We reconnected sections of the World Heritage area to provide critical wildlife corridors, and we have seen a significant number of wildlife species returning. This is the very reason why we are protecting Springbrook. This is why we are acquiring properties. This is why we are creating national park. We care for the environment. We want special and unique areas to be here for generations to come. This is in stark contrast to those opposite.

**Mr Gibson** interjected.

**Mr SPEAKER:** Order! I am interested in this statement.

**Ms DARLING:** The member for Mudgeeraba, of course, has been on the record many times opposing the expansion of Springbrook National Park. Mr Speaker, what do you think 'LNP' stands for? It stands for 'less national parks'. There is a very clear and obvious trend—

**Honourable members** interjected.

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


**Ms DARLING:** There is a very clear and obvious and disturbing trend when we are talking about what Campbell Newman would do if he ever got to make decisions about what happens to our most precious and valuable natural assets. According to Mr Newman, absolutely nothing in our environment

is sacred and nothing is guaranteed to go untouched. Let us make one thing very clear: Mr Newman is not the least bit interested in conserving our protected areas. He will drill and drain our pristine rivers and he will repeal every single protection measure we have ever put in place: wild rivers, green zones, waste reform, Great Barrier Reef protection, North Stradbroke Island, the coastal plan. Where will it end? Is the precious Springbrook National Park also at risk? Let us hope the Fleay's barred frog is not on the LNP's hit list.

**Ms Bates** interjected.

**Mr SPEAKER:** Order! Member for Mudgeeraba, I have asked you to come to order.


### Home and Community Care

 **Hon. CW PITT** (Mulgrave—ALP) (Minister for Disability Services, Mental Health and Aboriginal and Torres Strait Islander Partnerships) (2.20 pm): This morning I visited Blue Care Ashgrove to announce a \$39.8 million expansion of the Home and Community Care program. I was joined by the hardworking member for Ashgrove for this announcement, which will benefit thousands of Queenslanders, including many in her electorate. This \$39.8 million funding boost marks an important expansion of the HACC program. It will support more services for people with a disability and older Queenslanders in communities throughout the state. That is right: right across the state these extra funds will help to deliver the care and support that thousands of Queenslanders need to live independently in their own homes and communities.

The joint state-Commonwealth Home and Community Care program is worth \$523 million to Queenslanders in 2011-12, with funding going to 800 service providers. These dedicated workers provide crucial care and support to 170,000 Queenslanders. This care and support includes domestic assistance, personal care, social support, home modifications, transport and respite care. For many of us, going to the shops, cooking our own meals or having a bath or shower are things we take for granted, but the reality is that thousands of Queenslanders need help to do these simple things. That is what the HACC program is all about. It is about providing essential services to vulnerable Queenslanders.

I have seen firsthand the difference these services can make to people's quality of life. In many cases, they are the difference between someone remaining in their own community among family and friends and someone living in residential aged care. Queensland's Home and Community Care workers are the backbone of communities throughout the state. For them to continue their important work they need proper funding and resources from government. The Bligh Labor government is committed to providing this support. Since the Nationals and Liberals were last in power, we have increased funding for disability and community care services by 495 per cent. We are getting on with the job of supporting Queenslanders who need it the most, and that is what Labor governments do best—not just in Ashgrove but in communities right throughout Queensland.

### North Queensland Irrigated Agriculture Strategy

 **Hon. TS MULHERIN** (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (2.22 pm): Late last year I joined the Premier; the member for Mount Isa, Betty Kiernan; and Commonwealth minister Simon Crean in Richmond to announce the \$10 million North Queensland Irrigated Agriculture Strategy. This jointly funded state-Commonwealth strategy is designed to enhance agricultural investment in the Flinders and Gilbert catchments through a combination of scientific studies and on-farm irrigation trials. I know that the member for Mount Isa is a very passionate advocate for enhancing jobs and investment in her electorate and she has been a champion of this investment.


The project includes \$6.8 million for CSIRO to conduct a comprehensive assessment of surface water storage options in the Flinders and Gilbert rivers catchments and identify new irrigated agriculture techniques that could be extended right across northern Australia; \$3 million from the Queensland government to undertake on-farm demonstration projects and systems analysis to develop practical farming approaches; and \$200,000 in shared funding for a feasibility study to develop a meat-processing facility in North Queensland.

I am pleased to report to parliament today the progress on this strategy, which promotes environmental agriculture and sustainability practices. Minister Crean and I have recently agreed on the membership of the program governance committee. The committee will advise both governments on local community issues and select on-farm field trial sites for the irrigation plan. The committee consists of representatives from CSIRO and federal, state and local government, along with agricultural industry groups, regional planning organisations and water specialists. One of the key outcomes of this strategy will be making the findings available to the private sector as proof of the agricultural potential of the area. The irrigation trials will provide a benchmark to measure private investment against.

Funding a living, breathing on-farm trial will give investors confidence in the region to support long-term, sustainable agribusiness. It is a win-win-win for the north-west—sustainable land use, increased agricultural production and a jobs boost and economic activity in an important part of our state. It is an important step in realising the potential of land and water resources and opening up the north to new opportunities in the beef industry and for agriculture more broadly in Queensland and across northern Australia.

## BUILDING BOOST GRANT AMENDMENT BILL

### Declared Urgent; Allocation of Time Limit Order

 **Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (2.24 pm), by leave, without notice: I move—


That, under the provisions of standing order 137, the Building Boost Grant Amendment Bill be declared an urgent bill to enable the bill to be passed through all stages at this week's sitting.

Question put—That the motion be agreed to.

Motion agreed to.

## COMMITTEE OF THE LEGISLATIVE ASSEMBLY

### Statement

 **Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (2.25 pm): The Legislative Assembly's new committee structure commenced operation in mid-2011. A review of the operation of the new system reveals that, in a little over six months of operation, committees have held 59 public hearings, public briefings and private hearings. Excluding the estimates process, in excess of 80 hours and 50 minutes of hearings and briefings were held in the last six months of 2011. Put another way, if these figures were annualised over a full year, we would expect that committees, under the new system, are holding four to five times as many hearings and briefings as they were under the previous system. Indeed, in just over half a year of operation we have seen many hundreds of public servants and members of the public appearing before committees to give their views about the bills to be considered by this House. By the end of this sitting week we can expect about 33 reports by committees on bills referred by the House.

In terms of the impact on this House, the statistics show no negative impact on its work. The House is still considering and passing similar numbers of bills each week whilst sitting slightly fewer hours each week. I table for the record some statistics about the work of the House and the committees. I have also asked for these statistics to be circulated to members in the chamber.


*Tabled paper:* Statistics regarding work of the House and work of committees from 1 July to 31 December 2011 [6476].

In terms of outcome, it is important to note the number of bills now being considered by the House which are the subject of amendments recommended by committees. Indeed, both bills passed by the House yesterday were the subject of amendments recommended by committees. In conclusion, there is evidence to suggest that the new committee system is working as intended—enabling greater public participation, greater interface between the Public Service and parliamentarians, a better understanding of the issues by parliamentarians, better interaction by the House and its committees, higher activity by committees and better outcomes in our legislative process.

I remind members that, upon the Governor issuing a writ to dissolve this House for a general election, parliamentary committees, with the exception of the PCMC and the CLA, will cease to exist. The CLA will continue to exist to manage the Parliamentary Service until the election date. The PCMC continues until a new PCMC is appointed.

## LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE

### Submissions

 **Ms STONE** (Springwood—ALP) (2.28 pm): I lay upon the table of the House submissions made to the various bill inquiries conducted by the Legal Affairs, Police, Corrective Services and Emergency Services Committee: Property Agents Bill 2010, Motor Dealers and Chattel Auctioneers Bill 2010, Commercial Agents Bill 2010, Agents Financial Administration Bill 2010, Business Names (Commonwealth Powers) Bill 2011, Civil Proceedings Bill 2011, Police Powers and Responsibilities and Other Legislation Amendment Bill 2011, Right to Information (Government-related Entities) Amendment

Bill 2011, Criminal and Other Legislation Amendment Bill 2011, Identification Laws Amendment Bill 2011, Civil Partnerships Bill 2011, Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill 2011 and the Law Reform Amendment Bill 2011. I would like to thank the committee members and staff for their dedication and hard work.

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Report No. 3—Examination of Bills: Property Agents Bill 2010, Motor Dealers and Chattel Auctioneers Bill 2010, Commercial Agents Bill 2010, Agents Financial Administration Bill 2010: Submissions received in relation to the inquiry [6477].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Report No. 4—Examination of Business Names (Commonwealth Powers) Bill 2011: Submissions received in relation to the inquiry [6478].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Report No. 5—Police Powers and Responsibilities and Other Legislation Amendment Bill 2011: Submissions received in relation to the inquiry [6480].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Report No. 7—Civil Partnerships Bill 2011: Submissions received in relation to the inquiry [6484].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Report No. 8—Civil Proceedings Bill 2011: Submissions received in relation to the inquiry [6479].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Right to Information (Government-related Entities) Amendment Bill 2011: Submissions received in relation to the inquiry [6481].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Criminal and Other Legislation Amendment Bill 2011: Submissions received in relation to the inquiry [6482].


*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Identification Laws Amendment Bill 2011: Submissions received in relation to the inquiry [6483].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill 2011: Submissions received in relation to the inquiry [6485].

*Tabled paper:* Legal Affairs, Police, Corrective Services and Emergency Services Committee: Law Reform Amendment Bill: Submissions received in relation to the inquiry [6486].

## FINANCE AND ADMINISTRATION COMMITTEE

### Report

 **Mr WENDT** (Ipswich West—ALP) (2.28 pm): I lay upon the table of the House report No. 10 of the Finance and Administration Committee. This report presents the results of the committee's examination of the Building Boost Grant Amendment Bill 2012, which was introduced by the Treasurer yesterday.

*Tabled paper:* Finance and Administration Committee Report No. 10—Building Boost Grant Amendment Bill 2012 [6487].

This bill extends the closing date for applications for the Queensland Building Boost Grant Scheme by three months from 1 February through to 1 May 2012. The grant is being paid under an administrative arrangement pending passage of the bill. In view of this, the committee agreed to report urgently on the bill.

I would like to thank the other members of the committee for their thorough consideration of the issues raised in the bill and particularly the work done by the research team in the short time frames allowed. I commend the report to the House.


## SPEAKER'S STATEMENT

### School Group Tours

**Mr SPEAKER:** Before I call question time, today we have either been visited or will be visited by students from Ipswich Girls Grammar School in the electorate of Ipswich, the South East Queensland Home Schoolers, Buddina State School in the electorate of Kawana and the Woodcrest College in the electorate of Bundamba.

## QUESTIONS WITHOUT NOTICE

### Queensland Floods Commission of Inquiry; Newman, Mr C

 **Mr SEENEY** (2.30 pm): My question without notice is to the Premier. I refer to comments on 25 January when the Premier announced the date of the election and again yesterday in this House where the Premier sought to suggest that Campbell Newman might be implicated by the independent floods commission of inquiry. I table a letter from the floods commissioner to Campbell Newman that says, in part—

I can tell you at the outset that you are not mentioned in my report and had any allegation been made against you I would of course have given you the opportunity to respond.

*Tabled paper:* Letter, dated 18 January 2012, from Justice CE Holmes, Commissioner, Queensland Floods Commission of Inquiry, to Mr Campbell Newman, leader of the LNP [6488].

**Ms Nolan:** Who wrote this?

**Mr SEENEY:** The floods commissioner.

**Government members** interjected.

**Mr SPEAKER:** Those on my right, the Leader of the Opposition has the call.

**Mr SEENEY:** For the benefit of the minister, that is what the floods commissioner wrote to Campbell Newman. My question to the Premier is: does the Premier support the commissioner and admit she has been resorting to a baseless smear campaign to hide her government's appalling record?

**Ms BLIGH:** I thank the honourable member for his question. Again, as is so often the case with the member for Callide, I dispute a number of assumptions that he asserts in his question. I refute absolutely that I made any comments on 25 January that indicated that I believed that any particular individual would be implicated in the report of the floods inquiry.

**Mr Seeney:** There was innuendo though, wasn't there?

**Ms BLIGH:** All I can say is, 'If the cap fits'. I would refer you back to my comments. I made no imputations and nor would I ever do so in relation to any commission of inquiry. In my comments in this House yesterday I made no implication about the findings. In fact, I went to some lengths to make it clear that none of us knew what the findings or conclusions of the commissioner were or would be.

I do note that the member for Callide sought to use this parliament yesterday to trash this same commissioner whom he now seeks to rely upon as an authority for the character of Campbell Newman. The opposition, the Liberal National Party, as always, does not know what it stands for. Do you or do you not support a lawfully constituted commission of inquiry led by one of Queensland's finest legal minds?

**Opposition members** interjected.

**Mr SPEAKER:** The Premier was asked a question in a number of parts and as I am listening to it I understand that that is what the Premier is coming to.

**Ms BLIGH:** I made the point yesterday that when it comes to the operation of the dam the Liberal National Party have form about holding more water in it rather than releasing it. It was a valid point to make, but any suggestion that I sought to pre-empt or impute anything to the commissioner or her inquiry is not borne out by any scrutiny of the *Hansard* or the facts. We all know where this question has come from. This question was written by the LNP candidate for Ashgrove who had a tantrum yesterday, as he does on so many days. I suspect there has been a tantrum or two today because today we see Newman Inc. being mired further and further and further into doubtful questions that reflect on his character. Campbell Newman is not fit to be the Premier of Queensland. He is mired in a set of complex business interests that are not only a conflict of interest, they are an embarrassment to this state. This company is now the subject of an FBI investigation for stealing US military secrets.

*(Time expired)*

### South Bank 2, Parmalat

**Mr SEENEY:** My second question without notice is also to the Premier. I refer to the Premier's announcement last Sunday that her major plan for the future was to extend the South Bank Parklands. I table a memo from Parmalat in response to her announcement showing that they have no plans to exit the site for at least five years. Will the Premier now admit that she has no deal for the land required, no funding for a deal and that this pre-election promise is as false as her promise not to introduce a fuel tax and as false as her promise not to sell Queenslanders assets?

*Tabled paper:* Memo from Mr Craig Garvin, CEO of Parmalat addressed, 'Dear Colleagues' [\[6489\]](#).

**Ms BLIGH:** I am very pleased to have an opportunity to talk about our plans to create South Bank 2 on that reach of the river that stretches past the Gallery of Modern Art. I do not think there is a Queensland, or indeed an Australian, who has had the chance to visit South Bank who does not fall in love with it straight away. It is unique among the capital cities of Australia.

**Mrs Keech:** And the world.

**Ms BLIGH:** Indeed. I take the interjection. It is unique in the world. It is one of the best examples of world-class urban planning. It delivers green space, it delivers public recreation and it delivers some of the best cultural institutions in the country. Does Labor think all that is good? Yes, we do. Do we believe that it should be extended if possible? Absolutely. That is why I was very, very pleased to receive the following email in my electorate office in March last year and I read it—

Matthew Wallace, CEO

Sorry, that is the wrong one. That is Campbell Newman's dealings.

**Opposition members** interjected.

**Ms BLIGH:** I am happy to read that one. I am actually very happy to read it out at the insistence of the LNP. It comes from the executive assistant to the CEO of Mirvac and is to the Lord Mayor who at that stage was Campbell Newman. What it says is that the CEO wants to meet with the Lord Mayor to discuss the Tennyson Reach development. I bet he did. I think we will find out a bit more about that when the CMC has a long hard look at it.

I was very pleased to receive the following from the CEO of Parmalat. The executive officer wrote to me in June last year—

Craig Garvin, CEO, Parmalat, requests a meeting with the honourable Anna Bligh. The purpose of the meeting is introduce Craig and discuss Parmalat business, specifically the relocation of the Parmalat site at South Brisbane.

We have had now a series of negotiations that involve a number of components, including land swaps and relocations. This company knows that big industry is no longer the future of that stretch of the river. Labor knows that the future of that stretch of the river belongs to the people and a Labor government will give it back to the people.

### Western Queensland, Floods

**Mr WENDT:** My question is to the Premier. Can the Premier outline some of the state government efforts being made to help communities after the floods and is she aware of any other approaches in this regard?

**Opposition members** interjected.

**Mr SPEAKER:** Order! Those on my left, the Premier has the call.

**Ms BLIGH:** One would think that those on the other side would not be laughing about flood relief in Western Queensland.

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Ms BLIGH:** As I said, one would think that those opposite would find no humour in the flood relief efforts in Western Queensland. Of course, they are led by someone who probably sees it as an economic opportunity, but that is not how Labor treats people who are in trouble. We know that, unfortunately, it is not unusual for many sporting and community groups to have their playing fields and facilities in flood-prone areas. That means that when these terrible floods happen those very valuable community assets are destroyed or damaged and their repair is often beyond the financial capability of those small and important community clubs.

Therefore, today I am very pleased to announce that we will be making available grants of up to \$25,000 to those community sporting clubs in the 21 disaster declared areas that have experienced flooding in the past few weeks. The funds are available to clubs in the Balonne, Barcaldine, Barcoo, Blackall-Tambo, Bulloo, Burke, Carpentaria, Central Highlands, Cloncurry, Doomadgee, Flinders, Isaac, Longreach, McKinlay, Maranoa, Mount Isa, Murweh, Paroo, Quilpie, Richmond and Winton local government areas. I encourage all members of the House, particularly those who represent state seats in those areas, to make sure that the sporting groups know about the funding. As we all know, getting your sporting group back up and running is absolutely critical to the community coming back together and having somewhere for the children to gather and be part of that community.

This is taxpayers' money going where it should—that is, going to help the community when it needs it most. This stands in stark contrast to the efforts of the leader of the LNP who sought, through family companies, to make a profit from those who suffered from our disasters last year and not only to make a profit but also to make a profit, it is alleged, by stealing technology that is part of US military secrets. We know that Campbell Newman may slip and slide and try to deny and try to pretend, but Queenslanders are starting to ask the questions: why does he have so many companies? Why are they involved in so many things? Why do they have so many fingers in so many pies? If you want to be in public life in this country, you cannot be in business at the same time. However, this family is deeply mired in property developments, technology—

*(Time expired)*

### South Bank 2

**Mr NICHOLLS:** My question is also to the Premier. I refer to the Premier's unfunded South Bank 2 announcement last Sunday, and I ask: can the Premier confirm that both the investment arm of the Labor Party, known as Labor Holdings, and a number of trade unions own land in close proximity to the site and would be major financial beneficiaries should the plan ever be completed?

**Ms BLIGH:** One would think that somebody who represents a Brisbane seat would actually be excited by the prospect of an extension to South Bank. I know—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Stop the clock. The Premier has the call.

**Ms BLIGH:** One would think that someone who represents a Brisbane seat would be excited—as I know many people are; they have been writing to my office to tell me—about the prospect of extending South Bank, getting another cultural institution and the possibility that Brisbane could be home to a national Indigenous museum. But, no, as always they seek to undermine it and to be naysayers. It is the kind of thing that a visionary lord mayor of a city might have thought of, but he did not. Let me go directly to the question about the property owned—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Those on my left. The question has been asked. The answer so far conforms with the standing orders. Therefore, I ask you to extend the courtesy to the person I have called upon to answer the question.

**Ms BLIGH:** I turn directly to the question of the property occupied by the Australian Labor Party and a number of trade unions. This is, indeed, in Peel Street and guess what? It is subject to a deed of grant in trust. That deed of grant in trust means that it cannot be sold, so its value is absolutely irrelevant. What a stupid—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Stop the clock. Those on my left will cease interjecting.

**Ms BLIGH:** It is a deed of grant in trust that was, in fact, granted by the Bjelke-Petersen government—that great friend of the Australian Labor Party. Let us deal with the essence of this question. I live near South Bank and I have owned property in that area for 20 years. On the logic of the member opposite, we should never have built South Bank because the people of South Brisbane elected a Labor member and there was a Labor government, and my house was near there so we should never have touched it.

**Mr Lucas:** And you're a Catholic and there is a Catholic church near it.

**Ms BLIGH:** Yes. I take the interjection. I disclose that there are, in fact, two Catholic churches in the vicinity. This is paranoid nonsense. As a Labor government, we deliver—

**Opposition members** interjected.

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

**Mr Seeney** interjected.

**Mr SPEAKER:** Leader of the Opposition, I have asked for the interjections to cease.

**Ms BLIGH:** Our plans for South Bank 2 are among the most exciting visions for our capital city, not only for the people who live here but also for regional Queenslanders who visit, that we have seen in more than a decade. It was Labor that envisaged South Bank 1, it was Labor that delivered it and it will be Labor that delivers the extension.

### **North Stradbroke Island, Sandmining**

**Mr CHOI:** My question is to the Premier. As the Premier is fully aware of the fact that North Stradbroke Island is the second largest sand island in the world, right at our doorstep, can the Premier outline for the House her plan to protect the natural environment of this island and are there any alternative plans?

**Ms BLIGH:** I thank the member for his question. He lives on the bayside and I know that he is a great champion for all the bay islands. Many members of the Brisbane community have had opportunities to visit and holiday on Stradbroke Island. Labor has been very clear about our long-term vision for Stradbroke Island. Labor will phase out sandmining on Stradbroke Island. Stradbroke Island is home to two of the most spectacular freshwater lakes you will ever see and it is home to wildlife, mangroves, wetlands and rainforest. Mining is not the future of Stradbroke Island. Conservation and ecotourism are its long-term future. That is why we are phasing out the largest mine on the island by 2019. It is the right thing to do for the Queensland environment and the Queensland people.

What plans does the LNP have for this remarkable and beautiful island? Recently on the ABC, the leader of the LNP, Campbell Newman, was forced to outline his proposal. He said—

We will allow the mine to proceed in the way it was originally allowed to, prior to the actions of the last 18 months.

Prior to our actions, sandmining on Stradbroke Island had an indefinite future. You could not get a starker contrast than that. Labor will gradually phase out sandmining on Stradbroke Island. It will continue unabated under Campbell Newman.

I note that mining company Sibelco recently paid for a huge four-page, wraparound advertisement in the *Redland Times* promoting the money it is investing in the island and containing a picture of the LNP member for Cleveland. What would prompt a mining company like Sibelco to advertise the member for Cleveland? It is because a deal has been done here.

**Opposition members** interjected.

**Mr SPEAKER:** Stop the clock. Order! Those on my left will cease interjecting.

**Opposition members** interjected.

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

**Mr Lucas** interjected.

**Mr SPEAKER:** The Attorney-General will cease interjecting. The honourable the Premier.

**Ms BLIGH:** What is becoming increasingly clear is that the LNP has done a deal with this mining company—a secret deal that it will not come clean about and one that I confidently predict will become the subject of an investigation should they ever form a government.

### Barlow, Mr J

**Mr EMERSON:** My question is to the Premier. Will the Premier confirm that 'Tahitian prince' Joel Barlow was given leave by Queensland Health to allegedly attend the royal wedding of Prince William and Kate Middleton?

**Ms BLIGH:** The Queensland public sector is governed by awards, industrial instruments and legal requirements. Among all of those is that all public servants are entitled to annual leave and other forms of leave. They are granted that leave on the basis of whether or not they have leave accrued and owing to them, not on the basis of what it is they want to do with it. If the person concerned—

**Mr Seeneey:** He didn't get royal leave?

**Mr SPEAKER:** Stop the clock. Order! The question has been asked. It related to leave. The Premier is answering that question and, therefore, is conforming with the standing orders. There is, therefore, no need for any interjection. The honourable the Premier.

**Ms BLIGH:** If the person concerned was granted leave and if they used that leave to attend a function, that would have been done in accordance—I do not have any idea of what this person's leave was or is or whether it was granted. If they were granted leave it would have been because they were entitled to it according to the industrial conditions under which they were employed at the time.

The Liberal National Party has chosen a leader who is embroiled in a complex set of company arrangements that is becoming increasingly murky and increasingly difficult to understand but which increasingly Queenslanders know—

**Opposition members** interjected.

**Ms BLIGH:** The LNP have chosen as their leader somebody who is increasingly becoming an embarrassment in the conflict that exists between his public aspirations and his personal financial interests. What we have seen from them all afternoon—

**Mr Seeneey:** What about the Tahitian prince?

**Ms BLIGH:** Are they worried about this? Do they care about Queensland's international reputation? Do they care about the reputation they hold in this state's history for corruption? No, they are laughing it off.

**Opposition members** interjected.

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

**Mr Seeneey:** Where's Gordon when you want him?

**Mr SPEAKER:** Order! Leader of the Opposition! The honourable the Premier.

**Mr Lucas** interjected.

**Mr SPEAKER:** The Attorney-General will cease interjecting.

**Mr Nicholls** interjected.

**Mr SPEAKER:** The member for Clayfield will cease interjecting. Just wait, Premier. We will stop the clock. Member for Clayfield and Attorney-General, I now warn you both under 253A(1).

**Ms BLIGH:** I note all the comments from those opposite and I make this point: it does not matter what side it happens on; it is wrong. When it happens on your side, you need to condemn it. When things arose regarding Gordon Nuttall, we referred them to the CMC. I gave evidence against him in court. I never laughed about it.

**Mr Seeneey:** You relied on his vote week after week.

*(Time expired)*

**Ms BLIGH:** Those people are behind bars and Campbell Newman will end up there as well.

## Trade

**Mrs ATTWOOD:** My question is to the Deputy Premier. Can the Deputy Premier update the House on efforts to strengthen relationships with one of Queensland's biggest trading partners? Is he aware of any alternative economic plans to promote prosperity?

**Mr FRASER:** I thank the member for Mount Ommaney for her question. I also acknowledge her contribution to this parliament and public life and her service to the people of Mount Ommaney. I take the opportunity to wish her and more particularly her husband, Ron, well into the future.

Like other members of the government, the member for Mount Ommaney has taken a keen interest in making sure that Queensland looks to the trading relationships of the future. Those trading relationships most particularly concern the emerging economies of the world and what we have seen in recent times in the rise and rise of the importance of our trading relationship with the nation of India. In fact, it is now the case that India is Queensland's second largest trading partner. Japan has long been Queensland's largest trading partner; however, on the basis of the last financial year, India is now the second largest trading partner for Queensland and, indeed, is an important source of investment for the state into the future.

That is why the government has convened the Queensland-India Council, which met for the first time last month. I want to acknowledge the work of the parliamentary secretary for trade in this regard.

**Mr SPEAKER:** Stop the clock. I ask the Treasurer to resume his seat. I have noticed that there has been a trend of late where people stand up and engage in conversation on both sides of the House. I want to bring everyone's intention to standing order 244(5), which states that members must take their seats. It is not a matter of standing around and gossiping. If you want to do that, go outside. If you want to show somebody something, go outside. Extend courtesy to the person on whom I call to speak. The honourable the Treasurer.

**Mr FRASER:** The Queensland-India Council will be under the stewardship of Chairman Professor Arun Sharma, someone who I think has served this state and this nation with distinction.

It is important that we have this council as it oversees the investment flows between Queensland and our increasingly important trading partner of India. Of course, we know also that those on the other side seem to be concerned only with the investment flows between not the state of Queensland and nations of the world, but the investment flows to what can only be described now as 'Newman nation'. Of course, what we see from Campbell Newman is that he does not like any of these questions being asked. He does not like the questions on his complex web of financial dealings, private company structures and family trusts. Today, while there is a new scandal engulfing Mr Newman, there is of course a very large question outstanding from yesterday, and that is: does he or does he not pay the flood levy? The question is plain and simple and the answer is a plain yes or no. Most wage-earning Queenslanders pay the flood levy and the question for Campbell Newman is: does he?

Records show that he is being paid by the company Ultrex from the LNP. This might be a legal tax minimisation scheme, but it also raises the very question of whether it has been set up to avoid paying the flood levy. Mr Newman has it within his gift to answer this question. More particularly, it raises a bigger question. If he is only being paid by the LNP, then the question is whether he is entitled to be paid through a company. He would be entitled to be paid through a company if he is being paid by someone else, other than the LNP. Therefore the question is: who else is paying Ultrex? Who is it? Is it a company, a donor, a developer, a benefactor? Or is what Mr Newman is involved in here a very careful tax minimisation scheme to avoid paying the flood levy and to potentially hide from the people of Queensland the fact that he is receiving income from an undisclosed source? It is within his gift to answer that question today.

*(Time expired)*

## Queensland Health

**Mr McARDLE:** My question is to the Premier. Will the Premier explain how the \$285 million Health payroll disaster or the recent allegations involving a fake Tahitian prince would have been prevented by splitting Queensland Health, given that both were overseen by incompetent Labor ministers?

**Ms BLIGH:** I thank the honourable member for the question. I am very pleased to talk about Labor's plan for Queensland Health because of course we know that those on the other side have no plan—no plan for health anywhere. I have made no secret of the fact that it is my view that the administration of Queensland Health and its head office has simply got too big.

**Opposition members** interjected.

**Mr SPEAKER:** Order! A question has been asked. The Premier is answering the question according to the standing orders. I would ask you to respect the fact that I have called upon her to speak.

**Ms BLIGH:** Thank you, Mr Speaker. There is a very good reason that Queensland Health has grown. It has grown because in the last six years Queensland Labor has doubled its budget and during that time we have employed more than 6,000 new doctors, nurses and health workers. We are now providing services in parts of Queensland where they simply did not exist. People in far-flung parts of our state can now get oncology services closer to home—they do not have to come to Brisbane. All of those extra staff, all of the extra beds, all of the new hospital facilities has meant that in that time what we have seen is a transformation of patient care that has taken our health system from one of the worst in the country to one of the best. What we now have is a health system that delivers the lowest, the shortest, median wait times for elective surgery in Australia. Our emergency wait times have gone from the lowest in the country to up in the top three.

We have delivered a transformation of health care at the front line. Now it is time to take that reforming capability of Labor to the back-of-house activities. We need the Director-General of Queensland Health, who is a medically qualified doctor, to focus on patient care, and I make no apology for it. And we need someone whose qualifications, background, skills and capability are in human resource management, payroll, technology and accommodation to focus on only that. This is what happens in companies this size. This is another—another—reforming transformation from a Labor government. Under a Labor government you get more reform of Queensland Health. You get a patient focused, hospital focused organisation. Who knows what you will get under the LNP because they do not have a plan.

### Exports

**Mr RYAN:** My question without notice is to the Deputy Premier. Can the Deputy Premier update the House on the latest data showing Queensland's export results? Is he aware of any other information exchanges involving Queensland businesses?

**Mr FRASER:** I thank the member for Morayfield for his question and for his interest in growing the export potential of Queensland. Queensland is an export economy, and the data shows that for the second half of 2011 to December 2011 our exports in fact increased by 10 per cent. This strong result was built off a recovery in the coal sector from natural disaster where price growth helped support the export outcomes. But encouragingly we saw rural products also up by 30 per cent over the second half of last year as the natural disasters were overcome in the primary production sector, and encouragingly manufacturing also increased by 8.3 per cent. This is important because all members of the House should be aware of the export performance of the Queensland economy and of the importance of trade to our state.

Some members of the House of course might not have been aware of these facts just as someone who is not a member of this House, Campbell Newman, now claims that he was not aware of any of the activities of the company that is now potentially facing an FBI probe. Whenever you hear Campbell Newman blame mud-slinging you know that he has something to hide. I do not expect that the FBI will accept such obfuscation from him. Nor will they accept his diversionary claim about the source of this investigation. It is not from me nor this government.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Stop the clock again. Those on my left!

**Mr FRASER:** For the record, I do not expect that they will accept, either, his diversionary accusation. This is not an investigation that is from me or this government, and Mr Newman should take no comfort in his own accusation.

**Mr Dempsey:** So you haven't got confidence in the CMC?

**Mr FRASER:** I am almost tempted to take the interjection but I will not. Mr Newman is engaged here in a very deliberate tactic to try to stop these questions from being asked because he knows that Queenslanders do not like the answers. Of course his answer today, as ever, is that he did not know. He did not know that his wife had formed a company. He did not know that his wife had formed a company that then sought \$30 million worth of public money. He did not know—he plain forgot—that he owned two beach apartments at Port Douglas, along with a raft of other companies and properties that he failed to disclose to the people of Queensland. And he did not know that his wife was in the tin for a \$30 million property development for land that was upzoned at the last meeting at which he presided as the Lord Mayor of Brisbane. This all beggars belief.

The fact is that his claims that he did not know are equal to his claims about why he disowned his own jobs target. The only explanation here is that Lisa Newman has hold of the other Campbell Newman, the one who disowned the 420,000 jobs target within 48 hours of it being set.

**Mr Nicholls** interjected.

**Mr SPEAKER:** Order! Member for Clayfield, I have warned you under the standing orders. I ask you to withdraw from the House for 10 minutes.

*Whereupon the honourable member for Clayfield withdrew from the chamber at 3.05 pm.*

**Mr FRASER:** The fact is that this is someone about whom huge questions are being asked, not just by this government and members of the public but increasingly in their silence by those members opposite who realise this is not a fit person for public office.

*(Time expired)*

### **Bligh Labor Government, Financial Management**

**Mr GIBSON:** My question without notice is to the Premier and Minister for Reconstruction. I table the RP sales data for one of the government's first Traveston Dam properties to be sold, showing a 27 per cent direct loss on the government's purchase before improvements and costs.

*Tabled paper:* Copy of a sales data extract regarding 2105 Mary Valley Road, Kandanga [\[6490\]](#).

With the Traveston Dam fiasco—an enduring legacy of the mismanagement of this Labor government—and predictions of a \$12 million loss on a single property sale, I ask: how much more money can Queenslanders expect to lose because of Labor's mismanagement?

**Ms BLIGH:** The honourable member cannot have it both ways. He cannot call on the government to start releasing land to market so that people can start buying and building the community and then complain when we do. What is clear here is that—

**Opposition members** interjected.

**Mr SPEAKER:** Order! The question has been asked. I ask those on my left to cease interjecting.

**Ms BLIGH:** Thank you, Mr Speaker. We have made it clear that the government does have a large landholding. We will dispose of it over a number of years. We would expect over that time to make a profit on some and a loss on others and overall for the taxpayer to be protected. Why do we expect that? Because that is what has happened in every other corridor that every other government has ever changed its mind about.

**Mr Gibson:** You certainly didn't protect them up to this point, did you? A \$12 million loss is being predicted on one property alone.

**Mr SPEAKER:** The member for Gympie will cease interjecting.

**Ms BLIGH:** Any time the honourable member wants to write to the government and ask us to hold on to that land we would be very happy to take his—

**Mr Seeney:** What does the interest cost every week on it?

**Ms BLIGH:** We would be happy to take any submission from the member changing his mind about when property should be put to the market. The data that the member has made available to the parliament of course is nothing new and it is not secret. It is openly disclosed by this government. We have disclosed all of this material. We have disclosed this material to the House, to estimates committees and to other parliamentary requirements.

**Mr Gibson:** You didn't disclose the leaked document on the valuations. You hid that one.

**Mr SPEAKER:** Order! Member for Gympie, I have asked you to cease interjecting. I now warn you under standing order 253(1).

**Ms BLIGH:** Unlike the LNP, the government has been open and transparent and has fully disclosed all of this material. What we know is that the LNP not only is genetically disposed to hiding things but also has chosen a leader who does not understand the separation between public and private. We have a leader in Campbell Newman who has clearly used his office as mayor to financially advantage the companies that his family owns. It is time that people start to think—

**Opposition members** interjected.

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

**Ms BLIGH:** People need to start thinking about what would happen to our state if this complex range of companies and those who operate it got their hands on the government coffers. The ambitions of Campbell Newman become clearer every single day. What we now have is an FBI investigation into one of these companies. Which company is it? It is the company that tried to rip off Queenslanders to the tune of \$30 million one month after they were flooded. This company was set up and tried to rip them off.

*(Time expired)*

### Western Queensland Floods, Roads

**Mrs KIERNAN:** My question is to the Minister for Main Roads, Fisheries and Marine Infrastructure. Can the minister inform the House about efforts to reopen flood affected roads in Western Queensland and any new developments today?

**Mr WALLACE:** I thank the member for Mount Isa, who is a great advocate for her electorate. Like a lot of people from Western Queensland, she knows the impact of that flood last week. I know the opposition might think that flood in Western Queensland was a bit of a joke, but we on this side certainly do not.

Again, Queensland roads have borne the brunt of Mother Nature's fury this wet season. At the height of the latest flooding last week, about 110 roads and 8,500 kilometres of our network were either closed or under load limits. Since the floodwaters started receding, it has been all hands on deck to get our roads opened. We have repaired, inspected and reopened large sections of our road network.

I am pleased to report progress to the House. While there is a lot of work to be done, we have made good progress so far. As at 4 pm yesterday, 71 roads and about 5,300 kilometres of our network were still affected. One of the biggest challenges we face following this latest flooding event is restoring the Maranoa River Bridge at Mitchell to its full capacity. I know my old mate the member for Gregory certainly understands the impact that is having on the network, and I have had a couple of calls from western mayors from that neck of the woods and the member for Mount Isa about the impact of the damage to that bridge.

The bridge sustained severe structural damage after being struck by debris and by the force of floodwaters. It remains under a 42.5 tonne limit as well as speed and load width restrictions. We know how important this bridge is to transport routes in the region, and my department is continuing repairs and inspections, with load testing carried out as recently as this morning. We are also looking at other options such as reopening the nearby causeway and speeding up delivery of a new bridge.

Whilst we have good men and women across our state fixing up our roads after this and the last flooding event, there is a shadow lurking when it comes to flood repairs. I was really disturbed, like many Queenslanders this morning, to hear that the FBI is sniffing around a company owned by Campbell Newman's family for allegedly stealing US military technology. This is the same company, as we have heard time and time again, that tried to steal \$30 million from taxpayers at the height of the flooding in our state last year. Whilst we are out fixing up roads, fixing up the Maranoa River Bridge, the Newman family is up to its eyeballs trying to take that flood money for themselves.

For those who have not already asked themselves this question, for those Queenslanders who are pondering the question, is this the sort of dubious character we want to see as Premier of Queensland—someone who has been investigated by the FBI; someone whose family set up a front company to take flood money from repairing roads for personal family reasons? I say to the people of Queensland: 'No way, don't gamble on Campbell.'

**Mr Seeney:** You are an embarrassment.

**Mr WALLACE:** At least I came back for the flood. You stayed overseas.

**Mr SPEAKER:** Order! The Minister for Main Roads will cease interjecting.

*(Time expired)*

### Dorron, Mrs K

**Mr MESSENGER:** My question without notice is to the Minister for Health. I refer the minister to the fact that his director-general used extraordinary powers to release the medical records against the will of my constituent, Kellee-Anne Dorron, to the media through the Director of Medical Services at the Bundaberg Base Hospital. The Director of Medical Services told the media yesterday, in an attack on the credibility of Mrs Dorron, that the reason she had contracted MRSA, or golden staph, after an operation was that she had already tested positive to MRSA and was a carrier.

I table the medical records which clearly show that when tested no MRSA was isolated and, therefore, Mrs Dorron is not a carrier of MRSA. Will the minister now apologise to Mrs Dorron for the significant harm caused to her by the deliberate release of false information and stand aside the Director-General of Queensland Health pending the results of an independent investigation into official misconduct?

**Mr SPEAKER:** Order! Do not accept those documents just yet. I want to clarify something. Before I accept that those documents are tabled, I ask the honourable member to give me an assurance that he had the permission of the patient before he brought those matters to this parliament.

**Mr Wilson:** Express permission.

**Mr SPEAKER:** Express permission.

**Mr MESSENGER:** I give you an assurance I have permission from the patient to table this.

**Mr SPEAKER:** Express permission?

**Mr MESSENGER:** Express permission.

**Mr SPEAKER:** Express permission?

**Mr MESSENGER:** Correct. I rang her approximately an hour ago to inform her of this and she also made sure that I had the medical records. I know that the minister would be uncomfortable answering this question—

**Mr SPEAKER:** It is me who is worried on behalf of the person, not the minister. I have not been directed by anybody, and if that is an inference against me then I ask you to withdraw it.

**Mr MESSENGER:** I withdraw that.

**Mr SPEAKER:** Thank you very much. Table the document, ask the question and get on with it.

**Mr MESSENGER:** Would you like me to ask the question again?

**Mr SPEAKER:** No, I do not want you to ask it again.

*Tabled paper:* Copy of an extract of Queensland Health Clinical and Statewide Services records regarding Kellee-Anne Dorrton [6491].

**Mr WILSON:** I recognise the question that has been asked by the honourable member. I do not thank him for it. This member has repeatedly raised accusations in this parliament under the protection of the privilege of this parliament about a whole range of people at the Bundaberg Hospital, whether they be doctors, nurses or whoever when there are legitimate avenues for those matters to be pursued. It is not my practice, and I do not believe it ought to be my practice or that of anyone in my position, to—

**Mr MESSENGER:** The director-general used extraordinary powers.

**Mr SPEAKER:** Order! The member for Burnett will not interject. The minister is answering the question, and I call upon the minister to do so.

**Mr WILSON:**—debate the personal circumstances, medical or otherwise, of a patient of Queensland Health in this forum. The member has raised these issues in the public arena. If this member or the person for whom we are told he is speaking has any concerns there is the Health Quality and Complaints Commission set up by this Labor government to do exactly that—to inquire independently and objectively into any concerns that any patient in Queensland has over the service they get from a clinician or anyone else in a public hospital in Queensland. That is how it ought to be.

In this parliament I want to put on record that we have fantastic staff at the Bundaberg Hospital who really do not need the repeated criticism of them in the public arena in the absence of the critic taking these issues up through the legitimate avenues that are made available by law for him or anyone else to explore those issues. You cannot indulge yourself in the public arena in this way at potentially the expense of the person you think you are representing, but definitely at the expense of the reputation of the fine clinicians and workers we have in the Bundaberg Hospital and throughout the system who themselves deserve to have issues like this that you ventilate in the public arena objectively analysed, assessed and determined as to whether there is any basis in fact to them or any wrongdoing by anyone in the public health system.

Queenslanders deserve that. Public servants working for Queensland Health deserve that. What they do not deserve is your repeated baseless denigration of hardworking public servants and clinicians in our public health system who want to do nothing but the best for Queensland patients.

*(Time expired)*

### Public Administration

**Mr MOORHEAD:** My question is to the Attorney-General, Minister for Local Government and Special Minister of State. Could the Attorney-General please advise the House of any important reforms to arise from the Fitzgerald report and how these may impact on recent events?

**Mr LUCAS:** The date 3 July 1989 marked a watershed in Queensland political and public administration. It was the delivery of the Fitzgerald report, which changed public administration and indeed the public face of this state, we hoped, forever. What was the cancer that Tony Fitzgerald identified was growing and flourishing? The government was immune to criticism, and together with the chief organs of the police they were closed, insular and indeed hostile to scrutiny. There was a media that did not ever hold them accountable.

Things changed and things changed in a way that I am going to indicate was quite interesting thanks to *Four Corners*, the *Courier-Mail*, Chris Masters, Phil Dickie and indeed a number of courageous politicians, including National Party politicians such as Bill Gunn, Russell Cooper and Mike Ahern who supported the Fitzgerald commission of inquiry. What came out of that? One only has to read Fitzgerald's report to see it: freedom of information, whistleblowers, public accounts committees, pecuniary interests and transparency of political donations. They are very interesting subject matters because they again have become part of the political debate. Everyone in Queensland believed that the resolution of these matters had been settled by a bipartisan compact.

The events of recent months—since in particular the ascension of Campbell Newman to the leadership of the LNP—have led us to have very grave concerns about that. Regrettably, the course of behaviour that we have seen over this time is not something that is a surprise to people in this state who have actually looked at it carefully. From the moment Mr Newman was elected, the alarm bells were ringing. Who could forget that on the night Mr Newman was elected his brother-in-law, Seb Monsour, turned up at the water offices trying to conduct a Lionel Murphy style raid to ascertain whether documents were shifting? Who could forget that in 2006 Seb Monsour was forced to step down as the candidate for Ashgrove after he had made comments about him playing for the Queensland Reds—comments which were about as credible as me playing for them, I might add?

Were they youthful indiscretions? I would suggest to you, Mr Speaker, when one has a look at what is happening now, that they are part of a pattern of behaviour that has indicated to the former Lord Mayor that you must distance yourself from these behaviours. Kevin Rudd showed very, very clearly when Therese Rein sold her interests in the Australian operations of their business that he did not want these issues being subject to question. This is the price that you pay in public life and this is the price that Campbell Newman cannot handle. He showed in the Brisbane City Council—whether it be their way of dealing with dissent and kicking people out, his fights with the *Courier-Mail* or his telephone calls to John Hartigan—that he is someone who does not accept public scrutiny. I have news for him: those of us who have come up through the parliamentary system—not him—and those of us on both sides of this House understand that the world is not like that. The sooner he understands it, the better it is.

### Gladstone, Public Servants

**Mrs CUNNINGHAM:** My question without notice is to the Premier. In all areas of government services—including health, police, emergency services like the QFRS and QAS, education, community services and the list goes on—government employees are finding it increasingly difficult to remain in the Gladstone region. What whole-of-government approach has the Premier implemented to provide rent relief or location allowances to employees disadvantaged in high-cost-of-living areas such as Gladstone?

**Ms BLIGH:** I thank the honourable member for the question. I have had a number of discussions with the honourable member about the impact of the rapid expansion of her city. I think we both agree that the economic prosperity it is bringing is a good thing in the long term but that in the short term there are inevitably some growing pains. That is why our government has moved to put in place three urban land development areas to take pressure off housing prices in that area and get product to market to take prices down. That also includes a requirement in every one of those areas for a percentage of the housing stock to be sold at or below the median house price.

**Ms Struthers** interjected.

**Ms BLIGH:** I take the interjection from the member for Algester. She made the valid point that under Campbell Newman's plan they would scrap the Urban Land Development Authority and the government would lose that opportunity to intervene in that way.

In relation specifically to the question of government employee housing, I firstly draw the attention of the member to the fact that a number of government agencies—not all, but a number—do actually provide government housing in the area. This has been the subject of a discussion at cabinet. Ministers have been asked to identify if there are any difficulties recruiting staff into Gladstone and for that to be the subject of ongoing scrutiny and analysis by the Minister for Industrial Relations. At this stage, we have not had any reports of government agencies not being able to recruit people there, but that does not mean it may not happen. That is why we are actively monitoring it.

I thank the honourable member for her concern about this, because I share her concern to make sure that the schools, hospitals, police et cetera—those things that matter in every community—can be sustained in Gladstone. If the member has any particular examples she would like to bring to my attention, I would be only too glad to hear them. As I said, what is happening in Gladstone is a very good thing for that city. It is one of the great regional cities of Queensland and it has been one of our economic powerhouses for a long time. It is now set to not only be turbo-charged even further in what it means for the Queensland economy; it is becoming one of the powerhouses of the national economy. We need to make sure that the people who live in Gladstone, the people for whom Gladstone is home, continue to enjoy a liveable lifestyle.

Gladstone is not only a big industrial city; it is a great place to raise kids and it is a lovely place to live. It has plenty of places around it where you would not even know you were in an industrial city, and that is because of good planning and careful activity between all levels of government over a long period of time. I would encourage the member to let me know of any specific examples she has; I would like to hear them. We are very conscious that this could be a problem. To date, as I said, we have not lost people and we have not had difficulty in recruiting or filling positions. Obviously in some areas in health recruiting specialists is an issue, as it is everywhere else, but that is not because of house prices.

(Time expired)

### **Creative Generation—State Schools Onstage**

**Ms MALE:** My question is to the Minister for Education and Industrial Relations. Can the minister please provide an update regarding Education Queensland's highly successful Creative Generation musical spectacular and awards and advise the House of any other awards initiatives?

**Mr DICK:** I thank the member for Pine Rivers for her question and also for her great commitment to education during her time as a member of this House. I wish her and her family well with her future career as she retires at the next election.

Creative Generation is one of Queensland's outstanding showcases for performing arts in state schools. We are now in our eighth year with Creative Generation. This year we will have a massed choir, a 65-piece symphony orchestra and 600 talented vocalists, drama performers and dancers from ages five to 18. I have been advised that nominations for participation in Creative Generation—State Schools Onstage has just closed, with more than 2,000 students nominating for 105 state schools. I wish them well.

Just last month, other nominations were announced—that is, nominations for the 84th awards for the Academy of Motion Picture Arts and Sciences, otherwise known as the Oscars. There is another set of nominees that I have just stumbled across and that has come into my possession, and that is the nominees for the LNP Oscars. I have received a list of nominees and I will outline them.

For the motion picture *The Help*, the nominee is Professor Clive F Palmer based on his performances in media conferences, on 7.30, on *Lateline* and every time he opened his mouth. For the movie *The Artist*, the LNP nominee is Professor Clive F Palmer for his recently discovered contribution to the art of poetry. For the movie *Extremely Loud and Incredibly Close*, the nominee is Professor Clive F Palmer for obvious reasons. But he is not on his own. There has been a late nominee for my favourite film at the moment, *War Horse*, and that is the member for Gregory. He is willing to saddle up again and ride into the ministerial ranks. Then there is the nominee for best song. Who is the LNP nominee for the song *Man or Muppet?* Mr Speaker, you could take your pick from anyone in the opposition because they are all pretenders. They all pretend to be an alternative government but they could not find a leader, and the greatest pretender of all is Campbell Newman.

Week after week there are revelations about his and his family's financial position, and every time they are raised he says, 'It's a smear.' Let us put it on the record. Here is a memo to Campbell Newman: go and see the film *J Edgar*. The FBI is not run by the state government; it is run by the US government. This is a serious matter. He needs for once to come clean, to make a full and complete public statement—a public declaration—about his involvement and the involvement of his family. For once, Campbell Newman must tell the truth.

### **Government Advertising**

**Mr POWELL:** My question without notice is directed to the Premier and Minister for Reconstruction. Will the Premier advise the House how much taxpayers' money she expects to spend on advertising through the master media contract between 25 January and 19 February 2012?

**Mr SPEAKER:** I call the Premier. You have one minute.

**Ms BLIGH:** This is the subject of very strict guidelines. I have examined the guidelines and I have examined all of the material advertising and all of the advertising complies with those guidelines.

**Mr Powell:** How much money? Answer the question. The question was about the money.

**Ms BLIGH:** And the member should know that if he wants detailed information like that he should put the question on notice. I do not carry those figures around in my head, and nor would anybody expect me to. If the member is deeply concerned about political advertising in the lead-up to an election, I would suggest that he has a look at a couple of editions of the *Australian* newspaper with the picture of Graham Quirk advertising on the front page. I cannot think what the people in New South Wales and Victoria must think when they look at the ad. They must be thinking, 'Is that Matthew Hayden? Isn't he from Queensland?' No! 'Is that someone from Powderfinger? They're from Queensland, aren't they?' No! 'Who is that bloke?'

**Mr Lucas:** That nice man at the bank.

**Ms BLIGH:** 'It must be that nice man from the bank.' It is the worst example of political advertising. Go and talk to him about it.


*(Time expired)*

**Mr SPEAKER:** The time for question time has ended.

## SUSTAINABLE PLANNING AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 11 October 2011 (see p. 3014)

### Second Reading

 **Hon. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (3.31 pm): I move—

That the bill be now read a second time.


There are a number of things I wish to table, including amendments, explanatory memoranda and also the government's response to the committee's excellent report.

*Tabled paper:* Explanatory notes for Hon. Paul Lucas's amendments to the bill to be moved during consideration in detail [\[6492\]](#).

*Tabled paper:* Government response to the Transport and Local Government Committee report No. 9 on the Sustainable Planning and Other Legislation Amendment Bill [\[6493\]](#).

The Transport and Local Government Committee tabled its report No. 9, *Sustainable Planning and Other Legislation Amendment Bill*, on 6 February 2012. I am pleased that the committee report recommends the passage of this bill. I want to thank the committee for its detailed scrutiny of the bill and express my appreciation to stakeholders who made submissions to the committee and appeared as witnesses at the committee's public hearings. The government proposes to adopt all of the committee's recommendations with a minor modification relating to recommendation No. 5 that still achieves the intent of the recommendation. In order to give effect to the recommendations, I propose to move a number of amendments during consideration in detail, including an amendment to the City of Brisbane Act to ensure that authorised persons can enter property to inspect work that is the subject of or was carried out under a permit or notice issued under the Plumbing and Drainage Act 2002. I will also move an amendment to allow ministerial discretion to extend the 10-year time period for registration of a premises under the urban encroachment policy to ensure that businesses can achieve a level of certainty for future operations. Finally, I will move an amendment to require the ULDA to consult with public sector entities when negotiating an infrastructure agreement.

In addition to its recommendations, the committee sought clarification from me regarding the categorisation of notifiable works for the purposes of the expanding self-certification regime for plumbers. Following the passage of the bill, the Standard Plumbing and Drainage Regulation 2003 will be amended in consultation with stakeholders to define notifiable work including a list of plumbing works to be streamlined as part of these reforms. That will not happen in the life of this parliament. There will need to be consultation in that regard. In relation to plumbing and drainage works, the intention of the government is, for example, plumbing work that is done for houses post the original plumbing work. The first time a house is connected to the plumbing system, that is when things can go wrong and that needs to be inspected by a plumbing inspector from a council. But if you are putting an extension on or doing other things, the interface of the house with the system has already been certified first up by doing that. So we hope that that actually saves quite a bit of money for people. It will also mean that council inspectors will not have to inspect those things and can spend their time inspecting those initial works. I commend the bill to the House.

 **Mr GIBSON** (Gympie—LNP) (3.35 pm): I thank the Attorney-General and minister for his response and for the government's response to the committee's report. At the very outset—and I know that our committee chair would want to echo the same comments—I want to say again that I believe that this is a great example of where the committee system works at its very best. Looking at this omnibus bill and what was included in it, it literally went from the cats and dogs act through to the Building Act, the Coastal Protection and Management Act, the Local Government Act, the Plumbing and Drainage Act, the Sustainable Planning Act and the Urban Land Development Authority Act. Many of these amendments were minor and in some cases changes that were perhaps inconsequential but needed to be addressed. I commend the government for the way in which the committee was able to look at these issues but, more importantly, commend the government for accepting the recommendations. However, I note its view with regard to recommendation No. 5. The public hearings is where we got that response. With regard to the issue of a period greater than 10 years, the point was made to us in the public hearings—and I think it is a very valid one—that boards looking at making investment decisions such as the Milton Brewery and others need to have confidence that they are going to have a return on that

investment and often 10 years is not a period of time that is sufficient. There was a longer period put—I think 40 years was one suggestion—but, again, within the committee we were able to discuss that view and say, ‘No, we believe any board making a recommendation would be able to do it over 25 years.’

There was a concern within the report—and I believe it is appropriate to note—that the omnibus nature of this bill made it difficult for the committee to scrutinise all of the policy issues within it. Omnibus bills are not ideal. We recognise that at certain times they are required, but there is a view that omnibus bills may be a fundamental legislative principle issue, particularly when there are such a wide variety and a large number of policy changes. The committee held a range of public hearings and literally within the course of a period of time at those public hearings we were required to move across so many different policy areas that it made it difficult for the committee. It would bode well for this parliament and indeed for all governments to look at the nature of omnibus bills and avoid them where they are used in a way that is fairly diverse.

The other point I want to note—and it was raised with us with a sense of urgency—relates to the changes to the Local Government Act. There was almost a need for that minor amendment to move through fairly quickly. All parties concerned—LGsuper, the unions, the Local Government Association—were particularly keen to ensure that that moved through very quickly. Those amendments that are contained within the bill are of course to address a hardship provision that was not addressed when the changes occurred. I think we perhaps have caused some unrest and some stress for people by waiting to have that picked up in an omnibus bill when we could have moved through the issue a little quicker.

I want to touch on some of the issues raised in the report because I believe it is appropriate for us to respond to the various acts that are being amended. The amendments to the Animal Management (Cats and Dogs) Act are about allowing council officers to use the Queensland motor vehicle registry in order to help identify the owners of a dog that has been involved in a serious dog attack. The committee looked at this issue and it became very clear to us that, unfortunately, dog attacks in Australia—and it may be just as a result of increased media focus—appear to be becoming more frequent and certainly more serious and often with tragic consequences for young children. This amendment is eminently sensible. We had assurances given to us that it would be used in only extreme cases—for instance, when someone is killed or is caused serious harm. Whilst the amendment may impede on some individuals’ rights, the LNP supports it.

The amendments to the Building Act are to provide clarity to the relationship between land use and building matters, align the terminology used with the act and the national accreditation framework for building surveyors and to maintain the three levels of building certifiers in Queensland. Again, that amendment is broadly supported by the industry and the LNP supports it. I have alluded to those changes to the Local Government Act that are supported, because there was no desire on anybody’s part that those hardship provisions would not be made available.

I will raise some questions for the minister and for his staff with regard to the Plumbing and Drainage Act. We support the implementation of red tape reduction and allowing more work to be self-certified. That amendment was welcomed by industry on the whole as well as local government receiving some financial compensation in administering the system. However, in regard to that matter I will raise questions with the minister, because there were some concerns and I believe it is appropriate we get responses to them. One concern was about if a plumber wanted to manually submit a form 4 for notifiable work. There was a concern that the Smart eDA system that is available is not taken up by all councils. So there was some issue with regard to submitting the form manually. The job of plumbers does not mean that they are sitting in front of a computer and can easily do that.

**Mr Lucas:** Clean hands when they fill it out.

**Mr GIBSON:** That is a very fair point. You may not wish to be touching that form. The other issue was with regard to the dollar value that is associated with the forms and how much of that would be going back to local government and how much of that would be available. We flagged this issue, because we appreciate that it is a new charge. With regard to the cost of audit, it is an unknown. One of the particular concerns that the committee had was about the cost of audit in remote and regional parts of the state of Queensland.

**Mr Lucas:** On a massive reduction on the inspection fee.

**Mr GIBSON:** And that is acknowledged—that there is a reduction in inspection fees—but in looking at those audit costs we wanted to ensure that the cost would be able to be covered.

The minister in his speech quite rightly pointed out the issue of inspection at the time a house is constructed. I have been given a copy of a letter that was sent to Building Codes Queensland back in November last year. I am advised that a response has not been received. It was sent from Allconnex. The letter deals specifically with the notification of works that are in an area of dual reticulation. There was a concern about the likelihood of cross-connections in an area with dual reticulation and if all those connections are not audited. We could have a situation of an increase in the risk of cross-connections

because of the changes that have occurred. Apparently, Allconnex has advised the Office of the Water Supply Regulator at DERM of its concerns and it has requested an exemption of dual reticulated properties from the proposed form for process and to remain with a form 1 lodgement for all plumbing work in a dual reticulated property. I look forward to the minister's response in his summing-up as to whether that issue was considered and what, if any, provisions will be in place should the government continue with the usual form 4 or whether into the future the government would be prepared to look at some of those changes. The other issues that have been identified in the committee's report generally address the issue of red tape. We believe that it is quite responsible to identify those issues.

With regard to the amendments to the ULDA Act and the Sustainable Planning Act, at the outset can I say that, as the shadow minister at the time the sustainable planning legislation was introduced, I remember reading that bill from cover to cover and then back again just to try to get my head around it. The sustainable planning legislation promised a lot when it was brought in. I think it is fair to say that the cultural change it would create, which was being bandied about at the time the bill was introduced, has not been realised. Clearly, much more needs to be done to ensure that this legislation is used in a way that streamlines the planning and approval process so that we can revitalise the construction industry in this state and remove those unnecessary obstacles. We have seen that occur in some parts. I note that the changes that are proposed within this bill are designed to do that but, when it comes to the Sustainable Planning Act, so much more than just the legislation needs to be addressed.

I note that the explanatory notes confirm that there is no net cost to government of implementing this bill, and that is accepted. I have flagged that we have some concerns with regard to the plumbing costs and how they would be managed. We encourage the House and perhaps the Auditor-General to revisit that matter at a future point to ensure that the figure that is being proposed works well. I would like to bring to the attention of the House the concern about the cost relating to infrastructure agreements from UDAs. I note the minister's commitment to that and I will be looking at the amendments in detail. It is a very real concern. The Sunshine Coast Regional Council gave a liability estimate of somewhere between \$360 million and \$560 million if the existing infrastructure agreements were transferred for the UDAs in their area. Essentially, a liability of half a billion dollars for a local government area could be particularly difficult if the local government is not involved in those negotiations. If the local government is aware that those costs are occurring, if the local government had been at the forefront of those negotiations, then at least within its budget and planning process it would be able to ensure that. I think it is a great example of the committee's public hearing process that this matter was brought to the attention of the committee. It is also a great example of the committee system that the government was willing to take on board the committee's recommendations. The LNP prepared amendments to the committee's report. Based on the advice that the minister has given, I will not be tabling those, although once I have seen those amendments I will reserve my right to allowing them to go through unopposed.

With regard to the amendments that have been circulated to the Land Sales Act, my colleague will be speaking about those during the consideration in detail. I know the Attorney-General will be very happy to hear that.

**Mr BLEIJIE:** Only three minutes.

**Mr GIBSON:** Three minutes in the consideration in detail, so he will be happy to do that. As I have said, I think the urban encroachment policy is a very sensible policy. In many places across this great state we have iconic activities and some less than iconic activities. In my electorate of Gympie there is the Nestle factory. It was one of the largest producers of powdered milk during World War II. At that time it was located not even on the fringes of town. Now, that factory is surrounded by houses. It continues to be a great employer in the area, but there is that concern about urban encroachment. I think this policy is a very sensible approach for all areas across the state to be able to deal with that issue. I commend the minister for his willingness to look at extending that period, at the minister's discretion, to provide that certainty of investment that is required.

As the government has committed to adopting the other recommendations of the report and to move those amendments, there is no need for me to address them. Finally, with regard to the issues that were raised in the committee's report that I would like to touch on, I come back to the monitoring of the number of audits by the department undertaken by local governments.

This was an issue of concern consistently raised. It was felt that, whilst the five per cent was appropriate, if it was not monitored we could have some concern about how it is playing out across the state and, as I have flagged, the impacts on remote and regional councils, as they are also required to adhere to this. The cost component for their audits may be significantly different. I do note that during the public hearings an example was given of where an audit may be able to be done by an inspector going out with an iPhone or a particular device, taking some information and having that checked by an appropriately qualified person back in Brisbane. That technology is exciting in some ways but, again, there is some concern that you only see what you are given. If you are on the site you are able to look at and inspect the whole area.

Finally, the situation in relation to the RNA showgrounds is unique because if it was not within an urban development area it would immediately be able to be picked up under the urban encroachment policy. But it is exempted from that policy until such time as the Bowen Hills UDA expires and it moves out of that control. The concern was raised that the activities of the RNA have been occurring at that site for well over 135 years and it is appropriate that that should be protected. What we were seeking was the ability to ensure a transition, from the day upon which its UDA ceases to exist, to some form of automatic registration under the urban encroachment policy. I will seek clarification from the minister as to how that time frame would operate—whether it is able to lodge before the UDA expiry and have the approvals in place such that the approval simply takes effect on the day the UDA ceases so that there is a seamless transition.

I look forward to the minister's responses. I commend the government for its adoption of the committee's recommendations. On behalf of the committee chair, I also take the opportunity to thank all the committee members. I think we found this particular piece of legislation challenging from a perspective of not understanding the technicality of a lot of the detail and we relied heavily on the committee staff, who did a fantastic job in assisting us. I also thank the public servants. We found them incredibly professional. Some of the questions we asked may not have appeared to be incredibly sensible, but we were trying to get our heads around it. They understood that.


I can say quite honestly from the point of view of an opposition member that this format is much better than the departmental briefing on a bill that used to occur. It enables us to get down into the detail. I think the public servants were not only challenged as questions were raised but also were able to give consideration to those issues. I think that bodes particularly well for future legislation as the Public Service becomes a lot more comfortable with the way in which the parliament and its committee system operates.

As we who work in this place know, but unfortunately the public do not, the majority of the bills that we consider have bipartisan support. There may be minor amendments that need to occur. I think at times the Public Service can be fearful of questions coming from an opposition member, but the committee system removes that fear. In our experience, a question would be asked by one member and then a government member would pick up on it and there was a natural inquiry into what was occurring. That having been said, the opposition will be supporting this bill. I will flag my support for the recommendations but I look forward to receiving the amendments.

**Mr Lucas:** I thought I circulated them.

**Mr DEPUTY SPEAKER** (Mr O'Brien): There were amendments circulating earlier. I will have them made available to you.

**Mr GIBSON:** Thank you.

 **Ms BATES** (Mudgeeraba—LNP) (3.54 pm): I rise to make a short contribution to the Sustainable Planning and Other Legislation Amendment Bill. This is an omnibus bill, as my colleague has just said, which includes minor changes to the Building Act 1975, the Local Government Act 2009 and the Plumbing and Drainage Act 2002, amongst others. As shadow minister for the building industry, I will direct my comments to those amendments pertaining to the construction industry. Whilst Labor has had years to deliver these changes, I am sure that the removal of any red tape for the construction industry will be gratefully accepted at this time given that the industry is currently on its knees.

The LNP has been successful in having a number of issues considered for amendment in the committee report, including ensuring the DLGP monitors the number of audits undertaken under the Plumbing and Drainage Act 2002, levels of compliance and financial impacts on local governments to ensure that fees charged continue to be comparable to the cost of the audits.


Proposed amendments to the Building Act will align the terminology used in the Building Act 1975 more closely with the national accreditation framework for building surveyors whilst maintaining three levels of building certifiers in Queensland and make other minor amendments to the Building Act 1975. Evidence provided to the committee suggested a relationship between land use and building matters is a longstanding arrangement already in Queensland and it is widely accepted and ensures there is consistency across the state. The amendments are intended to provide further clarity about this relationship. The stakeholders of the building industry consultative group generally supported the proposals to align these terminologies, and the Queensland Building Services Authority did indicate that some time would be needed to update their licensing systems to reflect the new terms.

The amendments to the Plumbing and Drainage Act 2002 aim to achieve red-tape reductions for plumbers by allowing more work to be self-certified by expanding the existing notifiable minor works regime to include other routine plumbing works, to amend the Plumbing Code of Australia terminology and to enable recovery of disciplinary monetary penalties imposed as debts.

The amendments within the bill aim to ensure that business and the community are not burdened by unnecessary red tape or compliance costs related to routine plumbing work carried out under the Plumbing and Drainage Act 2002. Ultimately, these amendments should result in lower fees for the plumbing industry and consumers, which will be welcome. There appears to be wide support for these amendments to the Plumbing and Drainage Act from all stakeholders, even if there were some concerns regarding the details.

The evidence also suggested that key stakeholders have larger concerns regarding the amendments and the consultation process. These concerns, which have already been flagged by the member for Gympie, included the possible loss of information on underground services, the failure rate for self-certified work performed since the inception of the modified form 4 process and that the adequacy and quality of the plumbing and drainage work is at risk. Additionally, the removal of renovation work from compliance assessment has the potential to create a dual standard. As I said, these issues will be addressed during consideration in detail by the member for Gympie.

A number of LNP policy commitments made under our property and construction strategy are related to this bill. These include working with local government and industry to fix the Sustainable Planning Act to ensure the best planning systems for industry, local governments and communities; reduced complexity and increased certainty by minimising the introduction of any new state planning policies and state planning regulatory provisions; to ensure appropriate industry and local government consultation and cost-benefit analysis before the introduction of changes to the planning system; to restore certainty and efficiency to planning and development assessment processes; to ensure that any reform activities and subsequent changes to the planning framework consider the need for and the impact on Queensland's economic growth; to develop a better model for funding infrastructure that provides alternatives to the imposition of upfront charges; and to wind back the ULDA and identify appropriate powers and efficiencies with a view to mainstreaming them to local government. The Liberal National Party will be supporting this legislation with amendments as recommended in the committee's report.

 **Ms O'NEILL** (Kallangur—ALP) (3.59 pm): I rise to speak briefly to this bill. Given the many sections of this omnibus legislation, I am going to confine my comments to one or two issues. The amendment to superannuation and the Local Government Act will allow super contributions for LGsuper scheme members to be reduced from those prescribed in the Local Government (Operations) Regulation 2010 in certain circumstances. The amendment was to restore previous industrial rights that existed for Brisbane City Council employees under the old City Super scheme. After the two schemes combined, several provisions were lost to some BCC employees.

There is nothing sinister in any of these conditions; they exist for many other employees under other super schemes. For example, superannuation contributions for Brisbane City Council accumulation benefit members may be reduced in instances of financial hardship. Before the merger of City Super and LGsuper on 1 July 2011, a BCC accumulation benefit member was able to apply, under the then City Super trust deed, for a reduction in employee superannuation contributions on the grounds of financial hardship. Since the merger, BCC accumulation benefit members have not been able to seek a reduction because the compulsory yearly superannuation contribution rates are now prescribed under the Local Government (Operations) Regulation and not the trust deed. This amendment practically allows any employee who is suffering financial hardship to approach their employer to reduce their super contributions for up to three years. This process is like all other industrial rights—that is, there is an agreed process and a dispute settlement procedure for all to follow.


Secondly, the bill enables the LGsuper trust deed to provide, where there is agreement, for superannuation contributions for an LGsuper member to be reduced if additional tax would be incurred by the member under the Commonwealth government's concessional contributions cap. In addition, where an employee's superannuation contributions are reduced in those circumstances, provision has been made for the employer's contribution in lieu of superannuation to be directed to the employee's salary. This would occur if an employee salary sacrificed more than 25 per cent of their income. There would be no change to the employer's contributions. This bill restores previous rights and has had the support of unions and the employer.

Briefly, I welcome the amendment to the Animal Management (Cats and Dogs) Act 2008. Where there has been a serious dog attack, authorised local officers may access Queensland motor vehicle registry information to identify the owner or responsible person. Anything that can help local officers remove dangerous dogs from the community and keep kids and others safe is to be welcomed. Knowing that owners can be more easily identified may cause irresponsible owners to take more care to ensure their dog is controlled or, indeed, trained to be less aggressive.

Due to our significant population growth, urban encroachment can cause increased levels of conflict between land uses. While in no way do I support irresponsible or unsafe operations in any industry, I do feel for lawful existing businesses that have been operating well outside residential areas but, because of urban encroachment, now have complaints about noise, lights, traffic or odour. These

amendments will provide protection similar to that provided under the Milton Brewery act of 2009, allowing businesses to continue without law suits, provided there is no intensification of the existing operations or a material change of use. Premises may seek registration and, to provide certainty, they can apply for a 10-year term and further renewals. This amendment also contains the option for the minister to set a longer term of between 10 and 25 years. There is no limit to how many terms may be applied for. For some of our iconic sites, such as the RNA and the Milton Brewery, this will allow for greater certainty, business planning and investment planning.

This bill has taken some time to arrive in the chamber. I am hopeful that the advent of the committee system will mean that there is less need for such large and complicated omnibus bills and may also lead to a more speedy introduction of bills into the House, particularly if the delay will lead to disadvantage for a large group of employees. My thanks go to our hardworking and fabulously efficient committee staff. I appreciate their cheerful and professional assistance. My thanks go also to all those who made submissions and attended the public hearings for their interest and well prepared presentations. My thanks go also to all the public servants who were very patient with us.

 **Dr DOUGLAS** (Gaven—LNP) (4.02 pm): The Sustainable Planning Act will perpetually require amendments because it was implemented without any road testing of its product. This is in absolute contrast to the old Integrated Planning Act. What followed beyond amendments has been largely out there in the ether, where the real problems and impacts of centrally created legislation are felt. Sadly, as all too frequently happens, the legislation is written with a buzzword or trendy title that is used to market a government, but the content that lies below is never given the same attention or considered worthy of careful stewardship. Did it ever occur to any government members that the real definition of 'sustainable' is that it should be lasting, not destructive, and in harmony with its community? I am not saying that this omnibus bill is so earth-shatteringly significant that it is deserving of either praise or criticism, although I believe it is deserving of praise. However, the Sustainable Planning Act will always struggle because it is on the outcomes generated that legislation is judged to be successful or otherwise. The Sustainable Planning Act was rushed and the critical phase of testing its assumptions regarding regulation was deemed to be effectively unnecessary. It brought the term 'trial and error' into a New World approach.

This bill's most critical amendment, which was introduced very late by the Attorney-General, relates to the issue of guaranteeing certainty to both vendor and purchaser alike in the purchase of units. I congratulate the Attorney-General for liaising with the building industry over it. It is where the construction time frame is greater than 5½ years and in circumstances where everything else is really reasonable. That is an explanation in legal terms.

The amendment of the Land Sales Act 1984, part 4A, was circulated earlier, as the Deputy Speaker pointed out. While I think the shadow minister possibly did not have it, it has been circulated in the parliament. As the explanatory notes state, the critical thing is that this amendment will prevent—

... purchasers of off-the-plan building units avoiding contracts under this section by not settling when the vendor is in a position to give a registerable instrument of transfer.

Clearly, this amendment is proposed to apply to such existing contracts, regardless of whether the sunset period has elapsed. I refer to pages 3 and 4, which go into greater detail. Critically, it means that purchasers who have defaulted under existing contracts, which have not settled on the date required by the contract and are still within the sunset period, cannot terminate the contract once the sunset period has expired. In other words, retrospective operation would mean that defaulting purchasers with existing contracts to which the Land Sales Act 1984 applies would no longer be able to take advantage of the ambiguity. That is a very important change and I think the Attorney-General has done very well.

**Mr Lucas:** Not if you have taken action already.

**Dr DOUGLAS:** That is right; not if you have taken action already. I am sure that the Attorney will explain that in greater length, and I will leave it to him to do so. This has significant application, particularly for the Soul building presently under construction by the Juniper Group and being built by Grocon. Ultimately, it will have great application to a whole series of other projects. The Soul building is a 77-storey, massive combined shopping, parking, commercial, residential and hotel complex and is nearing completion. It is a staged construction, as those massive things are these days.

**Mr Lucas** interjected.

**Mr Emerson** interjected.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! Minister and member for Indooroopilly, the member for Gaven is on his feet.

**Dr DOUGLAS:** Thank you for your protection, Mr Deputy Speaker. It is interesting that it is coming from my own side. It is a staged construction and the third massive residential component is now completed and is ready for occupation. The lower levels have already been delivered prior to

occupation and the shops are open. Gradually, all of the shops along the front, facing towards the ocean, have been leased and are now occupied. This is a major Gold Coast building project that has kept going through the GFC, which in itself is a remarkable achievement. The Hilton complex was completed in the same period by Brookfield Multiplex. It had stopped. It employed about 3,500 people on site every day and, at that stage, the spending was roughly about \$1 million a day. That sort of thing occurs on those types of projects. It must be successful.

The Soul building has a very high quality of finish. Because of its location, events and weekend work has all but been impossible. Therefore, basically they have been unable to do the normal sorts of things that happen with every day sorts of construction. Within reason, there has been some night work and occasional weekend work. Many of my constituents work on the project. It employs thousands of people, both directly and indirectly. It is an \$800 million project. The Jewel development, which is to follow and which should start fairly soon, is a three-storey multihighrise integrated project. It is a \$1.3 billion project that will have a staged construction as well. Many Gold Coasters' economic survival depends on the success of those types of projects.

**Mr Lucas:** I heard you were a bit of a regular at Tiki Village in your youth.

**Dr DOUGLAS:** That was a long time in the past, but I am very friendly with the former manager, Joy Collins, who worked for Bernie Elsey who is the retired chair of the Gold Coast Chamber of Commerce. She is now in her late seventies and, yes, she was a stalwart of the industry.

**Mr DEPUTY SPEAKER:** Order! Member for Gaven, perhaps we could hear about the Sustainable Planning and Other Legislation Amendment Bill.

**Dr DOUGLAS:** Needless to say, I saw Norman Gunston and all the—

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order!

**Mr LUCAS:** Mr Deputy Speaker, he goes from Tiki Village around the corner to a mass at St Vincent's with Father Shannon.

**Mr DEPUTY SPEAKER:** Minister, I do know the geography of the Gold Coast. I think we should hear from the member for Gaven.

**Dr DOUGLAS:** It is a very good spot, as you know. Nonetheless, the economic survival of many Gold Coasters depends on the success of these projects. The security of sales is part of ensuring that economic survival. We need to send a positive message today to both the development industry and the building industry and, of course, to the tradesmen and their families who work on these sites. As I say, there are thousands and thousands of them.

The development is critical to the Gold Coast, Queensland and the nation and everyone needs to be 'on song'. I am very pleased with the changes that have gone through. In particular, there are a couple of different areas in this bill that have particular application to my electorate. Like everybody else, I have dog and cat problems in my electorate.

The changes to the Animal Management (Cats and Dogs) Act 2008 and the Building Act 1975 have particular application. I have had many people talk to me about attacks by animals on their own animals. In my electorate about 8,000 families are directly employed in the construction industry and of course there are a lot of people who are non-permanent residents. I also have a high number of permanent residents and the area continues to grow at a great rate. They all have dogs. They often have multiple dogs and cats as well. Unfortunately, they do not always get along with one another. One of my constituents said that his dog was brutally attacked in Highland Park by another larger and aggressive dog. The dog suffered serious injuries, even fatal injuries in one case. This possibly means that it has happened more than once. He expressed his frustration as the council was struggling to identify the owner and there was considerable delay in the process of accessing information. Empowering our councils to identify the owners through the use of the Queensland motor vehicle register will address some of these issues, and I congratulate the minister for doing so.

**Mr Lucas:** Particularly if the dog drives away from the scene!

**Dr DOUGLAS:** Yes. I would also like to make comment on the provisions relating to building surveyors. It is interesting. We made some entreaties to the department and I do not know whether this provision is due to anything that came from our office. The changes that are made for building surveyors, particularly with regard to accreditation and using accredited building surveyors, are very good changes. In an area like the Gold Coast where there is still a massive amount of construction—albeit we would like a 10 times multiplier of that at the moment—this is a very good change and it will have positive effects for our community.

The other parts of the bill are very diverse. The shadow minister has comprehensively covered the various amendments in the bill. I like the committee report and its recommendations of the chair, the member for Bundamba, my friend Mrs Jo-Ann Miller. I thank her for a worthwhile and orderly report. It

demonstrates to me that the committee system seems to be effective, productive and outcome focused. Public interest is protected. It is a widely supported bill. This implies that the stakeholder consultation has been effective, there has been good stewardship by the minister and his staff and there has been finetuning by the parliamentary process. It augurs well for the future.

**Mr EMERSON** (Indooroopilly—LNP) (4.13 pm): I rise to speak to the Sustainable Planning and Other Legislation Amendment Bill 2011. I am a member of the Transport and Local Government Committee which examined this bill. As my colleague the shadow minister has pointed out, Labor has had years in most of these cases to deliver these changes and has failed to do so. Having said that, I do acknowledge the comments made by the minister that he has looked at this report and all but for some minor issues has accepted the report in toto from the committee. The proceedings conducted by this committee have been a very worthwhile exercise. I do wish to raise a few brief points about some of the issues raised in the report.

This is an omnibus bill. The committee did point out in its report some issues it has with omnibus bills before this House. This bill amends a number of pieces of legislation that fall within the local government portfolio. The omnibus nature of the bill makes it difficult to scrutinise all policy issues within the bill, particularly given the truncated reporting time line. As the report says, it has also made it possible that substantive and important issues could be missed given the size and complexity of the bill. The committee's view about this was that, given so many different areas were lumped together, potentially unnecessary delays could have occurred on urgent matters. The report specifically points out the hardship provision relating to the superannuation standardisation of the Local Government Act 2009. The committee did point out in its report that the introduction of the new parliamentary committee system should decrease the need for these large omnibus bills as committees are able to perform efficient scrutiny of smaller bills.

**Mr Lucas:** I actually don't agree with that, but I will deal with that. I think the committees are a really good idea and a success, but I will talk about why I disagree with you.

**Mr EMERSON:** I take the interjection from the minister and I look forward to his comments on that. On that point, the concern is that important parts of this legislation could have been done earlier except that they were all lumped together and perhaps that delayed the point.

Other members have dealt with a whole series of issues within this bill, but let me concentrate on one, which is the Animal Management (Cats and Dogs) Act 2008. Because of the truncated nature of our inquiry there was not a lot of scrutiny of this. This particularly is an issue for me. I take the comments made earlier by the member for Gaven that this is an important area for him. It is for me personally too as someone who works for the RSPCA. Some may not know that I used to train dogs for the RSPCA. It is an issue for me.

**Mr Lucas:** Greyhounds, whippets?

**Mr EMERSON:** Anything you would like I can do.

**Mr Moorhead:** Race the greyhounds. We need that at Bundamba.

**Mr EMERSON:** A variety and mostly training the owners actually, not the dogs. I see a quizzical look from the departing member for Stretton—possibly a retirement plan himself. Go work for the RSPCA.

**Ms Palaszczuk:** Now at Wacol.

**Mr EMERSON:** It is at Wacol. I take the interjection from the member for Inala that the RSPCA has moved from Fairfield into her electorate. I understand the facilities have been considerably improved. Having worked at the Fairfield centre, I know how run-down and challenging they were for such a valuable organisation.

Coming back to the bill—

**Mr DEPUTY SPEAKER:** Thank you, member for Indooroopilly. It would be helpful.

**Mr EMERSON:** I take any opportunity I can to praise the RSPCA. Having said that, the clear issue from this is trying to better contact the potential owners of these dogs in such attacks. Again, I support the direction of this bill, but I do wish to point out that there were some concerns raised in terms of the capacity to track down the potential owners using this system. As I think the Brisbane City Council did point out in one of its submissions, potentially it is easier to track down a litterer than someone who owned a dog that may have been involved in an attack. I think that raises concerns. That is something that will need to be addressed.

**Mr Lucas:** That is why we're doing it.

**Mr EMERSON:** But moving forward in terms of that. That is great.

This is the first bill that has come before the House from our committee. I think it has been a very worthwhile process. The minister indicated briefly that there are some issues he will talk about that maybe he does not fully support, but I know he did support most of this committee report. I think it has been a great exercise.

**Mr Lucas:** Essentially I support all of it—just doing one a different way.

**Mr EMERSON:** Potentially that is the case. In conclusion, can I praise the efforts of the staff of the committee: Ms Lyndel Bates, Ms Anne Fidler, Ms Liz Sbeghen, Ms Rachelle Stacey and Ms Susan Moran for their great efforts in supporting our committee and preparing this report and reports on other bills before the House. This is the first test of this committee system. I think it is working well.

**Mr KNUTH** (Dalrymple—KAP) (4.19 pm): I rise to speak to the objectives of the amendments to the Sustainable Planning and Other Legislation Amendment Bill. The amendments to the commencement arrangement for the bill are required to facilitate concurrent commencement of the Sustainable Planning Act 2009, particularly provisions of the Building Act 1995, to allow adequate timing for the development of subordinate legislation under the Plumbing and Drainage Act 2002 and to improve stakeholder awareness for the new requirements.

Planning is a very important factor in the development of the Dalrymple electorate, particularly for mining communities. Moranbah is an example of where we have seen a massive expansion in the mining industry, and it has come to the point where the foundations of those towns cannot contain the movement that has taken place. Unfortunately we have not been able to keep pace with providing support, services, accommodation, facilities, water infrastructure, development and, most importantly, affordable housing. When we look at sustainability and planning for regions like that, we see that there is not enough money injected into them. When we look at the royalties that come out of those regions—the amount of revenue that they generate—I believe that those communities have been neglected.

Going back five years, we saw a proposed 350-lot development by Nevtan Investments. It was proposed to resolve the housing issues in Moranbah, but it was called in by the government on the grounds that it impacted on an area of a mining lease—which was not the case. It would have resolved some of the issues in relation to what is going on in Moranbah. We are losing families. Only recently the school advised that 67 families from their school have deserted. They have got up and left. They have moved to Mackay, the Whitsundays and other areas. All the businesses are closing. It is a catastrophe. It was disappointing that the Minister for Local Government ignored Moranbah when the government announced the 43,000 new houses which will be built in Mackay, Isaac and Whitsunday area on 8,000 hectares of land to be released by the state government. But that did not include Moranbah.

**Mr Lucas:** But there is no more land left.

**Mr KNUTH:** There is land left. They can build accommodation for thousands in the MAC camps. The council also has a 70-hectare development that has not one single house on it at Grosvenor Downs, south of Moranbah. There are sites where we see plenty of MAC camps going up but we are not seeing houses being built.

**Mr Lucas:** That is because they are temporary. Would you like to have your house built on a mining lease?

**Mr KNUTH:** It is not temporary, Minister. This is a problem that has been going on for a long time. It could have been resolved a long time ago. Now the government is saying, 'Oh well, it is too late.' We want to ensure that these towns are liveable, that accommodation is affordable and that services are accessible.

Sustainable planning is a very important issue. Yesterday I tabled a petition on behalf of Tablelands residents—and this will concern the minister—in relation to prime agricultural land in the iconic golden triangle. An application to the Tablelands Regional Council for a housing development at 50 Tinaroo Falls Dam Road, Kairi, has been given the green light by the council. It is good farming land and it must be preserved to protect future farming production on the Atherton Tablelands. This development—and I want to bring it to the minister's attention—has the potential to conflict with the adjoining aerodrome and everyday activities of local farming communities. There are water and drainage issues which also have the potential to impact adversely on adjoining land.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! Member for Dalrymple, I am having great difficulty relating some of what you are speaking about to the bill.

**Mr KNUTH:** This is about the Sustainable Planning Act. We have a development that has been agreed.

**Mr DEPUTY SPEAKER:** Yes, but what you are talking about has no relevance—


**Mr KNUTH:** What we are asking for is for the minister to—

**Mr DEPUTY SPEAKER:** Member for Dalrymple, please do not talk over me.

**Mr KNUTH:** Sorry, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER:** Would you please come back to the provisions of the bill.

**Mr KNUTH:** I tabled that petition and would like the minister to call in that development.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (4.24 pm): I rise to speak to the Sustainable Planning and Other Legislation Amendment Bill. I want to talk on a number of issues. The change to plumbing inspections and plumbing approvals is welcome in the sense that for many people trying to make major modifications to their home and renovate there will be not only a cost reduction but also a reduction in red tape. I would be interested in the minister's response to the fact that the notes in relation to the Plumbing and Drainage Act 2002 state that, for example, in 2010-11 one local government collected \$1.1 million in fees charged to applicants. Obviously that is a significant amount of income, but there are some very positive changes that are proposed for the Plumbing and Drainage Act. I would be interested in the LGAQ's response to the proposed changes to that piece of legislation.

The bill also will make changes to the Sustainable Planning Act in relation to infill and greater density of housing, particularly in the south-east corner. It is acknowledged that that will increase the level of conflict between land uses. It is a very real issue, not just in the south-east corner but everywhere. We had a situation in my area where a development occurred some years ago: a caravan park was established by one brother and a garage was established by the other brother. Over the years the brothers operated those two facilities cooperatively, without any problem. In subsequent years the properties changed hands and the garage was operated by somebody completely separate to the van park owner, and there was a significant conflict in the relationship between the caravan park owner and the garage owner to the extent that eventually the department of environment restricted the operation of the garage from 24 hours a day to between 6 am and 10 pm. Obviously that had quite a significant impact on the income of the garage, yet the two businesses had previously cooperated quite effectively for years and years and years. What it took was the owner of the caravan park to have a differing philosophy from the owner or the lessee of the garage and there was significant stress between those two.

I think there does need to be—and I remember discussing this at the time—some recognition of pre-existing industry or pre-existing operation when people move to dwellings nearby. A similar situation is when an airport is established and over the years the council allows a housing estate to be built alongside the airport. Again, that has happened in Gladstone. People move there knowing that that industry is there, yet in subsequent years new purchasers in that housing estate can create quite a significant stress on the existing long-term business in relation to noise encroachment issues. If these changes will bring some kind of a practical application to those conflicts of land use, I think they will be exceptionally welcome and particularly by those who have lawful businesses and have had them in a location well before urban development encroaches.

There are changes to the Animal Management (Cats and Dogs) Act 2008. Again I would put on the record my appreciation of organisations that handle animals that are lost or strayed or unwanted. I think the RSPCA—and we have a Friends of RSPCA in Gladstone—does an enormous job in trying to re-home animals that are unwanted.

**Mr Lucas:** Separating the sheep from the goats.

**Mrs CUNNINGHAM:** Perhaps. We do not have a lot of sheep or goats that go to the RSPCA but perhaps, Minister. The only concern I have with this is the manner in which vexatious or malicious complaints are made. I am sure that the intent is for those genuine circumstances where a dog is vicious and there has been a genuine attack, but I do think it always has to be remembered that within human nature there are those who will make vexatious complaints about a neighbour—a bit like dividing fences and overhanging trees—in order to cause problems for somebody with whom they are not getting on.


I do not have examples that I want to bring forward here, but I think each of us would have had instances where somebody's much-loved animal has been accused of being dangerous or likely to cause harm. There are instances where you go and see the dog and it does not have a tooth in its head. Within the parameters of ensuring that dangerous animals are not let loose on an unsuspecting community, it is also important to give protection to those people who may have vexatious or malicious complaints made against them.

In the time that is remaining, I want to talk about changes to the ULDA. The ULDA in my electorates—one in particular, because it has houses coming out of the ground now—are providing housing for people who can afford to buy into the market. I note the Premier's comments in relation to a question that I asked her earlier today about affordable housing for government employees. The ULDA will provide some accommodation for some families who can afford to buy into the market. In my

electorate the ones who are most at risk and most hurting are those who do not have the wherewithal to purchase a home, to get a home loan and to service the home loan. It is the renters who are facing problems because of the enormous increases in rents—\$650 to \$700 for a very modest flat or house is not uncommon. The ULDA's are important, but they are not the be-all and end-all to housing affordability, particularly in areas like Gladstone.

The proposal affects the arrangements that are made between the government and local authorities. I would have to further put on the record that it is critically important for the ULDA to liaise closely with local authorities when they are establishing. We have three ULDA's. We have one that is being constructed now. We have one at Toolooa and one at Tannum Sands. The one at Tannum has 1,500 properties. I cannot recall the size of the one at Toolooa. However, each of them is a significant development and will have impacts on infrastructure outside of the ULDA, which makes it critically important that those who are administering the ULDA's liaise and negotiate with local government very carefully to properly address the social impacts and the infrastructure impacts that the construction of that many houses in a location will have. If this legislation will in some way bring forward that negotiation or the rights to negotiation, it is certainly welcome.

I turn to the Building Act amendments in relation to private certifiers. There needs to be changes to ensure private certifiers are passing buildings in liaison with local council. There are many occasions where private certification has caused problems and local authorities are unaware of what has been certified simply because they are not involved in the process other than receiving the documentation at the end of the day. I support the legislation, particularly in relation to affordable housing in the ULDA developments. I look forward to closer negotiation with local authorities and attention by government to affordable housing not in the ULDA sector but in the rental sector in the establishment of more Queensland housing rental properties.

 **Mrs MILLER** (Bundamba—ALP) (4.34 pm): I rise in support of the Sustainable Planning and Other Legislation Amendment Bill 2011. As chair of the all-powerful, all-party Transport and Local Government Committee, I am very pleased to hear that the minister and the government have accepted most of our recommendations because we did put in a lot of effort on this bill. We examined it in quite some detail. We had many people who made submissions and who came to our public hearing in relation to this bill. I would like to thank the deputy chair, the member for Gympie, David Gibson, and all of the members of our committee for what I think was a brilliant job well done. I also thank the staff of our committee headed by Lyndel Bates, because it was quite a difficult job to investigate the particular issues and for all of us to provide this report to the parliament.

There are a couple of areas I would like to talk to. One area concerns the amendments to the Animal Management (Cats and Dogs) Act 2008. These amendments provide local governments with the power to access information in the Queensland motor vehicle registry to assist in their investigations into serious dog complaints. Tragically, there have been a number of recent dog attacks on children and adults. We have had our fair share of these in Ipswich. In fact, some of the news stories that have been relayed in the *Queensland Times* and the *Ipswich News* have been absolutely shocking. They are just disgraceful.

It is good to know that this Labor government takes these attacks very seriously and has acted quite swiftly in relation to what has been happening. These amendments will strengthen local government powers to investigate serious dog attacks. Local government officers are often provided with limited details by witnesses, many of whom are shocked and cannot remember some of the circumstances, particularly the details in relation to alleged serious dog attacks. In fact, they go into shock. Many doctors have told me that. Sometimes the only information that can be provided is the vehicle registration details of the dog owner or the person responsible for the dog or the person driving the particular car. Some of these people speed off because they want to get away from the scene as quickly as possible.

The amendments to the animal management act in this bill will enable an authorised local government officer to use this information to further investigate the matter. However, to balance the public safety with an individual's right to privacy, the amendments have been drafted to require a higher burden of proof. What this means in practice is that an authorised local government officer and the chief executive of Queensland Transport must both be reasonably satisfied that access to this information in the vehicle registry may identify the owner or the person responsible for a dog allegedly involved in an attack. This is very important. As I have said, we have had far too many dog attacks in Ipswich and I think it is high time that we amended the Animal Management (Cats and Dogs) Act 2008 so that dog owners know we are taking these matters very seriously.

Like the member for Indooroopilly, I am a dog lover and I also strongly support the RSPCA, as does the member for Pumicestone, Carryn Sullivan. I have three little girls that I like to talk about—Ellie Rose, Arrabella and Charlotte. They are beautiful dogs.

**Mr Lucas:** What sort are they?

**Mrs MILLER:** If you come to the electorate of Bundamba, honourable minister, I will gladly show you my dogs, but they are not like Rusty, shall I say? They are very—

**Mr Lawlor:** Loyal.

**Mrs MILLER:** They are extremely loyal. They are beautiful little girls. I am very glad that the RSPCA has set up in Wacol as well. I have visited the RSPCA there and I have shopped at their local shops—

**Mr Lucas:** I hope they are not Irish wolfhounds or something like that.

**Mrs MILLER:** Can I just say to the minister that they are not wolfhounds; they are actually tiny little girls just like me. They are petite. The RSPCA at Wacol is a fantastic facility. I am very pleased that our government has been able to support that. There was some talk a while ago about it setting up in Ipswich, but that was spurious because where they were talking about setting up was on severely undermined land and it would never have worked. It is a shame that the RSPCA lost a bit of time in moving their facilities from Yeronga in relation to that particular matter.


I would now like to talk about the Queensland Building Boost grant. This has been an absolutely—

**Mr Lucas:** It's not this bill.

**Mrs MILLER:** I know, but I just want to talk about this very quickly because it relates to my local area. I believe that this is very popular in the electorate of Bundamba. In relation to town planning matters and all these things, our area is growing so fast. The \$10,000 grant is a significant boost for our local people. I know that it is being extended to 30 April 2012 and maybe it could be extended even further after that.

The member for Dalrymple just spoke about Moranbah. I read a particularly good article yesterday in relation to Moranbah which was published in the *Global Mail*. I recommend that everybody in this House has a look at that article on Moranbah and the mines because I think it is very important that we are all on top of the social issues there as well as the planning issues.

I thank the minister very much for taking on board our committee's suggestions. We are very appreciative of that. We hope that this bill will be passed by this parliament, as recommended by our committee. Queensland will be a better place if the Sustainable Planning and Other Legislation Amendment Bill is passed by this parliament.

 **Mrs ATTWOOD** (Mount Ommaney—ALP) (4.41 pm): I rise to speak in support of the Sustainable Planning and Other Legislation Amendment Bill. The establishment of the Urban Land Development Authority in November 2007 as a key part of the Queensland Housing Affordability Strategy has been one of the hallmark successes of the Bligh government. With the vision of creating vibrant, inclusive communities, the ULDA was established to help make housing more affordable and to deliver a range of housing options for the changing needs of the community.


The ULDA's role is to plan, carry out and coordinate the development of land in selected urban areas. It carries out planning and development assessments and develops key sites and priority infrastructure within selected urban areas. This is in stark contrast to the proposed heritage development on Seventeen Mile Rocks Road by the Brisbane City Council. The Sinnamon Heritage Precinct includes historical farmhouses, a church and a school building constructed between 1869 and 1890. The historical plantings at Sinnamon Park, both land and buildings, are significant because they illustrate the early phase of rural settlement and land use which took place along reaches of the Brisbane River and other Queensland waterways from the 1860s to the 1890s, especially the clearing of rainforest for scrub farms. The ensuing pattern of farming and the growth of community life centred on the family, school and church. In particular, the farm survives as an illustration of the evolution, association and location within a single family of a small group of farm dwellings, outbuildings and associated community buildings.

Back in 2008, there was a plan by the owner and the Brisbane City Council to move the buildings up to one end of the precinct and to develop the rest of the site. Funds from the development would assist to restore the historical buildings at that particular point. Now the new plan is to build a modern development around and within the precinct and restore some buildings for the purpose of sale and living spaces. Local residents are concerned that this will destroy the cultural heritage of the site, that the public will no longer be able to either access or appreciate the historical significance of the site and that it will be lost in this modern development. This is just another example of bad planning by the Brisbane City Council, with a total disregard for the preservation of our precious cultural past.

The Sustainable Planning and Other Legislation Amendment Bill is for sensible development and much needed accommodation for our regional population growth. The ULDA is setting new benchmarks in sustainable urban development. The ULDA's Fitzgibbon Chase and Andergrove development at Mackay recently achieved EnviroDevelopment accreditation. This accreditation is awarded to leading-edge models of environmentally sustainable development. EnviroDevelopment is an initiative of the

Urban Development Institute of Australia and is a scientifically based program which recognises outstanding achievement across six key areas of sustainability—ecosystems, waste, energy, materials, water and community.

On another matter in relation to this legislation, I commend the minister for listening to me and to councils and for changing the electoral enrolment date for council elections so it is the same as for the state—that is, 25 February. Voters will be relieved to know that they will be able to vote for their chosen state or council candidate and be registered on the roll in the electorate where they reside. I commend the bill to the House.

 **Mr WELLINGTON** (Nicklin—Ind) (4.45 pm): It gives me a great deal of pleasure to rise to participate in the debate on the Sustainable Planning and Other Legislation Amendment Bill 2011. One of my constituents wrote to the Premier requesting that this matter be brought on before the government goes into caretaker mode because they have a matter currently before the Planning and Environment Court. They have also been in discussion with their solicitors. I asked them what issue they were really concerned about under the proposed bill, and I take members to part 5 of the bill headed 'Validation and transitional provisions for Sustainable Planning and Other Legislation Amendment Act 2011'. I will quote a paragraph from the minister's explanatory notes. They state—

Prior to 30 March 2006, some local governments had misinterpreted the intent of the provisions, and accepted and processed development applications (superseded planning scheme) made out of time, i.e. after the timeframe within which such a development application was required to be made (within 2 years of the superseded planning scheme being adopted), but within 2 years of the superseded planning scheme taking effect. The amendment validates such development applications and any development approval issued for the application, notwithstanding that the applications were made out of time.

My constituents are very appreciative that the minister has brought this matter to parliament so that it can go through parliament before the Premier goes to the Governor, whenever she chooses to do that.

I also take members to other parts of the bill. Like previous speakers, I think it is very sensible that there is an amendment so that local government officers are able to access Queensland motor vehicle registry information to identify the owner of or responsible person for a dog when investigating an alleged dog attack. The issue I raise is that sometimes we get so carried away about privacy—'We can't give this information out for this reason'. I would have thought this should be an automatic opportunity. We should not have had to come in here and amend legislation to give specific rights so that some person can access information from the vehicle registry.

**Mr Lucas:** Welcome to my world.


**Mr WELLINGTON:** I know.

**Mr Lucas:** I agree with you. I think we have thrown the baby out with the bathwater in many instances with privacy, taking away the public interest and the public good, where people sign up to public registers that you could previously do a search on and now you have to legislate for it.

**Mr WELLINGTON:** Thank you, Minister. I agree with you. Let us see where it goes.

One other issue that I want to raise—and maybe the minister and I will not agree on this issue—relates to infill close to businesses, such as the Milton Brewery. I certainly support the intent of the bill so that the brewery and other businesses can continue to operate, but I worry when you have infill close to airfields or a sawmill or something like that. Yes, when people move into those areas they have all the protections. We say, 'Yes, you have to have your double-glazed windows for your houses that are going to be built.' The problem is that, if we have more and more people living close to an industry or to a business, so often the continual complaints put so much pressure on the business that they say, 'It's all too hard.' I certainly support the minister when he says, 'Yes, let's make sure that these existing businesses are able to continue to operate' but in my time—both in the council and in here, although not under this legislation—I have seen the continual complaints put so much pressure on the operators that it is very difficult for them to continue to operate.

I support the proposal, but my concern is that when you put more and more people into a conflict situation it leads to problems. You cannot guarantee that the people who will live in such areas in the future will be as tolerant as what we would aspire them to be. I have the Sunshine Coast railway line running right through my electorate. I look at all the land that is in close proximity to that railway line where there could be high-density living. When you drive through Brisbane you see units and houses built right on the boundaries of the railway line. I think the government could really look at opening up that land beside railway lines for infill or for development, because it is happening everywhere. But in relation to airports, all I can say is that I have received many complaints and I think I will continue to receive those complaints. I look forward to the bill proceeding to the consideration in detail stage and I look forward to the minister's response.

 **Hon. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (4.51 pm), in reply: I thank honourable members who have contributed to today's debate on the Sustainable Planning and Other Legislation Amendment Bill. The bill continues to deliver on the government's commitment to providing a robust planning and development framework for

Queensland. The bill makes a number of important legislative instruments more contemporary for an environment where our planning, development and building industries are constantly evolving and increasing in their sophistication. The bill addresses challenges arising from this change and facilitates efficiencies whilst ensuring that appropriate checks and balances remain in place. The bill similarly makes important amendments to local government legislation to ensure that it continues to support the operations of councils in delivering essential community services.

Tragically, recently there has been a series of serious dog attacks on children and adults. The amendments that are contained in this bill to the Animal Management (Cats and Dogs) Act 2008 demonstrate the government's ongoing commitment to tackling this problem in our communities, while further strengthening local government powers to investigate serious dog attacks. Carefully managed access by local government authorised officers to the vehicle registration details of a dog's owner or the person responsible for a dog alleged to have been involved in an attack will bolster efforts to make our community safe places in which to work, live and play.

The amendments to the Local Government Act 2009 prescribe that in certain circumstances superannuation contributions for LGsuper scheme members may be reduced from those prescribed in the Local Government (Operations) Regulation 2010. Given the financial hardships that some employees could face, these amendments are important and continue the arrangements that existed for Brisbane City Council employees before the merger of City Super with LGsuper on 1 July 2011.

By amending the Plumbing and Drainage Act 2002 and the Building Act 1975, the bill strengthens the Plumbing Industry Council's enforcement and compliance role, standardises terminology for the accreditation building certifiers under the national accreditation framework and clarifies the relationship between local government planning instruments and building assessment provisions. The bill also contains amendments to this legislation that will significantly improve the approval process for the plumbing and drainage industry in Queensland. Importantly, the bill introduces the concept of notifiable work, which is routine, low-risk plumbing and drainage works that licensed plumbers and drainers can do, without having to go through a local government approval process. This amendment will cut red tape for the plumbing industry and reduce costs for consumers. 'Can do' Glen Brumby has been very prominent in working with me on that amendment.

**A government member:** Hear, hear!

**Mr LUCAS:** He is a can-do man.

**An honourable member:** A real one.

**Mr LUCAS:** A real can-do man—not a madman; a can-do man. The amendments to the Sustainable Planning Act 2009 that are contained in this bill will ensure the ongoing effective operation of the adopted infrastructure charges framework. The current infrastructure charges framework, introduced by this government last year, sets a maximum infrastructure charge for residential and non-residential development. These amendments have provided a greater level of certainty, transparency and simplicity to Queensland's infrastructure charges regime. The bill confirms the process that the minister must follow when deciding to call in a development application under the Sustainable Planning Act 2009. In practice, the responsible minister will now have to issue a notice of a proposed call-in to all affected parties before deciding whether to call in an application. The affected parties will have a set period of time in which to make representations to the minister prior to his decision—if you like, affording natural justice. We are codifying some of the matters raised in the Landel decision to make the process clearer. I should point out that, of the two call-ins that I have done recently, both had met with the support of the local council. I always tell people that they have never had it so good with 'Mr Local Government Friendly' Paul Lucas in the ministry.

The new urban encroachment provisions in this bill expand an urban policy state-wide in a similar manner to that which currently exists under the Planning (Urban Encroachment—Milton Brewery) Act 2009.

**An honourable member:** Hear, hear!

**Mr LUCAS:** Yes. Does the member have a conflict of interest? He does not mind a Fouxex? These provisions offer protection to the usual operation of particular existing businesses and industry from new resident civil nuisance actions whilst ensuring that future purchasers are notified of the impacts of this policy. Buildings that are under development pressure and have existing operating licences and meet strict criteria under the Sustainable Planning Act will be able to apply to the minister for registration protection. These provisions achieve a balance between the interests of the community and the industry, providing targeted protection to a registered premises potential for litigation from nuisance complaints arising from encroaching development in certain circumstances. This matter was recognised by the Transport and Local Government Committee in its report of the bill, which stated that the provisions were an innovative way of addressing the issue of reverse amenity.

A range of minor amendments of an administrative nature to the Urban Land Development Authority Act 2007 are included to clarify the current provisions, to bring the act into line with corresponding provisions in the Sustainable Planning Act and to expand existing provisions to assist in streamlining the planning and development assessment process and operational procedures. These amendments to this act will provide certainty to those entering into infrastructure agreements with the ULDA under the act. The proposed changes will ensure that infrastructure agreements entered into with the ULDA will provide the same certainty for the private sector and local governments as do the provisions contained in the Sustainable Planning Act. The proposed amendments to the act will enhance the authority's ability to bring land to the market quickly to improve land supply, housing diversity and employment in high-growth areas throughout the state. The bill makes important consequential amendments to the Coastal Protection and Management Act 1995 to recognise Urban Land Development Area development permits in the same way that the act already recognises Sustainable Planning Act development permits.

During the consideration in detail of the bill I will also be moving a number of other important amendments essential to the passage of this bill through the parliament, and I will now outline them for the benefit of members. I will move an amendment to the bill to amend the Local Government Electoral Act 2011 to align the date of the close of the voters roll for the 2012 local government quadrennial election with the close of the voters roll expected for the Queensland state election. Currently, under the Local Government Electoral Act 2011, the voters roll for local government quadrennial elections must be compiled as at 31 January in the year of the election, with the election to be held in the last Saturday in March unless a different date is set by regulation. The recent regulation has set the date of the 2012 local government quadrennial election at 28 April 2012. Regrettably, though, the act does not provide extension by regulation of the close of the roll date. I am advised that previously the close of voters rolls in the Local Government Act 1936 was 31 December prior to the year of the election. The Local Government Act 1993 had two dates: 31 December for local governments that had full postal ballots and 31 January for local governments that had normal ballots. I am further advised that these two dates were aligned in 1999 by an amendment to the act to 31 January in the year of the quadrennial election. The January date was set in order to allow the rolls to close prior to the close of the nominations.

The regime for the close of the rolls in state elections is different. Section 84 of the Electoral Act 1992 provides that the cut-off date for electoral rolls must be not less than five days and no more than seven days after the writ is issued. Based on the advice of the Premier and Minister for Reconstruction, the state election is scheduled for 24 March 2012. With the Legislative Assembly being dissolved on 19 February 2012, the expected date of the close of the rolls for the state election is 25 February 2012. That means that, without amendment to the act, the voters roll for the 2012 local government quadrennial elections closed on 31 January 2012, with the state rolls closing on 25 February. That may create confusion for members of the public who may have moved after 31 January but before 25 February and who may be enrolled at different places. In fact, what they would be doing is voting at an earlier address for a later election.

This amendment provides a solution by aligning the closing date for the voter rolls for both the local government and the state government elections for 2012. Where there is a significant gap in election dates it would not usually be an issue. It is only an issue because the elections fall relatively close to each other this year. It will not be an issue in the next electoral cycle so there is not a need to permanently amend the act. But the dates being so close this year may cause voter confusion around enrolment. Therefore, the amendment relates only to the date of the 2012 electoral cycle as the next state election will be held approximately three years from 24 March 2012—that is March 2015—and the next quadrennial local government election will occur on the last Saturday in March, 2016.

My department has liaised with the Electoral Commission of Queensland and it has no issues with the extension of the roll closure until 25 February. I note the support of the LGAQ and the opposition and I table the relevant letters from both the LGAQ and the Leader of the Opposition.

*Tabled paper:* Letter, dated 13 February 2012, from Mr Greg Hallam, Chief Executive Officer, LGAQ, to Hon. Paul Lucas MP, Attorney-General, Minister for Local Government and Special Minister of State, regarding the extension of date for close of local government electoral roll [6494].

*Tabled paper:* Letter, dated 14 February 2012, from Mr Jeff Seeney MP, Leader of the Opposition, to Hon. Paul Lucas MP, Attorney-General, Minister for Local Government and Special Minister of State, regarding the movement of the local government election date [6495].

I am also moving an amendment to the bill to clarify the meaning of section 27 of the Land Sales Act. Section 27 sets out circumstances in which a buyer of a proposed lot may validly terminate the contract for that lot. It requires the seller of a proposed community title scheme lot to give a buyer of that proposed lot a registrar's transfer form to convey its title within 3½ years. If this does not occur within that 3½ year period the buyer may terminate the contract. The policy intention underpinning section 27 is that the seller must provide the buyer with a finished product within a reasonable development period so that the buyer is not faced with uncertainty as to the date of the completion of the proposed lot. However, if a buyer has not settled in accordance with the contract—that is, paid the purchase price in exchange for the title—it could be argued that a current reading of section 27 permits a buyer to still

terminate the contract once the 3½ year period, or extended 5½ year period, expires. This clearly is not the policy objective intended by section 27. The overall policy objective of the act is to promote consumer protection for the buyer by compelling the seller to complete a relevant development on the proposed lot within a reasonable period.

At the same time, a further objective of the act is to facilitate property development and protect a seller by creating contractual certainty. The proposed amendment resettles the balance between these two objectives by clarifying that the buyer may only terminate a contract under section 27 if they are not in default under the contract or if they have not failed to settle in accordance with the contract. This will provide contractual certainty for both parties while at the same time preserve the rights to terminate if the seller does not give a registerable instrument of transfer within that 3½ years. In addition, the proposed amendment will apply to all existing contracts from midnight on the day the amendment is introduced into this House—that is today. Therefore, if you have already exercised your right or taken legal action it will not apply. If you have not sought to exercise any right then the new law will apply.

I would like to thank honourable members for their contributions to the debate. I will now respond in detail to some of the issues raised. I thank the very many people from my department who have been very active in relation to this bill. Because it is an omnibus bill there is an omnibus of people outside and they have all done a very good job.

I want to deal with the question of omnibus bills. The members for Indooroopilly, Gympie and others raised it. I think we need to have a good understanding of how much legislation we actually do have in parliament these days. If you do not aggregate the legislation you will be doing hundreds of amending bills. Frankly, we need to get used to a mechanism by which we do have more omnibus bills to deal with specific and discrete areas. If we do not, we will deal with bill after bill after bill after bill. It will expand to meet the available space so that you will be dealing with 20 bills instead of one bill that deals with 20 matters. That is a discipline that we have to have in this place. In fact, I have a bit of an argument going with some people who think in parliamentary drafting you are better off putting in a principal act how many toilet pedestals you need to have in a house. I frankly differ with that point of view and think that should be in regulation. We need to more and more pull back some of this tendency we have had in recent years of primary legislation being overly descriptive in lieu of having more flexibility in regulation so that it does not have to go to and occupy the time of the chamber in dealing with that.

I will give an example of a bill before a committee, and I am not being critical of that committee. It is the uniform commercial arbitration legislation. It is uniform national legislation but it has gone through a lengthy period of consideration—some months. If something has been through a consultation period, if something has been through other mechanisms, committees will need to develop an expedited manner of dealing with it. Higher courts dealing with appeals will decide sometimes to deal with matters on the papers. Sometimes committees might decide they want to deal with matters on the papers rather than dealing with them individually. You cannot give the Rolls Royce treatment to every bill, particularly ones that are non-controversial and there is no-one opposing it. It is better to get them through the system.

I will make one observation because I thought it was a reasonable point that the member for Gympie made and it is a point I like to make to people. He was referring to the fact that they may have asked some silly questions. People who ask silly questions are the people who stop aeroplanes from crashing, buildings from falling down and people from getting killed. Silly questions are the ones that elicit good answers because people get too embarrassed to ask them and then things go wrong. I never have a problem with people who want to ask questions. I think it is a good idea.

The member for Dalrymple spoke about Moranbah and the Urban Land Development Authority there and the land that had been released. I neglected to table earlier the letter from the opposition and the Law Society about the Land Sales Act amendments.

*Tabled paper:* Letter, dated 15 February 2012, from Dr John de Groot, President, Queensland Law Society, to Hon. Paul Lucas MP, Attorney-General, Minister for Local Government and Special Minister of State, regarding Land Sales Act 1984 amendments [6496].

*Tabled paper:* Letter, dated 15 February 2012, from Mr Jarrod Bleijie MP, member for Kawana, to Hon. Paul Lucas MP, Attorney General, Minister for Local Government and Special Minister of State, regarding amendments to Land Sales Act 1984 [6497].

In the recent Mackay, Isaac and Whitsunday Regional Plan the government made very, very significant increases in the area of land available for development, particularly in and around those mining towns. Those were made as a result of me sitting down with the individual mayors and saying, 'Where do you want to go?' I actually sat down with the mayor of Isaac, Cedric Marshall, and went through them. The problem with Moranbah is that essentially there is no more land left. It is surrounded by mining leases. As I said to the member, you cannot put land on mining leases.

**Mr Rickuss** interjected.

**Mr LUCAS:** The problem is you have to resume them. Resuming a mining lease, if it is worth anything—and if it is around Moranbah it probably is worth a bit—will cost a fortune. You not only have to resume the physical area where you want to build, but if it is going to be an open-cut mine you need to be a long way away from the inundation. There is some land known as Potter's land that we have that is available for development. The ULDA are going to build 2,000 houses. Those people who have been to Moranbah will know that it was developed like some master planned city such as Atlanta, Georgia. There is so much land there on the existing blocks you can chop a lot of them up and get a better outcome. There are parks that are way, way, way too big for the local community that could be better aligned and better built.

**Mr Rickuss** interjected.

**Mr LUCAS:** We think that we can fix it and do a good job with it. In fact, the first sod was turned on 3 February at the ULDA's Bushlark Grove development, known locally as the boxing club site. That will develop 160 homes for around 400 residents.

The older I get the more I appreciate the member for Gladstone's comments in this chamber. I am mellowing with my old age, or are you mellowing with your old age, or both?

**Mrs Cunningham:** Both.

**An honourable member:** You are both going insane.

**Mr LUCAS:** We both might be drifting away, that is true. The member raised a couple of matters. The first was plumbing charges. The inspection charges that councils charge at the moment are very significant in relation to plumbing inspections and they go straight onto the bottom line of housing costs. They are in relation to the original building of property. I talk about houses not buildings. What this does is replace a very significant plumbing inspection fee with a much less significant fee for lodging forms that will also be covered by an audit process. I think that is a very significant reform in terms of the regulations. To say exactly what operational works it relates to will be the subject of consultation. As I said to the member for Gympie earlier, if you are going to put an extension on the house, because someone has certified the original connection into the network—he raised a couple of points about dual reticulation—it would depend on whether it is original or what you are plugging in.

Both the member for Gladstone and the member for Nicklin raised a couple of issues in relation to encroachment. One of the things that I am doing in my retirement is enrolling in a graduate certificate in urban planning. I am going to learn a little bit more about planning. I think in the future the real issues in this community are going to be about land use management, about competing interests, about the use of land—whether that is between the mining and agricultural industry, industry and housing, airports and surrounding industries and what industries are noncompatible and what industries are compatible. There are many uses around a state development area. You might put poultry farming around it. They are sensitive to being put around other areas. It is about having things in the right place.

The encroachment legislation is about saying if someone is there first it is not unreasonable for them to protect themselves as far as possible. Will you ever stop people from ringing up the local member even if they have signed all the documents? No, you will not, but at least if you have made it clear it helps. I can remember as transport minister getting a number of letters from people who live in the high-rise housing development above Roma Street Railway Station who, to their shock and horror, had discovered their block of units was built above a railway station. They were much like the people who bought into that old Sunday Mail building in the Valley. Frankly, if you choose to live there that is great, but do not then complain about what is happening there. Everything that was there prior is important.

On the other hand, we put this in the legislation because we want to encourage the idea that there are competing and changing land uses over time. Much like Parmalat, the Milton Brewery will not be there in the longer term. They need to change and move. We need to encourage that in an orderly way. If you do not actually say, 'As the new housing goes in the existing use is protected from the new housing,' you can never let the new housing go in in the first place and you will end up with an arid area that never has a chance of developing. That is why we have this legislation; it is to do that. That is why I argue it is important and I note that it is supported.

Recently I was at the ULDA in Clinton, Gladstone. It is a very exciting project, just up the road from the football fields where they play junior rugby league. It is a wonderful community. I looked at a number of the houses, most of which were built by Gladstone builders. There will be significant opportunities to buy houses for about \$100,000 less than you would pay in the rest of Gladstone. My concern is to get people into the housing market rather than paying rent. Even if you own a little studio property, you are paying it off. I think that is what the Australian dream is about. That is significant. The honourable member also mentioned rentals. The ULDA areas also contain NRAS scheme properties, and that is significant.

The member for Mount Ommaney raised a number issues, including the local government election date. I thank her for raising those points. I note the opposition's support.

The member for Nicklin also raised the railway line and airport issues, which I will touch on one more time. Of course, urban encroachment does not mean that you can use this as a panacea to stick housing or other things wherever you like. You do not stick housing next to an oil refinery, even with the protection of urban encroachment legislation. You still have to have sensible things. Are you wanting the area to move? Are you wanting it to change over time? What things can you put in there? The great difference with the private ownership of airports is that they are able to use the land a lot more effectively in non-sensitive matters such as duty-free outlets, hotels and so on.

On that basis, I thank all honourable members for their contributions. This is another example of the recently instituted parliamentary committee process working appropriately. 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

Clause 1, as read, agreed to.

Clause 2—



**Mr LUCAS** (5.13 pm): I move the following amendment—

**1 Clause 2 (Commencement)**

Page 12, lines 7 to 10—

*omit, insert—*

'(1) Part 3, other than sections 5 to 9, 16, 17, and 19(2) and (3), and part 6 commence on—

(a) 1 November 2012; or

(b) if a day before 1 November 2012 is fixed by proclamation—that day.

'(2) Part 4A is taken to have commenced on 15 February 2012.'

I have already tabled the explanatory notes to my amendments. This amends the commencement arrangements in clause 2 to make sure that the related provisions in the Sustainable Planning Act 2009 and the Building Act 1975 commence at the same time. The clause is also amended to establish clear timing for the new notifiable works regime to commence. The explicit timing will allow adequate time to improve stakeholder awareness of the new requirements and the development of subordinate legislation for the Plumbing and Drainage Act 2002 that supports the new arrangements. Clause 2 is further amended to provide for the commencement of the Land Sales Act amendments, as per my discussions with the honourable member for Kawana.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 22, as read, agreed to.

Insertion of new clauses—



**Mr LUCAS** (5.14 pm): I move the following amendment—

**2 After clause 22**

Page 23, after line 23—

*insert—*

**'Part 4A Amendment of Land Sales Act 1984**

**'22A Act amended**

This part amends the *Land Sales Act 1984*.

**'22B Amendment of s 27 (Purchaser's rights if not given a registrable instrument of transfer within a certain period)**

Section 27(1)(b), after 'made'—

*insert—*

‘, other than as a result of the purchaser's default’.

**'22C Insertion of new s 37**

After section 36—

*insert—*

**'37 Transitional provision for Sustainable Planning and Other Legislation Amendment Act 2012**

'(1) Section 27 as amended by the *Sustainable Planning and Other Legislation Amendment Act 2012*, section 22B applies to an instrument relating to the sale of a proposed lot if—

- (a) the instrument is in force, and settlement has not been effected, immediately before commencement; or
- (b) the instrument is made on or after commencement.

'(2) Subsection (1)(a) applies—

- (a) regardless of whether the sunset period ended or ends before, on or after commencement; and
- (b) even if an action for specific performance of the purchaser's obligations under the instrument has been started by the vendor, but not completed, before commencement.

'(3) Subsections (1)(a) and (2) apply despite the *Acts Interpretation Act 1954*, section 20.

'(4) In this section—

**commencement** means the commencement of the *Sustainable Planning and Other Legislation Amendment Act 2012*, section 22B.

**sunset period** means the 3½ year period mentioned in section 27(1)(b) or, if that period is extended by a regulation made under section 28, the extended period.'.

In my reply I spoke to the matters raised in this amendment. I thank the opposition for its cooperation in relation to the matter. I have tabled a letter from the Law Society indicating its support and I have also indicated to the honourable member the consultation that has taken place in relation to that.

**Mr BLEIJIE:** I thank the Attorney-General for his comments. The opposition supports this amendment because it clarifies the original intent of the bill, particularly section 27 of the Land Sales Act. Although I do not think there is any precedent on it—and I suppose we are looking at trying to avoid any risks in the future—there are suggestions that, when developers have off-the-plan contracts, as explained by the Attorney-General, essentially they have 3½ years to build and provide title. Then you have a settlement. However, under section 28 of the Land Sales Act there is a two-year extension that can be obtained by regulation. Therefore, in a sense you have 5½ years to provide title. However, if settlement is due on or around the 5½-year period and the seller has the title ready to settle and the buyer does not show up to settlement for whatever reason, technically they will be in breach of the contract that they have signed with the seller. However, where one sues for specific performance of the contract, the contract remains on foot and then you get to the problem of section 27 of the Land Sales Act where the buyer can basically void the instrument—the contract—and retain the deposit. Therefore, this amendment seeks to clarify the intention of the bill that we ought not get into that situation.

In the interests of the industry in Queensland and in the interests of the property and construction industry, which I note is one of the Liberal National Party's four pillars of a successful Queensland economy, we will be supporting this amendment. I thank the Attorney's office for arranging the briefing today and for getting this through the system and tacking it on to the bill. As the Attorney said, the opposition will be supporting the amendment for the reasons outlined, both by the Attorney-General and by me.

Amendment agreed to.

Clauses 23 to 29, as read, agreed to.

Insertion of new clauses—



**Mr LUCAS (5.17 pm):** I move the following amendment—

**3 After clause 29**

Page 27, after line 21—

*insert—*

**'Part 5A Amendment of Local Government Electoral Act 2011****'29A Act amended**

This part amends the *Local Government Electoral Act 2011*.

**'29B Insertion of new s 210**

Part 11—

*insert—*

**'210 Cut-off day for compiling voters roll for quadrennial election for 2012**

'Despite section 18(1), a voters roll for the quadrennial election for 2012 must be compiled at 25 February 2012.'.

This is an amendment to the Local Government Electoral Act, essentially to align the dates of the close of rolls to 25 February 2012. As I indicated in my speech earlier, it will be necessary to do this only on a one-off basis, bearing in mind that the elections will fall a year out of alignment due to the cycles, three- and four-yearly respectively, at the next local government and state polls in 2015 and 2016. I have spoken at length in relation to this. I note that it is supported by the Local Government Association of Queensland and the opposition has indicated their support of it. I commend the amendment to the House.

**Mr SEENEY:** As the Attorney-General has indicated, the government sought our support for this measure to align the closing date for the rolls that pertain to the local government elections and the rolls that apply to the state elections. It is common sense that the closing dates for those two elections and the rolls that apply to those closing dates should be aligned.

However, it is worth noting why this action had to be taken. The only reason this action had to be taken was because this government sought to play politics with the election date of local government. They saw some political advantage for themselves in shuffling around the election dates. In so doing, they have put to enormous inconvenience a whole range of local governments and local government people right across Queensland. The government was playing games with the election date from the last quarter of last year—looking for an opportunity, looking for political advantage. Of course, it got to a point where they could not see that political advantage early this year but they had to try to extend the period a little longer, trying to find some political advantage for a government that has obviously failed and that all Queenslanders know has failed.

What happened? This government sought to shift the local government elections. They were able to shift the date of the local government elections by regulation. However, they could have done that at any time over the last six months. They could have done it 12 months ago had they wanted to. I know the Attorney-General is going to stand up and argue about when the state election was due and about how the date is as close as they could possibly get to the anniversary of the previous election. I have heard all that nonsense in the media and in the public debate. The government has known all of that for the last three years. They could have shifted the local government elections at any time if they were at all concerned about local government, but they were not. They were concerned about their own political advantage. They were prepared to do anything to gain a little bit of political advantage to save a few members from the political oblivion that they fear. They were prepared to sacrifice local government, to treat local government in a very shoddy way indeed and say, 'We'll just shift your election date at very short notice.' There was no consideration given for the budgetary processes or for the planning programs that local governments across the state have in place and have to adhere to. It was all about seeking some political advantage for this government.

While we are going to agree to the passage of this amendment because it is common sense and it reduces the inconvenience for people, it is worth noting and putting on the record that it was all about the government trying to seek cheap political advantage.

**Mr GIBSON:** Following on from the Leader of the Opposition, I wish to stress that in no way is our support for this amendment to be construed as supporting the way in which this government has treated local government in moving the local government election date. However, it is symptomatic of Labor's engagement with local councils, whether it has been the amalgamation, the ripping out of the subsidies or what we saw floated recently in the government forcing councils to bear the cost of broadcasting their meetings to the public. This is the way in which Labor deals with council. They tell; they do not engage; they do not work with them.

That being said, I do wish to raise with the minister the way this amendment has been drafted. This is a very clumsy way to address a problem that can continue to exist in the legislation. In another four or eight years time, potentially we could again be moving a local government election date for some reason and we may have the same problem as it is not adequately addressed by this amendment. I pose the question to the minister: why did we not look at a model whereby the electoral roll closes eight weeks before the voting date? Then, by regulation, whenever the polling date is moved there is an automatic date without it needing to be fixed by regulation. I would put that to the minister, the Attorney-General. It appears that we have not addressed the deficiency within the regulation. I do not envisage it being something that we would need to be visiting soon. Potentially in another eight or 12 years time—

**Mr Lucas:** Do your maths: four, four, four; three, three, three, three.

**Mr Seeneey:** You've never gone three years before. This is the first time.

**Mr GIBSON:** I take the point. The movement of the local government election date may not be as a result of a state election; it could be as a result of a flood. Then we would find ourselves in a position whereby we have the same problem where the roll closes but due to a disaster that may be across the state it is decided to move the local government date—an eminently sensible reason to do so. However, we would still be faced with the same problem. It comes back to what I see is a very clumsy way of

amending this. I ask the Attorney-General why we do not look at an alternative whereby the closing date of the electoral roll is at eight years, which is currently what the act provides, being at the end of January and then eight weeks later, 31 March, the election is held. I put that to the Attorney.

**Mrs CUNNINGHAM:** In rising to speak, I endorse the comments of the previous speaker in relation to having cut-offs that are based on the distance in time before the election that the rolls close. It does remove the probability of legislative changes being required into the future for whatever reason, particularly natural disasters.

My intent in rising to speak, however, was to put on the record my electorate's concern and frustration with government in changing the date of the local government election. It is not only those practical matters that the member for Callide raised; it is also personal matters in relation to councillors who had expected and were told in good faith that the local government election was going to be on 31 March. Retiring councillors had made private and family commitments and some business commitments in relation to their availability after that date. Even in the electorate of Gladstone there are councillors who have been significantly disadvantaged because the date was changed despite the government giving the LGAQ a commitment that 31 March would be date of the local government election. I understand all of the chatter that occurred when the Premier set our election date and changed the local government date. I still believe—and I said this in my electorate—that it was incumbent on the state government to work around a committed date for local government.

It is not just those practical matters of town planning or the operation of local government. A new council would be coming in very close to the budget cycle so it would be necessary for councils to look at when their budgets are formulated and released. There is a very practical financial issue for councils to look at in terms of their financial viability and operation. There is also that very, very personal and real aspect to this date change where councillors who thought they would be relieved of their council obligations on 31 March effectively have to be available for around an additional month. That places imposts on them that were not necessary and should not have been created.

**Mr LUCAS:** I have just a couple of things. First of all, yes, there is inconvenience to some councillors because their term will run longer in the sense of those who will be retiring. If they are not retiring and they were re-elected, that would not be an issue for them. In my political life there have been a number of occasions when, for various reasons, including administration matters, I have had to alter my holidays. Have I ever once got up and said, 'Poor me'? That is life; that is what you sign up for in public life. I have to say that, if someone has to change their arrangements because the date of the election has been changed, that comes with the territory. On many occasions I have had to change personal arrangements, as I am sure people on the other side of parliament have—coming back from overseas when disasters occur, all sorts of things—as a result of changed arrangements. We do not get up there and say, 'Poor old me.' That is just life.

In relation to the matters raised by other members of parliament, the reason that the date was changed was that the commission of inquiry indicated it wanted to take further evidence. It was as simple as that. If that had not occurred, there would not have been a need to change the date of the local government election. It is as simple as that. That is not a matter that is within the control of the government. In fact, we would have been accused of something—and everybody knows it: the media know it; members opposite know it. They would have picked whatever answer suited them depending on what we did not do. If we did not extend the date of the election for the royal commission, we would have been criticised for that and accused of running away from it, that we were scared of it and wanted to get out of the way. Whatever we did, they would have picked. I know that and they know it. They should not claim anything other than that.

**Opposition members** interjected.

**Mr Malone:** We are perfectly reasonable on this side of the House.

**Mr LUCAS:** Okay. Obviously the fluoridation in the water is helping the member! One of the things I do admire about the Leader of the Opposition is that he reminds me of—and many people in the Labor Party would know him—

**Ms Grace:** Which one?

**Mr LUCAS:** The one here. He reminds me of someone my colleagues in the Labor Party would know. He reminds me of Hamish Linacre, a late official of the Labor Party who would get up and go berserk on an issue and then sit down—and I can remember him doing this once on an issue. We had done the Left over on something and he got up and sat down next to me and said under his voice, 'Don't ever think I've lost control.' Sometimes the member for Callide gets up here and he goes off—'Oh, it's the end of the world!' And then I know he sits down and says, 'Oh, that's all right.' I am awake to it. I might do it myself sometimes. I do not know. I think I am pretty reasonable most of the time.

But I just say this: isn't it funny that the Premier was so tricky that she set the election date for the same date that Campbell Newman's counting billboard was due to run out! So tricky was the Premier that she set the date for when he wanted it. Then when they said to him, 'We are holding it on this date,' he says, 'Oh, right, well—she should have held it earlier.' So the clock should have been adjustable like setting a microwave oven—put in the time for however long you want.

The member for Gympie raised an issue about why couldn't we put it in as a regulated date. It is for one reason principally: we did not have surety as to when in this week the bill would be debated. Executive Council normally plans to sit on a Thursday. So if the bill were debated and passed after Executive Council had met, then we may have had a situation where we could not have had a regulation pursuant to the legislation. I suppose you could have drafted it that way. You can provide for a regulated matter in principal legislation in any event. But I should say this: because it is so unlikely that the dates will align again within a 12-year period and because typically state electoral acts and local government electoral acts are reviewed after elections, we felt that it was most appropriate to do it that way.

In conclusion, the reason that we have a different rule under the state Electoral Act, where the rolls close not more than five nor less than seven days after the date of the issue of the writ, compared to the Local Government Act, is—and people like the member for Callide, who has been in local government, will be aware of this—that local government want it that way. For political party nominations you have to be nominated by six people in your division, and they actually want to have the roll closed before nominations close so that they can be absolutely sure that the six people in their division are legitimately on the roll for that division. That is an important protection in local government, because they do not want some Joe Blow from nowhere nominating in a division that they have nothing to do with without local support. So that is it.

Amendment agreed to.

Clauses 30 to 93, as read, agreed to.

Clause 94—



**Mr LUCAS** (5.32 pm): I move the following amendments—

**4 Clause 94 (Insertion of new ch 8A)**

Page 67, line 4—

*omit, insert—*

- '(j) any supporting information the approved form states is mandatory supporting information for the application;
- (k) the fee prescribed under a regulation.'

**5 Clause 94 (Insertion of new ch 8A)**

Page 70, after line 25—

*insert—*

- '(4) If the Minister decides a term of registration for the premises of more than 10 years, the notice must state the term.

*Note—*

Under section 680W(1), the Minister may decide a term of registration for particular premises of at least 10 years, but not more than 25 years.'

**6 Clause 94 (Insertion of new ch 8A)**

Page 74, line 8—

*omit, insert—*

'for a term of—

- (a) 10 years; or
- (b) if, having regard to the application for registration of particular premises, the Minister considers a longer term is appropriate for the premises—at least 10 years, but not more than 25 years, decided by the Minister.'

We are now dealing with amendments suggested by the committee that I think I have referred to before. If the honourable member wants to speak any further on them, I am happy to do so.

**Mr GIBSON:** Having had the opportunity now to review the government's amendments, I do not intend to circulate the opposition's amendments. In many parts the wording was identical. In one other part it was interesting to see how Parliamentary Counsel can provide advice to achieve the same outcome but in two different ways.

**Mr Lucas:** It is a worry really, isn't it?

**Mr GIBSON:** It is. It is something that I noted from the New Zealand experience where their committees are obviously able to draft amendments. But I do think that there is an opportunity there for Parliamentary Counsel to provide advice to the committee as they are considering what recommendations to put forward. Clearly the outcome that is being achieved by all of these

amendments is exactly what the committee was desiring to achieve, but the advice being provided by Parliamentary Counsel could have prevented the duplication of work that was done. But I acknowledge the systems that we have in place.

Amendments agreed to.

Clause 94, as amended, agreed to.

Clauses 95 to 110, as read, agreed to.

Clause 111—



**Mr LUCAS** (5.34 pm): I move the following amendment—

**7 Clause 111 (Amendment of s 38 (Division 1 process applies))**

Page 98, lines 5 to 8—

*omit, insert—*

'(e) a reference in section 31(1) or (5) to 45 business days were a reference to 20 business days; and

(f) a reference in section 31(6) to 20 business days were a reference to 10 business days.'.

Amendment agreed to.

Clause 111, as amended, agreed to.

Clauses 112 to 128, as read, agreed to.

Clause 129—



**Mr LUCAS** (5.35 pm): In accordance with the committee's recommendation, the government is pleased to move the following amendment—

**8 Clause 129 (Insertion of new pt 6A)**

Page 110, line 2—

*omit, insert—*

'development area.

**'136E Consultation with public sector entities before entering into particular infrastructure agreements**

'(1) This section applies if a proposed infrastructure agreement would, if entered into, likely continue to apply to land after the land ceases to be in an urban development area.

'(2) Before entering into the proposed infrastructure agreement, the authority must consult about the terms of the agreement with the entities the authority considers will be superseding public sector entities for the land.

'(3) In this section—

**public sector entity** means a public sector entity under the Sustainable Planning Act, schedule 3.

**superseding public sector entity**, for land, means the public sector entity that will have responsibility for the infrastructure on the land after the land ceases to be in an urban development area.'.

Amendment agreed to.

Clause 129, as amended, agreed to.

Clauses 130 to 132, as read, agreed to.

Schedule—

**Mr Rickuss:** Is this your last piece of legislation, Paul?



**Mr LUCAS** (5.35 pm): We might try to do a little bit more tomorrow. You never know. The report on the uniform Commercial Arbitration Bill will be tabled by the committee tomorrow. I am always happy to do a deal to try to get that bill through. But, yes, it probably is my last piece of legislation. I seek leave to move an amendment outside the long title of the bill.

Leave granted.

**Mr LUCAS:** I move the following amendment—

**9 Schedule (Acts amended)**

Page 116, after line 20—

*insert—*

**'City of Brisbane Act 2010**

**'1 Section 121(1)(d), 'was carried out under'—**

*omit, insert—*


'is the subject of, or was carried out under,'.

This amendment will ensure consistency between the City of Brisbane Act and the Local Government Act in relation to the plumbing authorisation of inspectors and again implements a recommendation of the committee.

Amendment agreed to.

Schedule, as amended, agreed to.

### Third Reading

 **Hon. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (5.37 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. PT LUCAS** (Lytton—ALP) (Attorney-General, Minister for Local Government and Special Minister of State) (5.37 pm): I move—

**10 Long title**

Long title, from 'the *Coastal*' to 'the *Plumbing*'—

*omit, insert—*

**'the City of Brisbane Act 2010, the Coastal Protection and Management Act 1995, the Land Sales Act 1984, the Local Government Act 2009, the Local Government Electoral Act 2011, the Plumbing'**.

Amendment agreed to.


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

Motion agreed to.

## DOMESTIC AND FAMILY VIOLENCE PROTECTION BILL

Resumed from 6 September 2011 (see p. 2778).

### Second Reading

 **Hon. KL STRUTHERS** (Algester—ALP) (Minister for Community Services and Housing and Minister for Women) (5.38 pm): I move—

That the bill be now read a second time.

It is a great honour for me to be a minister in this House in this government introducing stronger domestic violence laws. I was around in the late eighties when we were calling for law reform when there were not laws specifically about domestic violence. There were some provisions in various other areas of legislation, but there was not a strong domestic violence act. We got that in 1989 after a lot of lobbying—and some of those people are here in the gallery today, and I thank them for their efforts. So 23 years ago we got that legislation. Anna Bligh's families minister amended the legislation about eight years ago, and we are here today after a couple of years of consultation and effort to bring in stronger laws to make sure that we hold perpetrators accountable for their actions and that we give greater protection to those who are harmed by domestic violence.

Domestic violence occurs in all household types, across all income groups. Our government is absolutely relentless in our efforts to make sure that people are protected and to make sure that perpetrators are held accountable for their actions. Predominantly women and children are the ones affected. In most cases it is women and children who are the victims of domestic violence, although it does occur in other relationships and men, too, can be victims of domestic violence. Since January 2011—there have been 23 domestic and family violence related homicides in Queensland. In 2010-11 the Queensland Police Service recorded 52,850 domestic and family violence occurrences, an increase of seven per cent on the previous year. The courts received over 22,000 applications for domestic violence orders.

As I said, this bill was developed with extensive input from domestic and family violence service providers and workers right across the state in the regions and rural areas of Queensland. My departmental staff also worked very closely with the Queensland Police Service, the Department of Justice and Attorney-General and other areas of government. I particularly want to pay tribute to the

police because they are on the front line of many of these very difficult, dangerous and complex situations. Because of the nature of human relationships, these issues are not easy to work out or deal with. I thank the police. They have come a long way in 20 years in taking these issues as seriously as they ought to. In the old days, in the 80s, there was a sense that domestic violence was a private family matter; that you did not intervene. Police did not like to go, and I guess they still do not like to go. The reality is that it is dangerous for the police so imagine how dangerous it is for those in that house. These issues were dealt with in many cases in the privacy of the home. People felt a silence and a stigma around these issues. It is very pleasing to be here today bringing these new laws into being in this parliament.

Our message as a government is very clear: we will not cop domestic violence. We will not cop breaches of domestic violence orders. We are seeing over 10,000 breaches of orders each year, and we will not cop offenders who do not take responsibility for their actions. There are new provisions in this legislation to get very serious. Tougher penalties on breaches, for example, is one method we will be using.

Our whole community is now getting behind this issue and has come a long way in the past couple of decades. This bill gives us a very clear direction in relation to what we believe and understand to be domestic violence. Again, from those early years where it was seen as a private family matter, we are now very clear but there is a whole range of behaviours, including intimidation, that cause people to feel fear and live in fear and be very frightened for their safety. There are a whole range of sexual violations that occur in relation to intimate relationships. In fact, the data suggests that around 73 per cent of sexual offences are committed by someone known to the person. So a lot of sexual violence is occurring in domestic relationships and within people's own families.

I want to touch on some of the key changes in this bill and then some of the issues raised by the committee. I thank the Community Affairs Committee for its considered deliberations on this bill and its support for the bill to be passed. As I have said, the bill includes a wider definition of domestic violence. It is important that that occur because many police and others—for instance, people within the court system—have been I guess confused, frustrated or have found the complexity of these situations a little difficult at times. We are giving very clear directions about the definition.

I heard of a case last year where a couple had been in a relationship for only three months but she became pregnant so the attachment continued. She wanted rid of him. He did not want to accept that. He kept harassing and intimidating the children and the woman. Her father had to install security cameras around the house and tried to protect her as much as possible. This fellow at one point left a book on her doorstep bookmarked with the murder of a woman on that page—very intimidating behaviour; very frightening behaviour; terrifying behaviour. The kids were terrified. But police were I guess a little doubtful about how they could pursue that, because it was pretty clear that it was his and that he had left it there, but how do you get the evidence and what do you describe that behaviour as? We are very clear in this legislation that that sort of behaviour is not on. That sort of behaviour constitutes intimidation, having power and control over people and causing them great fear. We are not going to cop that sort of behaviour and our definitions in this legislation are a lot clearer than they have been in the past.

We have also expanded police powers. Police will have the power to issue police protection notices. This will provide immediate protection to victims of domestic and family violence and will improve police responses, particularly in remote and rural parts of Queensland. Other changes to strengthen police responses include amendments to the current detention powers so that a perpetrator of violence can be detained where their aggressive behaviour presents a continuing danger to those they have been harming. Also, police will have a new power that allows a police officer to direct a person to remain at a place so that that person can be served with an application order or notice or be told about an order.

That has been a problem in the past—actually serving orders on people and satisfying the requirements of the legislation. The other issue that has concerned a lot of people—and I went to a lot of consultations including a great meeting with Steve Kilburn in Chatsworth, another on the Sunshine Coast and others around the state—and has been a consistent message is, is there too much cross-application happening. On the face of it, it seems easier to put an order on both parties. We want to make sure we have a pro-investigative approach from the police. We want to make sure in the future that the intent of the legislation is followed, and that is that these are orders to protect from further harm. There has to be a proper investigation of who is most at risk; who is likely to be harmed into the future?

The Criminal Code should apply if there is an assault or there has been harm of a criminal nature. That should also apply but these are orders to protect from further harm. So the sort of nonsense that has been happening with cross-applications has been happening too widely and too extensively, and we have made provision in this bill to make sure it is used only where it is needed. One of the bill's objectives is to make sure that we are much clearer about when these cross-applications ought to be applied for. A cross-application can be made by a police officer when he or she attends a domestic

violence incident and decides to make an application against each of the parties, but there are very clear conditions in this bill about when that ought to occur. It is not logical except in exceptional circumstances that both people in a relationship can simultaneously be a victim and perpetrator and be subject to future harm. The very clear thing that domestic violence workers in the gallery and others will tell you is that there is a pattern of power and control, and these orders are to stop the person who has power and control over others from causing further harm. I am very pleased to see the work that our department and others have put into ensuring that we limit the extent of cross-applications.

We are also very clear that we want to hold perpetrators accountable. The majority of submissions to our review strongly supported the introduction of measures to increase the accountability of perpetrators. To achieve this, the bill will reform ouster conditions, behaviour change programs and breaches to domestic violence orders. I will touch on ouster orders. There has been provision for those but they have not been widely used by the courts. The ouster order prevents a person who is subject to an order from remaining at, entering or attempting to enter certain premises. That is important where there is likely to be further harm.

In relation to behaviour change programs, the bill makes it clear that the court can, with the agreement of the perpetrator, order a respondent to attend a behaviour change program or counselling. It is very clear—and the committee made it clear, too, in its assessment of this—that these will only work if you get the agreement of the perpetrator. People running the programs know they are not going to work very well if people are reluctant. We have an intervention order that the courts can provide where, if there is a program in that area which they can access, there is then the option to provide an intervention order as well as the domestic violence order.

The other area that concerned a lot of people around the state was the breaches. There are far too many breaches. Orders are being applied for and granted and then there is this pattern of breaching those orders. Sometimes the person who has been harmed allows a perpetrator to come back to the house out of guilt, fear or whatever; sometimes that person in some way is party to the breach of the order. I accept that there are some really difficult and complex arrangements here, particularly when there are kids involved and issues of access to kids. There were nearly 10,000 breaches last year. This is far too many and we are making every attempt in this new bill to turn that around and minimise those breaches.

In relation to the committee report, the committee gave this bill a lot of consideration. I really do appreciate the extent to which committee members turned their minds to the provisions in this bill, particularly in relation to the interface between the Family Law Act and things happening within family law courts. The committee unanimously recommended that the bill be passed and I am very pleased that that bipartisan support is there.

I turn to the issue in relation to recommendation 4i concerning information sharing. The committee was concerned to make sure that there was an understanding between the Queensland Magistrates Court and the Family Court or the Federal Magistrates Court on the orders and what was happening. It is very difficult to get that full exchange. The federal government is doing a lot of work in relation to the interface of the Family Law Act with domestic violence and other legislation in state and territory jurisdictions. In this bill, there will be provisions which relate to the release of information or documents of proceedings and we are certainly keen to establish greater and clearer protocols between the various courts.

To acknowledge the committee's concern, I will move an amendment to clause 160(2)(f) during the consideration in detail stage of the bill to make it absolutely clear that another Australian court, which includes the Family Law Court of Australia, will be entitled to receive copies of domestic violence court records or documents where these are relevant to the proceedings of the court.

Recommendation 4ii relates to the development of information-sharing protocols between representatives of the Family Court of Australia and relevant Queensland government agencies. The government supports this unanimous recommendation and proposes that the Department of Communities commence discussions with those relevant agencies.

The Community Affairs Committee also wrote to the Department of Communities in relation to the evaluation of the Breaking the Cycle of Domestic and Family Violence program, which is our innovative program in Rockhampton. The Department of Communities advised the committee that there would not be a final evaluation ready by January 2012 but we will certainly be able to provide a status report and I will have further advice on that in the next week or two. I indicate to members of the committee that I am certainly keen about this. There is good news in that. I want you to talk about it. I want you to know about it and tell the world about it because it is a great integrated domestic violence project; it is a leading model in Australia.

I have spoken about this issue on many occasions in this House. The thing that concerns me and many people working in this area is that we can have the best laws and the best service system—we have a great service system and we are funding over \$190 million worth of services across the state—but we still have negative community attitudes. I mentioned earlier that 20 or 30 years ago domestic violence was seen as a private family matter. There are still people who hold to that view and there are still people who blame victims. There are still people who say, 'She must have been a nagging wife.' That stuff seems outdated but it is still around, and you still hear reports of that sort of victim blaming.

One of the research reports I saw on Friday which was released by the Centre for Domestic and Family Violence Research—and that centre is based at the Central Queensland University in Mackay and is funded by my Department of Communities—indicated that 60 per cent of women did not seek help from available support services despite knowing that assistance was available. That spells to me stigma. That spells to me a fear of telling people and letting people know. That spells to me shame. It is so important that we keep fostering those positive community attitudes that this is not on, that you do not have to cop this, that you are not held responsible for this. I urge members to continue to challenge these behaviours in their communities—to challenge them at the clubs, pubs, football games or wherever they hear blokes or others diminishing and minimising the impact of domestic violence.

I commend all the support services which have been doing great work in this area. I commend the team at the Centre for Domestic and Family Violence Research for the ongoing work they are doing in this area of domestic violence. I know that my own department, through its 'Act as 1' campaign, and agencies right around the state are continuing to challenge community attitudes. However, as I said, we can have the best laws—and I think we have strong laws here, with increased penalties for breaches of domestic violence orders—but we really need to keep tackling those community attitudes.


In conclusion, I want to say that it disturbs me that we still have people who are aspiring to be members of this House who blame women for sexual violence committed against them—such as the candidate in Cairns, Gavin King, who said that women who drink to excess are partly to blame for rape. They are outrageous views. We need to challenge the attitude that says, 'She's a nagging woman and she deserved to be knocked around.' Those sorts of attitudes need to be condemned.

As I said earlier, 60 per cent of women who were subject to domestic violence did not seek help, even though they knew support services were available. That is because they felt in part to blame and they felt shame. That is why they did not go, so this is important.

**Opposition members** interjected.

**Ms STRUTHERS:** I do not know why these members opposite do not get it. I do not understand why they do not get how much impact these sorts of negative, victim-blaming comments have.

I want to finish on a positive note. This is tremendous work. I really want to pay tribute to Megan Giles and the staff of my department who have done great work here. I absolutely pay tribute to them. They have been at this for a long time now. The service workers, the police and the court workers around the state—a whole lot of people—have contributed to this legislation. A whole lot of people, day in and day out, support people who are harmed by domestic violence. They do an absolutely thankless job at times, but I pay tribute to their work. As I said at the outset, it is an absolute honour for me to bring the Domestic and Family Violence Protection Bill 2011 into this House. It is absolutely imperative legislation.

 **Ms SIMPSON** (Maroochydore—LNP) (5.56 pm): This parliament today sends a bipartisan message of solidarity against domestic violence in all of its forms. This is not an issue which should be trivialised or even politicised for personal political reasons, like some members opposite will do. This is not an issue which should be hidden in the shadows or ignored. This issue should be brought into the light to achieve greater understanding and more effective action which will break the cycle.

While we can assume that there is a greater understanding in our community as to what constitutes domestic violence, sadly the statistics show that, despite decades of legal reform, too many people are still suffering and the impacts are intergenerational. Quite frankly, the figures on the level of domestic violence that is occurring in this state and across the nation are still shocking. The Queensland Police Service figures quoted in the explanatory speech identified that in 2009-10 there were 49,372 occurrences of domestic and family violence, an increase of 11.5 per cent on the previous year. This resulted in 8,033 charges for breach of domestic violence orders and 22,753 applications for DV orders to the courts, an increase of eight per cent on the previous year.

The Queensland Police Service annual statistical figures for 2010-11 further showed that the number of breaches of domestic violence protection order offences was still a worrying issue, and that this matter of ongoing enforcement, as opposed to the initial notification of domestic violence offences, continues to be a major issue. In 2009-10 there were 9,700 breaches of domestic violence protection order offences; in 2010-11 there were 10,294—a six per cent increase on the number of reported offences.

Of additional interest, the data on offences against a person shows that in 23 per cent of offences against a person the offender and victim were related. In summary, this legislation makes a number of key changes, particularly around the definition of domestic violence, the powers of police to put in place police orders and court endorsed but voluntary intervention orders and it increases the penalties for breaches. Legislation is another step forward in the move to free people from fear. Breaking the cycle of violence and serial abuse in family relationships requires strong laws, effective enforcement, appropriately funded services and a community that is educated and empowered to say no to abuse. We must build a healthier understanding of family relationships and the value of individuals who have a right to live their lives free from fear.

As has been mentioned, there is a change in the definition in law as to what constitutes domestic violence. I think most people understand that physical violence is wrong, but there are many other forms of abuse. That is why domestic violence has been captured by this new definition, which acknowledges that domestic violence can be—and significantly in respect of domestic violence—emotional, psychological, sexual, economic, or other threatening or manipulative behaviour, for example, if one member of the family threatens suicide as a method of controlling another person. That may seem incredible to people in this place. It is really hard to imagine how people who have been in a supposedly loving relationship can use such methods to control other people. This redefinition of domestic violence was also a recommendation of the Australian Law Reform Commission in November 2010 in its report titled *Family violence—a national legal response*.

As has been noted, there are a number of significant changes to police powers in this legislation. The police are really at the forefront not only in obviously enforcing the law but also in trying to bring about an intervention to provide safety for the victims of violence. Across the state police officers often face some of their most dangerous experiences when attending to domestic violence incidents. We honour and respect the very difficult role the police play. This bill gives the police the ability to issue police protection notices, which will allow for the immediate protection of the victims of family and domestic violence. The conditions on this notice can give the police the ability to order a cool-down upon a perpetrator by legally excluding them from their home for up to 24 hours. This notice will also be considered as an application to the court providing short-term protection.

I will outline the police protection notice a little bit more, because it is quite a significant change. There are some quite specific measures around how police have to approach this issue. The legislation specifically requires that police investigate the matter. That might seem obvious, but it contains some express language in respect of the responsibilities of police as to how they enforce and go about considering whether to put in place a police protection notice. The legislation in one particular clause allows a police officer to issue a police protection notice against the person if the officer is at the same location as the respondent, reasonably believes that the respondent has committed domestic violence, reasonably believes that no other DVO or PPN—that is police protection notice—has been issued in respect of the respondent, the aggrieved person reasonably believes that a PPN is required to protect that aggrieved person from domestic violence and reasonably believes that the respondent should not be taken into custody. The approval of a supervising police officer is required for the issuing of a police protection notice and there are a number of other conditions upon the issuing of the police protection notice.

This measure was brought about after consultation with stakeholders in the industry, because it was recognised that the police needed to have the ability to provide, as a matter of urgency, a measure of safety to those who are at threat and also in respect of damage to their property. Previously, police could make a direct application to a magistrate outside of business hours for an urgent temporary protection order or they could detain a respondent for up to four hours and then release them on conditions similar to those of a DVO. However, for a number of reasons this application was not always adequate in order to provide some form of protection where there was a degree of urgency and also in rural and regional areas where sometimes access to a magistrate could not always be made available immediately. This bill will provide police with the power to detain an alleged perpetrator for up to eight hours, but more usually for about four hours. This power will be of assistance in areas where it takes time to ensure victim safety and for police to undertake their legal requirements.

Over the past few months I have visited a number of services and community workers around regional Queensland and I have had the opportunity to seek their further feedback not only with regard to this legislation but also with regard to the service support that they need to keep victims of violence safe. They certainly support this measure. One example that I was provided with concerned a victim and children who needed to be removed safely from a town but, owing to floodwaters—and it was not a recent flood—there were real difficulties in being able to do that. That meant that the service needed additional time to get the victim and the children to safety. Being in a rural and remote area it really was a situation where the victim's location was well known to the offender.

Certainly, the more remote the community the harder it can be for some of these practical provisions to be able to get people to safety and for the legal mechanisms to be put in place. Some people may ask, 'Why eight hours?' but, owing to the size of the state, getting a victim out of that circumstance to another area, and on many occasions with their children, is not that easy. It requires

that length of time. The first principle has to be the need to keep vulnerable people safe. The rights and liberties of the individual who is accused of committing domestic violence must be considered, but the first principle must be to keep the victim safe. With regard to an extension beyond four hours, a magistrate must be involved to provide the approval to extend, except where the respondent has an indication of being intoxicated.

I want to talk about some of the recommendations of the parliamentary committee. I had the privilege of serving on that committee with other members of this House. I think it was very useful to have the opportunity to hold hearings and hear directly from those who are at the service level and who support people who face these very difficult issues. We also had representations from the Police Service, and I will come back to that in a moment. It has been acknowledged by the minister that amendments will be moved in consideration in detail in response to some of the recommendations of the committee. I thank the minister for taking these matters on board. One of the issues the committee raised was the wording of the intervention order. We noted from the minister and from the representations of stakeholders that the intention of the intervention order is to address perpetrator behaviour. The focus and policy intention is for the intervention order to be voluntary. There has not been a consistent number of perpetrator services or behavioural management services across the state. Such a service has not been mandated to be rolled out across the state.

I will come back to the issue of the intervention order being voluntary. We believed that the initial wording of the intervention order could be misconstrued to mean that it was mandatory. We made a recommendation that the intervention order be more clearly defined to say that it was not mandatory or that, in fact, there be reconsideration given to it not being mandatory and some penalties applied.

We note the minister's response that the intention is to ensure that people enter into these agreements in a voluntary way and that it is considered that this is the best way to ensure participation in these particular measures. I think it would be fair to say that there is still a way to go to prove that this is the case. It has been acknowledged that there is not a consistent standard in relation to perpetrator programs across Australia and that they have varying results.

The committee also made recommendations in respect of ongoing monitoring of the availability of perpetrator programs. I believe that part of that monitoring really needs to ensure greater consideration as to whether there needs to be a mandatory component and, in respect of the monitoring of those perpetrator programs, an assessment of some of those that are currently underway. I certainly will be looking forward to seeing that information come forward.

This really is about trying to break the cycle of violence and acknowledging that it is often intergenerational. There is no excuse for anyone who perpetrates violence or other forms of domestic abuse—they have to take responsibility for their actions—but often it has been modelled to them in their own lives as children. Those who have been victims of abuse—as witnesses, as members of families—can sadly in many cases see that replicated later in life because that is the pattern of behaviour that they have experienced and think is normal family life. We know it should never be considered normal.

I would urge greater consideration in respect of programs for children who have been subjected to domestic violence to ensure that they also have as much support as possible to help break that potential cycle of abuse or dysfunctional relationships later in life.

Another concern about the wording of intervention orders was that there are so many other jurisdictions that have a range of similar wording but completely different definitions. We felt that that could also add to some of the confusion about the intention of this provision. As I have noted, there will be an amendment coming forward to make it clear that this is, in fact, a voluntary measure. I look forward to seeing the evaluation of some of the programs involved and an ongoing rollout of available services for children who are the victims of family abuse and also those perpetrators. We must first keep people safe and then set out to break this cycle.

I want to make reference to other recommendations of the committee. Recommendation 4i states—

An equivalent provision to s. 37 of the Tasmanian *Family Violence Act 2004* is incorporated into the bill to authorise the collection, use, disclosure, or otherwise dealing with personal information for the purpose of furthering the objects of the legislation.

The minister and the government acknowledged the committee's concern that the new Queensland legislation remove all doubt that there is no legislative barrier to the flow of information from the police and Magistrates Court to the Family Court of Australia and also to the Federal Magistrates Court. The minister has indicated support to ensure that this is more expressly understood and that information flowing from proceedings in domestic and family violence incidents does flow through to those jurisdictions.

One of the issues that the committee raised around the implementation of this act in respect of the police was that of resources. We note the strong support of the Police Service for this legislation and also its submission in respect of how much it believed was necessary in order to see training on and the rollout of this new Domestic and Family Violence Protection Bill. Given recent announcements of

cutbacks in administrative and other support within the Police Service, I think it is particularly important that we emphasise that we do not want to see cuts to police resources that will impact upon the ability of police to do their job safely and to keep Queenslanders safe. That is absolutely paramount.

There are some significant changes in this legislation that the opposition and the Police Service support. They need our support to do that job. It is an extremely dangerous job. Tragically, the statistics show that Queensland is the domestic violence homicide capital of Australia. Almost 30 per cent—16 of 62—of the homicides in the state last year were related to domestic violence. When our police go into circumstances where they are acting according to their duty to keep families safe, to intervene and to apply the law, we must make sure that they are well resourced to do that job and are not in turn victims who are let down by a government that does not provide them with the support that they require.

The recommendation that the Police Service required approximately \$300,000 for the implementation of this legislation has been noted, but I am calling on the government to ensure that that money, and whatever more they require if it is more than that, is publicly identified and is not subject to the cutbacks that this government has been about in respect of police front-line services and also the support they need to be able to effectively do their job.


I want to address the issue of service delivery. I acknowledge that the other front-line heroes really are the service providers, professional and voluntary, who are out there providing assistance to people in some of the most distressing times of their life. Across this state there are many who have invested their lives in trying to make a difference—to keep people safe but also to help them rebuild their lives, realise their potential and re-establish their self-identity as people of value and worth who do not deserve to be abused and intimidated.

I recently visited Charters Towers. I know that in North Queensland there are huge distances people have to travel. I was advised by some of the community workers that they did not have any dedicated community worker or allocation for domestic violence in their area. I have to admit that I was shocked to hear that there were up to seven incidents a week occurring in this community. There is no local shelter and there are no dedicated resources for domestic violence. I know that the Townsville based service does an excellent job. This is not a criticism of them; it is a cry for more help and a recognition that there are many centres that are experiencing quite unacceptable levels of domestic violence. Sadly, the victims of that violence still feel very, very vulnerable. More help is required.

Another huge hole in respect of service delivery—to ensure that when people reach out for help it is available—relates to women who have boys aged over 12. Most shelters cannot take boys aged over 12. We understand the reasons for that, but there is a need to address this hole in available services because there are women who are choosing not to access a shelter when they do need to go to safety and who are staying in that situation of danger. This is something that needs to be addressed. It is making a situation worse when there are no services available to women with boys aged over 12. They may have a number of children. They will have to see that boy go elsewhere or decide not to move out and stay in a position of danger.

I acknowledge that the legislation provides for stronger penalties in respect of breaches, which is appropriate. However, the spotlight needs to be shone on the fact that, despite the legal mechanisms being put in place, still people are not safe. There is real concern around keeping victims safe and ensuring that the police have the resources to provide as much backup to them as possible. However, there are a significant number of breaches. While the increase in the penalty is welcome, we still have a problem as the police are flat out providing backup and support because of cutbacks in many areas. They are not getting the support that they need. This is a major concern, as it is letting down victims of domestic and family abuse.

The legislation is important. The support of our front-line police officers is critical. Getting a message across to the broader community that domestic violence in all its forms is unacceptable is paramount. However, as we have seen, the service delivery to ensure that this is implemented as effectively as possible requires a lot more action. We need more than just legislation to see a change. I think many of us in this place believe that, while this is an improvement, the fight to ensure that people know they do not need to live in fear will go on until we see these figures diminish and disappear. Clearly there seems to be a pattern of increasing violence as more orders are required, which indicates that, despite the great improvements in the legal frameworks, there is a huge gap with regard to the need within our community. Today this parliament sends a bipartisan message of solidarity against domestic violence, because victims of violence do not deserve to be used as political pawns. They require the combined efforts not only of legislators, the police and all agents but also of the broader community because everybody has a role to play in breaking the cycle of violence and ensuring that another generation is free from that scar.

 **Mr DEMPSEY** (Bundaberg—LNP) (6.22 pm): It is a great privilege to rise as a member of this Legislative Assembly and talk on the issue of domestic violence. It is exceptionally pleasing to see a domestic violence protection bill before the House. When we talk about domestic violence, we have to realise that we are all involved. Each and every one of us has to take responsibility. We are from

different backgrounds, social groups, cultural groups and are different ages and we are all a part of this. We have to make sure that we break the cycle of domestic violence. Male members of parliament need to encourage males within our communities to stand up and voice their disgust at domestic violence. They need to step up to the plate and ensure that other men in society realise that it is not on and it is not good enough. They must send a positive message to all in the community. Their sons and daughters will reflect that message. They will reflect the understanding that they have gained from their parents and their generations before them that domestic violence is unacceptable.

As a community, how do we do that? The bill goes a long way towards achieving it. Certainly, it is a positive and it is part of it. I wish to refer to some of the things that the minister mentioned and some of the things discussed in the explanatory notes to the bill. The explanatory notes refer to statistics. They state—

In 2009-2010, the Queensland Police Service recorded 49,372 domestic and family violence occurrences, an increase of 11.5 per cent on the previous year, and laid 8033 charges for breach of a domestic violence order. Of the 62 recorded homicides in 2009-2010, 17 were identified as being related to domestic violence.

It is believed that in the past financial year there was an increase in that figure to 20 deaths and an increase in domestic violence incidents of seven per cent. Those figures are very hard to accept. They show that, as a community and as members of parliament, we still have to work on this issue. We have to keep addressing the issues to ensure that the scourge of domestic violence is taken out of our society.

While it is awful to say, I note that in domestic violence situations there has been an increase in the degree of violence used by perpetrators. Perhaps that is an indication of an increase in drug and alcohol abuse or a change in the types of drugs being used. The explanatory notes mention pressures on families, such as economic pressures. Some young people do have to listen to their parents arguing over financial matters and other issues. That can be a form of violence. It is good that the bill recognises all forms of violence and takes into account the children. That is most important, because we have to break the cycle. We have to ensure that the children are identified as part of the family and that they are looked after.

From my previous career, during which I attended domestic violence situations, I know that we need to provide support to families after an event. We need stability within the job. We can pass legislation to say that police will work so many hours to be trained to deal with certain circumstances so that they are able to cope with them. However, after they finish a job many police officers will go home and continue to think about the situation that they just left, sometimes for the rest of the night or even the rest of the week. They will know that little Johnny and little Mary are still in that environment. They will wonder whether they will become offenders in many years to come. I know that we need stability in dealing with domestic violence.

We need to ensure that the police officers, the people in government departments and those in non-government agencies have proper funding and infrastructure. We have to be really careful that we do not wear out those people and that they do not get overly stressed because they are helping the most vulnerable people. We need a system to do that. For example, in Bundaberg we had a domestic violence unit. We do not have it anymore. Bundaberg has one of the highest rates of domestic violence per head of population in the state. When the DV unit was operating within the community, the police became used to dealing with certain families and certain people. They would follow the process down the line. If you visited a certain family for a number of nights, you developed a relationship with them. You could follow their case through the court system and, if the situation arose again, you would know to deal with it as a matter of urgency. There was stability within the investigation as the police had ownership over that domestic violence situation. By working through a case and finalising it, they could further help other government and non-government agencies deal with the situation. In Bundaberg, the committee and staff of Eden Place are worth their weight in gold and always try their best. We have to look after them as much as possible.

We need stability. One can imagine that in suburbs of Brisbane and other larger areas, different police officers, a different crew, will turn up to address an ongoing issue. In smaller rural and country areas, the local police officer will turn up to a job. That officer will know the seriousness of the situation and will be able to deal with it to ensure that he or she does not have to return time and time again to deal with the same issues. That is also more efficient in terms of administration and paperwork. I am not the quickest typist in the world, so I could spend 3½ hours on paperwork because I would want the perpetrator to be dealt with properly by the court. If another crew attended on a different night, they would have to go through the same amount of paperwork. If you knew that there was a domestic situation, you could follow it up. I would mention Bundaberg's Sergeant Ken Hendrie—

**Ms Struthers:** You have DVLOs.

**Mr DEMPSEY:** Yes. By having that relationship, you may be able to solve the problem so that you do not have repeat calls to service and you may be able to break the cycle.

I would like to thank all the people who work within the domestic violence sector. I appreciate their efforts in dealing with very hard situations. Any money spent on domestic violence is money well spent, because we have to break the cycle. There are a number of different groups in the community that we need to resource. There are many different aspects to domestic violence that we have to address. I close by saying again that this is everybody's responsibility. No-one condones violence. No-one condones bullying, intimidation or power plays. People should understand that when we talk about domestic violence, we are talking about respect.

Debate, on motion of Mr Dempsey, adjourned.

Sitting suspended from 6.30 pm to 7.30 pm.

## WASTE REDUCTION AND RECYCLING REGULATION

### Disallowance of Statutory Instrument



**Mr POWELL** (Glass House—LNP) (7.30 pm): I move—

That the Waste Reduction and Recycling Regulation 2011, subordinate legislation No. 231 of 2011, tabled in the House on 29 November 2011, be disallowed.

When we debated the legislation on which this regulation is based I said a few things. Firstly, I said—

It is flawed legislation. It will destroy businesses, cost local governments and act as a disincentive to recycling and cutting down on waste going into landfill. It is one of those bills—

and subsequently an act—

that is beyond salvation. No amount of amendment will save it or make it more palatable, less onerous or easier to implement.

I also said—

An LNP government will not shy away from its responsibility to drive policy and regulatory reform with regards to waste management, but it will not be in the form of a business-destroying, anti-recycling, cost-shifting, cost-of-living tax.

I am very rarely acknowledged as being prophetic but, unfortunately, despite the tax only being in operation for 2½ months, it appears that too many of the scenarios I predicted back in October have come to pass. This tax has been proven to be business destroying. Already, seven miniskip operators in South-East Queensland have shut their doors since the legislation was passed and businesses around the state are being driven to the brink. Let me refer to a *NewsMail* article from 8 December last year. It is titled 'Waste man says fault is rubbish'. The article states—

RUBBISH remover Peter Radel says the failure of the weighbridge at Bundaberg Regional Council's waste transfer station means he cannot carry on his business.

The weighbridge, which was installed last week, failed on Tuesday.

Staff at the waste transfer station, who had been charging commercial operators by weight to dump rubbish, had to go back to "deeming"—

that is 'deeming' as defined by this regulation—

under Department of Environment and Resource Management guidelines.

But Mr Radel, who operates Dump Rat Rubbish Removals, said the guidelines would send him broke.

"Now they charge according to the weight of the vehicle," he said.

"My truck weighs 8.7 tonnes, and I get charged according to 70% of that weight.

"That means I get charged \$130 a load, even if I've only got 10kg of waste in the back."

Mr Radel said he had two or three jobs lined up for yesterday, for which he had quoted \$60 each.

"It's more or less stopped me working," he said.

"I've already been to one place where their bag is full but I had to tell them I couldn't take it.

"This is an absolute shambles."

Mr Radel said he had been in the business for 18 years, but this was the worst conditions he had seen.

"Running costs are getting out of hand," he said.

Deeming provisions contained in this regulation mean that half-full trucks are still being charged for the same weight as full trucks. Then there is the question of whether the deeming measures are based on legal weights. As one frustrated waste sector representative has said to me—

The tables DERM have issued and told landfill operators to use when they don't have operational weighbridges have calculations that are outside QLD Transport's own guidelines. These guidelines denote truck type lawful load limits. For example, transport may limit a rubbish truck to 28.5 tonne, but DERMS table says the truck is carrying 32 tonne and base the levy on that.

The rep continues—

It gets better!!! Regardless of the amount taken to a landfill in a truck the load is assumed to be full for levy purposes. We are not allowed by DERM to park trucks up with any waste in them for health and fire reasons. We collect say a quarter of a truck load, but when we go to empty it we get slugged for 32 tonne, most of it air? The government is taxing the industry for air!!!!

It goes to show that this legislation and regulation are rushed and problematic.

**Mr Rickuss:** It doesn't make sense.

**Mr POWELL:** As the member for Lockyer just said, it does not make sense. More time is needed to be given so that the landfill operators—most of them councils—can get their facilities up to speed and to remove this guesswork, this taxing of the industry for nothing but air.

Elsewhere in the state it is already impacting on other industries like the construction sector. On 16 December ABC News Online posted the article 'Waste levy seen as blow for builders'. It states—

The Gympie Regional Council says a recently introduced Queensland Government waste levy is draconian and will hurt the building industry.

The \$35-a-tonne levy was imposed on building construction and hazardous waste from the beginning of this month.

Gympie Mayor Ron Dyne says it comes at a time when the building industry is already struggling.

"It is fairly heavy and I just wonder at times really why one government department is putting on these waste levies at \$35-a-tonne, and a lot of that would be relevant to the building industry, and then another government department is talking about affordable housing," he said.

"So somewhere along the line we need to get our act together in Queensland."

Councillor Dyne says it is another blow to local builders who have had a tough year and there are better ways to deal with environmental concerns.

As I said back in October last year, the legislation and now the regulation are also anti recycling. Herein lay one of my and the LNP's biggest concerns—this waste levy could actually achieve the opposite of what it intended to do. That is, it would serve as a disincentive to recycle. During the public hearings of the Environment, Agriculture, Resources and Energy Committee we heard the case of Kennedy's Classic Aged Timbers. Kennedy's has been in the timber recycling industry for 17 years. Over that time it has contributed to some significant improvements in the industry. It takes used telegraph poles from Ergon and Energex and sleepers from QRail and recycles them into hardwood products—products that have been used in a wide range of government projects. As I said back then, even with leading-edge, world-class recyclers, there is still residual waste that must go to landfill. In this case, much of this waste would have to go to landfill as the original product was treated with chemicals such as creosote, arsenic trioxide, CCA or bifenthrin. There is no alternative but landfill. In fact, Kennedy's recovers 40 per cent at best. So 60 per cent is still destined for landfill. Even with a discounted levy rate of \$17.50 per tonne, Kennedy's is under threat. I think it is worth reiterating what CEO Michael Kennedy revealed at the public hearing. He said—

... the waste levy ... is ... going to have the very severe and perverse effect of actually providing a market advantage for tropical rainforest timbers from Asia and South America ... When you have an organisation like a state government organisation that specifies to use certified timber ... the timbers coming from the tropical rainforests of South-East Asia and may or may not have been illegally logged will have a distinct market advantage over our recycled timber products ...

He went on to urge the committee very strongly about this. He stated—

... if you have one ounce of an environmental bone in your body, to consider the severe and perverse outcome it will have on timber recycling in this state.

However, this is not the only case where we are seeing anti-recycling outcomes. Anecdotal evidence is growing that in the C&D waste market—that is construction and demolition—legitimate operators who strive to recycle much of the product are being driven out of the market by backyard operators using utes and trailers. These operators are driving up to landfill sites with mixtures of C&D and MSW waste, and frustrated operators simply wave them through. Material that previously would have made its way into recycling operations is winding up in landfill. This levy is undoing many gains achieved in the waste sector over recent decades.

There is no doubt that this tax is shifting costs onto businesses and onto councils. During the debate I spoke of the administrative nightmare confronting councils. In some cases it is a \$1 million per annum nightmare. So some councils have made the decision to not charge the commercial waste levy on businesses that use council waste collection services. Quite frankly, I do not blame them. However, that decision is having two negative impacts. The first is on the council ratepayers who are paying the state government tax not being collected by their council ultimately through their rates. Secondly, it is again distorting the waste sector as commercial businesses that use private operators are still being charged. You do not need to be a rocket scientist to know which operator—the council or the private—you are going to end up using. No wonder councils are venting their frustration with this government.

I refer members to the signs that are now on display at each and every Moreton Bay Regional Council landfill site, and I am happy to table them.

*Tabled paper:* Set of two photos of a sign indicating that the new state government levy on commercial and industrial waste effective from 1 December 2011 is an extra \$35 per tonne [6498].

The sign reads—

An extra \$35 per tonne

New State Government waste levy  
on commercial and industry from

**December 1, 2011**

Lodge your protest with the State Government


derm@ministerial.qld.gov.au or contact your local State MP

Authorised by Moreton Bay Regional Council

I and the LNP understand also that this is having an impact on people's cost of living. We understand that already every time you flick on a switch, turn on a tap, fill up your car, pay your rego or catch a train this government is hitting your hip pocket. We also know that if you want to build a house or run a business you are being slugged even more. And if you are in one of those councils that is covering the cost of the waste levy then you are being hit yet again.

The LNP understand what cost-of-living pressure is doing to families and to businesses. That is why we have committed to reinstating the principal place of residence concessional rate for stamp duty, saving \$7,000 on new home purchases. That is why an LNP government will also freeze car registration for our first term and act to address Queensland's rising household energy bills by immediately freezing the standard domestic tariff, tariff 11, providing savings of around \$120 a year on power bills. We are also introducing discounted weekly public transport fares for regular commuters through making the 10th and any additional trips free each week. As I explained last night when we were debating the Seqwater restructuring bill, we have a four-point water plan to drive down ratepayers' water bills.

Finally, the LNP will address cost-of-living pressure in this state. We will drive down the cost of living by repealing this dreadful, this disastrous, tax.

 **Mr CRIPPS** (Hinchinbrook—LNP) (7.41 pm): I rise to support the disallowance motion moved by the shadow minister for the environment, the member for Glass House. The member for Glass House, the member for Bundaberg and I are the non-government members on the Environment, Agriculture, Resources and Energy Committee, which considered the Waste Reduction and Recycling Bill 2011 before it was debated and passed in this House by the Bligh Labor government.

The member for Glass House, the member for Bundaberg and I ultimately were forced into a position of lodging a dissenting report to the recommendation supported by government members on that committee that the bill ought to proceed, because we simply could not ignore the industry representatives, stakeholders and individuals who lined up to appear before the public hearing of our committee to tell us how concerned they were about the possible impact of the bill if it became legislation.

The shadow minister for the environment, the member for Glass House, has canvassed the main technical points that needed to be emphasised about the impact of the waste tax. These witnesses that came to our public hearing tore the Bligh Labor government's argument apart. Labor said there was a problem with cross-border dumping. That was proven to be nonsense. Labor said councils were running out of landfill sites, but that was also proven to be untrue. The logistical arguments put up by Labor to justify the waste tax were found to be completely baseless.

Businesses screamed that difficult economic times, combined with the uncertainty of Labor's carbon tax, meant that the proposal for a waste tax could not have come at a worse possible time. The complexity and inflexibility of the legislation passed by the parliament has been and could only be surpassed by the complexity and inflexibility of the regulations that DERM have managed to develop and dump in the lap of the small businesses who warned them of this very outcome.

In Far North Queensland, the forward-thinking, innovative work of the Cairns Regional Council in investing in an alternative waste technology facility at Bedminster and its partner, the Tablelands Regional Council, has been undermined by the introduction of the waste tax. As a result of the Bligh Labor government breaking yet another promise to the people of Queensland not to introduce a waste tax, this cost will now be borne by the ratepayers of the Cairns and Tablelands regions.

The complexity and the inflexibility of Labor's waste tax legislation means that it is not focused on outcomes in terms of reducing the amount of waste material. It is only interested, as always, in using blunt regulatory instruments to bring everyone down to a one-size-fits-all bureaucratic model that suits its one-dimensional fascination with red tape. After 20 long years in government, Labor has run out of ideas about how to handle new and emerging issues confronting Queensland. Its knee-jerk reaction is always to reach for the regulation and the red tape.

Then there were the individual businesses that sounded the warnings. The small independent skip hire businesses that remove domestic waste and dispose of it on behalf of their customers explained very clearly how their businesses would be impacted. The recycling businesses—surely something the government would seek to encourage—explained how they would struggle to meet the increased costs of this \$35 per tonne waste tax on their businesses. A classic example of that was canvassed by the member for Glass House in terms of Michael Kennedy's business. Kennedy's Classic Aged Timbers, who recycle used timber, told the committee that it will actually be cheaper for his business to import timber from rainforests cut out of South-East Asia and South America than to pay the waste tax on the residual product that he removes from treated timber such as those timber poles from Ergon and Energex, from Telstra and from the railways. There can be no greater indictment of the inflexibility of Labor's regulatory instrument in this respect than the evidence of Michael Kennedy.

It is one thing to talk about this issue in abstract terms with respect to the inadequacy of the legislation under Labor even when that legislation that has been introduced has been strongly attacked by industry and commercial recycling businesses. The stakeholder groups tried desperately to tell the government, through the committee process, that this was bad legislation and that it would have a perverse impact on the environment.

But the real tragedy occurs when the government continues to ignore the real and serious impacts on businesses in Queensland since the introduction of the waste tax and takes no action to address it. Last year I spoke in the House about how the waste tax would impact seriously on an important business in my electorate in North Queensland. At the northern end of my electorate in Wangan, just south of Innisfail, the Australian owned Northern Iron & Brass Foundry has had its ongoing economic viability made more difficult to maintain following the introduction of the Bligh Labor government's waste tax—another financial and regulatory impost that Labor has placed on Queensland businesses in return for Green preferences.

Unfortunately on many occasions I have had to speak in this House in recent years about the outrageous and seemingly relentless imposition on North Queensland industries of increased compliance costs and regulations as a result of the preference deals between Labor and the Greens. We have certainly been targeted in North Queensland, and this waste tax has made it even more difficult for small businesses and manufacturing industries to survive in the north now that it is paying an extra \$35 per tonne on its commercial waste. Once again Labor seems determined to drive up its overhead costs and increase its red tape.


The Northern Iron & Brass Foundry is not a big multinational. It employs about 100 people in the Innisfail district. Incidentally, it is the single largest employer in the Innisfail area other than the Cassowary Coast Regional Council. It is a very important local business as it diversifies the economic base of the local area outside of the major industries, being agriculture and tourism.

In the 12 months from September 2010 to October 2011, the Northern Iron & Brass Foundry paid for the responsible disposal of 57 loads of industrial waste from its operations, totalling 949 tonnes. With the implementation of the Bligh Labor government's waste tax from late last year, the foundry has recently advised that the waste tax has increased the cost of responsibly disposing of this industrial waste by more than \$125,000 a year, taking the foundry's total bill to more than \$200,000 a year.

The Northern Iron & Brass Foundry has been able to survive, notwithstanding the significant and relentless increases in compliance costs under this Labor government over the last 20 years. It is a real concern to contemplate how long it can keep up this constant battle and what impact the loss of about 100 jobs would do to the Innisfail area. These jobs support many local families in the area.

The foundry puts on trade and other apprentices which provide jobs and presents opportunities for young people in the Innisfail area. As I have already mentioned, the foundry is important because it diversifies the economic base of the area, which benefits the community. Having survived against the odds, the foundry was looking forward to being strategically placed in North Queensland to service the imminent expansion of mining activity in the region mainly in the hinterland area behind the Great Dividing Range between Cairns and Townsville. Being close to the transport routes of both the Palmerston and Bruce highways, the foundry was hoping to be in a strategic position to meet the demand of this imminent expansion and actively compete with imported products from China that would otherwise take their place.

I am pleased once again to reiterate the point made by the member for Glass House: the LNP will axe this waste tax if it is successful at the upcoming election, because it is an ill-conceived and poorly directed piece of regulation that we have already shown will have a perverse outcome for the environment in terms of a reduced recycling effort across Queensland. But we also want to do it to ensure that Queensland businesses like the Northern Iron & Brass Foundry have a fighting chance in the future.

 **Mrs SULLIVAN** (Pumicestone—ALP) (7.50 pm): The state government has a 10-year plan to halve the amount of waste going to landfill by 2020. To achieve this, we have implemented reforms including a new waste strategy and an industry waste levy, and not before time.

**Mr Cripps** interjected.

**Mrs SULLIVAN:** Other Australian states have a waste levy, and we are continually exposed to other states dumping their waste, including 20 tonnes of sludge from Tasmania every year—and you know it. Why does the LNP want us to remain the dumping capital of Australia?

**Mr Cripps** interjected.

**Mr DEPUTY SPEAKER:** Order! Member for Hinchinbrook, I do not remember the member for Pumicestone interjecting on you when you were making your contribution, and I ask that you offer her the same courtesy.

**Mrs SULLIVAN:** Queensland's Waste Reduction and Recycling Strategy 2010-20 details the targets for improving recycling for different waste streams and cutting landfill, which will benefit councils. Some of them are just not smart enough to work that out. A new, modern legislative framework has been developed to achieve these targets—the Waste Reduction and Recycling Act 2011 and the Waste Reduction and Recycling Regulation 2011.

The industry waste levy will help achieve the targets, discourage landfill disposal and encourage recycling. It has operated since 1 December 2011 and is sending a price signal to business and industry to encourage greater waste reduction and recycling. Those who choose to continue with a business-as-usual attitude will pay—those people like the member for Glass House mentioned, Mr Radel. Another one is Michael Kennedy, who the member for Hinchinbrook mentioned. Do they realise that just because they have run a business for 10 years the same way they just might, if they change, see some improvements in their business? Just because they say it does not necessarily mean it is right.

Remember that the waste levy is an avoidable cost. If businesses and government sectors reduce the amount of waste they send to landfill by improving their waste management practices, they avoid paying the levy. The levy applies to the disposal of commercial and industrial waste, construction and demolition waste, contaminated and acid sulphate soils, and regulated or hazardous wastes. The levy rates are set in the regulation and range from \$35 a tonne for commercial and industrial waste up to \$150 a tonne for high-hazard regulated waste. The levy is not charged on municipal solid waste, or domestic waste, like other states and therefore avoids costs to households.

**Mr Cripps** interjected.

**Mrs SULLIVAN:** He is still going on and on. If the member for Hinchinbrook listened, he might just learn something. Certain wastes are exempt from the levy including disaster waste, clean-up waste from illegal dumping or litter and waste dumped on charities which we were very conscience of when introducing this legislation.

The levy zone covers 34 council areas including South-East Queensland and major regional councils. Significant investment has been made in upgrading landfill sites located in the levy zone, saving individual councils many thousands of dollars—saving the smart ones money anyway. Landfill operators are required to calculate and pay the levy amount and report monthly through a new web based database. It has been developed with input from landfill operators and has been successfully operating. Many businesses and some councils have already submitted their levy payments ahead of the due date.

There has been a substantial amount of consultation to ensure all stakeholders have had ample opportunity to have an input into the levy development. The LNP has not offered one single speaker tonight who has said anything about consultation. They are just going to ram theirs through no matter what. The industry waste levy will deliver an estimated \$338 million over four years, with the revenue raised from the levy being used to deliver a wide range of programs to Queensland businesses, councils and communities. This is what the LNP does not support.


The levy is funding a range of infrastructure assistance including programs to enable councils' landfills to upgrade their site facilities and install weighbridges. Levy revenue is also funding targeted programs that will encourage industry investment, advance research and development, and encourage local solutions to reduce waste generation and increase recycling opportunities for materials that were previously sent to landfill. Again, these are the things that the LNP do not support.

The regulation contains many measures that are essential for the operation of the industry waste levy that was established by the act. It prescribes the levy zone, defines the types of leviable waste and the applicable levy rate including higher rates for hazardous waste. It also contains criteria for making decisions about which wastes are exempt from the levy. For example, certain types of contaminated soil resulting from historical industrial activities are exempt, in order to encourage the beneficial redevelopment of contaminated sites. This provision is being used to facilitate the redevelopment of the RNA showgrounds—a good example.

The regulation prescribes how the levy is calculated including deductions for materials that landfill operators recover from disposal and send for recycling. This deduction ensures that the only waste that goes to landfill is ultimately subject to the levy and is an incentive to recycle. It provides a way for smaller tips which have no weighbridge to calculate the levy. Such landfills can use a load conversion factor or, in certain cases, are afforded the flexibility of using their own methodology for calculating the levy.

The regulation contains criteria for deciding which recycling companies should receive a discount on the levy for the disposal of residual wastes from their recovery processes. This is an important measure to help the waste industry adjust and transition to the levy regime while recognising best practice recyclers. Government and industry have invested heavily in upgrading infrastructure and adapting and diversifying businesses. They should do the same. Landfill operators are already complying with their obligations to remit the levy.

Disallowing this regulation is likely to cause significant disruption and inequities in the waste sector. To look more broadly, without this legislation and the levy, we will continue to produce waste at unsustainable levels. The waste strategy's target of cutting waste to landfill by half by 2020 cannot be achieved without the levy driving waste reduction. Do not let Queensland be dumped on by the LNP.

 **Mr MOORHEAD** (Waterford—ALP) (7.57 pm): I rise to oppose the disallowance motion being debated here tonight. I think we should call it for what it is: the debate tonight is essentially an attempt by the LNP to have another go at the debate we had at the end of last year. The waste levy legislation that we debated in November last year, from memory, was fully debated, clause by clause. We had an extensive second reading debate. The debate that we are having tonight is, first, an attempt by the LNP to put the same tired arguments they gave us last year and, second, an attempt for LNP members to rehearse those well-scripted lines on the cost of living that they put in every speech over and over again.

This House has debated the waste levy legislation. The regulation that we are discussing tonight gives effect to that. In fact, it has taken into account many of the concerns raised by industry both before and after the passing of the bill. Essentially what the waste levy does is recognise that the cost of waste is one that is borne by our community. The most effective way to reduce waste and to ensure that the costs of dealing with landfill are dealt with equitably is to ensure that those people who are creating the commercial waste are those who end up paying for it.

This is a simple case of economics. We are taking these businesses that are competing and putting them up against one another—one which does the right thing and does not put things into landfill and another one which does not care, which takes the cheap and easy route and which puts as much as it can into landfill. We need to reward those businesses which are doing the right thing and provide a strong incentive for those businesses to innovate and ensure that landfill is reduced to the maximum extent possible.

The reality is that our community must pay for landfill one way or another. If it is not paid for by those people who dump the landfill, it is going to be paid for by you and me, by the taxpayers that I represent, by the ratepayers that I represent—who, I would like to remind people, are actually the same people. They will bear the cost of this. What the LNP is doing by disallowing this motion and attempting to undermine the waste levy legislation is arguing that the taxpayers of Queensland—the mums and dads of my electorate—should subsidise people who have a choice about whether they want to pay this tax or not. Why should the mums and dads of my electorate be expected to subsidise large companies that create waste, regardless of how much they create?

**Mr Cripps:** Recyclers.


**Mr MOORHEAD:** Let me come to recyclers, member for Hinchinbrook. The regulation before us tonight actually provides definitions that encompass some of the exemptions and concessions that are available for recyclers. It provides the flexibility for some of the businesses that have been raised in the debate to have their case heard and either have the waste levy reduced or provide concessions—for example, as the member for Pumicestone said, if they are creating waste from a recycling process and it is best practice.

LNP members have also come here and made a commitment that they will scrap the waste levy but they have not said what they will do with the commitment given to councils for the moneys derived from the waste levy and they have not explained where they will find another \$100 million. Are they going to take the money back? LNP members need to tell the people of Queensland whether they are going to bring back the \$100 million over four years or whether they are going to find it from the taxpayers of my electorate or other electorates. That is where they need to find that \$100 million. This is not magic pudding economics; they have to find that money. They either have to take it back from the councils or have to find it somewhere else.

The waste levy has been consulted on and consulted on and consulted on. It has even been recognised that the implementation should be considered after two years to see how the operation works. The fundamental principle that we have enshrined in legislation is that those who are causing landfill to continue to grow should be paying for that landfill.

I represent an area covered by Logan City Council. The Logan City Council, like some other outer urban councils, is dealing with the long-term issue of what happens when it runs out of landfill space. That is a challenge that a number of urban councils are facing. Do they start contracting to other councils to take their waste? Do they start looking over the border? Do they start moving waste out west? I do not think that is the responsible thing to do. The responsible thing to do is to start by saying to people who are causing this landfill that they should be making every effort to reduce the burden they are placing on ratepayers and taxpayers. Space for landfill is not an infinite resource. We have to recognise that we cannot just landfill everything. We need to make sure people are responsible with this.

This is nothing more than the LNP attempting to come back to legislation that this House debated at length after a committee report last year. This is an important policy that we should give effect to to ensure that the market signals are sent that landfill is not something that the taxpayers and ratepayers of Queensland will continue to provide at no cost.

 **Ms BATES** (Mudgeeraba—LNP) (8.04 pm): Since last December, the state's beleaguered residential building industry has been hit by yet another Labor tax—this time with the Bligh government's new waste levy kicking in. What a swift kick it has been, especially to an industry that is already on its knees and doing it tough courtesy of a deep and protracted downturn in building activity. This new waste tax, which will add up to \$3,000 onto the cost of building a new home, represents another instalment in a triple whammy of Labor taxes. Firstly, we saw the Bligh government scrap the time-honoured stamp duty concession on the family home which was worth around \$7,000. Then came Labor's carbon tax—which no-one on that side of the parliament actually objected to—which will come into effect later this year. It is said that the carbon tax will add another \$10,000 onto the cost of constructing a new home, depending on compensatory arrangements. Now, to top it off, we have the Bligh government's brand-new waste tax.

The member for Waterford's comments are retrospective. Tonight we are actually debating the destruction of small business under a Labor government. Seven miniskip businesses have gone out of business, and local Mudgeeraba businesses say that there has been a 58 per cent increase in the cost of hiring skips.

Significantly, the combined value of these three new Labor taxes is estimated by industry to add up to \$20,000 onto the cost of building a new home. This will put the great Australian dream of homeownership out of reach for many more struggling families. I am talking about hard-pressed families who are already hit hard by the cost-of-living increases in water and electricity charges as well as vehicle registration costs. I am talking about battling working families trying desperately to beat the rent trap to own their own home.

These incremental increases in Labor's taxes, fees and charges are killing the great Australian dream in droves. This rubbish tax is the final chapter so far in Labor's terrible trilogy of new taxes. Not only is it a business-destroying tax; it is also ill considered. It is irresponsible and reckless in the extreme for the Bligh government to rush ahead with this tax without first understanding the full ramifications of Labor's carbon tax. The fact is that the Bligh government has failed to conduct any comprehensive analysis on the full effect of the combined carbon tax and industry waste levy on Queensland's beleaguered building industry. The government should do the right thing in these economically challenging times and re-examine this latest tax. Not only does this waste tax represent another broken election promise; it is yet another cynical cost-shifting exercise to local governments, who are being forced to pass along the extra cost to both consumers and contractors.

Let us not forget that this state government is known for renegeing on green agreements with local governments—as it did in the very week that it foisted this expensive waste tax on Queenslanders. The Bligh government was so cash-strapped and broke that it had to pull out of the Brisbane City Council's EzyGreen initiative. It was also politically motivated. It was no coincidence that the government had to withdraw its support because it did not want to support a successful environmental initiative established by whom? Campbell Newman.


Further, this tax also has the potential to be a recycling disincentive and undo valuable investment in alternative waste technology initiatives. The fact that funds raised by this new tax will not be ploughed back into research and development or waste related programs is further evidence that this is just another greedy Labor tax grab and part of a grubby Greens preference deal.

While the government is trying to pull the wool over the eyes of Queenslanders by calling this tax a waste levy, no-one really believes that it will actually help the environment. This is just another onerous tax that has been introduced by Labor to capture Greens preferences rather than truly achieve actual green outcomes. The waste levy will also lead to massive increases in illegal dumping, as surely as night follows day. Discarded building materials, including deadly asbestos-containing materials, may well end up in our state forests and our national parks, triggering a whole range of serious public health issues. It will be an unintended consequence resulting from this ill-considered legislation.

This waste tax will significantly affect the viability of many struggling contractors. For many it will be the final nail in the coffin, sending them to the wall. For so many, it will be the straw that breaks the camel's back, especially with them also looking down the barrel of a looming carbon tax. Why has Labor decided to tax the building industry so heavily at such a time—when building activity is at an all-time low? Is it not the role of responsible government to ease the tax and regulatory burdens in such tough economic times?

It is not only building contractors who will suffer as a direct result of this regulation; renovating homeowners are also getting hit hard by the new dump fees. This tax will hurt every Queenslander, because many local government and businesses will be forced to pass on the cost to ratepayers and customers. For example, residential aged-care operators will have their waste charges hiked by at least 35 per cent.

The bottom line is that these taxes are impacting negatively on housing affordability. This short-sighted Labor tax grab is all about raising revenue. This bankrupt Bligh government has lost the state's AAA credit rating. It has racked up a staggering debt of \$85 billion, incurring interest payments of just under \$600,000 per hour. An LNP government will scrap Labor's waste tax.

 **Mr RYAN** (Morayfield—ALP) (8.10 pm): I rise to oppose the disallowance motion. Almost 20 years ago Ian Kiernan from the Clean Up Australia foundation issued a challenge to all of us. He said, 'You can help make Australia the cleanest country in the world.' He then followed that up with a little song—

Yucky, yucky, yucky-poo. What are we gonna do?

We see the Labor government taking action. We see the Labor government responding to that challenge of 'What are we going to do?' But we also see the LNP members with their heads in the sand, denying the problem. We hear them saying that they would rather waste savers and waste recyclers continue to subsidise the wasteful practices of waste generators. They want to continue rewarding the waste generators and punishing the waste savers and waste recyclers. Prior to the introduction of this waste levy, the system was just that. Those who recycled, those who saved waste, were effectively subsidising the wasteful practices of waste generators.

The LNP members also do not want to assist councils to manage the increasing waste constraint problems that they have with landfill. It is a difficult problem facing pretty much all the councils in South-East Queensland and pretty much all the councils all around Australia—how they deal with those increasing pressures of waste constraints on their landfill. But, again, the LNP members respond to Ian Kiernan's challenge by putting their heads in the sand, not wanting to help. When Mr Ian Kiernan put out that challenge—'What are we going to do?'—the LNP members said, 'We would prefer landfill to grow. We would prefer our community to continue to be a community that does not support initiatives to encourage waste recycling and waste saving.'

There was also a campaign that was run by the Keep Australia Beautiful foundation. A little while ago it put out the following statement—

When we throw things in the bin we often don't realise its future impact.

Plastic can last for thousands of years and some materials never break down.

That means if things like empty bottles had been around when the dinosaurs roamed the earth we would still be finding them today.

Reduce your waste and help Keep Australia Beautiful.

We all know where the LNP members get their ideas, and it is probably where the dinosaurs put their water bottles—in the past. The ideas of the LNP members are the ideas of the dinosaurs. The Keep Australia Beautiful foundation is best known for its campaign of 'Do the Right Thing'. I call on the LNP members to do the right thing when it comes to addressing the constraint problems facing councils in terms of landfill, I call on the LNP members to do the right thing when it comes to providing support to local government authorities to assist with their waste management and I call on the LNP members to support this government's practice of ensuring that waste savers and waste recyclers do not continue to subsidise the wasteful practices of waste generators.

Queensland's existing waste management laws are outdated and do not reflect modern waste management practices and issues. This regulation, which the government is supporting, ensures that our waste management system is not only a modern system but also relevant to Queensland and relevant to the future. This legislation deals mainly with managing the impacts of pollution caused by waste, not reducing waste generation in the first place. Each year the amount of waste generated in Queensland grows faster than our population. I ask members to consider this: in 2008-09 our population grew by 10 per cent, our retail turnover grew by 20 per cent, but our waste generation grew by 40 per cent. Queenslanders can no longer afford to continue producing waste at such unsustainable levels. We cannot continue to behave in a business-as-usual manner.


Queensland has one of the cheapest waste disposal charges in Australia. This levy will help to stop Queensland become a dumping ground for waste from other states. This levy is just one of a suite of waste reform initiatives that will bring Queensland into line with other mainland states and drive Queensland into a low-waste future. The introduction of the industry waste levy was designed to send a price signal to business and industry to encourage greater waste reduction and recycling. Those who choose to continue with a business-as-usual attitude will pay more to send their waste to landfill. However, it is important to remember that the waste levy is an avoidable cost. If waste generators from businesses and government sectors reduce the amount of waste they send to landfill by improving their waste management practices, they avoid paying the levy.

The levy applies to the disposal of commercial and industrial waste, construction and demolition waste, contaminated and acid sulfate soils and regulated or hazardous waste. The levies range from \$35 a tonne for commercial and industrial waste up to \$150 a tonne for high hazardous regulated waste. The levy is not to be charged on municipal solid waste or domestic waste. Householders already pay a flat waste disposal fee in their council rates and do not have the same opportunity as business does to avoid paying the levy by reducing their waste or recycling more. It is important to repeat that: the levy is not to be charged on municipal solid waste or domestic waste.

The levy zone covers 34 local government areas, including South-East Queensland and major regional local governments. Landfill operators are required to calculate and pay the levy amount and report monthly through a new web based database. The levy applies to the disposal of waste generated within the levy zone regardless of whether the waste is disposed of inside or outside the levy zone. These measures are designed to prevent people trying to avoid the levy by, for example, transporting waste outside the levy zone. The levy also applies to waste generated outside the levy zone but disposed of inside the levy zone, which will discourage waste from interstate being dumped in Queensland. It is important to note that the act also allows for certain waste to be exempt from the levy, including disaster waste, clean-up waste from illegal dumping or litter and waste dumped on charities.

There has been a substantial amount of consultation to ensure that all stakeholders have ample opportunity to have input into the levy development. The industry waste levy revenue raised is used to deliver a wide range of programs to Queensland businesses, local governments and communities. This revenue will be used to fund targeted programs that will encourage industry investment, advance research and development and encourage local solutions to reduce waste generation and increase recycling opportunities for materials that were previously sent to landfill. In an Australian first, the Queensland government has also created a generous infrastructure assistance program to enable local government landfills to become levy ready. Local governments are able to access grants to upgrade their site facilities and install infrastructure such as weighbridges.

The Queensland government's waste reform agenda is not just about creating a sustainable and resource efficient Queensland; it is also about growing green jobs for the future. In fact, commercial operators have already expressed substantial interest to the government in introducing new organics recovery technology to Queensland. This act provides a comprehensive range of innovative measures to cut waste and grow the resource recovery industry in Queensland. I oppose the disallowance motion and call on all members of the House to do the right thing.

 **Mrs STUCKEY** (Currumbin—LNP) (8.20 pm): I rise to support the motion moved by my colleague, the shadow minister for environment and the honourable member for Glass House, to disallow the Waste Reduction and Recycling Regulation 2011, which was tabled in the House on 29 November 2011. The Bligh Labor government stuck another dagger into the heart of small businesses by introducing a waste levy—or scrooge tax—on 1 December 2011, just before Christmas. They were determined to beat their federal counterparts to the punch with its 1 July carbon tax. What did the minister responsible for tourism, manufacturing and small business have to say, you might well ask? The honourable member for Whitsunday is anything but a champion for any of Queensland's 4,000-plus small businesses. Rather, she is a traitor, a wolf in sheep's clothing, who could not give a tinker's cuss whether they sink or swim. This minister has shocked them all, literally, and is not fit to hold her position. Too bad if you have run a family business for decades. This minister and her Labor comrades want to squeeze every last cent out of you in red tape, taxes and compliance.

Small business operators in the member for Whitsunday's own pristine electorate have not been able to pay themselves a wage for 12 months so they can keep staff on. How will they be able to survive another tax from her government—this waste levy—a tax the honourable member for Whitsunday has openly supported? The minister is too busy swanning around the state cutting ribbons rather than red tape to care. She is relying on Labor's answer for small business, or all business for that matter—the Business Commissioner—to fix up the problems her government is regularly creating with new regulations being introduced at an alarming rate. The poor fellow admitted only this week that he was grabbing at straws, saying, 'Red tape is starting to look very much like a whole mass of straw on a camel's back. If we add more straw to that camel's back it is going to break.' That is what the Business Commissioner appointed by this government said.

The disallowance motion before the House this evening gives those opposite, those on the government benches, a chance to stop the camel's back from breaking, to offer a lifeline to Queensland's small business. They are the backbone of our economy and do not deserve to be decimated in this way. Many operators do not even realise many regulations exist until they receive a bill, inspection or fine. An example in my electorate is the owner of popular and long-operating Mirrors restaurant in Palm Beach. Just days before its scheduled commencement she said she was not even aware of the impending waste levy because she, like so many other businesses, had received no notification about it. She has concerns that the added costs of this tax for her small restaurant will have to be passed on to customers—a move she fears could be enough to put a number of local restaurants, including hers, under. I wonder how many small businesses and larger ones will be contacting the recently appointed Business Commissioner when the bills for the waste levy roll in. Will he make a recommendation to cut it and, even if he did, what chance would he have of getting it through? On the other hand, the LNP, if successful at the 24 March election, have pledged to scrap it. That is right, we will ditch it.

In Queensland there are already 97,172 pages of red tape, more than any other state in Australia, that costs some \$7 billion to our economy. The Chamber of Commerce and Industry Queensland, the advocate for small business, has repeatedly stated this waste levy will threaten business viability in Queensland, and that means jobs. In his opening statement to the committee's public hearing on the bill, the general manager of policy, Nick Behrens, said—


Due to the ongoing poor economic conditions in Queensland, businesses do not have the financial capacity to absorb additional waste costs nor do they have the resources to make changes to their waste practices and systems. With the minimal likelihood of being able to pass costs on to customers at present, the additional costs will significantly affect the profitability and viability of many Queensland businesses.

In their submission on the waste levy, CCIQ provided real scenario statistics for a typical mid-size restaurant that would have two four-wheel steel bins, three cubic metres, collected twice a week. This scenario amounts to an additional \$3,120 in costs imposed on that restaurant per annum just from this single regulation. But the government and the minister flatly refused to listen. After all, this is a minister who told businesses to just wait and see what the carbon tax would do to them and eagerly voted for the introduction of this waste levy.

Local builders in my electorate are certainly concerned at the impact this levy will have on their business, particularly considering how tough conditions are in the construction industry on the Gold Coast at the moment. Skip bin operators on the Gold Coast share similar views of this business-destroying tax, with one operator predicting the levy will add 50 per cent to the cost of doing business, essentially knocking their business down by half. He said people simply cannot afford it.

Caravanning Queensland reported a number of members have written to them labelling the waste levy 'the garbage tax'. Some members have stated their waste fees will go up in excess of 1,000 per cent. With the looming federal carbon tax, electricity prices for tourists parks are expected to increase substantially. These operators simply cannot absorb these costs and they will have to be passed onto tourists and campers through increased park fees. Tourism operators in our regions, and particularly in the Whitsunday region, are haemorrhaging. I call on their local member to support the disallowance motion tonight and show she truly represents her constituents and is not just a mouthpiece for this arrogant government.

Other objectors to this tax said it would lead to an increase in illegal dumping. A local bakery in Palm Beach says his monthly waste bill had already increased by \$150 in six months to November 2011. Whether his bin is full or not he pays the same amount. An additional \$35 a tonne waste levy would see his fees increase a lot. This is another tax that unfairly targets Queensland business. More red tape and regulation means higher costs. Labor will eventually tax business right out of Queensland. My advice to these affected businesses is to take their waste bills along to the polling booths on 24 March and make their case—not Labor, not again, not this time.

 **Mr CHOI** (Capalaba—ALP) (8.26 pm): Almost everything we do creates waste. According to a submission to the Productivity Commission inquiry into waste generation and resource efficiency by the federal department of the environment and heritage, waste generation per person in this country increased from 1.23 tonnes in 1996 to 1.62 tonnes in 2002. In fact, that number is even higher today. Australia's growth in income and wealth has created a large increase in the disposal of goods no longer needed or wanted, with an associated increase in waste diversity, toxicity and complexity. For too long Queensland has been one of Australia's biggest waste generators. Even worse, we have too often chosen landfill over recycling to deal with our mounting waste.

Until the legislation was enacted in Queensland last December, other mainland states not only had a waste levy but also were increasing theirs, including tory states, may I say, exposing Queensland as an even cheaper place for interstate companies to dump their waste. In a report by *Brisbane Business News* in April 2011, BCD Technologies commercial manager, Jonathan Fisher, said

Queensland's waste management practices must catch up. He said with Victoria and New South Wales having implemented similar charges several years ago Queensland has already fallen behind many other states, but this landfill levy introduced by the Queensland government should help the state catch up quite quickly. In fact, he said similar levies have had such an impact in other states that a large percentage of waste management work of his company comes from Victoria. He said, 'It is actually cheaper for people to transport waste up to Queensland for disposal than to dump it in Victorian landfills'.

The levy is now sending a price signal to business and industry to encourage greater waste reduction and recycling. The levy applies to the disposal of commercial and industrial waste, construction and demolition waste, contaminated and acid sulphate soils, and regulated or hazardous wastes. The levy is not charged on municipal solid waste or domestic waste, therefore avoiding costs to households. Certain wastes are exempt from the levy, including disaster waste, clean-up waste from illegal dumping or littering, and waste dumped on charities. The levy zone covers 34 local government areas, including South-East Queensland and major regional local governments. Clearly we need a waste management system where recycling is the default option over landfill so that Queensland is no longer seen as a viable destination for interstate dumpers. The Queensland Labor government provided that leadership. Today the LNP wants to dump this policy and return South-East Queensland to being the dumping capital of Australia.

I want to talk about the waste reduction and recycling business plan that the government launched in December last year. The business plan is a four-year plan that outlines program funding of \$159 million for research, infrastructure development, business engagement and capacity building, which will help us to reach our target of halving waste to landfill in Queensland by 2020. The diverse range of programs under the business plan is being funded out of the industry waste levy revenue to help Queensland, and in particular business and industry, to reduce their waste. Another \$100 million from levy revenue will be directed to a fund designated for local government use, the Sustainable Futures Fund.

I note the contribution of the honourable member for Hinchinbrook. A few minutes ago the honourable member said that it was absolute rubbish that Queensland is running out of landfill sites. I ask him to take note of this number 0738298999. He can call Gary Stevenson, the CEO of the Redland City Council, or Mayor Melva Hobson to ask them whether the people in the Redland City Council area are concerned about running out of landfill sites. He might get a very different answer to the one that he was looking for. I would mention that the Redland City Council welcomes the Waste Reduction and Recycling Act. They can see clearly the benefits that the levy will bring to them. Firstly, the levy provides significant disincentives to dump, thereby easing the pressure on council's tips and, in turn, the council budget. Secondly, local governments are getting a revenue from the levy. Those funds greatly benefit ratepayers, because councils will be able to direct the funds into improving services and future waste management.


In January this year the government announced a four-year \$28 million infrastructure program that will be used to support Queensland business, industry and local governments to invest in new recycling and resource recovery infrastructure. That program is now open to applications from business, industry and local government. Those waste infrastructure projects will directly support the reduction of waste to landfill, as well as support regional investment and development in resource recovery and best practice waste management, which again will result in the creation of new green jobs. The infrastructure grants program would not be in place without the funds generated from the industry waste levy.

The business plan also outlines a number of other grant programs to support business and industry to better manage their waste. Funding has been made available to help businesses slash the waste they send to disposal. Partners in the Department of Environment and Resource Management's ecoBiz program have demonstrated how much businesses can save when they start addressing their waste. While on average each ecoBiz partner reduced their energy use by 18 per cent and their water usage by 33 per cent, they also managed to reduce their waste disposal by a staggering 40 per cent. The result of the ecoBiz program showed that many businesses can readily reduce the amount of waste they dispose of and reduce their business costs in the process. I take this opportunity to acknowledge the wonderful work done by Mr James Brockhurst of the Good Guys at Capalaba. For many years Mr Brockhurst has been a leader in this field, creating waste reduction through better work practices. He is a champion of his industry.

The reThink Business Waste Services program also provides a \$750 subsidy to businesses that introduce improvements through a new resource recovery service. This program is available to small and medium enterprises in Queensland and helps businesses take the first step in increasing the amount of material they can recycle, reducing the amount of waste they send to landfill. Funds injected from the levy have allowed the government to embark on positive partnerships across the waste industry, such as partnering with local Brisbane recycler Buyequip to support e-waste recyclathon events. Those events will see householders and small business operators able to drop off unwanted IT

equipment for recycling, free of charge, at designated collection points. Another partnership program funded by the levy has been the EnviroDevelopment program run by the Urban Development Institute of Australia.

Disallowing this regulation will be a backward step from Queensland meeting its waste strategy targets. It will see the loss of grant funds to industry and businesses, wiping out numerous and very worthwhile initiatives that are already underway. It will let down local governments in Queensland with the effective withdrawal of \$100 million from local councils at a time when they can least afford it. Once again Queensland will appear as an attractive dumping ground for waste from other states. We will also be missing the opportunity to grow a strong recycling industry and green jobs in Queensland. Across Australia and around the world governments have recognised the environmental effects of current consumption patterns and, among other policy responses, have adopted ambitious targets for reducing waste to landfill or even adopted a zero waste policy. This backward looking LNP is trying to turn back the clock, returning Queensland to the bad old days of dumping whatever you like, whenever you like and however you like, and it must be stopped. I oppose this disallowance motion.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (8.36 pm): I rise to speak to the disallowance motion. During the time that I was in local government, before and after, councils overwhelmingly managed waste. They funded it, they managed, they looked after it. In Queensland there were a couple of marked exceptions. There was the toxic waste dump at Willawong, which has been sealed, and there was one at Dalby that I believe also has been sealed. Those very specific toxic waste dumps were managed by the state government. We are talking about industry waste. I acknowledge that we are not talking about domestic waste or municipal waste.

Not-for-profit organisations are affected by this regulation and, without exception, they are affected negatively. I heard the earlier debate about ratepayers and taxpayers having to fund the tips. It is the ratepayers who pay the tax and in great measure it will be the ratepayers who are affected by this tax. I could be more sympathetic to the tax to which this regulation and this legislation applies if local government, the entity that looks after waste, actually received the money—the money to procure more waste sites, the money to manage waste and the money to implement reduction, re-use and recycling programs.

In Queensland, in the main people are endeavouring to improve their record in terms of the reduction of waste, the re-use of waste and the recycling of waste. At the time of the debate on this legislation I posed a question about the quantification of the impact of the legislation on industries in my electorate that were going to generate a lot of waste that would, in the main, go to the tips. I reiterate that the Gladstone Regional Council is not getting the money from this tax. They are managing the waste from industry, because it will go to their landfill, but they are not getting any funding from this tax to actually address those waste issues. What forewarning did those major industries have in terms of the additional cost to their construction program that this new tax would require?

I speak now of an organisation which is not in my electorate; however, it is a scenario that I think is important to put on the record. This highlights the fact that these fees impact not only the major industries and not only big business; they also impact those businesses on which we as parliamentarians and communities rely, and that is the not-for-profit sector. I speak of organisations like the auxiliaries that support Blue Care and the Endeavour Foundation, which receive a lot of goods that people dump on them. We have been hearing about that recently in the media. People are dumping illegally because they are trying to avoid the municipal waste fees. When they were introduced in my electorate, illegal dumping of domestic waste increased. People do try to avoid fees and more so when that cost is exponential, as this legislation introduced.

The group I speak of is a senior citizens welfare association. It is not in my electorate but the information was provided to me to bring to this House tonight. They provide a senior citizens centre, day respite care, social support, in-home respite, community access carers and home maintenance services. This tax will specifically affect the home maintenance service. The services include mowing lawns and grass cutting—up to a quarter-acre block only—cleaning yards and rubbish removal, and other domestic assistance. Bear in mind that this and previous governments have worked very hard in departments administered by the minister for communities to keep people in their homes rather than have them institutionalised or put into care facilities. The organisation states that it is a not-for-profit organisation and part of their service is funded through government funding. It states—

The bulk of our Home Maintenance service ... is lawn mowing or grass cutting, for which we charge a subsidised fee of \$30.00 per ¼ acre block. The 'going rate' for a professional contractor is in the vicinity of \$65.00.

... in the past the Council's fee, which we opposed and absorbed, was about \$4.00. The new fee is \$20.75 per cubic metre, which relates to an increase of 400%. Our service makes about 15 trips to the tip per week. This would cost \$311.00—

**An honourable member interjected.**


**Mrs CUNNINGHAM:** We will get to that. It goes on—

in lieu of \$60.00.

So on average, the cost to dispose of grass cuttings has increased from \$1.33 per client to \$6.92. They cannot cover and absorb that increase in cost, and it is directly related to this legislation. Each client will face an increase of \$8, from \$30 to \$38. In summary, they say that they are a not-for-profit community organisation. They give support to disadvantaged people in the community—that is frail, aged and younger people with a disability—and they assist their clients to stay in their own homes. In their own right their clients are ratepayers, and if they had the capacity they could dispose of their grass cuttings free of charge. However, they cannot because the people disposing of them are part of an organisation, not individual ratepayers. That is where they would be caught by that tax. They are reluctant to increase their fees to meet additional client costs and their clients would be financially disadvantaged if they had to meet the extra fees.

The point of bringing this scenario to the parliament is to demonstrate that, firstly, it is not just the big end of town that is impacted by this tax. The second point is that the government that is collecting this tax is not managing the disposal facilities at all. Overwhelmingly, it is the local councils that are managing the disposal. If the government were serious about encouraging waste to be reduced, to be recycled or to be reused, they would return the funds raised from this tax to the local government so that each local authority area could properly implement incentives, properly implement programs with, particularly in my electorate, the major companies in order to reduce that waste.

I support the disallowance motion because the people who are affected by this are not only the big end of town but also people who are doing a wonderful job—like Endeavour and those other organisations that are supplying services to people in need. I believe that this new tax will not do what it was designed to do—that is, reduce waste. It will encourage clandestine dumping but, more importantly, it has the potential to hurt those who support our community in need.

 **Mrs SMITH** (Burleigh—ALP) (8.44 pm): This government recognises that local government plays a major role in providing effective waste management in Queensland and enabling the state to achieve the goals of the Queensland Waste Reduction and Recycling Strategy. In recognition of this role, the government is supporting local government in the collection of current, usable data and the improvement of waste infrastructure. The funding associated with this support, and the initiatives introduced through the new legislation, is seeing some real, tangible benefits enabling local governments to make well-informed decisions and improve their delivery of waste management services.

In conjunction with local government and private industry, the Department of Environment and Resource Management has gathered data through a state-wide survey identifying waste facilities and recycling infrastructure in the levy area and the non-levy area. The data has been collated into a report that is available to all local governments and will be valuable as councils plan their local and regional waste management needs. This is the first time that state-wide data of this nature has been available. In addition to assisting the public sector, the data will also assist the private sector as they seek to invest in new waste management infrastructure and provide services to regional Queensland.

For a number of years my family operated a rubbish removal and recycling business on the Gold Coast. We concentrated on high-rise constructions, and the waste generated from those building sites was extraordinary. It mostly consisted of timber, tiles, concrete and cardboard—all products that could and should be recycled. A small business with only one sorting machine could not keep up with the demand, and truckloads of waste were transported to Ipswich to be dumped down mine shafts. Eventually these shafts will be full and landfill sites are becoming a premium. We have to look at ways to encourage businesses to reassess their waste disposal habits.

Since the introduction of the levy, over 90 per cent of medium or large landfills within the levy area throughout Queensland have undertaken surveys of their landfills. This information will assist future planning as, for the first time ever, there is a collective understanding of the availability of the state's current landfill space.


As part of the state's commitment to assist local government in their transition to levy readiness, grants programs to the value of \$17.1 million have been offered to local governments for infrastructure assistance. In the phase 1 grants program, 10 weighbridges were delivered, to a value of \$1.7 million. These grants have allowed councils to install weighbridges, software, gatehouses, traffic lights and CCTV. In the phase 2 infrastructure grants program 36 grants were issued, to the value of \$2 million. These grants have allowed councils to undertake computer, traffic control and security upgrades and repairs.

Whilst the initial phase 1 and phase 2 grants programs were directed towards levy readiness, the current phase 3 program for weighbridges and ancillary equipment has been made available for both the levy and non-levy area. This includes remote local governments and Aboriginal councils. DERM is currently assessing the current round of the program, with applications of approximately \$7.9 million being received. This program is rolling out new weighbridge installations, gatehouses, entrance works, software upgrades, security devices and fencing improvements. The \$13 million program has been

directed towards local government over the two-year period to 30 June 2013. The infrastructure upgrades will not only allow for the efficient collection of the levy; they will also allow local governments to make considered investment decisions for future waste management works based on real data.

Many councils have taken the opportunity brought about by the infrastructure grants to examine their own infrastructure and community needs following amalgamations. Many have also made decisions which see an improvement in the environmental performance of sites. For example, the local governments of Western Downs, Toowoomba and Southern Downs have taken the opportunity to plan the rationalisation of some facilities where it has been found that overservicing has occurred. It also offers the opportunity to provide staffing at other sites where it has been found that security is needed.

Charters Towers Regional Council had three uncontrolled landfills prior to the levy introduction. Council now intends to supervise these sites and record all waste transactions on a computer tablet. The benefits of the introduction of the waste reforms are already being recognised. In addition to local government infrastructure grants, it must always be remembered that councils are getting an absolute windfall out of this. A \$100 million fund to be used exclusively by councils for waste management is being established. That is a massive funding contribution from the state where other jurisdictions with a levy in place have not even contemplated such an offer. I cannot support this disallowance motion.

 **Mr SPRINGBORG** (Southern Downs—LNP) (8.50 pm): When we debated the machinery legislation some time ago that enabled this waste levy to go through parliament, we indicated that there were many problems with the implementation of a waste levy in Queensland—problems which the Labor Party in this state do not seem to be able to grasp in any way due to their centralist approach and the fact that they do not appreciate the impact that this will have on small, medium and large businesses in Queensland.

There are many problems that exist with regard to this levy, not least of which the impact on small rural councils, and even not so small rural councils with a large number of waste facilities, and the difficulties in establishing transfer stations and also the problems in dealing with illegal dumping, which is what will come out of this. The Labor Party do not seem to understand that significant areas do exist in some of those places where landfills are able to continue to operate, but they did not give those councils the opportunity to be able to use those areas.

I want to take time tonight to point out to this parliament an absolutely ridiculous situation which has only arisen in my electorate in the last couple of months—in fact, a day after the implementation of this waste levy. It affects a person and a family that would be known to many people in this parliament. Indeed, I think just about everyone has heard of Angelo Puglisi. Angelo Puglisi is a founding father of the wine industry in Queensland, as is his family. His wife and daughters are well known to many people for their advocacy not only for the wine industry in Queensland but also for the positive impact that that brings to tourism. Indeed, Angelo is such a larger than life character that he recently received an invitation to be in the company of Her Majesty the Queen when she came to Queensland. Not only that, he is also an Australia Day ambassador. He is somebody who moves around Queensland and talks about the importance of being Australian and what Australia Day actually means.

This waste levy was implemented on 1 December. The Puglisi family at Ballandean Estate had a horrific fire in their cellar on 2 December. That fire devastated many thousands of bottles of not only their own wine but also wine which they had made on contract for other people because they were excellent winemakers. Indeed, as they went through the process of discovering what could be done, not only to clean up but also to re-establish their cellar and build for the future, they came to understand the very negative impact of this draconian and inflexible waste levy in Queensland.

Unbeknown to many people, including the government and most people out there who have an insurance policy, if you have an insurance policy which is supposed to guard against you being out of pocket in the event of a major personal disaster such as a fire, there is a component in the policy for clean-up and disposal of waste. However, that component does not extend to the disposal of waste in a government landfill and meeting the requirement to pay the levy—to pay the levy. So, yes, you were covered for clean-up and disposal prior to 1 December. But you are not covered for disposal afterwards because if it is regulated waste—you cannot dispose of it on your own property anymore or dispose of it somewhere without cost—you need to go to a proper local government regulated landfill.


So, in the case of the Puglisi family, their insurance policy covered the clean-up but did not cover the disposal of the waste at a government landfill. Indeed, the Southern Downs Regional Council, through the mayor, has recently written to the government asking if there can be an exemption, given the serious nature of the impact of this fire on this family. The mayor has been informed in the last week that there is no exemption. No exemption actually exists in this case. But if there were a natural disaster and you have a disaster declaration, there is an ability in the act to be able to provide an exemption from the cost of the levy for regulated waste at a regulated landfill. So the Puglisi family missed out by one day. Their assumption would have been that their insurance policy would have covered it, as would be the assumption of many people in Queensland who have an insurance policy.

I want to bring to the attention of the people of Queensland who have an assumption that their insurance policy deals with clean-up and disposal of waste that they need to think again. It does not cover disposal since the implementation of the government's waste levy, which is draconian and it has not considered these particular issues. This will have a major impact not only on small businesses but on larger businesses in Queensland—the sort of people that this Labor government have very little empathy for when it comes to the administration of policies such as this.

I tried to assist the Puglisi family late last year through contacting the minister's office. But we have been informed that no exemption exists. The minister should consider this. An exemption should exist in these circumstances of personal disaster at least until such time as we can see people throughout Queensland take the opportunity to review their insurance policies, to have them updated and to have a specific clause inserted which addresses the issue of cost of disposal of regulated waste.

Fortunately in this case the Puglisi family were able to deal with some of the waste as unregulated waste because their bottles which were uncontaminated were able to be taken away by a glass recycler, as was some of the metal. But, unfortunately, as always occurs, there was cross-contamination of recyclable waste with unrecyclable waste which meant that it was impossible to fit in the category of unregulated waste and therefore it had to be taken to a landfill site. This family appears as though they will be some thousands of dollars out of pocket, at least on the advice I have from the mayor as he has sought to get an exemption from this levy for the Puglisi family.

I wanted to use that tonight as an illustration of those unforeseen consequences that come from the implementation of legislation such as this. How many Queensland businesses out there are unaware of this particular provision? How many Queensland businesses out there today are assuming that if they have a fire or if something happens to their business in an area which is not a disaster declared area they will have to pick up the cost of disposal because their insurance policy will not cover it? I think Queensland businesses need to be aware of that. Queensland businesses need to review their insurance policies. The insurance industry needs to get across this issue because it is a very real issue. It is a live issue, and it is a double tragedy for those people who go through such circumstances as the Puglisi family.

 **Dr DOUGLAS** (Gaven—LNP) (8.57 pm): This debate is about the legitimacy of the waste levy. This is about economics, but moreover it is about the fairness of implementing a charge that is returned not to the group who must manage the problem but is used to enrich the coffers, either directly or indirectly, via a slush fund, of those who do nothing to address this problem—that is, the government. Of course it is a Labor government and Labor governments believe that taxes are the only correct method of raising ever needed capital and they have this flawed concept that taxes produce adaptation, which of course is a fallacy.


Labor has no idea how the real world works. It never did. That is why Labor is incapable of balancing a budget, paying off real debt or keeping up with the infrastructure demands of growing economies. What is absolutely clear is that Labor creates far more waste than it could ever claim to prevent—it wastes money, it wastes resources, it wastes time and it wastes, critically of all, opportunity. As I say, that is the worst offence of all.

The waste levy is best seen as a five-tonne skip costing \$385 with a council levy of \$77 and this new state government tax of \$175. The end cost is \$560 for no extra benefit. Who was watching what was going on here? Did Labor cabinet ministers ever say to themselves or to one another, 'This is not equitable. We are not returning this money to council. Hey, guys, we—that is you—are keeping the money.' To the member for Morayfield I say that it would be all very well if the government was giving the money back to prevent landfill, but it is not. It is all about the filthy lucre. Labor went for the money—all \$400 million annually, and that is in the first year alone. And why? Because they are greedy. Do you know who pays? Joe and Joan Average who have to pay for skips as they renovate their homes in this market, and it is a very tight market. Their home values have fallen. They may well have had one more child themselves and their son and daughter possibly from their first marriage have come home to live with them. These children who come home might have a wife and two children as well, and they need to renovate to include a bathroom and maybe an extra bedroom. That is where all this stuff is going. That is where all the skips are going. Those extra charges mean they cannot afford to put taps in the bathroom.

Labor in government is not proposing to lower landfills or even move to zero landfills. It is merely proposing a new tax. This Labor government has no plan for reducing landfills beyond taxes because it does not understand science. I will give you the best example of how bad Labor's real skills are in this area. The Tugun desalination plant was originally designed on recycled energy produced locally. It was called a 30-50 plant designed to run on energy diverted from waste. Labor moved to a 30-120 plant run on what they call green energy. This was energy driven off the network but deemed to be from green power and allocated to the plant. It got too hard because the plant was so hopeless. It could not run itself and it could not run on the time schedules. They just bought network mains power to produce one litre of water at an effective end cost seven times that of the cost of collecting and treating water in a standard dam. There has never been any real progression to improve that plant beyond a limited solar system that provides less than 10 per cent of its needs only for 60 per cent of the year.

If members on the other side are genuinely interested in waste reduction and recycling strategies, they must have an honest approach to that mission. Taxing centrally is a fraud. It is a cop-out and it just makes the problem of illegal dumping and diversion of waste even greater. This is a nonsense about Queensland becoming the dumping ground for other states' waste, mainly because they have introduced fees with no role other than to take the tax. I say to government members who stated this over and over: prove it. I put to members tonight: have they ever considered the cost of moving waste per kilometre per tonne? It is the same as moving value-added goods. Australia is a very, very big country. I see the Minister for Main Roads in the chamber. He knows what the cost of roads, bridges and distances are. People are not going to move waste these sorts of distances. Stop fooling yourselves. The public are not fooled. Businesses are not fooled. This waste levy is all about applying chains to businesses and chains to families. People are not listening and they have switched off listening to these stupid strategies about implementing taxes that have no benefit, particularly from state governments.

The Labor government continues to assert that it is sitting on high moral ground and it is into alternative energy utilisation. In the last five years the government has only improved by four per cent in this state. That is the real statistic. The average amount of waste has doubled in the same time. I put it to members on the other side of the House: do they realise that methane from coal as CSG, which they champion, is the same methane that is produced from waste when it is recycled properly and treated? They do not consider it worthy of investment but in fact it is exactly the same product. In other words, if you are not spending the money on generating proper methane with these taxes, you need to withdraw this tax immediately.

 **Mr DEMPSEY** (Bundaberg—LNP) (9.04 pm): We have had a number of speakers contribute to the debate this evening, but a recurring point that emanates from this side of the House is that this simply is another stealth tax by a lazy Labor government which after 20 years in power is simply trying to balance the budget. When we asked members of the department how they came up with the \$34 amount, no-one had an answer. It is policy. The \$34 came out of cabinet and, funnily enough, it happens to match the amount that this Deputy Premier and Treasurer needs in order to balance his budget at the end of the year. The \$34 will be another slug to the rest of the community of Queensland on top of a carbon tax.

We have heard people from the community talk about the huge impost this waste tax will have on them. Do not be fooled by members on the other side who say that this has to do with the environment. We have had members from the community, especially Kennedy's recycled timbers, state that recycled timber—which is almost 70 per cent influenced by other chemicals—will be cheaper to buy overseas. The wonderful Tree of Knowledge monument in Barcaldine, which is symbolic of the Labor Party in Queensland, was made out of recycled timber from Kennedy's recycled timbers. Now if we had to do the same thing in this great state, we would be taking the timber from overseas plantations to do the same project. It is not good enough. They say that they are about protecting the environment. What a joke.

**Mr Rickuss** interjected.

**Mr DEMPSEY:** It is a small mentality in relation to the environment. The other side of it is why do we have to tax one part of the community—the business sector? If we are talking about overall waste and everybody having a piece of the waste, why do we have to put an impost on business alone in the form of \$34? Why? Because this Labor government has a mentality on business or anyone trying to get ahead. They can pay for it. Whack another bill on them. It is the same as that which we have seen passed by the federal government in relation to private health care. Just whack it on another sector of government. Make them pay for Labor's dismal showing.

Time and time again we see money being wasted and not being put into proper programs. Here we see a waste levy that has been put forward as another tax. We have seen community groups say that the carbon tax combined with the waste tax will see their community projects driven to the wall. Coupled with those costs, they would no longer be able to produce the goods to be able to make money to go back into community housing and welfare groups within the community.

When we look at our own councils, we do not hear from this level of government about the huge cost and burden that councils will be incurring. We have heard the Sunshine Coast and north coast councils say that there is almost an extra million in administration fees. There will be \$1 million from a small council just to comply with this state government's policies in relation to waste management. Where does the money go once it is collected? It does not go back into waste management initiatives. It does not go back into those councils and to the ratepayers who are paying additional rates to ensure that there are dumps in place. It comes back to the state government. It comes back to internal revenue, and a small amount of that is filtered back into the system. They take it but they do not give it back. When they say that they are looking after the environment, it just shows they cannot be trusted with the environment. They cannot be trusted with the finances here in Queensland.

These small councils are trying to do the right thing. It is a hard sell for the councils to push this waste levy on to the community. What have we already seen? The member for Gladstone and a number of other members alluded to the amount of rubbish and waste put around the streets in their local areas. What are we doing about that? We have enforcement. Once again, the environmental acts are fantastic

as we take away people's rights and liberties! These people are simply trying to get rid of their rubbish because they cannot afford it but we make criminals out of them. What type of incentive is that for people to protect the environment? We should be putting incentives out there to the whole of the community—not just to one business sector in the community which is trying hard to employ people, to generate jobs, to make better communities to make a better Queensland. This levy slugs these communities.

What will we see next? We have seen the start of this levy of \$34 a tonne. We have already seen the cost being added on by council, and there is no way this Labor government will bring this waste levy down. That simply will not happen because they have brought it in. They have dangled a carrot and they have sent out all the paraphernalia to the councils and the community that they are going to look after the environment. This is a shambles and government members do not care. They want the money in their budget, and that is why this was implemented at the end of December. Why didn't the government wait until the end of the financial year to implement this process? They did not wait until the end of the financial year because they needed six months of revenue to balance the budget. Then with their hands on their hearts government members have said that they care for the environment.

It simply does not stack up for the people of Queensland. The people of Queensland know exactly what this is. It is another stealth Labor tax. Who is going to suffer the most? The workers and the most vulnerable people in our community will suffer because those costs will get pushed on to them—on to the mums and dads in Queensland.

*(Time expired)*



**Hon. VE DARLING** (Sandgate—ALP) (Minister for Environment) (9.11 pm): I wish to thank half of the speakers I have had the pleasure of listening to tonight. Those from my side of the chamber have been able to explain the serious intent of our Waste Reduction and Recycling Regulation. Who would have thought that we would be back here four months after the passage of the legislation debating the same issue again? But here we are having to explain in detail—and I will speak very slowly for those opposite—the importance of these landmark reforms.

The Bligh Labor government is obviously very serious about halting Queensland's reputation as the nation's worst litterers. It is not just a reputation; the national litter index proves that we are the worst. Four months ago we passed landmark legislation to cut waste to landfill by half, to create thousands of green jobs and to create new recycling industries. I am actually not surprised to be here four months later explaining the importance of our suite of landmark reforms. Why? Because obviously it speaks volumes about the LNP's commitment to the environment and the people of Queensland. They have none.

This is an irresponsible attack on the Waste Reduction and Recycling Regulation 2011 and the very process that we on both sides administered. Let us not forget that this was the first bill to go through the new level of scrutiny under the portfolio committee process. It was the first bill to be looked at, turned upside down, shaken, shaped, moulded, debated and finally passed here in this House after lengthy public submissions and input from both sides. Disallowing this regulation would actually mean jeopardising the key initiatives that are designed to address the growing waste problems confronting our community. It would throw into chaos an industry that is currently adapting to these very important reforms.

First, I will remind the House of why the government decided to act in the first place. While many companies are working hard to minimise waste and recycle resources, Queensland produces an unsustainable amount of waste every year—10.5 million tonnes from households and businesses across the state—with only about one-third of recoverable resources being recycled. Queensland has an overreliance on landfill disposal and the state is missing out on opportunities for significant industry investment and green jobs growth.

In 2010 the government developed a 10-year plan to halve the amount of waste going to landfill by 2020 and to pursue significant waste reforms. The first part of the reforms—Queensland's Waste Reduction and Recycling Strategy 2010-2020—was released in December 2010. It is a new direction for waste management in Queensland and establishes goals and targets for waste avoidance, recycling and resource recovery over a 10-year period. We are creating green jobs in resource recovery. We are delivering a new legislative framework to modernise waste and resource management in the state and achieve targets in the strategy.

The Waste Reduction and Recycling Act 2011 and the Waste Reduction and Recycling Regulation 2011 are the core parts of the new framework. This is the most decisive step ever taken in Queensland to improve and modernise waste management and to bring Queensland into line with other states. The key reforms introduced through the legislative scheme include an industry waste levy to discourage landfill disposal and encourage recycling, stronger legislation to deal with litter and illegal dumping, and mandatory reporting that will enable the state to obtain meaningful data to support future waste management reforms. For the first time, Queenslanders can have confidence that the

government is taking serious action on our growing landfill problem and the urgent need to grow recycling industries and technologies. Several members opposite actually questioned whether there is a stress on our landfills. I thank the government members and in particular the member for Capalaba—who expressed the very real concerns in the Redlands area—who spoke about their landfill pressures.

So \$159 million is being reinvested to get Queensland levy ready and to embrace these important reforms. There is \$28 million in waste infrastructure grants, and these are out for application right now. These grants are for up to \$5 million each and are matched dollar for dollar by the government. This will encourage people to adopt innovative resource recovery and recycling options. I would encourage any business to apply for that; they are open right now.

There is \$2.4 million in rebates for recycling equipment, with a 40 per cent discount on recycling bins, sorting containers and information signs. There is \$5.5 million—with \$750 cash payments—for businesses to rethink their waste processes. There is already \$4 million to get levy ready and there is \$13 million over the next two years to improve infrastructure. Many councils have already applied for that infrastructure money to make sure they can have the weigh stations, fencing, signs, security, cameras and any other equipment they need. Of course, there is also a \$100 million fund that is exclusive to local councils to make sure they can improve their resource recovery.

These reforms did not appear overnight. There was extensive consultation, and many stakeholders have been working with us on this since 2007. Consultation continued with the release of the draft waste strategy in 2010. A regulatory assessment statement and a cost-benefit analysis for a waste levy proposal were also released for consultation in 2010. Targeted stakeholder consultation was undertaken in 2010 and 2011, with a final round of stakeholder consultation taking place in June 2011. The Waste Reduction and Recycling Bill was introduced into the parliament on 3 August and was referred to the newly formed Environment, Agriculture, Resources and Energy Committee. A report was provided to this parliament on 28 October.

As we would all be aware, this regulation gives effect to the measures in an act that has been passed by this parliament. Without the regulation, many provisions of the act are inoperable. Here are some of the most important measures that would fall over if the regulation was disallowed. The regulation contains measures that are essential for the operation of the industry waste levy established by the act and at the heart of the reforms. The regulation defines types of waste and applicable levy rates. It has provisions to identify waste that is exempt from the levy and contains instructions for calculating the levy.

The regulation also identifies those responsible for reporting annually on waste disposal and recycling in the state. This information is critical as it will allow us to track whether we are achieving the strategy's targets for cutting landfill and increasing recycling. It will help us to determine whether the levy, the business assistance programs and the other waste reform measures are working effectively to achieve our targets. It will provide the evidence needed to shape future waste reforms. Most importantly, we have empowered local governments to enforce stronger litter and illegal-dumping laws contained in the act. If the regulation is disallowed, local governments will not be able to continue to enforce the litter and illegal-dumping laws in their council areas. So there are serious consequences if the regulation is disallowed. The legislative scheme would basically be dismantled.

The revenue raised from the levy is being invested in a diverse range of projects to help Queensland and in particular our businesses, industries and local governments reduce their waste. I noticed that the member for Gladstone commented about the need to put the money raised by the levy back into local councils, and that is exactly what we are doing. Local governments and businesses are the big winners in the levy that will be gained.

Of course, my ultimate aim is to really reduce that levy, because the aim of these reforms is to make sure that we reduce waste to landfill and we have provided a price mechanism to be able to do that, as has every other state in mainland Australia. We would have been the only state without a levy operating and Queensland still has one of the cheapest levies operating in mainland Australia.

Of the money raised, we are looking at an investment of nearly \$160 million over four years to support Queensland businesses, industry and local government so that they can invest in new recycling and resource recovery infrastructure, which will support the reduction of waste to landfill, regional investment and, of course, the creation of green jobs. As I have been travelling around Queensland I have already heard of industries that are putting on more staff and installing further equipment so that they can increase their recycling and their resource recovery.

Industry and business programs, including market development, hazardous waste and applied research grants, will support innovation and development and fund the piloting of new waste treatment technologies. The significant funding commitment given by this government—\$17 million—is going directly to individual councils for improvements to waste infrastructure. Infrastructure improvements that many councils could not have afforded but for the grants provided by the state have seen marked and

appreciable changes resulting in better human health and environmental outcomes for rural and regional Queensland. Of course, the Sustainable Future Fund of \$100 million will be for the exclusive use of councils to help with their long-term waste management strategies.

Obviously, disallowing this regulation would be a huge step backwards for Queenslanders. As the member for Waterford rightly pointed out, if not for the levy we would all pay. We cannot continue to ignore the fact that increasing landfill is leaving a legacy for future generations. We are not going to make Queensland Australia's dumping ground. It would create enormous uncertainty in the business community if we were to disallow the regulation. So many businesses and industries already have their recycling programs in place and have invested heavily to make sure that they are ready to grow those green jobs and those recycling industries. If the regulation is disallowed, nothing done under the regulation before it was disallowed is affected. If the subordinate legislation amended or repealed other legislation, the other repealed or amended legislation would be revived.

Discussions with the waste industry about the need for industry reform, including a waste levy, commenced in 2007, with a levy being announced as a key aspect of the state's waste strategy in 2010. It is fair to say that over time—and, of course, with increasing momentum—the waste industry has planned for significant investments on the back of the waste reform program. As I have just said, many companies have already invested heavily in the expansion of resource recovery infrastructure and they will be the most heavily disadvantaged by a change of direction at this point.

Looking at the landfill disposal side of the waste industry, a disallowance of the regulation at this point in the implementation of the industry waste levy has the potential to cause serious disruption and unfairness to operators. For example, some operators have already paid the levy amount owing by the 20th of this month for the first month of the operation of the levy, which was December 2011, while others are yet to pay. It is expected that landfill operators have adjusted their business model to recover levy costs from clients. Those who are yet to remit levy moneys would be at an advantage over those who have paid.

One of the core objectives of the government's strategy on waste is the creation of green jobs in resource recovery. It is estimated that 9.2 jobs are created for every 10,000 tonnes of waste which is recycled, instead of only 2.8 jobs if the same 10,000 tonnes goes to landfill. By putting the legislative framework at risk, Queensland stands to miss out on valuable opportunities to develop new markets, to encourage industry investment and the potential to create over 2,000 green jobs for the future. Without this legislation, we will continue to produce waste at unsustainable levels. We will not achieve the strategy's target of cutting waste to landfill by half by 2020. We will continue to risk being a dumping ground for waste from other states. Believe me, it is true and I explained this in the last—

**An opposition member:** It's not true.

**Ms DARLING:** It is true.

**An opposition member:** I've seen the committee transcript. There's not a thing in there.

**Mr Cripps:** Evidence from the committee demonstrated that that is not right—not true.

**Ms DARLING:** We had proof that other councils were looking at moving their waste from northern New South Wales to Queensland. I am happy to show the member that proof. We talked about it the last time we debated this matter. We will also have missed out on an opportunity to provide Queensland businesses with policy certainty to make investment decisions. The waste reforms were well overdue and a huge step in the right direction for Queensland. Let us not take a backward step now when we have come so far.

I want to pick up on a few points that were raised. I want to make sure that the member for Gladstone understands that that funding will go back into local government, with a \$100 million fund over four years. Local government is also entitled to apply for the \$159 million fund. That is for local governments and businesses to make sure that they can get recycling infrastructure in place and really make the most of diverting that waste from landfill and make sure that it is a resource that can be used, particularly in the building industry.

A lot of people raised additional claims of costs to new housing. Building industry leftovers after construction are in huge demand. There are plenty of industries around Queensland that are looking at recycling bricks, timber and aluminium. There are so many products that can be made from housing. There is a growing demand for recycled building projects. Of course, if businesses stick to a business-as-usual approach, they will not get value for money. A cost-benefit analysis using waste generation figures was provided by Master Builders Queensland. That analysis showed that the cost of a new house may grow between \$545 and \$945. But that is only if the business-as-usual approach is adopted. That is nothing like the thousands of dollars that are being claimed by the other side.

The member for Glass House stated that the deeming provisions contained in the regulation exceed the legal load limits allowed by the department of transport. That is not the case. The deeming provisions are based on the gross vehicle mass of transport vehicles and, of course, they cannot exceed legal limits.

With regard to the Cairns alternative waste technology issue that was raised by the member for Hinchinbrook, the regulation provides a specific levy exemption for 63 per cent of each load of residue waste that is delivered to landfill from the Bedminster facility in Cairns. The exemption was provided after extensive consultation with the Cairns Regional Council, and I must acknowledge the member for Cairns, who was very instrumental, along with the other members who represent areas around Cairns, in representing the ratepayers of that area and in negotiating this reduction for the Bedminster facility. The exemption means that Cairns householders are not impacted by the application of the levy to their waste.

Finally, with regard to the concerns raised by the member for Southern Downs, I can inform him that my office spoke to Angelo Puglisi probably the day after his concerns were raised about needing to dispose of waste into landfill. Unfortunately, that was an issue for his insurance company, because he would not have been hit with the levy. That was a cost that the council would have been able to absorb. The remaining cost was something that the insurance company should have provided and I think that is a problem with insurance companies not covering that.

I think the problem is insurance companies not covering that. It is not to do with the new levy regime. We had a conversation with Angelo. It is to do with the insurance policy. But I agree that it is a problem. I think we should continue to make sure that we advocate, on behalf of people who have these sorts of fires and need to dispose of this sort of material, that insurance companies do, in fact, cover this.

I thank all of the government members who have spoken in defence of what are some of the most amazing landmark reforms. I have been pleased to follow through on the work that was done by my predecessor, the honourable member for Ashgrove, and deliver such significant reforms for Queensland.

The member for Morayfield referred to Ian Kiernan and his fantastic work with Clean Up Australia Day. I was very pleased to be able to join Ian today to launch this year's Clean Up Australia Day. He can attest to the fact that members of the public are angry and are sick of cleaning up other people's rubbish. We do not want to disallow anything that will stop the important littering and illegal-dumping reforms that we have implemented.

The member for Burleigh talked about the many grants available to councils and the member for Pumicestone made the important point that we have some of the cheapest levy rates in the whole of Australia. This is important reform that we are happy to stick by. There are many grants. There is a lot of support for business and for councils and I encourage them to get on board and apply.

Division: Question put—That the motion be agreed to.

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

**NOES, 46**—Attwood, Boyle, Choi, Croft, Darling, Dick, Farmer, Finn, Fraser, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Reeves, Roberts, Robertson, Ryan, Scott, Shine, Smith, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Grace

Resolved in the negative.

**Mr SPEAKER:** I acknowledge in the public gallery the students from the Bond University Law School in the electorate of Mermaid Beach.

## ADJOURNMENT



**Hon. AP FRASER** (Mount Coot-tha—ALP) (Acting Leader of the House) (9.38 pm): I move—  
That the House do now adjourn.

### Callide Valley, Water Allocations



**Mr SEENEY** (Callide—LNP) (Leader of the Opposition) (9.38 pm): Tonight I want to table in the parliament a letter and a petition on behalf of a group of constituents of mine who have been badly treated by this government and in particular by the Department of Environment and Resource Management. DERM is a legend in Queensland. Everyone has a DERM story. The mess that DERM has made of the water allocations in the Callide Valley I think is one of the worst examples of

government mismanagement. It set out to address a problem which everyone agrees needed to be addressed. It has caused enormous angst amongst Callide Valley water users and it has created community tension and upset that has gone on now for quite a long period of time. Even with the latest so-called resolution of this issue, there are still a large number of landholders who are dissatisfied with the outcome.


The petition that I table tonight is from a group of landholders in the lower Callide groundwater entitlement area. There are some 52 allocations in the lower section and this petition is signed by 44 of those people. Of the 52 people affected, 44 are dissatisfied by the outcome. That is the sort of result that DERM has been able to engender.

There is no doubt that there needs to be an adjustment of the water allocations in the Callide Valley to meet the available water. I think most people accept that, but the principle of historic use that has been adopted has produced an outcome that disadvantages by far the greatest number of landholders. Landholders have accepted that there needs to be an adjustment. They have put forward to the department an across-the-board percentage reduction that would give DERM the outcome that it requires. But DERM, for its own reasons, rejected what the irrigators themselves worked out was fair and reasonable and came up with its own solution which pleased nobody.

This is an issue that has to be addressed some time in the future. It is an injustice that has to be addressed. Irrespective of who wins the upcoming election, this sort of issue has to be addressed. The problems associated with DERM have to be addressed so that the outcomes that come from that department meet the needs of the people who depend on that department to administer the essential things in their life like water. Nothing is more essential for an irrigator than their water allocations and they should be able to negotiate with the department to produce a win-win outcome. The irrigators have tried to do that. DERM has rejected it. I think it is a sad reflection on a department that has clearly failed. I table the petition.

*Tabled paper:* Non-conforming petition relating to Lower Callide groundwater entitlement holders [\[6499\]](#).

### **Coomabah State School; LNP Candidate for Broadwater**


 **Ms CROFT** (Broadwater—ALP) (9.41 pm): Last year I was pleased to announce that \$39,200 would be provided by the Bligh government to establish the Stephanie Alexander Kitchen Garden Program at Coombabah State School. I am very pleased that the Queensland government has got behind the Stephanie Alexander program and I am thrilled that one of my local schools is a beneficiary of the program. The funding will complement the aquaponics program already at the school and, with the new Coombabah community garden happening soon, thanks to the hard work of many locals, there will be a lot of activity at the school and that is fabulous. Last year, following a meeting I had with the Minister for Education, I was able to announce \$500,000 in the state budget for the Coombabah State School to refurbish the administration block. I am pleased that over the Christmas break work was carried out and when school started for semester 1 the administration block was ready. There is still some work to be completed, but the feedback from teachers and parents has been very positive.

Recently, I attended a meeting of the Paradise Point national seniors during which the LNP candidate declared that the school should have flashing lights to prevent people from speeding on the weekends. I have news for the LNP candidate for Broadwater: in December last year I announced that the school will have vehicle activated lights installed on Oxley Drive. The P&C and I lobbied for their installation and the lights will be installed by semester 2. Vehicle activated lights only work during school zone operating hours. Unless it is a new LNP policy to send kids to school on Saturdays, obviously the lights will work only during the week. On the weekends, at this location the speed limit will remain at 40 kilometres per hour.

So far the LNP candidate for Broadwater has announced two commitments that Labor has delivered on: dredging the Broadwater and flashing lights at Coombabah State School. He has also promised to spend taxpayers' money fixing a council road, Pine Ridge Road, by supporting a plan that proposes to take out perfectly working lights at Rain Tree Glen intersection and replace them with a roundabout. Obviously, he is not concerned about pedestrian safety as much as he says he is and obviously he does not know the area in question. A true local would know that elderly people on scooters and walking, as well as students going to at least three state schools in the area, use those lights on their journeys. It is ridiculous to support such a proposal and I oppose it. Recently I have written to the local councillor in opposition to the plan.

Being a true local who actually lives in the area enables me to really understand the area I represent. With mobile office locations that I am actually at, I meet with people to listen to their views about local matters. I will continue to work hard for the people of Broadwater and the area.

## Greyhound Racing Industry

 **Mr STEVENS** (Mermaid Beach—LNP) (9.44 pm): In this last sitting of parliament before the state election, I rise to highlight the sudden and unexplained interest the minister responsible for racing, Mr Tim Mulherin, has taken in the racing industry by making specific announcements for the greyhound industry as part of the amendments to the Racing Industry Infrastructure Plan developed by chairman Bob Bentley and his Labor mates at Racing Queensland. Talk about waiting till five minutes to midnight to try to convince people in the greyhound industry that the minister genuinely cares about greyhound matters! This is the same minister who has repeatedly rejected our calls for him to intervene in Racing Queensland in terms of the treatment the greyhound industry has received from Bob Bentley.

The form guide is there for all to see: the greyhound representative on the board sacked without explanation; Cronulla Park shelved without explanation; \$10 million compensation due to the greyhound industry swallowed up by RQ trying to push the greyhound industry to Deagon when it did not want to go. Did the minister say anything to halt the railroading of the greyhound industry by Bob Bentley during his whole tenure as minister responsible for the greyhounds? There was not a word, just hollow lame excuses that 'it has nothing to do with Minister Mulherin; go and see Bob Bentley.'

If those in the greyhound industry believe that this last-minute codswallop promise of \$30 million is going to eventuate after the election if Labor and Bentley remain, they might as well put their teeth out for collection by the tooth fairy on 24 March. Let us look at the timing of the announcements of a new \$24 million track and headquarters for greyhound racing at Cronulla Park, Logan—a Labor electorate; \$6 million for a new greyhound track in Townsville—four Labor electorates; \$6 million brought forward for a tunnel under the course—

**Mr WALLACE:** I rise to a point of order.

**Mr SPEAKER:** Order! Stop the clock.

**Mr WALLACE:** The member for Mermaid Beach is misleading the House. That track is actually in the seat of Burdekin, which is an LNP electorate. He is misleading the House.


**Mr SPEAKER:** Order! I will rule on the point of order. That is a frivolous point of order. I say to the minister, under standing order 245(3)(i), do not do it again.

**Mr STEVENS:** As I was saying, there is \$6 million for a new greyhound track in Townsville—four Labor electorates; \$6 million brought forward for a tunnel under the course to access the infield for a secondary greyhound- and harness-racing track at Ipswich—another Labor electorate. It is astonishing in its audacity and incredible in its blatant deceit, as already the whispers abound that Queensland Treasury will be blamed for knocking back the proposals after the election because they fail the business case.

These pie-in-the-sky promises, made weeks before the election on Saturday, 24 March, are desperate political ploys that have no substance and are promises that will not be kept by this out-of-touch state Labor government and are akin to the fuel tax deceit and the sale of public assets deceit. The government's flawed legislation amalgamating the three racing codes has seen devastating results. The greyhound industry and all other racing codes need certainty and not empty promises. That will not be delivered by Labor, by any stretch of the imagination. I urge all racing participants to ignore these promises that do not have any substance but have popped up at this politically motivated time to sway their vote on 24 March.

*(Time expired)*

## Mornington Island

 **Mrs KIERNAN** (Mount Isa—ALP) (9.47 pm): In 2011 alone, the government has been responsible for eight grants of land under the Aboriginal Land Act, covering an area of over 890,000 hectares. Since the proclamation of the state's Aboriginal and Torres Strait Islander land acts in 1991, over 2.5 million hectares of land throughout Queensland has been granted as absolute freehold title to Aboriginal people and Torres Strait Islanders. Of special significance to me and the members of my electorate is the handover of land on 7 December 2011 on Mornington Island.


The Mornington shire lease was transferred under two separate deeds under the Aboriginal Land Act 1991. One deed, covering most of Gununa township, was granted to the Mornington Shire Council. The second deed, covering non-township land and two culturally important areas within the township, was granted to the Gulf Region Aboriginal Corporation, the registered native title body corporate.

The government is committed to assisting GRAC and Mornington Shire Council reach agreement over appropriate tenure solutions on the island. It is crucial for the future management and economic development of the Mornington Island community that, as the two primary trustees of land on Mornington Island, GRAC and the council work together to reach agreement.

DERM is continuing to work on and to discuss land availability and tenure options. Earlier this week the Minister for Finance, Natural Resources and the Arts wrote to GRAC and the council confirming that the state will continue to provide departmental support and foster the crucial ongoing relationship between these two Indigenous groups. I am pleased to advise that the government is actively engaged in supporting this important relationship between GRAC and the council.

I have worked very closely with both the council and Mornington Island community members. Certainly over the last couple of years there have been many improvements on Mornington Island with respect to education and health services as well as children's safety, which is very important to me. I am really pleased that the council and GRAC are moving to work together for the betterment of the people of the island.

### Gold Coast, Economy

 **Dr DOUGLAS** (Gaven—LNP) (9.50 pm): Nowhere is the dismal state of small business in Queensland more evident than in parts of my electorate of Gaven. During a meet and greet of business operators in the Carrara area last weekend, I heard story after story of battling small businesses being forced to consider closure if the Queensland economy does not pick up. Of course, we know that it will not because this Bligh Labor government is financially incompetent. Those words are the exact words used by every small business who proffered an opinion.

These family run businesses, many of them food and restaurant businesses, complained that business had all but evaporated. If it were not for family members working long hours in the businesses, they would have closed long ago because they cannot afford to pay expensive labour. All the more distressing is the fact that many of these business operators have come to Australia to make a living and to improve their lot. Many have no other alternatives. They do not have the skills, they are too old and they cannot borrow any money to buy a franchise.


The operator of a liquor business told me that things were so bad that customers were paying for a \$3 can of beer on a credit card. What does that say? He also said that tradies were no longer purchasing as much liquor as they previously did because of the drop-off in work. The operators of a fish-and-chip business said that families no longer bought there as they did not have the money. It was mainly people in the 18 to 30 years age bracket living at home with no mortgage payments who were patronising their businesses.

I talked with the operator of a pizza business churning out pizza bases who had been working from early morning to late at night. He said that he could not see business picking up under the present Bligh Labor government. He pleaded with me for a change in government to stop small business stepping further into their own graves. He told me that the government considered small business operators as cash cows to be milked at every opportunity. Another operator told me that he moved to Queensland from Melbourne 16 years ago, when Queensland was leading the nation. He said that it had dropped abysmally, with business dropping by 50 per cent in the last 12 months—just a bit higher than the year before.

Whilst these businesses are suffering downturn in trade, they are also facing crime in their area. One operator told me that they had installed security cameras after being hit by young criminals in the area and reports of drug dealing happening right outside their store. My electorate has home improvement businesses. These small business operators just cannot compete with the large conglomerates established in Nerang—Masters and Bunnings. Perhaps the only glimmer of hope from the business operators I met was the operator of a small shop selling bric-a-brac and second-hand clothes. She said that that is all people can afford.

After speaking with small business operators I fully understand what these people are facing. They are a dying race. Before long, shop after shop will close its doors because there is no future. Facing increased crime as well as increases in electricity and gas prices, motor registration and other government fees, coupled with the soaring general cost of living, they see no future. What a demoralising morning I had. Sadly, this is being repeated over and over under this Bligh Labor government. On 24 March the people of Queensland need to clean out this government.

### Newman, Mr C; Wild Rivers

 **Ms JONES** (Ashgrove—ALP) (9.53 pm): We are very fortunate to have some of the most pristine and healthiest natural rivers in the world right here in Queensland. These free-flowing rivers provide the livelihood for producers and farmers and many regional communities across our state and provide life for many of our unique wildlife and species here in Queensland. River systems such as these are increasingly rare, and that is why at every turn I have supported and personally acted to provide greater protection of our wild rivers in Cape York, the Gulf Country and the Channel Country in Western Queensland.

Unlike my opponent, I have unequivocally and always supported the protection of Queensland's wild rivers. Campbell Newman, however, has repeatedly attacked the government's wild rivers legislation and said that if elected he would scrap it. We have seen that in repeated articles in *Queensland Country Life*. An article in that publication is headed 'Campbell Newman's discussion with Cameron Thompson'.

**An opposition member** interjected.

**Ms JONES:** Just wait for it, buddy! In it he states, 'Wild rivers, no. Farming, yes.' That was Newman's policy in September last year and Newman's policy in November last year. Another headline states 'Newman plans to open up wild rivers to mining'. In the article Terri Irwin, wife of the late Steve Irwin, said that she had tried unsuccessfully to talk to Mr Newman about the issue. Ms Irwin said about Campbell Newman's stand—

... I think it's absolutely ridiculous to be considering anything other than supporting wild rivers.


So I wonder why suddenly today we get this press release from the Campbell Newman led LNP.

**Mr Lawlor:** It's the polls. It's the polls in Ashgrove.

**Ms JONES:** Does the member for Southport think it is the polls? It may have been because of the fact that they actually doorknocked some people for a change. The press release is headed 'LNP safeguards wild rivers'. That is the headline today. We have gone from 'Wild rivers, no' and 'Newman plans to open up wild rivers for mining' to 'LNP safeguards wild rivers'.

But members should not get too excited, because when they look at the press release issued by Campbell Newman's team today they will see that it is all wishy-washy weasel words. What he is trying to do—as he always tries to do—is say that he is pro the environment. However, when you look at it, what is missing from the press release? What is missing is Campbell Newman saying that he will actually keep in place the wild rivers protections, which are enshrined in legislation thanks to this government and the work that we have done with local communities right across Queensland to protect these rivers for the future. Mr Newman, your weasel words will not cut the mustard in Ashgrove.

### Ayr Railway Station

 **Mrs MENKENS** (Burdekin—LNP) (9.56 pm): A skeleton staff now remains at what was once the Burdekin district's busiest travel hub with the Ayr Railway Station downgraded and the goods shed closing just before Christmas. It is ironic that, in the same week that the Deputy Premier and Labor politicians opened Queensland's 'missing link' from Goonyella to Abbot Point, the Burdekin now has its very own missing link. It is just shameful how this vital service to the north has been abandoned.

Chemicals and fertilisers that were previously off-loaded in Ayr and picked up directly from the goods shed now go through to Townsville, are unloaded and then backtrack through to Ayr via a road transport. That is more double-handling and more trucks on the Bruce Highway carrying sometimes hazardous goods. We now have massive tonnages of fertilisers destined for Burdekin canefields travelling past on rail, then travelling back along the already congested Bruce Highway and across the Houghton River bridge. Of course, people of the north have been calling for an urgent upgrade to that bridge.


QR National promised that there would be no changes to delivery, but only two truckloads a day are bringing goods back down from Townsville. This has inconvenienced local business houses that are reliant on the timely delivery of goods to their customers. How is this double-handling going to be cheaper to consumers in the long run? Two deliveries a day is insufficient and inefficient.

The Bruce Highway could also be overrun with additional heavy vehicle traffic if North Queensland sugarmills are forced to use trucks instead of rail to transport sugar. I understand that negotiations are underway between Sucrogen and a road transport company to transport its products directly from the Sarina mill to the Mackay refinery—an extra 215 round trips per week on the Bruce Highway. Sucrogen said that it will continue to use QR's rail service in the Burdekin and Proserpine, but who knows what may happen? Has the main roads department factored in the additional impact that this would have on the Bruce Highway? Was there any forward thinking in this government's decision when it closed the Ayr Railway Station, when it axed this vital service with no consideration given to the impact on rural Queenslanders or the road network?

Ayr was linked to Townsville by rail in 1901, and the station has a proud 110-year history of providing an essential transportation service to the district, with as many as 80 staff in its heyday. Sadly, gone are the days of buying a ticket in person or the friendly porter helping you off at the station. Also gone are the days of goods being unloaded at the goods shed and being picked up by local retailers. Now the train will just puff on by, like the Premier's huff-and-puff promises of more jobs for Queenslanders.

*(Time expired)*

### Dakabin State High School

 **Ms O'NEILL** (Kallangur—ALP) (10.00 pm): Dakabin State High School is like the phoenix and is rising again from its neglected former self to look like the first-class school it is. Dakabin State High School is a great school. As I reported to the House in 2009, Dakabin has always produced great academic outcomes, achieved great sporting results and, because of its agriculture program, produced prize-winning cattle. However, it is not its educational achievements that I wish to talk about tonight.

Dakabin is a school that has achieved great things in spite of the buildings and surroundings it is situated in. There has been an ongoing problem with design and maintenance which has resulted in some pretty severe problems. I was so distressed about the state of Dakabin that I asked the minister to visit the school with me and see firsthand the crying need for more funding. Minister Dick visited and brought with him several departmental staff who agreed that help was needed. The QTU members had also met and resolved to campaign to get improvements and fix the many OH&S issues that existed.


I am happy to report that there have been significant improvements both to the buildings and to the surroundings. Many non-native trees have been removed, retaining walls have been built, paths have been repaired and just last week the funding to repair and replace gutters and downpipes was allocated. Of particular importance is the fantastic fence that now encloses the high school. It is not only beautiful but it has reduced vandalism and improved morale. There has been a team of maintenance tradespeople there fixing longstanding electrical, plumbing and building problems.

The school looks brighter and neater and things are slowly being brought up to standard. Not only are the school grounds and buildings looking better; the students are in uniform and are regaining their pride in the school. I was really impressed to see all the seniors in their formal uniform at the leaders' investiture, and I could see how proud they were. But we need to do more—to fix the roofs, to install better drainage and to construct a new admin building that will allow for proper space for ESL and other specialised teaching.

In this last year Queensland has seen more than its fair share of disasters, which have strained our state resources to the limit. It has been hard to get the funding to bring Dakabin up to its proper standard, but we cannot stop now. I respectfully request that the minister keep an eye on Dakabin and ensure that the funds to finish the job are available and that we will finally see the buildings and surroundings come up to the standard of the staff and students.

Congratulations and thanks to Principal John Schuh, deputies Paul Penny, Peter Hackett and Sandy Kane, and all QTU delegates and members and other staff for their continued hard work and commitment and for working way outside their regular hours to help get the school looking and working better.

### Dorrton, Mrs K

 **Mr MESSENGER** (Burnett—Ind) (10.02 pm): I acknowledge the presence of the health minister in the chamber. Burnett mum Kellee Dorron has been the subject of shameful personal attacks by Queensland Health bureaucrats. I am referring this disgusting illegal behaviour by Director-General Tony O'Connell, manager Luke Worth and Dr Michael Hills to the CMC and police.

Mrs Dorron approached me for help because, after the birth of her daughter in December, different medical staff on two occasions indicated to Mrs Dorron that during her C-section and baby's birth a bilateral tubal ligation had been carried out. This information alarmed, distressed and harmed Mrs Dorron because she had earlier retracted permission for that procedure and thought that a mix-up had occurred.

The unusual behaviour of a doctor during the birth of her baby last December reinforced that opinion. Mrs Dorron says that just before the birth of her child—preoperative—she was repeatedly asked by a doctor, six times in a 10-minute period, why she did not want a tubal ligation. Mrs Dorron felt as if she was being badgered and discriminated against because at the age of 27 she had had nine children. Alarming, this questioning by the doctor continued while Mrs Dorron was affected by anaesthetic and during the operation to deliver her baby. Mrs Dorron's husband was forced to intervene and tell the doctor in reference to the tubal ligation, 'No, she's not getting it done,' and 'to leave it'.

Queensland Health bureaucrats denied Mrs Dorron access to her medical records for two weeks, despite Mrs Dorron filling out the official paperwork and also a letter of request from my office to the Premier. Her records were only handed over after Mrs Dorron, I and a national media team arrived at the hospital and asked to speak to the hospital manager. Despite forcing an official statement from Queensland Health that the procedure was not carried out, Kellee's medical records have not cleared up the confusion. I table the record.


*Tabled paper:* Medical record from the Wide Bay Health Service District [\[6500\]](#).

Vital records are missing. Progress notes for 29 December 2011, the day a nurse told Mrs Dorrn her tubes had been tied, have disappeared. An elective surgery form naming a 'bilateral tubal ligation' was stamped as 'treated'—and that is the document which I have just tabled—which added to Mrs Dorrn's concerns and confusion.

The only way Mrs Dorrn can remove all doubt that she has not been made deliberately sterile is to undergo more invasive tests. These will be delayed because of a severe MRSA infection—including an oozing cavity the length of her C-section or cellulitis—that Mrs Dorrn developed after her surgery. The Director-General of Queensland Health, acting on the orders apparently of the health minister in an effort to discredit Mrs Dorrn, has against her will released her medical records and is now blaming Mrs Dorrn for the infection, saying she was an MRSA carrier. This has been disproved by her medical records. This will be the subject of referral to the CMC and also the police.

*(Time expired)*

### **Chatsworth Electorate, Belmont Rifle Range**

 **Mr KILBURN** (Chatsworth—ALP) (10.05 pm): Yesterday I talked about a number of achievements in my local electorate that I have been working on for a long period of time, and today I want to talk about one more. The electorate of Chatsworth has a number of fast-growing residential areas, particularly Carindale. As with all fast-growing areas, there can quite often be a bit of conflict between different land uses. An example of this is some problems between the new, fast-growing residential areas of Carindale and the Belmont Rifle Range, which has been on its present site for over 100 years.

The noise from the rifle range is causing some concern to local residents. I am happy to be able to tell the local residents in areas of Carindale such as Ridgeview Street, Mount Petrie Road, Greendale Way, Cribb Road, Pembroke Place, Hereford Crescent and Kenilworth Place that the department has, with the Queensland Rifle Association, set up a noise-monitoring study, which commenced on 17 January and is due to be completed by the end of March 2012. It will identify the main problem areas, where the noise is coming from and what potential structures can be put in place to change the daily use and to control the noise.

There is no doubt that the rifle range has been there for a significant period of time and the people who have moved into the area have done so since the rifle range was in use. There is no suggestion that the rifle range should be shut down or moved. However, it is important that we all work together, as all good neighbours would do, to try to ensure that we get the best possible outcome for everyone involved. I am very happy that the newly elected board of the Queensland Rifle Association are very proactive and understand their need to work with the local neighbours, and they are very keen to put in place a number of simple changes which will make the noise in the area a lot less intrusive to the local residents.

The sporting shooters range, for example, has an old tin structure with a tin roof, which quite significantly amplifies the noise of the rifle shots, and there are a number of easy-to-purchase noise abatement materials which they will use to line the different positions of the sporting shooters which will significantly reduce the noise. I am very glad that the minister has, in conjunction with the department, set up a \$250,000 fund which will be used by the Queensland Rifle Association to put in place those noise abatement measures which will benefit not only the local residents but also the users of the rifle range and ensure that the rifle range can stay in its current position for many years to come. In fact, as we all know, it is a site that will be used during the 2018 Commonwealth Games.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.08 pm.

### **ATTENDANCE**

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